



IARLJ

International Association of Refugee Law Judges

established at Warsaw, 18 september 1997

IARLJ Council meeting, Paris 24 May 2012

D R A F T

Present:

Council members:

Sebastiaan de Groot (president), Rolf Driver, Kashim Zannah (vice-presidents), Jacek Chlebny (secretary/treasurer), , Linda Kirk, Eamonn Cahill (Chapter Chairs), Hugo Storey, Juha Rautiainen, Harald Dörig, Isaac Lenaola, , Martine Denis-Linton, Martin Treadwell, Mohamed El Ayoubi, Roger Errera, Brian Goodman, Katelijne Declerck and Liesbeth van de Meeberg (minutes)

IARLJ members: John Barnes (European Chapter EASO liaison officer), Laurent Dufour, Bernard Dawson , Joseph Krulic

Apologies:

Tony North, Paulah Dauns, Lois Figg, Nehar Bird

Martine Denis-Linton, president of the Cour national du droit d'asile, welcomes the meeting.

Laurent Dufour gives a brief presentation on the topic "The Fingertips manipulation issue and its impact on asylum's judicial review. The notes are attached.

On behalf of the full Council the president thanks Martine Denis-Linton for the kind hosting of the IARLJ Council in the premises of the Cour nationale du droit d'asile.

Agenda items

1. Notes last Council meeting in Bled
The minutes are accorded; they will be posted on the website.
2. Report Bled World Conference; financial overview
A full report and the financial figures have been circulated to all Council members.
The association has contributed € 29.000 to the Bled conference. As a comparison: to the previous world conference in Cape Town the IARLJ contributed with € 20.000. Reasons are set out in the report.
One of the "lessons learnt" is that most of the money contributed by the EU Returns Fund was already earmarked for speakers when IARLJ stepped in. Suggestion for future conferences to check in advance if speakers may get funded from their own institutions.
3. World Conference 2013; state of affairs
The president gives an overview of the contacts with the Korean judiciary, which went on very well. However in the end the President of the South Korean Court Administration replied that it does not seem the right time now to host a conference in Korea.
Serious contacts had been developed in India. After talks of Life Member Geoffrey Care with members of the supreme Indian judiciary the president has sent a formal letter to the Minister of Justice but so far no reply was received.
Perhaps not a world conference but smaller scale (regional) events could be organised, and if successful then investigate whether a big event like a world conference would be feasible.
Also, contacts with the Japan legal world (university, and judiciary) are being developed. Katelijne Declerck and Martin Treadwell (together with past president Allan Mackey) will conduct a workshop in September 2012.
It is considered to be best to have first some smaller scale events in the Asian region before proceeding to have a world conference there.

In the same region Australia has a strong membership and the administrative capacity to organise a world conference. Governmental and institutional support, financially or "in kind", for a world conference, is not to be excluded. However, it will be expensive for delegates from developing and also other countries to attend a conference in Australia.



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Rolf Driver sets out three options for having a conference in Australia. The places are Cairns, Sydney and Canberra respectively. The different options and financial aspects are elaborately set out. Conclusion: if the Australasian Chapter is asked to organise the next world conference they are willing to do so. The sponsoring has to be followed up.

Isaac Lenaola sets out that UNHCR has to support the Africans and there are likely to be financial hurdles for African delegation to attend an Australian world conference.

Further, it is expected that many governments will not be prepared to lay out the funds to allow members to attend..

Mohamed El Ayoubi gives a resume of his consultations with the Minister of Justice in Morocco resulting in possibilities to holding a conference in Morocco.

The president, in consultation with Kashim Zannah and Isaac Lenaola will draft a letter to the Minister explaining the purpose of a conference and to explore if collaboration would be viable. UNHCR in this region is interested and willing to support. It can be explored if the EU agency of TAIEX could be involved in the pre conference training and possibly EASO could be interested to play a role.

Morocco would be excellent to get a large delegation from the African region and Europe.

Time schedule: within 2 weeks a letter will be drafted and sent out in the following 2 weeks (1 month from 24 May). In September all data need to be completed, upon which a proposal can be sent to Council.

In the first week of October the African regional conference in Mombasa is scheduled to be held; a decision on the next world conference should ideally be taken no later than at that time. given a lead time from decision till dates of conference of one year. The Council resolves that both options, Australia and Morocco, will remain on the table until a final decision has been reached.

The president thanks Rolf Driver for all work regarding the preparation for the next world conference and all the efforts already made and emphasizes again how important it is that Council members meet in person.

4. Project Rewrite Training Manual; state of affairs.
Report of the Project director Allan Mackey is accepted with thanks.
A meeting will be held on Friday 25 May to discuss the drafts and the time schedule.
5. Chapter Reports: Africa
A report from Ahmed Arbee and Isaac Lenaola will follow.
Members are encouraged to come to the conference in Mombasa early October.
If anyone needs an invitation for funding or visa reason, please contact Isaac Lenaola.
Rolf Driver confirms his attendance.
6. Chapter Reports: Australasia
Linda Kirk reports on the latest regional conference and the strong membership that has risen. To attract as many participants as possible the conference was open for non-members as well. 50 Percent of the attendants were decision makers (academics) and 50 percent outsiders. No fee was charged for financial members and 50 AUD for non-members. A small loss of 4.000 AUD is regarded as not bad since they also recruited a lot of new members.
Linda refers to the latest Newsletter which goes into detail on the Australian two tier system.
7. Chapter Reports: Europe
Eamonn Cahill's report has been circulated and is attached.
Kateljine adds that the IARLJ continues its active involvement in the reference group of the European Asylum Curriculum (EAC) giving comments on the modules prepared by the Content Expert Group. The EAS was a European Union Member State initiative executed under the General Director's Immigration Services (GDISC) and was set up to train all EU asylum services personnel. It has now been transferred to the European Asylum Support Office (EASO).



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Hugo Storey mentions a tri partite event autumn 2012, a coordination of lead cases on Rule 39 ECHR for the president of the Strasbourg court. Some people present at this meeting are to contribute to the event. It is mentioned that the Berlin workshops should be re-activated as they were a considered to be a very good experience.

Harald Dörig underlines the importance of workshops like these as they are stimulating and very useful for daily work/practice.

The European Chapter will make all efforts to have a regional event in 2013.

Jacek Chlebny reports on a workshop October 12, 2012 in Warsaw organised by Polish judiciary/IARLJ/UNHCR. Six to seven countries will be represented. A couple of places for IARLJ members are secured provided they pay the conference costs. An update will be given in the course of the next weeks.

8. Americas Chapter: Revitalisation, state of affairs

Brian Goodman mentions that Carolyn Layden Stevenson (member of the Canadian Federal Court of Appeal) sadly could not take up the American chapter presidency due to her illness. On behalf of the Council members she will be sent flowers.

The proposal to have Mike Ross, as chair of the Americas Chapter, in the Council as member "ex officio" is fully endorsed. The president will convey the message to Mike Ross.

9. Working Parties; state of affairs

James Simeon could not provide a report before this meeting; this will follow in due course.

10. Cambridge Project, role of IARLJ

The issue is discussed extensively.

The topic of the project (supervision of the Refugee Convention) is core business for the IARLJ. Agreement to provide experts, where it is deemed desirable by the Project Direction (Jim Hathaway). The name of an expert to the expert meeting in Oxford in September will be conveyed to Jim Hathaway.

At the advice of Treasurer Jacek Chlebny the council decides that no financial support from IARLJ side can be made available at present.

The president will report to Tony North and Jim Hathaway after the meeting.

11. Publications Committee

Attached proposal is endorsed.

The Committee's mandate is to advise the Council as regard to the publications which will go out in the name of the IARLJ. The current ad-hoc committee had to look at proposals to establish criteria and try to bring this in a regular framework.

At least 1 person from each Chapter should be involved. Working Parties coordinator James Simeon is to be consulted as well. Hugo Storey shall contact the different Chapter heads and propose membership for the committee.

Discussions on the Bled proceedings are adjourned. Boštjan Zalar is associated to a journal called Dignitas and is investigating whether they can publish without any costs.

12. Publication of a full set of all conference books on website.

Agreed that a full set will be prepared for posting on the website according to attached estimate of € 1.650. This will be a joint financial effort of all 4 chapters .

13. Any other matters

Treasurer Jacek Chlebny reports on the financial situation of the association and asks the Chapters to report to the Treasurer on their current financial situation.

It is again emphasized that new members' eligibility is to be accorded by the Secretary and subsequently - if the Secretary finds there is room for discussion - by votes of Council members.



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Linda Kirk has received an application for associate membership from Professor Kneebone. The Council will be sent an e-mail and is asked to vote.

A new Council meeting is envisaged to be held in Kenya, depending on the number of Council members available to attend the conference and thus for a Council meeting. A decision is adjourned.

The meeting is closed with thanks to all Council members for attending the meeting and their contributions to the discussions and resolutions.