ANAO REPORT

NUR-SULTAN, SEPTEMBER, 2019

Since the IAJ meeting in Marrakesh, ANAO has been engaged in a number of efforts and initiatives.

A. MEMBERSHIP RECRUITMENT AND SUPPORT

Judge Tsogt Tsend leads our outreach efforts.

ANAO representatives served as rapporteurs for the two applications, that of Lebanon and New Zealand, that will be considered in Nur-Sultan. Judge Mario Morales and Justice Glenn Martin were rapporteurs for Lebanon and New Zealand, respectively. The Presidency Committee approved both applications.

ANAO members Judge Tsend and Judge David Carter are preparing a report for presentation on the Philippines. Hopefully the report will be ready for consideration in Costa Rica.

1. Our outreach efforts are continuing in other countries as well. We have reached out to judges in Singapore, South Korea, Sri Lanka, Bhutan and India. ANAO appreciates the assistance of Angela Kaptein who kindly offered to assist with respect to India. We would likewise appreciate the assistance of those who know judges in the countries listed above.

2. ANAO is continuing its efforts to set up a meeting with the Judges Association in Yemen. Judge Aidouni and Judge David Carter have agreed to make a report thereafter.

B. Mongolia

Judge Tsend reported that there have been difficulties in Mongolia since the election of a new President about a year ago. The law on the status of judges was subsequently amended to allow the National Security Council, consisting of the President, Speaker and Prime Minister, to seek removal of a judge of the Supreme Court. Shortly after the amendment, the Chief Justice resigned, but there was a concern that he might have done so under pressure. ANAO sent a letter to the President, which was posted on the IAJ website, asking that the amendment be reconsidered. In late May, Judge Tsend reported that the head of the Mongolian Judges Association had been appointed Chief Justice of the Supreme Court.

C. The Caribbean Association of Judges

The CAJO is an amalgam of judicial officers from different states in the Caribbean, many of which are too small to participate in the IAJ individually. Bermuda is a member of the IAJ and the CAJO. The CAJO has effectively taken Bermuda’s seat, sitting and voting as Bermuda
but not in its own right. ANAO supports an amendment to the IAJ statutes which would address this situation.

D. Other Meeting Participation by ANAO

1. United Nations Consideration of Gender Equity in the context of Judicial Integrity; Seoul, December 2018. Judge Grace Lin participated on behalf of the IAJ in this conference, which included 30 participants from 15 countries.


IAJ President Tony Pagone, First Vice President Jose Igreja Matos, Giacomo and I participated in this meeting to review the 1985 United Nations Declaration on the independence of the Judiciary.

3. United Nations Working Group to propose the terms of a treaty for the Judicial Sale of Ships (UNCITRAL). The United Nations invited the IAJ to participate, and President Pagone recommended an Australian colleague, Justice Neil Kerracher, with a background in admiralty. Justice McKerracher reported that a number of nations are seeking to standardize the rules governing the de-registration and re-registration of ships after a judicial sale.

E. MID-YEAR ANAO VIRTUAL MEETING

On May 15, 2019, ANAO held its mid-year videoconference call meeting. In addition to the issues referenced above, possible amendments to the IAJ Constitution regarding the monitoring process were also discussed. ANAO is in general agreement with revisions that would streamline the process and yet obtain the necessary robust monitoring.

ANAO prepared for its Study Session at the Nur-Sultan Meeting. Justice Josh Wilson had circulated an excellent paper on Judicial Stress, to which members will respond.

F. Upcoming ANAO meetings

At the meeting in Nur-Sultan, ANAO will also discuss a mid-year meeting planned for May 18-20, 2020, at a conference facility outside Washington, D.C., on the emerging issues in Neuroscience, Technology and the Law. Neuroscience, Technology and the Law.