RAPPORTS SUR LA SITUATION DE LA JUSTICE

PAR LES ORGANISATIONS MEMBRES DE MEDEL

SITUATION DE LA JUSTICE EN ALLEMAGNE

1. La République Fédérale Allemande se comprend comme un ***état de droit démocratique*** *et social* (Art. 20 de la constitution, *Grundgesetz (GG), Loi Fondamentale).* L'accès à la justice, aux juges, auxquels le pouvoir de rendre la justice est *confiée (*Art. 92*),* est garanti par la constitution (Art. 19 alinéa 4). La *Cour Constitutionnelle* puissante est souvent l'arbitre entre les autres pouvoirs, l'exécutif et le législatif, soit, sur recours constitutionnel individuel soit sur recours introduit par un magistrat en vue d'un contrôle de constitutionnalité, entre le citoyen et «l'état».

2. La justice est, en général, dans le domaine des *Länder* (=les états qui forment la fédération), seules les Cours Suprêmes et la Cour Constitutionnelle Fédérale sont des cours fédérales. La législation sur la justice et son organisation ainsi que – en principe – le statut des magistrats sont aussi du ressort de la fédération, seule la rémunération est en partie, en vertu d'une loi fédérale, entre les mains des Länder en ce qui concerne les détails (voir infra sub 7.)

3. Les juges et les magistrats du parquet ont, en principe, un statut assez confortable et ils gardent leurs droits de citoyen (**conception du *juge-citoyen***), y compris le droit d'être membre actif d'un parti politique et/ou d'un syndicat. Les magistrats du parquet ont –hélas – le statut de fonctionnaires et le parquet est fortement hiérarchisé.

4. En ce qui concerne les **organisations professionnelles** de magistrats**, il en existe trois**: La traditionnelle Association Allemande de Magistrats (*Deutscher Richterbund*, *DRiB,* largement majoritaire) et les deux groupes *progressistes,* membres de MEDEL: Les *Magistrats ver.di (*Syndicat Unifié des Services Publics et Privés,)*Vereinte Dienstleistungsgewerkschaf)* et la Nouvelle Association des Magistrats (*Neue Richtervereinigung, NRV).*

5. Pour l'administration et la gestion de l'institution judiciaire, il n'existe **pas d'organe du type CSM** (conseil Supérieur de la Magistrature) comme dans le reste de l'Europe, ni au niveau de la fédération ni des Länder. On peut donc parler d'une ***séparation des pouvoirs de l'état inachevée.*** La création de tels organes est donc revendiquée par les trois organisations de magistrats, mais elle n'est ni sérieusement discutée ni revendiquée dans et par le politique (des exceptions existent toutefois). Un certain espoir s'est fait jour : Le bureau et la présidence de notre Syndicat ***ver.di,*** **avec ses deux millions de membres, soutiennent notre revendication d'une administration et d'une gestion du système judiciaire indépendantes (*autonomes*).**

6. Bien qu'il manque un système de ce type, existent *in nuce* **des éléments d'autonomie et/ou protégeant l'indépendance des magistrats :**

   - **L'autogestion des cours et tribunaux** par un organisme (le ***Präsidium*)** élu par les juges qui fixe la composition des chambres et la distribution des affaires selon des critères abstraits-généraux, pour garantir le *juge naturel* et éviter toute manipulation ;

   - La nécessité d'un avis des représentants élus des magistrats à chaque acte administratif à l'intérieur du tribunal qui concerne les juges (la ***Mitbestimmu*ng,** *cogestion).* Le degré de *Mitbestimmung* oscille selon les différents Länder entre l'avis simple et l'avis conforme ;

   - **La discipline** est confiée, pour les magistrats (sauf l'avertissement qui est de la compétence du président) **à des tribunaux indépendants** composés de juges (selon la législation de quelques Länder, complétés par un avocat) ; la discipline est, d'ailleurs, **appliquée très restrictivement** si l'on compare la pratique avec d'autres pays;.

   - Pour les Cours Fédérales, et dans une grande partie des Länder, **les juges** ne **sont** pas **choisis et nommés par le** seul **ministre de la justice mais en commun avec une commission parlementaire** (et donc pluraliste). Ce système a été, après la chute du système *d'injustice* nazi avec sa politisation de la justice, y compris sa partialité, créé et choisi pour **garantir une composition pluraliste de la justice qui correspond à la pluralité sociale et représente celle-ci.**

7. Pour conclure, trois touches sur des problèmes actuels, outre la lutte pour un *système CSM* d'autogestion et, par cela, l'achèvement de la séparation des pouvoirs :

- **La réforme du système PeBB§y** (*Personalbedarfsberechnungssystem, système d'évaluation des charges de travail servant de base à la fixation des chiffres de dossiers considérés comme devant être traitées par le personnel dans le budget de la justice et favorisant une répartition des charges égale et juste au sein des cours et tribunaux);*

- **La misère des salaires** d'une grande partie des magistrats (surtout les juges de base et parmi eux surtout les jeunes) : **La Cour Constitutionnelle vient de déclarer le système, dans plusieurs Länder, incompatible avec la constitution** qui garantit pour les magistrats une rémunération *adéquate à la fonction de juge et/ou de membre du parquet* (**jugement du 5 mai 2015 -!-**);

- **La menace que représenteraient des accords comme *TTIP*** etc… pour un état de droit démocratique qui pourraient remplacer les compétences des justices nationales indépendantes par un système d'arbitrage aux critères et avec le personnel du capital international.

SITUATION DE LA JUSTICE EN BELGIQUE : EXSANGUE ET OUTRAGEE

1. La justice belge est exsangue car les gouvernements qui se sont succédés depuis plus de dix ans ont œuvré au désengagement de l'Etat dans ce domaine qui relève pourtant à la fois d'un service public mais également et surtout d'un pouvoir constitué.

Dans le rapport qu'elle a rendu public en 2014, la CEPEJ a évalué pour 2012 à 0,7% la part du budget national consacrée à la justice alors que la moyenne européenne est de 2,2%. La Belgique se situait ainsi en avant-dernière position.

En 2014 et 2015, le gouvernement a imposé au secteur de nouvelles mesures d'austérité qui vont nécessairement aggraver son état de faillite. Exemples : dans les 4 prochaines années, sur 6 magistrats qui partent, un seul sera remplacé ; de nombreux palais sont insalubres ; l'informatique est préhistorique et défectueuse ; de nombreux greffes connaissent des périodes de fermeture régulière par manque de personnel ; le ministère public a renoncé à poursuivre toute une série d'infractions ; un arriéré de plus de 100 millions d'euros était dû à la fin 2014 aux experts et traducteurs…

La justice belge est donc placée dans l'impossibilité matérielle d'exercer bon nombre de ses missions.

2. L'équilibre des institutions a récemment été rompu par le législateur en sorte que la justice va également être placée dans l'impossibilité d'exercer son rôle de pouvoir constitué, contre-pouvoir des pouvoirs législatif et exécutif.

Cette rupture d'équilibre est le résultat de deux lois récentes :

- la loi du 1er décembre 2013 qui impose pour des raisons budgétaires aux magistrats d'être « mobiles » au sein d'un espace élargi, parfois très vaste, et permet donc de les « déplacer », au mépris de la Constitution qui garantit leur indépendance par leur inamovibilité ;

- la loi du 18 février 2014 qui prétend introduire la « gestion autonome » des entités judiciaires et qui a fait de la justice un département ministériel. Les moyens - c'est à dire une enveloppe fermée réduite comme on le devine à peau de chagrin – seront désormais alloués par le ministre de la justice

aux entités judiciaires, placées en concurrence, après évaluation de leurs « résultats » et de leur production, suivant des critères et des objectifs qui seront définis par le ministre lequel a déjà prévu l'obligation de traiter dans un délai d'un an tous les dossiers entrants dans une structure. La mise sous tutelle est donc évidente et lorsqu'elle est conjuguée à l'absence de moyens, l'on aperçoit l'ampleur du coup qui est porté à la démocratie belge.

C'est pour ces raisons que les magistrats belges ont lancé deux recours contre ces lois auprès de la Cour constitutionnelle et qu'ils vont introduire auprès de la Commission européenne une plainte fondée sur l'article 47 de la Charte des droits fondamentaux.

C'est dans ce contexte également qu'a été organisée le 20 mars dernier une journée d'alerte qui a réuni l'ensemble des acteurs du monde judiciaire, avec le Barreau, le personnel, les experts et les traducteurs.

Athènes, 23 mai 2015, Vinciane Boon Porte-parole de l'Association syndicale des magistrats et M&M

SITUATION DE LA JUSTICE EN BULGARIE

According to the Constitution of the Republic of Bulgaria, the judiciary shall be independent from the other two branches of the state power. The Supreme Judicial Council /SJC/ is entitled to elect, promote, demote, transfer, to impose disciplinary sanctions on judges, prosecutors and investigating magistrates and dismiss them from office. The judiciary has an independent budget which is administered by the SJC.

The current set up of the Supreme Judicial Council enables strong political influence over the functioning of the Council. According to the Constitution, the SJC consist of 25 members. The President of the Supreme Court of Cassation, the President of the Supreme Administrative Court, and the Prosecutor General are ex officio members of the Council. Eleven of the members of the SJC are elected by the Parliament and eleven are elected by the judicial authorities which includes courts, prosecutors' offices and offices of investigating magistrates. The 'professional quota' of the Council comprises of 6 judges, 4 prosecutors and 1 investigating magistrates.

On several occasions the Bulgarian Judges Association expressed concern that the structure of the SJC opens a wide range of possibilities for political interference in the process of administration of the judiciary, especially in elections of the presidents of courts and appointments of the Prosecutor General and the presidents of the Supreme Court of Cassation and the Supreme Administrative Court. The current structure of the Council and the number of its 'Parliament quota' members enables politization of the process of appointing the candidates nominated by the parliamentary represented political parties[1].

Another issue arising from the existing structure of the SJC is bringing together powers relating to judges, prosecutors and investigating magistrates into a single body – all functions of the Council regarding these three types of magistrates are executed by the plenary of the SJC. In a series of opinions and recommendations the institutions of the Council of Europe consistently highlight that

1 Opinion CDL-INF (99) 5 of 22-23 March 1999; Opinion of 5-6 July 2002 (CDL-AD (2002) 15); Opinions Nos 444/2007 and 515/2009 of the European Commission for Democracy through Law /The Venice Commission/.

one of the major instruments that guarantee judicial independence and the effective management of the judiciary is creating safeguards, which ensure that matters relating to the status of judges and prosecutors will be addressed independently.[2] The Venice Commission and the Parliamentary Assembly of the Council recommended reconsideration of the common administration of the affairs of judges, prosecutors and investigating magistrates.[3]

The Bulgarian Judges Association has addressed these problems and has drawn up several proposals for amendments of the Judicial System Act aiming at institutional accordance of the administration of Bulgarian judiciary with best European practices. There are some reasons for optimism as the present Government and especially the Minister of Justice in the beginning of this year announced a plan for judicial reform that includes a draft for a Constitutional amendment in conformity with the abovementioned recommendations.

The political influence over the SJC hinders the fulfillment of one of its basic duties – to protect judicial independence. In Bulgaria judges operate in an environment, which makes their work strongly dependent on public opinion formed to a large extent by the arbitrary public comments on the work of courts by representatives of the executive power. This places the discretion of judges in relation to their professional duties, under disconcerting pressure and compromises the principle of fair adjudication on the basis of the law and collected evidence only.

The Bulgarian Judges Association appealed several times to the SJC and insisted that the Council is the body that is bound to protect the independence of the judiciary and to assure an efficient, fair and transparent judicial administration. Unfortunately, the majority of the Council's members fail to understand the importance of the issues we raise and our organization is criticised by them for too much 'activism'.

There were two recent significant examples of undue and vague practices of the SJS. Judge Nelli Kutzkova, the former Spokesperson and ex-member of the Board of the Bulgarian Judges Association, was the only candidate for the position of the President of the Sofia Appellate Court. Her candidature was supported by 40 of 58 judges at that court. During the session of the Council held on 30 April 2015, before the election, 11 members of the SJC spoke in favor of her nomination saying that she is the proper candidate. No one of the Council's members did express a negative opinion. As a result of the secret voting only 9 members of the Council voted for judge Kutzkova, 4 members voted against her and other 6 abstained. After the voting one of the Council's members declared that he voted against judge Kutzkova as she was 'politically affined' and once elected she would contribute to disunion within the professional community.

During the same session of the SJC another scandalous decision was made. An agenda item was the approval of the status of irremovability[4] of judge Krasimir Mazgalov, member of the Bulgarian Judges Association and one of the 24 judges from the Sofia City Court who some weeks ago criticized the

2 Opinion no.10 (2007) and Opinion no.12 (2009) of the Consultative Council of European Judges (CCJE)

3 Opinion No 515/2009 of the Venice Commission; Resolution No 1730 (2010) of the Parliamentary Assembly of the Council of Europe

4 After completing the fifth year of service and upon attestation by the SJC's Nomination and Attestation Commission, affirmed by the SJC's resolution, a judge is appointed indefinitely and acquires life tenure.

Council for its inactivity to identify and condemn some dubious practices of the administration of that court. The judge Mazgalov's performance evaluation was excellent and no one member of the Council expressed a negative opinion. However as a result of the secret voting there were not prevailing votes for his irremovabality which was equivalent to his removal from the office. That was averted only because of the reaction of two of the SJC members who proposed a new voting during which the proposal for his irremovability was approved with a very slight majority.

Atanas Atanasov, Judge of Sofia City Court, Member of the Board of the Bulgarian Judges Association

SITUATION DE LA JUSTICE A CHYPRE

In regard of the problems of the Judges in Cyprus I would like to inform you the following:

As you may know Cyprus had a very strong and wealthy economy before 2013. The development of the Cyprus economy was one of the best in Europe.

After continuous strategic mistakes of Cyprus banks and the decision of bail in to Cyprus banks in March 2013, the whole country faced an incredible economic crisis.

Trying to save the economy of total collapse, Cyprus government made an application for assistance to the E.U and the International Monetary Fund.

One of the first demands of the representatives of troika was the salary's reduction of the public servants in a percentage of 20%. .

Although there is a strict prohibition in the Constitution of Cyprus which does not allow the reduction of judge's salary and other benefits, the parliament decided to include the members of the judiciary to the reduction Law.

We have cautioned the government and the parliament about the infringement of the Constitution but with no result. After that all members of our association filed an application to the Supreme Court of Cyprus against the law of the parliament.

The Supreme Court found unconstitutional the reduction of the judge's salary and cancelled the law. But all this period the members of the judiciary were facing an unbelievable attack from politicians and the media. They were accusing us of been indifferent to the problems of the economy. But for our association this was not a matter of money but a matter of a clear violence of the Constitution. Proving that, after the judgement of the Supreme Court who cancelled the law, all members of our association offered voluntary 20% of their salary. The government accepted that offer. We do not believe of course that the economic crisis will be solved with our offer but we thought that this will be a symbolic action for the people of Cyprus who suffers from the measures taken by the troika.

If we add also another 15% of new income taxes after March 2013 the whole reduction of judge's salary amounts approximately to 35%. Of course we have warned the government that any other

reduction is not acceptable because it will affect the decent living and the integrity of the members of the judiciary.

Economic crisis does not affect only the salary of the judges. Also affected the whole society and the people of Cyprus began to doubt the system including the judiciary. The media are criticizing the judgments of the Courts in many cases unfairly and in most cases without even reading the judgement.

Also the number of cases coming in to the courts increased dramatically due to the economic crisis. The judges doing their best to manage the increasing work. But because of the embargo of new employments the problem remains.

Of course we must not forget the infringement of human rights in Cyprus by the Turkish army who occupies approximately 40% of the island since 1974.

Under these circumstances Cyprus judges keep their independence and continue to serve the rule of law and democracy.

SITUATION DE LA JUSTICE EN ESPAGNE

Since 2012, the Spanish government has been introducing reforms that, taken collectively, would seriously weaken the rule of law.

A Court Fees Act and an initial reform to the Organic Law of the Judiciary were passed in 2012; a law to reform the Judicial Council (Consejo General del Poder Judicial) was passed in 2013; and reforms to the Criminal Code and the Citizen Security and Public Safety Act have been passed in March 2015.

Proposed reforms to the Legal Aid Act, the Criminal Procedure Act and additional reforms of the Organic Law of the Judiciary are still under discussion in parliament.

We are deeply concerned that these legislative reforms adversely affect the proper functioning of the institutions responsible for safeguarding the rule of law, and attack the following elements of the rule of law: access to justice and independent and effective judicial review; non- discrimination and equality before the law; separation of powers and judicial independence; legal certainty and respect for human rights; and a transparent, accountable, democratic and pluralistic process for enacting law.

The principles and values are threatened in Spain as a result of legislative reforms, some of which have been adopted and others which are in the course of being approved, and how domestic rule of law safeguards have not been capable of containing such threats.

Judges for Democracy, (JPD) and Progressive Union of Prosecutors, (UPF) express their grave concern in relation to serious threats to the rule of law in Spain.

The government should reopen the reforms to proper consultations with the aim of ensuring the reforms lead to an effective reorganization and modernization of the judicial system. Our judiciary

should be organized and resourced in such a way as to secure independence and to ensure the judiciary can secure the rule of law, including an adequate number of judges and prosecutors, proper facilities and resources, etc. Remind the Spanish government that political and executive interference with the judiciary is inconsistent with the requirement for an independent judiciary.

The proposed laws infringe the principle of legal certainty and the freedoms of expression and assembly, fundamental rights in a democratic society governed by the rule of law and the new immigration law legalizes summary returns.

JPD UPF

SITUATION DE LA JUSTICE EN FRANCE

L'alternance politique de 2012 n'a pas permis à la justice française de revenir sur dix années de populisme sécuritaire et de pénurie budgétaire. Faute d'ambition politique, elle n'a pas été réformée en profondeur et reste profondément inégalitaire et maltraitante pour ses usagers.

Une justice dont l'indépendance n'est toujours pas garantie

Aucune réforme constitutionnelle n'est venue renforcer l'indépendance de la justice. Si le pouvoir exécutif n'intervient plus dans le cours des affaires individuelles, son emprise reste très forte sur la carrière des magistrats. Les magistrats du parquet n'ont toujours pas conquis leur indépendance, et de nombreux scandales politico-financiers, mettant en jeu des personnalités politiques de premier plan comme un ancien président de la République, sont un prétexte pour alimenter le soupçon d'une justice instrumentalisée. Le syndicalisme judiciaire a été la cible de violentes attaques qui laissent craindre, pour les années à venir, une remise en cause fondamentale.

Les libertés individuelles en danger

Depuis 1986, la France renforce son arsenal répressif au nom de la lutte contre le terrorisme. La dernière loi votée restreint le contrôle du juge judiciaire sur les atteintes aux libertés individuelles au profit de l'administration, notamment en créant l'interdiction administrative de sortie du territoire pour les « candidats au djihad » ou en autorisant le blocage de sites internet sur décision administrative.

La mobilisation nationale pour la liberté d'expression qui a suivi les attentats de janvier 2015 a vite été récupérée par un gouvernement qui a déclaré la « guerre » au terrorisme et justifie toutes les dérives sécuritaires. Le Parlement s'apprête à voter une loi, qui, sous prétexte d'encadrer les pouvoirs des services de renseignement, autorisera la surveillance de masse des citoyens sans contrôle d'une autorité indépendante. Les exigences de fermeté et d'exemplarité dans la lutte contre le racisme et le terrorisme conduisent au démantèlement continu de la loi sur la liberté de la presse, qui protège la liberté d'expression. Le délit d'apologie du terrorisme est devenu une infraction de droit commun, sévèrement réprimée par les tribunaux, comme le seront bientôt les injures et diffamations à caractère raciste.

En matière pénale, le gouvernement a renoncé à réformer en profondeur. La loi pénale votée en 2014 a certes supprimé le mécanisme des peines planchers, et créé une nouvelle peine, la probation. Mais les parlementaires et le pouvoir exécutif ont préféré donner des gages de fermeté à l'opinion

publique plutôt que de mettre en œuvre une politique réellement progressiste. Et le gouvernement a abandonné toute velléité de réformer la justice des mineurs, pourtant saccagée par dix années de politique sécuritaire, ou de supprimer la rétention de sûreté.

Pour la justice du quotidien, des logiques gestionnaires

Le service public de la justice n'a cessé de se dégrader ces dernières années. Pour faire face au flux des procédures, les juridictions, sous la pression de la hiérarchie judiciaire, ont cédé à la logique gestionnaire. Le contradictoire, l'écoute du justiciable, la collégialité disparaissent des prétoires au profit de procédures expéditives dans lesquelles le juge devient l'alibi d'un parquet tout puissant. Les missions de protection et de garant des libertés du juge sont régulièrement remises en cause au profit d'une justice pénale qui elle tourne à plein régime pour réprimer, toujours plus sévèrement, les populations les plus faibles.

La justice reste inaccessible pour nombre de justiciables que la crise a précipité dans la précarité, et qui ne peuvent avoir accès à un avocat. L'Etat se désengage du budget de l'aide juridictionnelle, un des plus faibles d'Europe, et refuse d'assurer une rémunération décente aux avocats qui se consacrent à la défense des plus démunis.

Françoise Martres Présidente du Syndicat de la Magistrature.

LA SITUATION DE LA JUSTICE EN GRECE

Chaque système judiciaire évolue dans son propre contexte historique en respectant la Constitution, la culture et la tradition judiciaire nationale

La justice grecque comporte des problèmes permanents graves, qui pourraient être attribues en grande partie au manque de modernisation de son modèle d'organisation actuel.

Les retards dans l'administration et le rendement de la justice sont considérés comme l'un des principaux problèmes.

La Grèce occupe une des premières places parmi les pays du Conseil d' Europe dans lesquels la justice et les litiges sont gérés à des rythmes très lents.

Dans notre système procédural le "filtrage" des affaires judiciaires n'est pas prévu, ce qui fait que presque un million d'affaires judiciaires sont au jour d'hui pendantes devant les tribunaux grecs.

D'autres formes de règlement des litiges, comme la médiation, ne sont pas encore développées.

La surcharge de l'appareil judiciaire de la justice grecque n'est pas seulement liée à la production continue et fragmentaire des règles, ce qui engendre un excès de matière judiciaire (une énorme quantité de matière judiciaire), surtout pour les tribunaux administratifs et pénaux, mais aussi au fait qu'un certain nombre de graves problèmes juridiques apparaissent concernant des citoyens ayant des croyances, des visions du monde et des religions différentes émanant de la création de nouvelles paramètres culturelles.

Compte tenu de l'analyse du sociologue Max Weber à propos de la relation entre le droit et l'économie, à savoir du lien étroit entre les institutions et le marché, on dirait que le système d'administration de la justice a subi un coup supplémentaire pour une autre raison, notamment à cause de l'environnement économique créé par la crise financière.

Choisissant alors une solution facile afin de faire face au coût de la justice, l'état a réduit des services et des dépenses nécessaires pour le fonctionnement du système, cela ayant comme résultat la carence apparente non seulement en infrastructure logistique mais aussi en ressources humaines, vu que des postes de magistrats et de greffiers restent vacants.

Dans le cadre de ces réductions le gouvernement, ayant reproché aux magistrats grecs de former une "élite", un groupe privilégié, a procédé dans une période de deux ans à la diminution de leurs rémunérations de 60%.

Le non-respect de l'exécutif aux décisions judiciaires conduit à l'augmentation des pouvoirs de ce dernier, au détriment de l'état de droit.

Dans le corps judiciaire il ya un point de vue qui est très rependu, selon lequel dans la magistrature grecque la discipline doit être supérieure à celle régnant dans l'armée et que c' est une impiété de la part des juges d' exprimer leurs avis.

La haute hiérarchie judiciaire maintenait un certain scepticisme à l'égard des actes des juges, jouissant d'une indépendance réelle

Ce point de vue a été une entrave aux efforts déployés par l'Association grecque pour la démocratie et la liberté tout au long de son existence et ayant pour objectif d'attirer un nombre important de membres parmi les juges, même si elle a réussi a jeter des ponts entre les magistrats desservant les différents secteurs de justice, y compris les magistrats retraités, et cela grâce au principe du pluralisme sur lequel elle est fondée en vertu de ses objectifs statutaires, qui lui permettent de s' exprimer non seulement concernant le cadre étroit de l'administration et de rendement de la justice, mais aussi sur les questions qui préoccupent largement l'opinion publique.

En vue de ces problèmes susmentionnés, on pourrait prétendre que l'administration de la justice dans des palais de justice aux colonnes grecques ainsi que la rationalisation du système administratif et judiciaire restent pour l'instant un rêve insaisissable pour la magistrature.

Evi Palaiologou Presidente de l'association Grecque Athènes 23.5.2015

LA SITUATION JUDICIAIRE EN ITALIE.

Since taking up office, the new Prime Minister has announced "epoch - making reforms" to increase the quality and efficiency of justice.

Publicized as a « watershed » between the past and the future of the Judiciary, two reforms concerning the judges' and prosecutors' status have been recently approved.

The slogan on the government website announced the first reform, adopted to reduce the days off (Act 162/2014): " *less days off for magistrates: civil justice more efficient*".

Last February, the law on compensation for damage caused in the exercise of judicial functions and the civil liability of judges and prosecutors was significantly changed (Act 18/2015).

Actions for damages are no longer subject to a "recognition of admissibility" to be granted by the Court upon verification "prima facie" of existence of all pre-requisites for the suit *(e.g* the inapplicability of any remedy such as appeal or complaints), even though the Italian Constitutional Court (judgment no. 468 of 1990), had qualified the "filter" as an indispensable tool to avoid civil liability being used to destabilising judges responsible for a case or to either directly or indirectly attack their independence.

The reform raises the threshold of economic compensation for the damage, which can be up to half the salary of the judge.

Judges' liability is still « indirect » and precluded in relation to the interpretation of provisions of law and assessment of facts and of the evidence. Nevertheless, the "misrepresentation of the facts and evidence" and the "manifest infringement of law" (instead of the "serious breach of law resulting from gross negligence",) are provided as new cases of liability. These provisions directly involve the judges' activity of evaluation and interpretation, that is the essence of judicial activity: courts, facing divergent or conflicting arguments, must normally interpret the relevant legal rules in order to resolve the dispute brought before them, and in almost all appeals to the Supreme Court parties contest the "misrepresentation" of facts or "misinterpretation" of law.

The reform was carried out « in the name of Europe ». Actually, the EU Court of Justice , in 2006 (Case C-173/03) and in 2011 (C -379/10) ruled that the exclusion of State liability, or the limitation of State liability to cases of intentional fault or gross negligence, was contrary to the general principle that Member States are liable for an infringement of EU law by a court whose decision is not open to appeal.

Public statements by institutions representatives emphasized that the new law will « finally » make judges and prosecutors liable, to embody the idea of a reform against the « privileges » of « magistrates' caste », and new provisions to protect citizens, making *« justice less injust* ».

The National Association of Magistrates expressed its concerns and critical opinions: as many commentators have pointed out, the reform could lead to a « defensive » jurisprudence, avoiding any innovative interpretative effort to protect rights ; the abolition of « filter » could turn out to be a dangerous tool to get rid of an « uncomfortable » judge and condition his conduct during the proceedings.

-Last April, the European Court of Human Rights – section IV (case Cestaro v. Italy - application no. 688/11), ruling on the actions of Italian police officers in Genoa at the end of the G8 summit in July 2001, held that there had been a violation of Article 3 (prohibition of torture and inhuman or degrading treatment) of the European Convention on Human Rights on account of ill-treatment sustained by the applicant when the police stormed the Diaz-Pertini school. According to the ECHR judgment, there had been a further violation of article 3 because of the Italian criminal legislation concerning the punishment of acts of torture which - despite the obligations resulting from the UN Convention against the torture, ratified in 1989- is still an ineffective deterrent to prevent the repetition of such acts.

The events occurred during the G8 summit in Genoa represent one of the most painful moments of the recent history of the Italian Republic.

The ECHR judgement has reminded public powers and institutions of their own responsibilities. The Court noted that the failure to identify the actual perpetrators of the ill-treatment could not be imputed to the shortcomings or negligence of the public prosecutor's office, but to a lack of police cooperation. On the other hand, the Court observed that the criminal proceedings had not led to any convictions for the ill-treatment of the applicant, in particular, as the physical injury offences were time-barred, but underlined that the Italian courts have shown an "exemplary firmness" ("*une fermeté exemplaire* "), rightly appreciating the extraordinary seriousness of the facts.

What we need, in Italy as in Europe, is a judiciary system capable of responding with "exemplary firmness" to every violation of rights. A system that can reaffirm the principles of equality and solidarity compromised by social and economic crisis, and that guarantees the effectiveness of the "inviolable" rights enshrined in our Constitution and in the Charter of fundamental rights of EU: first of all, the right of a free and dignified existence for all men and women who risk their life every day in our seas to flee from tragedies in their countries.

Justice must be able to respond to these expectations of rights and solidarity. The inefficiency of our system, caused by the lack of resources and structural reforms, makes more and more difficult to accomplish this task.

Last April, in the Milan Court, a judge, a lawyer , and a citizen, were killed, as it had happened a few days before in the Istanbul Court, where the Prosecutor Mehmet Selim Kiraz was killed.

These tragic events, signs of increasing tension towards justice, should be a warning, to remind us that the Courts must continue to be and to represent places where rights are protected and where "Justice shields the man who fights for her" [5].

LA SITUATION JUDICIAIRE EN POLOGNE

In January, 2014 The Supreme Court, as a full court (four chambers, more than 80 judges) issued a resolution stating, that the judge may be transferred from court to court only by the Minister of Justice. This decision can not be taken by the Secretary of State or Sub-Secretary of State (traditionally called deputy ministers). So the Supreme Court agreed with several hundred Polish judges, who have been transferred to other courts by the deputy ministers of justice. For a period about three months they refused to judge in the new courts, stating that they are not authorised to do it, because they were transferred against the law. The dispute was began by the answer of Supreme Court for the law question in the ordinary case (3 judges), expressing this same view. Due to the open conflict of judges with the Minister of Justice Marek Biernacki, who along with officials of the Ministry would force judges to rule against their conviction, the issue was referred to the decision by the full Supreme Court bench. The decision about this way was taken by the First (Main) President of the Supreme Court Stanislaw Dabrowski, who died just a few days before the release of this resolution.

5 Aeschylus, *The Suppliants.*

After the resolution the Supreme Court decided, that this interpretation is valid from the date of the resolution; the different view could make invalid hundreds of thousands of decisions taken by 550 improperly transferred judges for a period of about a year. The judges returned this time to service.

The response of the Ministry of Justice was the intensification of the supervision over judges, and the introduction of systems having recorded any action taken by the judge in each case, to control the activities of judges by their superiors and officials of the Ministry. The actions of judges shall be recorded in computer systems by court clerks. Moreover, in the ministry began the work on another change of the law of common courts. This change shall to pick up the rest of allowances of bodies dating from the democratic choices (made by the judges) and to delegate all decisions to the presidents of courts, appointed by the Minister. It was such another change in the period of last 10 years, during which time the judge's government in Poland has lost almost all powers od self-goverment. The opinions of the National Judiciary Council or judges, including the "Iustitia", were rejected by the minister. The minister did not lead any interviews with the judges.

In the spring of 2014, Minister Marek Biernacki was dismissed and he was replaced by Cezary Grabarczyk, one of the leaders of the ruling party (PO - Citizen Platform, the party of the new UE President Donald Tusk), professional advocate. He cancelled developed by the predecessor dangerous draft law ordering obligatory publication in the internet the assets declarations of the judges (anti-corruption). It would expose judges to danger from criminals, because it revealed their place of residence and pointed owned assets. Minister Cezary Grabarczyk also announced the reappointment of the courts, liquidated from 1 January 2013. by then Justice Minister Jaroslaw Gowin (non-lawyer) against the negative opinions of lawyers of all specialties. The number of liquidated courts was 79. 34 of them have been newly created from 1 January 2015., from 1 July 2015 will be created another 41, about one court the dispute is continuing, and the last three courts only were really too small and their liquidation was not questioned.

Minister Cezary Grabarczyk would continue the work on changes of the law of common courts, planned by Marek Biernacki. In this law was a very dangerous change, giving the Minister of Justice the right to require at any time the file of every court case (also in progress) and control it. The minister`s project also gave him the right of inspection of all the documents in the court computer networks, including the testimony of all the witnesses and all the statements by the participants of case. This rules were written in the ministry, but from the project were it deleted, and later were it given to one of the MPs from the ruling party with the order to propose this change as a proposal of the MP. In this way, the Minister avoided consulting the draft law with the National Judiciary Council and judges from "Iustitia".

The law was a project of the government, so it was accepted, because all government projects are in Polish parliament accepted (the MPs receive from the party leaders the commands, how to vote). In contrast, the President od Poland has not signed this bill and sent it to the Constitutional Court. However, he found unconstitutional only the provisions giving the Minister of Justice access to witness statements and documents in the case, which violate the principle of protection people's privacy and exposes them to disclosure sensitive data. The issue of strict subordination of judges to superiors and limiting the judgement independence not interested in the president.

Moreover, in 2014 parliament reduced to 80 % of the remuneration of judges for the period of their illness. The right to 100 % of salary for the period of illness MPs left now for themselves only (the judges had this right more then 25 years).

Overall, the situation of the judiciary in Poland continues to deteriorate due to ongoing continuously since 2005. ever closer subordination the judificature of executive power.

President of „Iustitia", PJA

Maciej Strączyński

LA SITUATION DE LA JUSTICE AU PORTUGAL

Having been under a financial assistance programme negotiated with the *European Union*, the *European Central Bank* and the *International Monetary Fund* from May 2011 to May 2014, the judicial system has suffered some of the effects of it, either from austerity measures imposed or from reforms agreed by the Portuguese government with the so-called *Troika*.

1. The underfunding of the judicial system

Due to budgetary restrictions that were implemented in all the sectors of public administration, the underfunding of the judiciary – that has been a constant problem for decades – has increased in a dramatic way. There is a serious lack of court clerks that compromises seriously the response of the judicial system, mainly in areas like the enforcement of civil condemnations. This is a problem recognized by government officials but the solution is constantly being postponed, with the excuse of the lack of means to hire more clerks.

2. The cuts in salaries of judges and prosecutors and the non-existing progression in careers

Implemented since 2011, the cuts in salaries of judges and prosecutors (that were around 20% to 25%, higher than cuts of other public servants) remains in place and has only been softened by an increase in the payment level for some of the youngest judges and prosecutors that was put into force when the new organization of the judicial system was approved, in September 2014. Salaries were cut and the tax burden increased dramatically, leaving many magistrates in a very delicate situation. This, added to the fact that all progression in career has been almost completely frozen since mid-2006, leads to a huge decrease in the economic condition of all magistrates, seriously

threatening not only the quality, but also the independence of the judiciary, as it was imposed unilaterally by the legislative and executive powers.

3. New laws and new judicial organization

Some reforms intended to bring more effectiveness to the judicial system have been approved by the government and parliament. In September 2013, a new Civil Procedure Code entered into force, aiming to reduce formality in the procedure and this year a new Administrative Procedure Code was approved and entered into force. The reform that was presented as the more radical was the changing of the organization of the judiciary that came to light in September 2014. The former division of the country in more than 300 districts gave place to only 23 districts with a larger area of jurisdiction. Specialization was spread to the whole country, with labour, civil, criminal, family, commerce and intellectual property cases attributed to different and specialized courts. Each of the new 23 districts has its own president, appointed by the Superior Council, with administrative functions set to improve efficiency. The system is still in the beginning and evaluation of the first results, but its implementation revealed the serious lack of resources of the judicial system. The computer system wasn't ready for the overload that was necessary during the implementation and it broke down – courts were in most parts of Portugal almost completely inactive for almost two months.

4. The independence of the judiciary – the proposed new statutes of judges and prosecutors

During the last year, workgroups composed of judges, members of judges and prosecutors associations, representatives of the government and judges and prosecutors appointed by the High Councils of Judges and Prosecutors have elaborated drafts of new statutes for judges and prosecutors. They were presented in the beginning of the year to the Minister of Justice and approval by the Council of Ministers is pending, for them to be presented to the Parliament to be approved under the form of law. They are aimed to establish more guarantees of independence and dignity to Judges and Prosecutors, not only in the remuneration aspects, but mainly by putting into force rules for safeguarding unilateral changes in the statutes by the legislative and executive powers – the need for a qualified majority of 2/3 of the members of parliament is established in order to prevent changes made in the statutes by one single party.

Legislative elections will take place in Portugal in September/October, so the Parliament will only remain in function until the end of July. The Minister of Justice has guaranteed that she will take the projects to Parliament in time for approval before the elections, but time is running out and until

today there are no signs that the approval of the projects by the Council of Ministers will be made soon.

Associação Sindical dos Juízes Portugueses

May 2015

LA SITUATION DE LA JUSTICE EN ROUMANIE

1. The legal system modifications.

The Civil Code, the Civil Procedure Code, the Criminal Code and the Criminal Procedure Code entered into force without simultaneously reform of the judiciary and legal system. There are still provisions uncorrelated with the provisions of the new codes likely to create serious problems in solving the cases. Also the lack of personnel and facilities within courts, makes, in some respects, impossible the implementation of the new codes. The system is underfinanced and there is no political will to change that.

The Civil Procedure Code entered into force on 15 February 2013, and although it has been more than two years from this date, there are still provisions that cannot be implemented because in courts does not exist the necessary facilities. In this respect we recall the provisions relating to hearing cases in "council chamber", whose entry into force was initially postponed until 2016, and now, apparently, the provisions will be further delayed, due to the lack of necessary spaces in courts.

Although the entry into force of the new Civil Procedure Code was intended to shorten the settlement of cases it is found that the effect is contrary. The new code involves an extensive administrative procedure and the lack of a sufficient number of clerks / administrative staff, properly trained, which could take over some of the administrative duties of the judges has a negative influence on the duration of settlement process.

The new Criminal and Criminal Procedural Codes came into force in 2014 and their immediate application generated a non-unitary practice given the fundamental changes brought to the main intuitions as well as the legislative incoherence.

The mechanism created for the practice unification – a preliminary ruling by the High Court of Cassation and Justice – was not sufficient for removing this shortcoming, because this procedure is not governed by celerity and the High Court rules only on the merits leaving some important procedural aspects to be dealt differently by courts.

Regarding the new criminal codes it is important to state that there is a vast jurisprudence of the Constitutional Court by which many provisions of the criminal code and especially the Criminal Procedure Code have been declared unconstitutional.

2. The independence of the judiciary.

The activity of the prosecutors intensified lately, especially in terms of fighting corruption but, in the stage of criminal prosecution (the non-public phase of the criminal process) a lot of important information from the investigated cases reached the press. Important details of criminal cases are therefore debated in the media before reaching the judges' table.

The entrance in force of the new criminal codes led to an avalanche of arrests and registration of new criminal cases on the basis of the denunciations made by persons deprived of their liberty, because the new provisions established, initially, that the denounce is a cause of impunity. The demands for the arrest warrants and the denunciations were made public and generated a debate likely to prejudice the image of justice.

The image of justice was affected by the publication of the National Anticorruption Directorates activity report on 2014 in which, in Annex 3 - Presentation of the final acquittals in 2014 - is analyzed the content of the judgments of acquittal and are made assessments on compliance of these decisions with the administrated evidence or even with the law.

Although informed by the professional associations of judges, regarding the analyses made by the DNA in the activity report, the Superior Council of the Magistracy had no reaction. The Plenary of the SCM sent the complaints to one of its commissions, and, after discussions, the Commission took note that DNA has assumed the comments made by associations and appreciated that in the public space should not to be expressed criticism regarding the legality or the merits of the final judicial decisions.

Also, lately, the former Romanian president, repeatedly, stated that among magistrates are under covered agents. On the same theme the director of the Legal Division of the Romanian Information Service said that the courts have become the “tactical fields” for the intelligence operations.

According to the legal frame of the judiciary the judges and prosecutors have the obligation to make an annual affidavit, under the penalty of perjury within the meaning that they are not operative workers, including undercover, informants or collaborators of the secret services, statements that should be checked by Supreme Council of National Defense. So far there is no evidence showing that such checks were made and which was their result. In these conditions the law is applied strictly in a formal manner and the consequences are reflected on the entire judiciary, through the erosion of citizen confidence in an independent and impartial act of justice.

Judge Natalia Roman

President of the National Union of Judges in Romania

LA SITUATION DE LA JUSTICE EN SERBIE

Serbian judicial system has been deeply destabilized in 2009/2010. In December 2009, more than 1/3 magistrates (more than 830 judges and 220 prosecutors) had been dismissed without transparent and contradictory procedure and without any reason. As from 2010 the organization of the judiciary (seats and territorial jurisdictions of courts and public prosecutor's offices) was changed (the number of basic courts was reduced from 138 to 34).

1. Permanent reform activities – destabilization of system

Till the end of 2012 all of dismissed magistrates who wanted it, have been reinstated (630 judges and more than 100 prosecutors). As from the 2014 the number of basic courts increased to 66.

Several dozens of laws have been changed (on organization of the judiciary, on courts' jurisdiction; on procedures – civil, criminal; numerous substantive laws) – for example, up till now, Law on Judges (2008) has been amended 10 times, Law on Organisation of Courts (2008) - 6 times, Civil Procedure Code (2011) - 4 times, Law on Enforcement (2011) – 4 times, and the new one is in the parliamentary procedure for adoption, Law on privatization (2001) 11 times (3 times in 2014), while the new one was passed in 2014; Law on Bankruptcy Proceedings (2004) was amended in 2005, and replaced by the new one in 2009, which was later on amended 3 times; Law on Restructuring, Bankruptcy and Liquidation of Banks (1990) 6 times, later (2005) replaced by new one, which was amended 2 times. Criminal Code (2005) was corrected and amended in that very year, and amended 7 times. Criminal Procedure Code (2001) was amended 9 times until 2010; second Criminal Procedure Code (2006) although it has never been enforced, was amended in 2007 and 2008, and the actual Criminal Procedure Code (2011) had been amended even before its implementation began (in 2011) and has been amended 5 times.

The 2013/2018 National judicial reform strategy was adopted. Serbia is in the process of the negotiations for the EU accession and in process of drafting Chapter 23 Action Plan. All that demands the harmonization of the laws with EU legal system.

The reform's measures of judicial system that has been undertaken so far were not adequate for solving the problem they addressed to and failed to fully stabilize the system. The planned activities (time frames, priorities, articulations of the activities) do not fully meet the solutions.

2. Failure in functioning of High Judicial Council

During past years High Judicial Council failed in its role both as safeguard of the independence of judges and courts and as manager of the judicial system and enabled executives to put huge influence at its functioning.

3. Evaluation of judges work - based "cult of statistics"

The evaluation is not yet in function (the beginning of the evaluation is foreseen for 1.7.2015); the bylaw on evaluation is based "cult of statistics", quantity and rapidity which decreases the quality of the judges 'work.

4. Unequal burdening of judges and courts - Unequal access to justice

The judges, especially in civil cases, are over burdened. For example:

number of civil and commercial litigious cases per 100.000 inhabitants in 2012				
state	number of cases at the beggining of 2012.	2012. in flow	number of resolved cases in 2012.	clearance rate
Serbia	2.990	3.214	3.727	116%
Austria	468	1.235	1.242	100,6%

Czech Republik	1.590	3.457	3.415	98,8%
France	2.143	2.575	2.555	99,2%
Germany	995	1.961	1.968	100,4%
Poland	993	2.771	2.451	88,5%

Workload of judges differs from court to court. In some basic courts, there are 400-500 criminal cases per one judge, and in some other courts one judge has 100 cases or less; the similar situation is with civil litigious cases. In some higher courts, in second instance, one judge deals with 700-1200 cases, and in other of such courts with 100-15 cases.

Such situation causes resolving of the similar cases in different timeframe depending on workload of judge and results in unequal access of citizens to justice, depending of the cities they are living in.

5. Continuous training needed

Lack of continuous training of judges, together with frequent changes of laws and reduced jurisdiction of the Supreme court of cassation, causes unharmonised case law.

6. Cuts of judges salaries for 10%

The salary of the judge of the basic court is less than 800 Euros, and judge of appellate court around 1000 Euros (average salary in Serbia is 350 Euros).

7. Problems with judges from Kosovo and Metohija

In order to fully implement 2013 Brussels agreement, judges of the Republic of Serbia are invited to apply for the posts in the judicial system other then Serbian (of Kosovo) – which jeopardize their Serbian citizenship, permanency of their tenure, their personal security due the fact that the safeguard of no transferability of judges does not exist in Kosovo, as well as their social insurance (no pension higher of 90 Euro in Kosovo).

LA SITUATION DE LA JUSTICE EN REPUBLIQUE TCHEQUE

The Judiciary of the Czech Republic is set out in Constitution, which defines courts as independent institutions within the traditional framework of checks and balances. The whole of Chapter Four of the Constitution of the Czech Republic is dedicated to defining the role of the judicial power in the Czech Republic. The basic regulation of the judicial function is provided by Act no. 6/2002 Coll., Courts, Judges, Lay-judges and the State Administration of Courts Act (the Judges Act 2002).

There are three distinct jurisdictions: courts of general jurisdiction, administrative courts and the Constitutional Court. The two latter are specialised jurisdictions – their competence must be expressly provided for in law. If no such provision exists, the matter will be dealt with by the courts of general jurisdiction (civil courts). The majority of higher courts are seated in Brno, so as to provide a counterbalance to the concentration of power in the capital (Prague).

There is no trial by jury. There is, however, the laic participation in the administration of justice in the form of laypersons sitting as judges in chambers, hearing cases first hand. Laypersons

are elected by local councils. Two lay judges sit with a professional judge, hearing non-specialised cases first hand. Appellate and Supreme courts´ chambers are composed of professional judges only.

The Czech Republic has a system of career judiciary; this system has, however, been modified by the requirement of 30 years of age for new judges. The candidates are chosen in the previously advertised competition. The judges are appointed by the President of the Republic and normally may not be recalled or transferred without their will. Judges are appointed for life and can be only removed following disciplinary proceedings conducted by The Supreme Administrative Court (disciplinary chambres). There is one instance disciplinary proceeding.

The state administration of courts has repeatedly been criticised on international as well as domestic forum. The Ministry of Justice administers the high courts, regional courts and district courts within the scope of Act No 6/2002, either directly or through the Presidents of the courts; the district courts may also be administered by the Ministry of Justice through the Presidents of the regional courts. The state administration of the courts involves such crucial elements as the courts´ budgeting or the appointment of presidents and vice-presidents of the courts.

The selection process, appointment of judges and their promotion to the higher courts have been widely discussed over the years. A solution, that would fit best, seems to be the implementation of a Supreme Judicial Council as a body with competence in the processes described above. The creation of such a body is a topical and continuous point of discussion between the government and the representatives of the judiciary in the Czech Republic.

Czech Union of Judges

SITUATION EN JUSTICE TURQUIE

05.05.2015

Main problem of Turkey is the fact that executive and legislative power has been accumulated in the hands of Recep Tayyip Erdoğan (President). Wielding unchecked and unbalanced legislative and executive power, he has become more authoritarian and he has created “one-man rule” in Turkey through repressive laws enacted while he was prime minister. All state bodies and supervisory institutions rendered unfunctional including judiciary.

Incumbent party reshaped the whole judiciary in a year and a half after major corruption investigations revealed.

Judiciary is controlled by High Council of Judges and Prosecutors in Turkey, membership election of which was held on October 2014 and government backed list won 15 seats total out of 22 thus government in direct control of it.

After HCJP members selected, government enacted new legislation added eight new chambers to the Supreme Court of Appeals and two new chambers to the Council of State. Consequently newly designed High Judicial Council assigned 144 new members to the Supreme Court of Appeals and 39 members to the Council of State. Now both the local courts and the higher

judiciary are being subordinated to the government. The government established tutelage over the judiciary by assigning many pro-government jurists to newly created chambers in top judicial bodies.

Government now uses HCJP to steer any case towards desired direction by, for example reassigning local judges and prosecutors to other positions so as to change the outcome of an important case.

In 2014, government changed Turkish Penal Code and Code of Criminal Procedure to create its own special criminal judicial system which is being used against all dissidents to silence them. This new courts and criminal procedure code allow government to apply pre-trial detention and arrest measures arbitrarily which are used as a punishment tool for all dissidents, opponents and critics.

Newly created “Penal Magistracy of Peace” and “Specially Authorized High Criminal Courts for Crimes against Constitutional Order” are pro-arrest and prone to become government tool to silence dissidents,

These special courts have extensive powers to take all decisions related to the conduct of criminal investigations, such as detention, arrest, release and seizure of property. There is a closed-circuit system in appeal process contrary to fair trial principles.

Presently corruption investigations are dropped, prosecutors who dealt with these investigations are referred to newly elected HCJP to be barred from profession and at the same time they put on trial for investigating corruption facing jail sentences for years.

Graver than all these, on 30 April 2015, two judge were arrested by a High Criminal Court because of release orders that they issued. In modern Turkish State history this is the first time judges are arrested because of their judgment and for professional judicial activity.

Previously judges and prosecutors were intimidated by measures such as removal, relocation, demotion or disciplinary actions. Now detention and arrest are used against judges or prosecutors who deal with crucial cases.

Dozens of people, including journalists, activists and even high school students, have been prosecuted on the basis of insulting the President. Penal Magistracy Courts ban Twitter accounts and remove tweets posted by dozens of users. Journalists are sued even for writing tweets that are critical of President or the government.

Murat Durmaz

Administrative Judge

YARSAV Board Member Responsible for International Relations