



# IARLJ

## International Association of Refugee Law Judges

established at Warsaw, 18 september 1997

**Report of the President to the General Meeting of Members of the International  
Association of Refugee Law Judges  
Cape Town  
30 January 2009**

### **Mexico City to Cape Town - November 2006 to January 2009**

#### **A Truly International Association - the Vision Pursued**

From its inception the Association was conceived of as international in its outlook and its activities.

One reason for the international focus lies in the aim of the Association to promote a common understanding of refugee law so that all asylum seekers will be treated equally before the law administered in all nations. When judges and decision makers have a forum to discuss the emerging jurisprudence in refugee law, the risk of divergent interpretations of the Convention obligations is reduced. We seek to avoid the situation where a person might be recognised as a refugee in one country but rejected as a refugee in another, even a neighbouring country. Such situations are not uncommon.

Another reason which calls for the international focus for the Association is the wide disparity between nations in the existence and / or quality of state refugee determination systems. Without a properly constructed and operating system Convention rights are purely theoretical. Presently, refugee determination systems range from specialised sophisticated and well resourced administrative tribunals supervised by mainstream judicial systems, through executive committees composed of representatives of the police, defence and immigration officials with little knowledge of refugee law, to instances where refugee status decisions are taken by border police or soldiers.

Whilst there is a recognised place in the work of the Association for exploring cutting edge issues in refugee law jurisprudence through workshops, conferences and working parties, there is a very important practical role for the Association in facilitating the spread of best practice refugee law decision making. This involves members of the Association sharing their experience to assist in establishing or improving refugee determination systems around the world by taking part in training programs for decision makers in other countries.

On assuming the presidency in 2005 in Stockholm I particularly committed my work to this aspect of the international work of the Association. That vision led to the formation of the Africa Chapter in 2006 as described in my report to the General Meeting of Members held at the 7<sup>th</sup> World Conference in Mexico City.

The Association has been very active in the past two years in providing such training and capacity building. Thus, in reporting on the activities of the Association I will commence with this aspect.



### **JUDICIAL TRAINING – CAPACITY BUILDING**

#### **Deployment of Association Members**

In conjunction with the development of the African Chapter, the Association has cooperated with UNHCR to deploy members in African countries to conduct training programs. In August 2007 Gaetan de Moffarts went to Benin, Togo, Niger and Burkina Faso and conducted a very successful training program over 4 weeks. A deployment to Liberia has been arranged and is to take place shortly: as I understand, an English judge is going to Monrovia next month. The UNHCR has recently requested that the Association find a member willing to deploy to Turkmenistan. The Association has just called for expressions of interest from members for this deployment.

Putting together these deployments is a time consuming task. It has been one of the duties of the Development Director, Sue Zelinka. She has performed extremely well in this regard.

One matter which makes the task particularly time consuming comes from my insistence that all deployments be made available to all members. The opportunity to conduct these programs is a benefit and opportunity of membership. The process of selection of members to be deployed has been transparent and independent.

One innovation which has been generally welcomed involves the principle of volunteerism. The Association encountered some resistance from the heads of jurisdiction against allowing members to accept deployments when, at the same time, the institution faced growing backlogs. There was a fear that government would frown on members serving overseas whilst cases were waiting to be heard at home. This problem was resolved by the Association asking members interested in serving on deployments to volunteer to use their leave to undertake their deployments. One important mission on my several visits to tribunals in Australia, UK, Canada and France in the period was to explain this innovation. In most cases the plan was accepted as relieving the pressure otherwise generated by members serving on deployment. Further, in extensive meetings with members, the spirit of volunteerism was accepted as a proper basis for membership of the Association and for those willing to go on deployment. It was accepted as a reflection of the spirit of generosity which should underpin the work of members of the Association.

#### **Pre-conference training – January 2009, Cape Town**

A highlight of the Association's training effort occurred in the pre-conference training course held on 26 and 27 January 2009 before the 8<sup>th</sup> World Conference in Cape Town. Sixty-five decision makers and judges from about 15 countries attended the two day training course held at the Law School of the University of Cape Town.

The Association is very appreciative of the support of Professor Hugh Corder, the then Dean of the Law School of the University of Cape Town, who arranged for the Association to use the facilities of the University. It also records the fine work of Rick Stainsby, Chief of the UNHCR Status Determination and Protection Information Section, who again coordinated the team of instructors. An extremely high quality program was delivered by the experienced team of Peter Showler, from the University of Ottawa, Judge Phil Williams, a US Immigration Judge, Juan Osuna, the Chairman of the Board of Appeals USA, Abel Mbylini from UNHCR in South Africa, Lois Figg, Assistant Deputy Chairperson of the Immigration and Refugee Board of Canada and Sue Zelinka, a Development Director of the IARLJ. About 25 of the attendees



were funded by approximately AUD30,000 being part of a grant made available in 2006 by AusAid, the Australian overseas aid organisation. The generosity of the Australian Government made possible this extremely worthwhile training course. The support of the Government of South Africa in sending and funding the attendance of a large number of its refugee status determination officers was crucial to the success of the exercise.

The heavy administrative load involved in sending out sponsorship applications, processing them, arranging the selection process, then organising payment was borne by Sue Zelinka, a Development Director of the Association, and Sarie Brits, the Executive Assistant to the Acting Chair of the Refugee Appeal Board South Africa. The UNHCR has been a critical partner in the success of the training program. It made available Rick Stainsby to design, coordinate and act as a trainer of the course, and also contributed to the funding of some of the instructors.

The success of the training program has stimulated the Africa Chapter to build on the initiative and plan a regional training program within the next 12 months perhaps including a train the trainers component. It is committed to holding such a program in Africa.

One lesson to be drawn from the success of this training program is the desirability of locating such programs in Africa. In that way limited funds produce the greatest results. It is more cost effective to bring a few trainers from outside Africa, if necessary, than to take large numbers of African judges and decision-makers to places outside Africa. There is also a real value in conducting such programs in the environment in which the decision makers work so that the needs and limitations are exposed directly to the trainers.

### **CLEARING HOUSE**

As the Association has become recognised as the source of trainers for deployments, it has often been asked by other organisations to assist in suggesting suitable trainers or other staff. Two examples illustrate this clearing house role of the Association. In 2008 the Hebrew Immigrant Aid Society (HIAS) approached the Association for ideas for suitable candidates to recruit for its program to commence in Israel to train RSD officers. The positions were publicised throughout the Association and a number of applicants came from members and the networks connected with members of the Association. Then, the Danish Migration Organisation sought a Russian speaking judge as a trainer in Kyrgyzstan. Through its network the Association was able to put the organisation in touch with Russian-speaking judges with refugee law experience from Lithuania.

### **THE 8<sup>th</sup> WORLD CONFERENCE**

The 8<sup>th</sup> World Conference in Cape Town is the first world conference to be held on the continent of Africa. It was a fitting mark of the development of the Africa Chapter.

The Association was privileged to attract speakers of the highest calibre, including, Navanethem Pillay, United Nations High Commissioner for Human Rights, Erika Feller, Assistant High Commissioner for Protection, UNHCR, Professor Philander, University of Cape Town, Walter Kälin, Special Representative of the Secretary General of the United Nations for Internally Displaced Peoples, Catherine Branson, President of the Human Rights Commission, Australia, Mr Justice Nicholas Blake, High Court, UK, Acting Justice Vogelmann, Supreme Court, Israel, George Okoth-Obbo, Director for International Protection Services,



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UNHCR, Justice Lenaola, High Court, Kenya, Justice Ogoola, High Court Uganda, Justice O'Reilly, Federal Court, Canada, Justice Marshall Rothstein, Supreme Court, Canada, Justice Harald Dörig, Supreme Administrative Court, Germany, Professor High Corder, University of Cape Town, Juan Osuna, Chair, Board of Immigration Appeals, USA, and Lori Scialabba, Associate Director of Refugee, Asylum and International Operations for United States Citizenship and Immigration Service, USA. It is particularly noteworthy that this was the first world conference addressed in person by the United Nations High Commissioner for Human Rights.

It is always a challenge to devise a conference program which is broad enough to appeal to the wide membership of the Association which ranges from initial decision makers to final appellate judges. The subjects for the sessions at this world conference were suggested by members in a series of consultations with them and officials from the UNHCR held throughout the world as part of my travels. I thank all involved because this very wide input has resulted in a program of great breadth of interest.

The conference would not have been possible without the financial support of the government of South Africa and the UNHCR for which the Association is extremely grateful.

It is impossible to express in words the debt owed to Ahmed Arbee, Past Chair of the Refugee Appeals Board, South Africa, Tjerk Damstra, the present Acting Chair of the RAB, and Sarie Brits, the Executive Assistant to Tjerk Damstra. They made the conference happen and that required a huge amount of hard work. A particular thanks is due to Ahmed Arbee who spent countless hours of his own time and countless Rand of his own money to organise and coordinate the arrangements for the conference in South Africa. His is an outstanding example of the spirit of volunteerism on which the Association depends.

### **VISITS TO MEMBERS**

Apart from various events in Australia, I have attempted to visit members around the world to promote the work of the Association. This is an important function for the President. After each visit there has been an increased interest from members in the Association. I thank Hugo Storey for arranging for me to meet about 25 judges of the Asylum and Immigration Tribunal in London at Field House and about the same number at Taylor House. I also met Brian Goodman and some members in Canada at the Immigration and Refugee Board in Toronto. It was a delight to meet up with Francois Bernard and Vera Zederman in the Refugee Court in Paris in May 2008. Then Sebastiaan de Groot arranged for a meeting of about 20 judges of the court in Haarlem in the Netherlands.

Opportunities were also taken at international conferences and meetings to have side meetings with Association members. Thus, I spoke with a number of members in the course of the seminar concerned with designing a refugee determination system for Israel in early April 2008, held a meeting with members in association with Monash University conference held in Prato in late May 2008, and spoke with members at York University in the course of the seminar on major developments in refugee law held in late April 2008.

I was also able to visit the UNHCR in Geneva and to cement and develop our relations with relevant officers of UNHCR.

Although the Association voted a limited budget for the President's travel, I have been able to combine these visits to members with international speaking engagements and thereby



utilised only a small part of the budgeted amount. These visits resulted in identifying enthusiastic members willing to serve on the Council and in other roles, and also enabled consultation on the program for the 8<sup>th</sup> World Conference.

### **PROFESSIONALISATION**

The vision of an outward looking organisation focused on establishing Chapters throughout the world, and then generating cooperation between those Chapters, required the Association to develop professionalism in its work. It was necessary for the Association to move from a small group of interested people who occasionally met and who distributed regular training opportunities among a limited number of people. The process needed to be organised and coordinated worldwide, and be made available to the membership as a whole.

That need was publicly articulated at the 6<sup>th</sup> World Conference in Stockholm in 2005 by Erika Feller, then the Director of the Department of International Protection, UNHCR. It was a need which I fully accepted and have worked towards implementing. The history of the Association's attempts to professionalise are set out in my report to the 7<sup>th</sup> World Conference held in Mexico City in 2006. In particular, the UNHCR, having identified the need for the Association to professionalise then agreed to provide the initial funding to support that process. From that funding the Association engaged its first Executive Director, Dr James Simeon, who served in that position until the end of 2006. His term ended at the end of 2006 and his great contribution to the Association is detailed in my previous report. The present report deals with the progress in the last two years.

### **Development Directors**

In early 2007 negotiations commenced with the UNHCR over a new sub-agreement. Experience arising from the 2006 sub-agreement indicated that it might be preferable to organise fundraising on a regional basis. UNHCR agreed to make available US\$39,000 for this purpose for 2008 and also agreed that the funds would be divided equally between the Europe, Australian/New Zealand and Americas Chapters. A sub-agreement with the UNHCR to this effect commenced on 1 January 2008. In the end only the Americas and Australian/New Zealand Chapters utilised this funding. Rick Jackson based in Vancouver was appointed Development Director for the Americas, and Sue Zelinka based in Sydney was appointed Development Director for Australia/New Zealand. The UNHCR funds were divided between the two regions. The Europe Chapter relinquished its share whilst it considered how best to proceed in Europe.

The Development Directors have prepared separate reports to the members. Suffice it to say that Rick Jackson is well advanced in the process of making application for funding for significant training projects in Central and South America. Sue Zelinka has pursued applications to philanthropic organisations in Australia which are presently in progress, and has formed a wide network of interested parties, including UNHCR and the Australian Government, to pursue possible training programs in Asia and the Pacific. At the time of writing there seems a prospect of the Association contributing to an exciting program with UNCHR to develop a refugee administration process in China.

In order to properly attend to the expanding training role of the Association, the quest for ongoing funding support, and the planning and organisation of the 8<sup>th</sup> World Conference it



was necessary to secure additional assistance. For this purpose the Association was fortunate to procure a grant of AUD20,000 through the Law Foundation of the University of New South Wales as a result of the support of its Chancellor, Mr David Gonski. The University recognised the work of the Association by appointing Sue as a Visiting Fellow. This grant together with the UNHCR sub-agreement funding allowed the Association to engage Sue Zelinka as Development Director through 2008 on a part-time basis. Her assistance has been invaluable. In her separate report she details the work which she has undertaken in the quest for funding support, in the pursuit of training projects in Asia and the Pacific, and in her assistance to me in the planning and preparation for the 8<sup>th</sup> World Conference.

### **WORKING PARTIES**

Seven working parties presented papers at the 8<sup>th</sup> World Conference, namely, the Human Rights Nexus Working Party, the Asylum Procedures Working Party, the Vulnerable Persons Working Party, the Country of Origin Working Party, the Membership in a Particular Social Group Working Party, the Expert Evidence Working Party, and the Convention Refugee Status and Subsidiary Protection Working Party.

Many members gave their time and expertise to the work of these working parties. The Expert Evidence Working Party and the Vulnerable Persons Working Party sought to develop guidelines for decision makers. This is a highly practical exercise of special value to members and other decision makers. The papers produced by the Subsidiary Protection Working Party and the Human Rights Nexus Working Party, in particular, were of an excellent standard and reflected the international standing of the contributors.

Dr James Simeon continued his role as co-ordinator of the working parties and has produced a separate report on this aspect. He has again served the Association outstandingly in the onerous and intensive task of co-ordinating the work of the seven working parties and their presentations at the conference. At the same time he edited the book of the proceedings of the 7<sup>th</sup> World Conference. He has been one of the most dedicated contributors to the work of the Association.

### **EXPERT ASSISTANCE TO UNHCR**

The Expert Roundtable on the Supervising Responsibility of UNHCR organised as part of the 2001 Global Consultations concluded:

*An informal system of review by judges could be established. For instance, the International Association of Refugee Law Judges (IARLJ) could offer a forum in which adjudicators can discuss the interpretation and implementation of the Convention on an advisory and informal basis. Establishing a judicial body as such, which could be used to provide preliminary opinions on issues, as is the case with the European Court of Justice, was proposed as a possibility in the longer term.*

Erika Feller, Volker Türk and Frances Nicholson (eds.), *Refugee Protection in International Law* (Cambridge University Press, Cambridge, 2003)



In her address to the 7<sup>th</sup> World Conference in Mexico City in 2006, Erika Feller said:

*It could be very helpful for UNHCR, on a strictly confidential, non-attributable basis, to be able from time to time to draw on the legal expertise and reasoning skills of some of your members, to help us think our way through the issues from a practitioner's perspective. Similarly our Guidelines might benefit from a practitioner's review. To domestic lawyers and judges used to the precision of national law, such guidelines may seem somewhat imprecise. We are, however, encouraged by the increasing number of references to our guidelines in national jurisprudence, and I would be interested to have your own assessment in this regard. Perhaps there could be a role here for the IARLJ to assist us to frame our guidelines in the most "user friendly" format from a judicial perspective.*

Forced Migration and the Advancement of International Protection, 7<sup>th</sup> World Conference, November 6-9, 2006, International Association of Refugee Law Judges, p 34

This idea was taken up in May 2007 when UNHCR approached the Association for comment by members on the "UNHCR Background Note on conscientious objection to military service, draft evasion and desertion within the context of Article 1A(2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees".

Then, in April 2008, UNHCR sought the views of members in relation to its draft guideline on the "UNHCR Guidance Note on Refugee Claims related to Sexual Orientation and Gender Identity".

In each case the request for comment was circulated to all members and a number of members responded with considered written opinions. This was a very promising start to the idea. The UNCHR expressed gratitude to the members who had responded to its requests, and a firm basis has been established for a positive role for the Association in the future. However, further consideration needs to be given by both the Association and UNHCR to improve and streamline the process.

### **THE DATABASE**

Dr Paul Tiedemann has been energetic in the creation and operation of the Association database. He has provided the following information about it.

The database started in 2002 in cooperation with the Institute of Legal Informatics at the University of Saarbrücken in Germany. Since 2007 the technical facilities have been operated by the Europäische EDV-Akademie des Rechts GmbH (EEAR), an outsourced company of the University and the State of Saarland. The idea of the database is to offer national jurisprudence of asylum law from all over the world in a multilingual manner. The user can search in their mother tongue by selecting keywords from an index list. This results in a list of hits of all relevant decisions regardless of the language in which they are written and with a short summary in the original language and in English. Then one can download the decision in the original language or, if available, in other languages.



On 1 January 2009, the database contained 230 decisions from 10 countries, namely, Australia (3), Belgium (3), France (8), Germany (99), Netherlands (6), New Zealand (7), Poland (1), Switzerland (3), UK (62) and USA (11).

The further progress of the database depends on more professional management, that is to say, a paid administration staff who work professionally. There is also a need for contact persons in as many countries as possible to upload decisions to the database. At present the management is done by one colleague who does it in his own time. There is an urgent necessity to find sponsors if the database is to continue and grow. It is hoped that in 2009 some large law firms will be found to support the site. A first attempt to get money from the European Refugee Fund was unsuccessful. Another approach would be to work in cooperation with other like databases, eg UNHCR Refworld or the University of Michigan database. It has not so far been possible to reach a workable agreement with either UNHCR or University of Michigan. The unique feature of our database is that it is multilingual. However, further attempts should be made to explore our common interests with other databases.

### **POSSIBLE CONSTITUTIONAL AMENDMENTS**

I have often marvelled how well the constitution of the Association was drafted to meet the way the Association needed to operate. However, it does not provide a clear governance structure for the Chapters. As the number of Chapters has grown and the work of the Association has developed and has needed to professionalise there is a growing need for the powers and obligations of the Chapters to be more defined. The constitution should now provide for the governance of the Chapters and their place within the Association. It is important for the continuance of the international character of the Association that the constitution provide that the Chapters be interdependent. The Association should not devolve into a number of separate groups pursuing only regional interests. Whilst there are regional issues particular to each of the Chapters, the outstanding value of the Association is as a means for the transfer of knowledge world wide not region wide.

Thus, it may be about the right time for the members in general meeting to establish a sub-committee to recommend amendments which could be made to the constitution to best serve the further development of the international character of the Association.

### **ACKNOWLEDGEMENTS**

After four years of very hectic activity the list of those who have contributed to my work as President is a long one. I have acknowledged to them my deep gratitude for their support. Space does not permit me to mention all but that does not diminish my appreciation of all their efforts. Certain public acknowledgements are called for.

Outside the Association, our strongest partner has been the UNHCR. Jean-Paul Cavalieri has been the point of contact over the four years. He has been ever positive, efficient, and truly supportive and appreciative of the work of the Association. Without his "can do" attitude it would have been impossible to navigate some of the quite hard issues which confronted us. And despite a very busy personal schedule, JP always provided a warm welcome to me and other Association officers in Geneva, and he demonstrated a great capacity to arrange meetings with the right people on short notice.



For much of the four years, Erika Feller was the Director of the Department of International Protection. She has been a good friend of the Association. At the same time she has rightly insisted on a disciplined approach to the relationship between UNHCR and the Association. In this aspect she has caused the Association to look critically at its role and its organisation. Her concept of the way the Association should work flows from her own long experience of the UNHCR and other organisations. Her wisdom has been an invaluable guide to me and to the Association, and has been the genesis for much of the direction taken by the Association in the last four years.

Rick Stainsby, Chief of the Status Determination and Protection Information Section, has not only coordinated the pre-conference training sessions held before a number of world conferences, but has a long history of support for the Association. Again, his views of the way the Association could fulfil its functions have been extremely useful and valued.

The Court in Haarlem has continued to make Liesbeth van de Meeberg available for several days a week and provide the facilities of the secretariat of the Association. No doubt this is in large part due to the efforts of Sebastiaan de Groot. The great generosity of the Court in Haarlem in supporting the secretariat has been very important to the work of the Association.

Liesbeth deserves a special mention. She holds much of the Association's history in her experience. She has been ever willing, ever knowledgeable and ever efficient. She has not just done the job, she has done it splendidly.

I owe a special debt to my own court, the Federal Court of Australia. Chief Justice Michael Black has not only approved significant amounts of travel expenses for me, but has been a constant source of encouragement for my role as President.

My Executive Assistant, Tarwin Shiel, has carried a greatly increased workload over the past four years. I often wondered how she managed to fulfil that workload with the duties relating to my work as a judge, and also running a family with a husband and three small boys. She did it with calm and good humour and great expertise, not to mention the need to adapt to many other world time zones at inconvenient times of the day in Australia.

James Simeon set the standard for diligence and creativity in his role as the first Executive Director of the Association. My previous report recognised his amazing effort in the establishment of the Africa Chapter. The current Development Directors, Rick Jackson and Sue Zelinka, have continued the tradition of hard work and great contribution. I have collaborated particularly closely with Sue because she is based in Sydney, and I value her good counsel and genuine dedication to the work of the Association.

Then there have been a few people who have given me and the Association outstanding special support. Ema Aitken, previously Chair of the Refugee Status Appeals Authority in New Zealand, was a highly dynamic and enthusiastic Council member who became a source of great personal support. Further she galvanised the membership of the Authority into some of the Association's keenest members. Her talents were recognised when she was appointed to the District Court in New Zealand. That was a great loss to the Association. It is to be hoped that the link with the Association which has been almost lost will be restored when the new tribunal is in place in the not too distant future in New Zealand.



The Federal Court of Canada has been instrumental in the development of the Association since the formation of the Association. This pivotal role has been continued by Chief Justice Allan Lutfy. He has been very generous not only in supporting judges from the Federal Court to attend Association events and participate in the affairs of the Association, but also by way of personal friendship and support to me.

Lois Figg has been a Vice President for the entire four years of my term. I have admired her commitment to the Association and her hard work in its service. Nothing has been too much to ask and again she had to manage both a very demanding role at the Immigration and Refugee Board in Canada with heavy domestic responsibilities. Only as I became deeply involved with the organisation of the 8<sup>th</sup> World Conference did I particularly appreciate the extent of her contribution to the Association in organising the previous world conference. It is typical of her willingness to serve the Association that when Paulah Dauns resigned from the IRB and hence from the Chair of the Americas Chapter, Lois was there to take the interim role. I have always been able to rely on her fair-minded approach to issues to steer us through the various issues and controversies which have arisen. Eamonn Cahill has been the other Vice President and has contributed particularly to the work of the European Chapter.

Another head of jurisdiction who inspired admiration was Jean-Guy Fleury the Chair of the IRB. His leadership saw the IRB take a leading role in the Association, including a major part in the organisation of the 7<sup>th</sup> World Conference in Mexico City. Jean-Guy was a bureaucrat of outstanding integrity. The circumstances of his resignation in early 2007 demonstrate that integrity and stand as an example of the meaning of true independence. I was privileged to work with him.

### **THE WAY AHEAD**

Both in this report and in the previous report I have written about the twin elements of internationalism and professionalism which should guide this stage of the development of the Association.

In the last four years the international outlook and activities of the Association have been developed. The major landmarks have been the formation of the Africa Chapter, the building of membership in Africa, and the holding of the 8th World Conference in Cape Town. The working of the Association has become more professional, firstly with the engagement of James Simeon as the Executive Director, and, following him, the engagement of Sue Zelinka and Rick Jackson as Development Directors. The engagement of these people was possible as a result of funding obtained from UNHCR, and in the case of the Australia / New Zealand Chapter, from private philanthropic sources. These are exciting developments in the history of the Association. The Association has proven it can evolve and remain highly relevant in changing circumstances and times. I am proud to have been a part of that evolution.

I hope that the new President will continue to build on this work. The Africa Chapter will need assistance and support from the Association to increase its membership and arrange further regional training programs and conferences. There is also much work to be done to attract regular funding to support the on-going engagement of professional administrators.



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Beyond maintaining the impetus in these two areas, there is scope for even greater advances. The Australia / New Zealand Chapter is investigating the possibility of involvement in Asia and the Pacific. Further, there is a need for a concerted effort to increase membership, particularly in Europe and in the Americas where there is great potential for this to occur.

Whilst considerable progress has been made in the last four years, there are challenges ahead. It is critical for the success of the Association that the Chapters work together in the interest of the Association's international agenda. More established Chapters will need to help with the growth of the newer Chapters with resources and with experienced advice. The original inspiration for the Association was as an international body. That remains the appropriate model. The Association is not an umbrella body for a series of regional groups. Our quest is for a common understanding of refugee law. Whilst regional developments will necessarily be the focus of each Chapter, there needs to develop a greater sense of cooperation between Chapters to fulfil the international aspirations of the Association. This is a crucial challenge for the new President and Council.

The original purposes of the Association remain as they ever were. They are inspirational. We owe much to the past office holders and members for keeping that inspiration alive. At the same time, and without detracting from the achievements of the past, it is necessary to continue to develop the work of the Association in accordance with the accumulated experience of its members. Any organisation must evolve if it is to continue as a success while remaining true to its foundations. In this regard, it is healthy for the Association that almost half of the places on the Council are to be filled with new people in the elections to be held in Cape Town. I know most of the candidates and they promise to bring new energy and ideas to the Association.

The constitution provides for the position of Immediate Past President. There is good sense in this provision for it provides a certain degree of continuity in the affairs of the Association. The acceptance of the role of President includes acceptance of the responsibility of passing on the wealth of experience acquired as President. As Immediate Past President, I hope to share with the incoming Officers and Council members the knowledge acquired over my time as President.

A sign of the importance of the Association is the many references in academic publications and court decisions of our working papers and conference proceedings. It is testament to the strength of our ideas and the importance of our work. It has been a great privilege to work with so many talented people dedicated to the high purposes of the Association. I thank you all for giving me that privilege.

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