

IARLJ

Report to IARLJ Executive and Council regarding May 2009 meetings in Budapest and Geneva

by

Sebastiaan de Groot, President IARLJ
Lois D. Figg, Vice-President, IARLJ
Eamonn Cahill, European Chapter Chair, IARLJ

29 May 2009

Overview:

In May 2009 Sebastiaan de Groot, Lois Figg and Eamonn Cahill travelled to Budapest for one day to meet with the Hungarian authorities to discuss the possibility of Budapest being the venue for the next IARLJ World conference. Following that meeting they then went to Geneva for 2 days of meetings at the UNHCR. Here is a full report.

Monday 12 May 2009 - Budapest

1. Metropolitan Court of Budapest

Present:

Sebastiaan de Groot
Lois D. Figg
Eamonn Cahill
Laszlo Gatter, President of the Capital Court of Budapest
Laszlo Szebeni, Vice-President, International Relationship, Metropolitan
Court of Budapest
Judith Pápai, Capital Court of Budapest

The IARLJ delegates visited the Metropolitan Court of Budapest to discuss the possibility to host the next world conference in Budapest.

The meeting was highly productive. The Hungarians are most anxious to host the next world conference and had developed some preliminary information regarding venues and costing.

The date of the conference was agreed to likely be around February 2011. This is good timing in terms of being off-season and thus cost effective

The President of the Court mentioned that an election is expected soon and may or may not impact planning. He may or may not be re-appointed at the end of his term in February 2010.

The Hungarians are well organized and familiar with the IARLJ as they have hosted a European chapter conference and many more judicial events, also in cooperation with IARLJ (European Chapter).

It was reiterated that the typical formula for developing a world conference is that 2 organizing committees are struck: the local committee is usually run by the host and takes care of mostly logistics. The international committee is usually chaired by the IARLJ president or a delegate and is responsible for the agenda/programme and for inviting speakers. The local host will sit on this committee.

The Hungarians were in this stage unable to offer the Association the promise of any funding. They felt that registration fess would be able to cover the costs of the venue, dinners etc. And that the organizing committees would work on finding sponsors for contributions in kind (for receptions, etc). It was agreed that the Court would be in touch with us over the coming months with an outline of the practical possibilities for consideration by the IARLJ Council

2. Hungarian Helsinki Committee

Present:

Sebastiaan de Groot

Lois D. Figg

Eamonn Cahill

Gabor Gyulai, Training Coordinator, Training Officer, Hungarian Helsinki Committee

While in Budapest the IARLJ delegates also took the opportunity to meet with Mr. Gyulai. Gabor briefed us the joint ERF project proposal.

An expert on COI, he also discussed his "Country Information in Asylum Procedures" book. Here is the link in English:

Tuesday 13 May and Wednesday 14 May – UNHCR Geneva

Overview:

The new President, VP and European Chapter Chair wished to have an initial face-to-face meeting with the UNHCR for various reasons.

The president and VP spoke with the Chief and Head of RSD unit regarding the sub-agreement and, generally the direction of the Association. In particular we discussed the challenges around finding permanent funding in the absence of a permanent secretariat and also briefly touched on various ways the UNHCR could support the Association in its efforts to capacity-build.

In addition, the 3 IARLJ delegates spoke with the different geographic bureaux in order to have specific briefings which could help The Association identify the capacity building possibilities and needs in each of the chapters. This was an exciting development. We learned a lot. But more than this we believe we have the beginnings of establishing a direct link between the relevant bureaux and the matching chapters. We can discuss this more at the next Council meeting and specifically how we can utilise and begin to use this direct link effectively.

1. Introduction and General Briefing

Present:

Sebastiaan de Groot
Lois D. Figg
E. Cahill
Rick Stainsby, Chief
Jean-Paul Cavalieri, Head of RSD Unit
Julian Herrera, Legal Officer

The UNHCR advised that George Okoth-Obbo is moving on from Geneva and will soon have a replacement, Mr. Volker Türk. They also advised that Jean-Paul Cavalieri will soon go to a different posting and the IARLJ portfolio will be taken over by Mr. Julian Herrera.

The table de-briefed the IARLJ World Conference and in particular the pre-conference training. The pre-conference training was its usual tremendous success. In the end over 60 decision-makers attended. It is suggested that next time separate sessions be held for advanced, intermediate and beginner levels.

Rick confirmed that he would be happy to deliver a “train-the-trainers” session for Africa, as discussed in the wake of the last world conference. It is expected that the IARLJ will drive the development of this event if it is to transpire. The IARLJ delegates promised to follow up with the African Chapter Chair about this.

We advised that the European Chapter is managing some training for African judges in Dublin on 17 and 18 September, 2009.

We further briefed the UNHCR regarding our meeting in Budapest and the possibility that the next world conference could be in Budapest. The UNHCR gave positive feedback on this possibility. UNHCR in turn informed the IARLJ delegates that they are soon to open their “Global Learning Centre” in Budapest. This facility will be able to house 40-50 people. This is a potential venue for pre-conference training.

We also discussed the sub-agreement and remaining UNHCR-donated funds. It was agreed that the IARLJ would revert to the UNHCR on this issue.

We had cursory discussions on the various efforts at seeking permanent funding and the challenges that entails in the absence of having a permanent secretariat. We agreed to continue discussions on how the UNHCR could assist the IARLJ at a later date, perhaps with Erika Feller and Mr. Türk.

2. Africa Bureau

Present:

Sebastiaan de Groot

Eamonn Cahill

Steve Corliss, Deputy Director

Bayisa Wakwoya, Head of Policy Unit

Isabel Marquez, Senior Legal Officer

Jeanette Zuefle, Senior Legal Officer

The plans for training events in the African continent were discussed, including a training-for-trainers Workshop. It was stated that the IARLJ, more particularly the African Chapter, would have the organising role, but UNHCR was supporting the plans strongly and was prepared to assist where possible.

Further the Dublin Seminar for African Judges was discussed, including the names of participants.

We agreed to remain in touch on the follow up.

3. Statelessness Unit

Present:

Hugh Massey, UNHCR Legal Officer
Lois Figg

Hugh is working on drafting what may end up becoming a UNHCR handbook on Statelessness. He explained that the UNHCR is re-focusing on this issue which is in fact part of its core mandate (in addition to refugees).

Hugh would like to tap into the expertise inherent in the Association and use our members as a sounding board off which to bounce some of his developing ideas.

Out of this discussion came a proposal that the IARLJ establish a temporary inter-conference working party on the issue statelessness and that Hugh lead it as a Rapporteur. This would enable Hugh to accomplish his objective and would also benefit the Association.

The working party would do its usual work in writing and ultimately delivering a paper at the next world conference. This would be a “win” for the Association because Statelessness would be a topical and highly relevant issue for the agenda of the next world conference. At the same time, Hugu can use this vehicle to obtain the in-depth feedback/consultation he seeks with members of the judiciary (hence a “win” for the UNHCR too).

This working party does not need to be a permanent one, but rather would end its work at the conclusion of next world conference.

4. Europe Bureau

Present:

Sebastiaan de Groot
Lois D. Figg
Eamonn Cahill
Udo Janz, Deputy Director
Frank Renus, Senior Desk Officer

The European bureau provided a highly energetic briefing on Europe. They were particularly enthused at the possible of the IARLJ holding its next world conference in Budapest as they saw it being capable of attracting many judges from regions who could benefit from training and the sharing of best practices.

The organisation of the UNHCR Europe Bureaux had been changed; the Geneva Office now covers (only) a number of (non EU) Eastern European countries, whereas the other European countries now fall under the umbrella of the UNHCR regional offices in Budapest and Brussels (respectively). A visit to these Bureaux might be worthwhile.

5. Americas Bureau

Present:

Sebastiaan de Groot
Lois D. Figg
Eamonn Cahill
Eva Demant, Deputy Director
Jean-Paul Cavalieri

Ms. Demant indicated that the Regional Office in Costa Rica (the contact there being Juan Carlos Murillo) would be the experts in getting advice regarding capacity building needs/possibilities in the region

Jean-Paul Cavalieri mentioned that Quito, Ecuador as a possible good venue for a next regional effort

6. Asia Bureau

Present:

Pascale Moreeau, Deputy Director
Laura Lo Castro, Senior Desk Officer
Sebastiaan de Groot
Lois D. Figg

The Asia Bureau identified the following areas on which the I ARLJ Austral-Asian chapter may wish to concentrate:

1. The Philippines (currently doing RSD and training other countries)
2. Cambodia (will soon take over RSD)
3. India and Nepal
4. China (HK)
5. Mongolia (plans to accede to the 1951 Conventions)
6. Mainland China (expects to do RSD within 2 years and are anxious for training)

They advise that their regional office in Bangkok (for S. Asia). The Representative is Mr. Raymond Houle. For the remaining Asian countries the

bureau in Geneva would be where to contact and Yasseret Said is the regional training office.

They also mentioned that Mr. Rick Towle (Representative in Australia) is doing some work in PNG and the islands which could dovetail with the IARLJ.

7. Final briefing

Present:

DIPS Deputy Director Vincent Cochetel
Sebastiaan de Groot
Lois D. Figg
Jean-Paul Cavalieri

Mr. Cochetel suggested that the IARLJ approach individual judges for attending out next world conference through the ECHR. He also suggested we may be able to tap into the Council of Europe for some funding.

He expressed an interest in supporting programmes or initiatives where the twinning of judges could be utilized.

8. Ref World

Present:

Sebastiaan de Groot
Lois D. Figg
E. Cahill
Mignon Van der Liet-Senders

We also received an impressive presentation on a revolutionized Ref World from Mignon Van der Liet-Senders. We were so impressed that we have asked her to attend the next IARLJ council meeting and make her presentation to Council. Her interest is to spread the word about the new an improved Ref World which is a wonderful tool for decision-makers. Also however she wants to encourage tribunals and courts to adopt the habit of notifying Ref World regularly when important decisions are issued on refugee matters at the earliest opportunity.