



# International Association of Refugee Law Judges (IARLJ)

Information provided by the IARLJ

July, 2014

## *A. General information*

<b>Name of network</b>	International Association of Refugee Law Judges (IARLJ)
<b>Date of constitution</b>	1997
<b>Legal Statute</b>	Not-for-profit International Association under Dutch law
<b>Legal Seat</b>	P.O. Box 1621, 2003 BR Haarlem, The Netherlands
<b>Website</b>	<a href="http://www.iarlj.org/">http://www.iarlj.org/</a>

## *B. Goals of the network*

The International Association of Refugee Law Judges seeks to foster recognition that protection from persecution on account of race, religion, nationality, membership in a particular social group, or political opinion is an individual right established under international law, and that the determinations of refugee status and subsidiary protection are subject to the rule of law.

To these ends the Association commits itself:

- to promote within the judiciary and quasi-judicial decision makers world-wide a common understanding of refugee law principles and to encourage the use of fair practices and procedures to determine refugee law issues;
- to foster judicial independence and to facilitate the development within national legal systems of independent institutions applying judicial principles to refugee law issues;
- to encourage the sharing of information and databases relating to conditions in countries of origin and countries of transit of asylum seekers;
- to encourage the development of norms of access by asylum seekers to judicial systems that are compatible with international law standards;
- to promote or undertake research initiatives, publications and projects that further the attainment of the objects of the Association.

While keeping in mind the independence of the members of the Association in their judicial functions, to co-operate with the United Nations High Commissioner for Refugees (UNHCR) and other agencies, both international and national, that are concerned with the promotion of an understanding of refugee law issues.

The European Chapter of the IARLJ has expanded its field of interest, expertise and discussions within its network from law on international protection to immigration law, because the majority of the members of the European Chapter of the IARLJ who deal with refugee law cases deal also with immigration disputes no matter whether they provide judicial services at specialised refugee and immigration tribunals or at general administrative courts.

### *C. Membership structure of the network – Overall number of current members (with a breakdown by nationalities)*

The IARLJ is a global association of individual judges, which has around 420 individual members that form the American Chapter, the African Chapter, the AustralAsian Chapter and the European Chapter, because judges all over those continents apply the same international treaty - the 1951 Convention relating to the status of refugees. Among them, around 180 are members of the European Chapter. The European Chapter of the IARLJ has its own Constitution due to specific recent developments in EU law on international protection.

**Membership** of the European Chapter of the IARLJ is open to any person who:

- satisfies the requirements for qualification for membership of the IARLJ under its Constitution;
- is (or has concurrently made application to be) a member of the IARLJ;
- supports the objects of the Association;
- tenders payment of any membership dues for the then current year established by, or determined in accordance with, a resolution of Council; and,
- approved by or on behalf of the Council as being qualified to be a member.

### *D. Governance and bodies of the network*

The Association is governed by a Chair, a Vice President and Secretary/Treasurer.

### *E. Brief resume of the judicial training activities developed (if applicable) by the network*

A Survey of selected events either organised by or in cooperation with the International Association of Refugee Law Judges (IARLJ) European Chapter is provided.

Recent events:

The events set out below are not exhaustive and do not include regular attendance by judiciary from the IARLJ at workshops etc. organised by the European Asylum Support Office (EASO) since its inception and other ad hoc conferences and meeting by other organisations to which members of the IARLJ have been invited. The list is intended to provide a broad survey of principal events between 2013 and the middle of 2014. In addition the IARLJ participates in and enables ad hoc judicial exchanges in the EU.

- Bulgaria, 2-4 June 2014: EASO Operating Plan to Bulgaria in collaboration with the IARLJ, measure 3.13. “Support with decision at second instance”
- Malta, 6 December 2013: “Advanced workshop on the Implementation of Article 15c of the Qualification Directive” organized by EASO and IARLJ
- Gothenburg, 21-22 November 2013: European Chapter Conference of the IARLJ entitled: “Recent Developments in European Asylum Law in co-operation between the Association and the Migration Courts in Sweden.
- London 13-14 November 2013: IARLJ were co-partners in “On the borders of Refugee Protection? The Impact of Human Rights Law on Refugee Comparative Practice and Theory” organised by the Refugee Law Initiative of the School of Advanced Legal Studies London University.
- Minsk, 19-21 June 2013: Seminar/Workshop of Asylum Procedures organised by the Technical Assistance and Information Exchange instrument (TAIEX): number of judges, lawyers, UNHCR representatives and administrative decision-makers: around 35.
- Budapest, 27-28 May 2013: presentations entitled: “Preliminary Reference to the CJEU: When to Refer a Question and How to Formulate It” and “Suggestions from the Judiciary Concerning Third Party Intervention in Judicial Procedures in Slovenia”; judicial engagement working group meeting of the UNHCR’s offices in Europe (“Developing a proactive judicial engagement strategy in Europe”); number of UNHCR’s lawyers participants: around 45.
- Brussels, 13 May 2013: closing event of the CREDO project on “Beyond proof – Improved credibility assessment in EU asylum procedures”, organised by the European Commission, Hungarian Helsinki Committee, UNHCR and IARLJ; number of judges and lawyers participants: around 40.
- Nijmegen, 16 April 2013: Seminar at Radboud University on Assessment of Credibility under the EU Qualifications Directive attended by 24 judges.
- Skopje (FYR of Macedonia), 10-12 April 2013: “The Use of Undisclosed Evidence in Asylum procedures: From War on Terrorism Towards the Rule of Law”, Workshop on Regional Cooperation between Refugee Law Judges, organised by the Judicial Academy of FYR of Macedonia and Regional Office of the UNHCR; number of judges participants: around 30.
- Zagreb (Croatia), 14-15 February 2013: “Extradition and Principle of Non-Refoulement in Slovenian Jurisprudence”, presentation at the training event for criminal court judges of Croatia organised by the Judicial Academy of Croatia and UNHCR office; number of judges participants: around 20.

#### *F. Highlight of the network's statutory provisions that make reference to judicial training / Concerns of the network referring to judicial training*

The objectives of the Association are to be pursued through the following means:

- by establishment of direct interaction between judges, judicial associations, judicial training providers, UNHCR, experts, public authorities and civil society organisations;
- by organising or assisting in the organising of relevant judicial training events;
- by undertaking or assisting in the development of judicial training materials and programmes designed to ensure effective implementation of the Common European Asylum System (CEAS) in accordance with the rule of law and independence of the judiciary (including judicial check-lists or guidelines concerning the criteria for assessment of country of origin information, credibility assessment, formulation of preliminary references, use of expert evidence);

- to undertake, promote or assist with the training of judges and other refugee decision-makers and the development and delivery of suitable judicial training programmes and their contents in a manner that fully respects the principle of the independence of the judiciary.

*G. Brief resume of the trends of cooperation and/or regular contacts established by the network with major judicial networks involved in the current project*

The IARLJ has a good cooperative relationship with the Association of European Administrative Judges (AEAJ) (Working Party on Asylum and Immigration). The IARLJ traditionally works closely with UNHCR, EASO, TAIEX; members of the IARLJ are also on the list of judges-trainers of the EASO, TAIEX, the European Institute of Public Administration (EIPA), the Academy of European Law (ERA). The IARLJ has contacts with National Training Institutions, especially from the Central and East European Countries and from the Western Balkan. The IARLJ has contacts with the Association of the Councils of State and Supreme Administrative Jurisdictions of the EU (ACA-Europe) and has established biennial meetings with the judges of the European Court of Human Rights (ECtHR) and the Court of Justice of the EU (CJEU). The IARLJ also cooperates with NGOs, for example, the Hungarian Helsinki Committee and cooperates with the respective Unit of the European Commission for the purpose of professional development of judges in the field of asylum.

Source: Pilot Project - European Judicial Training: "*Lot 4 – Promotion of cooperation between judicial stakeholders concerned by European judicial training*", carried out by the European Judicial Training Network (EJTN)