

**REPORT OF THE IAJ SECRETARY-GENERAL GIACOMO OBERTO
TO THE IAJ CENTRAL COUNCIL
TAIPEI (TAIWAN)**

15-22 SEPTEMBER 2023

This report is also available in the following web page:

<https://www.iaj-uim.org/documents-cc-meeting-taipei-september-2023/>

Rome, 23rd of August 2023

**ORDINARY ACTIVITIES CARRIED ON
AFTER THE IAJ MEETING OF THE CENTRAL COUNCIL IN ISRAEL IN SEPTEMBER 2022**

The IAJ Secretariat-General has been constantly active in dealing with the ordinary exchange of mails, letters and WhatsApp messages with the Presidency Committee, the four Regional Groups, the four Study Commissions and Member Associations. Some meetings were held among the members of the Secretariat-General, in order to organize the work and plan IAJ future activities and initiatives.

On June 10-11 the PC met in the city of Torino. The Committee heard and discussed the reports of the President, Secretary-General and the 4 Vice Presidents chairing the Regional Groups. The Presidency Committee also discussed the item of regular monitoring and of the IAJ working groups, the organisation of the next IAJ annual meeting in Taipei and of the 2024 meeting in South Africa, the priorities for the work of the Presidency Committee and IAJ for the triennium 2021-2023, and the requests of assistance from Afghanistan. The PC meeting preceding the meeting of the Central Council will be held via video-link on September 9th, 2023.

We are working on the renovation of the IAJ's main site. A first presentation of the new version will be illustrated during the Taipei meeting.

The General Secretariat relies on the cooperation from IAJ Members to receive information, news, statements related to IAJ activities to be uploaded in the websites.

IAJ 2023 MEETING OF THE CENTRAL COUNCIL

On February 15 the invitation letter and the programme were spread to all the IAJ members and a news published. In March the usual invitations were addressed also to some NGOs, to the UN Special Rapporteur, to the Chiefs Justice of Nigeria, Fiji Island, India, Singapore and to the associations of Burundi and Rwanda. Under request of the association of Ecuador a special invitation was also addressed to the President of the National Court of Ecuador.

Up to the date of this report, 65 national associations registered, plus 2 observers (Burkina Faso and Burundi).

The invitations were sent to the following guests:

the World Jurist Association, the International Association of Prosecutors, the International Bar Association, the FLAM Board, the International Union of Notaries (UINL), the International Union of Portuguese Speaking Judges, the International Association of Women Judges, the Global Judicial Institute on the Environment, the Commonwealth Magistrates and Judges Association, the International Commission of Jurists, UNODC, the International Association of Lawyers, the International Union of Judicial officers, the Judge's Forum of the International Bar Association (Ms. Ngozika Okaisabor), the UN Special Rapporteur on the Independence of Judges and Lawyers, the Adenauer Stiftung, the Chief Justices of Nigeria, Fiji Island, India, Singapore, CAJO, the *Syndicat Autonome des Magistrats Burkinabé*, the *Syndicat des Magistrats du Burundi*, the Association of Judges of Rwanda, CEPEJ, "Aruba, Curaçao, Sint Maarten and Bonaire, St. Eustatius and Saba".

The General Secretariat kept regular contacts with the organising team of the Taiwanese Association, dealing with important aspects, such as the accommodation, the number of delegates per each IAJ member, the visa.

On July 16 a message was sent to all the IAJ members containing a communication of the IAJ President, Mr José Igreja Matos, on the procedure for the elections of the IAJ officers, together with the personal history form for the candidates. Attached also a letter (in English, French and Spanish) concerning the proxy to be sent within the end of August.

Study Commissions

Since springtime, the questionnaires for the Study Commissions and the national reports submitted by the Member Associations have been distributed to all associations and published in the website. The deadline was fixed for the 1st and 4th Study Commissions' questionnaires on July 11, 2023 and on 15 of July for the 2nd and 3rd study commission.

At the date of this report, the Secretariat-General received 40 replies for the 1st Study Commission's questionnaire, 38 for the 2nd, 36 for the 3rd and 40 for the 4th (out of 94 member associations).

On July 21 we have been informed by the secretariat of the Australian Judicial Officers Association that Justice Joshua Wilson has written advising he resigns from his appointment as Vice President of the IAJ's Fourth Study Commission.

APPLICATIONS FOR MEMBERSHIP

On April 11 the report on the application of Burkina Faso, in English and French, was spread to all the IAJ members for the discussion of the admission in Taipei.

IAJ MEETINGS

IAJ 2024 Meeting in Cape town (South Africa)

The association of South Africa applied officially for the organisation of the meeting in 2024.

The Presidency Committee decided to approve the proposed dates (from 19 – 24th October 2024) and to submit the decision to the Central Council for its ratification.

WORKING GROUPS

Commission on IAJ Regular Monitoring (Chairperson: Mr. Sjoberg)

Up to the date of this report, the following national associations belonging to the first group of 31 members did not answer the survey: East Timor and Egypt. As regards the second group of 31 IAJ associations which were requested to fill the questionnaire, the missing countries are: Guinea Bissau, Iraq, Moldova, and Mozambique. According to art. 13, § 6, of the IAJ Regulations, "*failure to submit the report without justification allows the Presidency Committee to proceed in the manner prescribed by article 12 of the Regulations*". Article 12, § 2, of the Regulations state that "*as soon as it has knowledge of the fact that a member does not fulfil the criteria [for membership], the Presidency Committee, after consultation with the respective Regional Group, may appoint two rapporteurs to inquire into the situation*". The deadline for the presentation of the report for the 3rd and last round expired **on 16th August**, i.e., one month before the start of the Central Council in September 2023,

At the date of this report 8 Associations out of 31 did not send their reports: New Zealand, Nicaragua, Republic of North Macedonia, Senegal, Togo, Tunisia, Ukraine, and Uruguay.

WG to explore the possibility of providing assistance to judges facing challenges in the performing of their functions (Chairperson: Mr. Blake)

On June 30 Mr Blake was informed about the 2 new members of the IBA appointed by President Barone: Geraldo Dutra (Brasile) and Haroldo Vasquez (Guatemala). A report was spread among the IAJ members on July 18.

Mr. Blake announces his proposal for the new chairman of the working group: Mr. Clayton Conlan (Canada).

WG to review the Constitution but not only, with regard to the voting rights (Chairperson: Mr. Matos)

The IAJ Secretariat-General received by President José Igreja Matos a proposal for amendment of the Constitution of the International Association of Judges which was spread among the IAJ members on May 11. The proposal followed the decision taken by the Central Council in Tel Aviv in September 2022 to re-establish a working group, chaired by the President, to draft an amendment to the Constitution regarding voting mechanism, and the counting of members who have not paid their membership fees when deciding whether there is a majority of members present or represented.

The proposal clearly states that the associations that are not entitled to vote because of their arrears in the payment of annual contributions are not considered for the formation of a majority.

On July 10th, 2023, the General Secretariat disseminated the agenda of the CC to all IAJ members together with a link to a dedicated page collecting all the documents related to the meeting.

WG on the creation of Judges Associations (Chairperson: Mr. Sjoberg)

On 26 August 2023, the General Secretariat contacted personalities of the judiciary in Nepal, Kenya, Pakistan, Papua New Guinea, and Thailand, presenting the initiative and offering the support of the IAJ should there be in the country the willingness of local judges to establish an association. The General Secretariat received positive responses from Nepal (they have an association), Kenya and Pakistan. They will come back to us with further information.

BUDGET

The financial report will be disseminated before the CC meeting.

On July 18 a discussion paper on the trend of the IAJ budget and the possible increase of the amount of the annual contributions, in English, French and Spanish, was spread among the IAJ members

CONFERENCES

Lectio Magistralis” at the Closure of the 2023 Cycle of Lectures of the World Notariat University, in Rome

On 6th July, 2023 the IAJ Secretary-General Mr Giacomo Oberto held a lectio magistralis at the Closure of the 2023 Cycle of Lectures of the World Notariat University, in the Aula Magna of the Supreme Court of Cassation, in Rome, on the subject: “Judges and Notaries: International and National Experiences.”

The text of the lectio magistralis is available here:

[Giacomo OBERTO Presentation Rome 6th July 2023](#)

40th CEPEJ plenary meeting

On 15 and 16 June, 2023, the IAJ Secretary-General Mr Giacomo Oberto submitted to the Plenary Assembly of the CEPEJ a report on the activities of the CEPEJ-SATURN WG on the subjects of judicial time management.

An outline of this report is available here:

[Report Plenary CEPEJ Giacomo Oberto June 2023](#)

At the end of the meeting, in the part of it dedicated to observers, Mr Oberto informed the Assembly about the recent activities of the IAJ and of the EAJ (mid-year 2023 Regional Groups meeting and preparation of the Taipei meeting in September 2023).

An outline of this report with links to our web site(s) is available here:

[presentation Oberto EAJ IAJ](#)

Report of the 40th CEPEJ plenary meeting ([English](#)/[French](#))

Regional Groups meetings

The IAJ Secretary-General, Mr Oberto, attended also:

- the AFR group meeting on 21st February 2023 in Bamako (Mali),
- the ANAO group meeting on 22nd May, 2023 in Washington (USA),
- the IBA group meeting on 12 April, 2023, in San José (Costa Rica).

Meeting with the Chief Justice of Nigeria

On February 17th, 2023, “Zoom” online meeting took place with me, the IAJ President Mr José Igreja Matos and the Chief Justice of Nigeria, the Hon. Olukayode Ariwoola. In attendance was also Justice Ngozika Okaisabor (Nigeria). Topics discussed during the meeting were: a) How to set up an Association of Judges and Justices (or representative Group) of Nigeria, which could apply for membership in the IAJ; b) How a newly created Judicial Association could apply for IAJ membership.

We explained him the contents of IAJ booklet on the subject of encouraging the creation of Judicial Associations and declared available for providing Nigerian Judiciary with all necessary information on how to create an Association and how to apply for IAJ membership. The Chief Justice of Nigeria declared himself very interested in the initiative and assured his Office would continue keep contacts with the IAJ in order to set the process in motion. IAJ is also very much thankful to Justice Ngozika Okaisabor, a very good friend of us, who facilitated this event and will assist the Nigerian Judiciary in the setting up of an Association.

Meeting with the IAJ and the new UN Special Rapporteur on the Independence of Judges and Lawyers

The 20 of December, the IAJ Secretary-General Mr Giacomo Oberto attended a zoom meeting which took place with professor Margaret Satterthwait (UN Special Rapporteur on the Independence of Judges and Lawyers), Mr Matos (President of the IAJ), Ms Rebecca Riddell (Legal and Policy Director to Professor Satterthwaite), Dr. Mónica Castillejos-Aragón (Program Manager of the Konrad-Adenauer-Stiftung (KAS) of the New York Office) and the two assistants to the Secretary General of the IAJ.

The meeting was the first occasion to personally speak with the UN new Rapporteur. After mutual presentations of the respective activities, the main focus was addressed on the common goals aimed at promoting the independence of judiciary worldwide.

A special attention was devoted to the most difficult situations in some countries in the 4 different regional area of the IAJ (EAJ, AFR, IBA and ANAO). Other important issues and fields of interest and activity of the IAJ were raised, such as corruption, discrimination, judicial training, assessment of justice, freedom of expression, rule of law.

Discussion and explanations followed on the IAJ ways of working and intervention in individual judicial cases.

A mutual engagement was finally agreed and future common efforts will be made always in the courageous actions aimed to safeguard the independence of the judiciary and to guarantee human rights and freedom.

Presentation in Lucknow (India)

On 20th of November 2022, the IAJ Secretary-General Mr Giacomo Oberto attended the 23rd International Conference of Chief Justices of the World, held in Lucknow (India) and submitted a presentation on the following subject: “Judges’ Associations. Their role in the worldwide defence of judicial independence

The text of the presentation is available here:

https://www.giacomooberto.com/Oberto_Judges_Associations.pdf

On 21st of November 2022, IAJ Honorary President Tony Pagone was awarded the “Lifetime Achievement Award” in the framework of this conference. Congratulations to our Honorary President!

UN SEATS

As every year, the General Secretariat made the annual accreditation of the IAJ representatives at the 3 seats of the UN (New York, Vienna and Geneva).

IAJ NEWSLETTER

The General Secretariat prepared and disseminated among the IAJ members, on August 2nd, the 2nd issue of the newsletter of 2023. All the newsletter are also available in the IAJ website: <https://www.iaj-uim.org/iaj-uim-newsletter/>

MISCELLANEA

Declaration PC

During its last meeting, held in Turin (Italy), on 10th June, 2023, the IAJ Presidency Committee issued a Declaration on the Measures Taken against ICC Official by the Russian Federation.

The text of the declaration is available here:

[IAJ Declaration on the Russian Federation](#)

UN Special Rapporteur on the independence of judges and lawyers' support to Afghan judges

Besides the IAJ's work to support Afghan judges, another relevant contribution came from the office of the UN Special Rapporteur on the independence of judges and lawyers.

The first item is a recent statement on the situation for lawyers and judges from Afghanistan, jointly issued by the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on Afghanistan:

<https://www.ohchr.org/sites/default/files/documents/issues/ijudiciary/statements/2023-01-17/202301-stm-sr-ijl-sr-afghanistan-day-endangered-lawyer.pdf>.

The Rapporteurs also published an opinion piece calling on the international community to do more to address the situation:

<https://www.justsecurity.org/84893/afghan-lawyers-on-rule-of-laws-frontlines-need-urgent-international-support/>.

The opinion piece recognizes the extremely important work done by entities such as IAJ to provide evacuation and support services, and calls on States to provide safe passage and protection to actors involved with the legal system who are at risk of reprisals.

I am looking forward to seeing you all in presence very soon in September.

Yours sincerely,



(Giacomo Oberto)
Secretary-General of the IAJ