



PROGRAM

UNITED NATIONS SPECIAL RAPPOREUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS

KONRAD-ADENAUER-STIFTUNG | NEW YORK OFFICE

NEW YORK CITY BAR ASSOCIATION

CONTEMPORARY CHALLENGES ON THE INDEPENDENCE OF JUDGES AND LAWYERS FROM A GLOBAL PERSPECTIVE

CONFERENCE PROGRAM

GREENTREE, LONG ISLAND, NEW YORK

FEBRUARY 9TH TO 11TH, 2019

SATURDAY, FEBRUARY 9TH, 2019

12:00–7:00 pm

Arrival of overseas guests

Transfer from respective airports or hotel to the retreat venue on Long Island:

Greentree Conference Foundation

220 Community Dr,
Manhasset, NY 11030.

7:00 pm

Welcome Dinner

Dining Room (Main House)

Welcome:

- **Andrea Ostheimer**, Executive Director of the Konrad-Adenauer-Stiftung Office in New York City.

Keynote Speech: “The independence of Judges and Lawyers from a Global Perspective”

- **Diego García-Sayán**, the United Nations Special Rapporteur on the Independence of Judges and Lawyers.

SUNDAY, FEBRUARY 10TH, 2019

Panel 1. Current status of the UN Basic Principles on the Independence of the Judiciary

8:30 – 10:30 am

- **Africa:**

- **Charles Fombad**, Professor of law and heads the African Comparative Constitutional Law Unit at the Institute for International and Comparative Law in Africa (ICLA), Faculty of Law, University of Pretoria.

- **Middle East:**

- **Shimon Shetreet**, President of the International Association of Judicial Independence and World Peace.

- **Asia:**
 - **Il-won Kang**, Retired Justice of the Constitutional Court of the Republic of South Korea.
- **Europe:**
 - **José Manuel Igreja Matos**, President of the European Association of Judges.
- **North America:**
 - **Martin S. Flaherty**, Leitner Family Professor of Law and Founding Co-Director of the Leitner Center for International Law and Justice at Fordham Law School.
- **Latin America:**
 - **Úrsula Indacochea**, Senior Program Officer for the Program on Judicial Independence at the Due Process of Law Foundation (DPLF).

Moderator:

Jordi Feo, Visiting Researcher, Human Rights Research and Education Centre, University of Ottawa

Discussion:

10:30am *Coffee break*

Panel 2. Contemporary challenges of the independence of judges and lawyers and the review of the Basic Principles (Part I)

10:45-12:00

- **Corruption and Organized Crime: threats and challenges to the judiciary and the legal profession**
 - **Baltasar Garzón**, Judge, Attorney, and President of the Baltasar Garzón International Foundation (FIBGAR).
 - **José Ugaz**, President of Proética, Transparency International, National Chapter in Peru.
 - **Thomas Markert**, Director, Secretary of the Venice Commission Council of Europe.

- **Correlation between the UN Basic Principles with accountability. Ethical and deontological requirements placed on judges. Interaction with the Bangalore Principles on Judicial Conduct**

- **Rudolf Mellinghoff**, President of the Federal Supreme Finance Court of Germany.
- **Tatiana Balisova**, Crime Prevention and Criminal Justice Officer, United Nations Office on Drugs and Crime. (UNODC)

Moderator:

Franziska Rinke, Coordinator of the International Rule of Law Programs at the Konrad-Adenauer-Stiftung.

Discussion

12:00 Lunch and Group Picture
(Main Dining Room)

Panel 2. Contemporary challenges of the independence of judges and lawyers and the review of the Basic Principles (Part II)

13:30–15:00

- **The creation of bodies responsible for the recruitment, appointment, promotion and discipline of judges composed or constituted in a manner such as to secure their independence.**
 - **Maria Thereza de Assis Moura**, Vice-President of the Superior Tribunal of Justice, Brazil.
 - **Haroldo Brito Cruz**, Chief Justice of the Supreme Court of Chile.
 - **Javier de Belaunde**, Professor of Law, Pontificia Universidad Católica del Perú Department of Law, Partner at Echeopar associated with Baker & McKenzie International, Peru.

Moderator:

Diego García-Sayán, United Nations Special Rapporteur on the Independence of Judges and Lawyers.

Discussion:

15:00 *Coffee break*

Panel 2. Contemporary challenges of the independence of judges and lawyers and the review of the Basic Principles (Part III)

15:15-18:00

- **Bar Associations and Lawyers' Associations: Major Threats, Challenges and Principles to be considered for their independence**
 - **Marina Brilman**, Advisor to the Law Society of England & Wales on international human rights and lawyers at risk.
 - **Hugh Kam**, Counsel Member, Hong Kong Bar Association.
- **Safeguards for the Independence of Prosecutors**
 - **Thulisile Madonsela**, Former Public Protector of South Africa.
 - **Manon Lapointe**, General Counsel with the Regulatory and Economic Prosecutions and Management Branch of the Public Prosecution Service of Canada, and currently seconded to the International Association of Prosecutors as acting general counsel.

Moderator:

William A. Wilson III, Chair of the Task Force on the Independence of Lawyers and Judges, New York City Bar Association.

Discussion

6:30 pm *Reception*

7:00 pm *Dinner*
Dining Room (Main House)

MONDAY, FEBRUARY 11TH, 2019

8:30-10:15am

Panel 3. Translating ideas into practice: Rethinking the UN Basic Principles of the Independence of the Judiciary (Part I)

a) Overview of status of the matter at the UN.

- **Stefano Sensi**, Lawyer in charge of the UN Special Rapporteur's Desk, Office of the High Commissioner for Human Rights, Geneva.

b) Interaction with the Judicial Integrity Network of the Bangalore Principles.

- **Carl Olav Smith**, Deputy Secretary of the Special Secretariat for Programs, Research and Strategic Management of the National Council of Justice and State Judge at the Court of Justice of the State of Rio Grande do Sul, Brazil, and member of the UNODC Judicial Integrity Network.

c) The role of international NGO's in this advocacy campaign.

- **Matthew Pollard**, Senior Legal Advisor, UN Representative, Centre for the Independence of Judges and Lawyers, International Commission of Jurists.

Moderator:

Pablo Saavedra, Executive Secretary of the Inter-American Court of Human Rights.

Discussion

10:15

Coffee break

10:30-12:30

Panel 3. Translating ideas into practice: Rethinking the UN Basic Principles of the Independence of the Judiciary (Part II) (10 minutes each)

d) Role of social media and networks in raising awareness about the need to update the UN Basic Principles on the Independence of the Judiciary?

- **Noah D. Stone**, Entrepreneur and Investor.

e) What strategies should be pursued in the advocacy campaign for the update of the UN Basic Principles? Recent experiences in updating international standards

- **Andrea Huber**, Deputy Chief, Rule of Law Unit, OSCE Office for Democratic Institutions and Human Rights, Warsaw.

f) Possible role of the International Association of Judges (IAJ-UIM)

- **Tony G. Pagone**, President of the International Association of Judges (IAJ).

g) The role of the International Association of Women Judges (AWJ)

- **Vanessa Ruiz**, Senior Judge of the District of Columbia Court of Appeals and the President of the International Association of Women Judges.

Moderator:

Giacomo Oberto, Secretary General of the International Association of Judges (IAJ).

Discussion

12:30 pm Closing Ceremony

Speaker: Diego García-Sayán, United Nations Special Rapporteur on the Independence of Judges and Lawyers. (Conclusions of the Conference)

1:30pm *Lunch*

Dining Room (Main House)

2:30 pm End of retreat and transfer to Manhattan (to the *Millennium Hilton Hotel*)

For overseas delegation:

Check-in

Millennium Hilton Hotel

One UN Plaza, New York, 10017,
1-212-758-1234 FAX: +1-212-702-5051

6:00pm Departure from the *Millennium Hilton Hotel* to the event organized by the New York City Bar Association.

EVENING AT THE NEW YORK CITY BAR ASSOCIATION

MONDAY, FEBRUARY 11TH, 2019

6:30 – 9:00pm

General discussion and strategy at the Greentree Retreat

- **Moderator: William A. Wilson III**, Chair of the Task Force on the Independence of Lawyers and Judges, New York City Bar Association.

Overview of the contemporary challenges of the independence of judges and lawyers from a global perspective

- **Diego García-Sayán**, United Nations Special Rapporteur on the Independence of Judges and Lawyers.
- **Meaza Ashenafi**, Chief Justice of the Federal Supreme Court of Ethiopia.
- **Allyson Duncan**, United States Circuit Judge of the United States Court of Appeals for the Fourth Circuit, and President of the Asian and North American Region of the International Judges Association (IAJ).
- **Marie-Christine Fuchs**, Director of the Rule of Law Program for Latin America at the Konrad-Adenauer-Foundation.

Summary and future actions to be taken in the following months

- **Diego García-Sayán**, United Nations Special Rapporteur on the Independence of Judges and Lawyers.

Closing Statement

- **Andrea Ostheimer**, Executive Director of the Konrad-Adenauer-Stiftung Office in New York.

Venue:

City Bar Building,

Meeting Hall, 2nd Floor

42 W. 44th Street, New York, New York 10036.

TUESDAY, FEBRUARY 12TH, 2019

Individual departure of overseas guests and transportation to the airport

Organization:

Andrea Ostheimer, cell phone number: 001 (917) 861-6535 | Office number: 001 (646) 707-0716

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Logistics Questions:

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