



**INTERNATIONAL ASSOCIATION OF JUDGES
UNION INTERNATIONALE DES MAGISTRATS
UNIÓN INTERNACIONAL DE MAGISTRADOS
INTERNATIONALE VEREINIGUNG DER RICHTER
UNIONE INTERNAZIONALE DEI MAGISTRATI**

PALAZZO DI GIUSTIZIA - PIAZZA CAVOUR - 00193 ROMA - ITALY

Dear Colleagues,

As already announced in the communiqué the Secretariat-General of the IAJ spread on 20 April 2020, the IAJ Presidency Committee decided to launch a Survey and Study upon the Effects of COVID-19 Pandemic on Rule of Law, Human Rights, Judicial Independence and Judicial Activity. In this framework President Pagone has already contacted the Presidents of the four Study Commissions in order to ask them to confer together with a view to seeing how best we might learn from this experience in a way that is meaningful and positive.

The Presidency Committee also asked me to send a general message asking the associations to provide information about possible problems in their countries due to corona virus to obtain short answers of general character on the main issues at stake. I am therefore submitting a short questionnaire, asking you to kindly replay within 10 May 2020.

Kind regards,

Giacomo Oberto

Secretary-General of the IAJ

QUESTIONNAIRE

ON THE IMPACT OF COVID-19 ON RULE OF LAW AND JUDICIAL ACTIVITY

1. What are the main problems the Judiciary experienced at a general level in your country as a consequence of the legal reforms approved in order to cope with the COVID-19 pandemic?
2. Did the legal reforms approved in your country in order to cope with the COVID-19 pandemic affect Rule of Law and Human Rights principles? If any, pls. enumerate them.
3. As to the judicial organisation of your country, what impact had the legal reforms approved in order to cope with the COVID-19 pandemic? More specifically, what were their effects on the powers of the Minister of Justice, Council for Judiciary, Heads of Courts, Heads of Prosecution Services, Judges, Prosecutors, Court Administrators, Court Managers?
4. As far as Court activity, Court proceedings and trials are concerned, what was the impact of legal measures adopted? Pls. provide relevant information distinguishing between civil, criminal and administrative cases.
5. Did “urgent” cases receive a different treatment and in this framework was a special legal definition or specification of “urgency” introduced for Court proceedings and trials?
6. Did the amount of money and, more generally, the value at stake in the case play a role in the treatment of it?
7. As far as criminal cases are concerned, did cases concerning arrested defendants receive a different treatment?
8. What was the impact of such legal reforms on legal deadlines and procedural timeframes?
9. What is the role played in your country by IT, e-filing, smart and remote working in the management of cases as an effect of legal measures approved in order to cope with the COVID-19 pandemic? To what extent these measures are applicable also to the activity of Public Prosecutors?
10. What is the role played by your Association in the drafting of such legal reforms? Was your Association consulted by the Government before adoption of the aforesaid measures?
11. Did the Government consult the High Council for the Judiciary and/or other judicial institutional instances or representatives before adoption of the aforesaid measures?
12. What is the attitude of Bar Associations and Lawyers vis-à-vis such legal reforms?