

September 2021. Rome.

The alarm, the distress of the newly elected Presidential Committee was undeniable.

After two long years of pandemic, confronted with the cancelation of all our assemblies, meetings, conferences and in-person events, those of the International Association of Judges but also the related with our 4 Regional Groups – Asian, Northern American and Oceanian, African, Ibero-American and European - an urgent priority was established: we need to meet in person again, resuming our live activities.

Employing the seminal concept of Alexis de Tocqueville, associations have the fundamental role of enabling social integration through the values of cooperation and solidarity. Thus, we depend, essentially, on togetherness – we need to see each other in person, to discuss our problems not only in the Conference rooms but in the corridors, during the breaks, the meals, in human interaction. Nurturing contacts between ourselves, learning with each other.

Let me tell you a story:

One day, a student asked the famous anthropologist Margaret Mead what was for her the earliest trace of human civilization. She replied, "A 15,000-year-old femur found in an archaeological dig." The student expected the teacher to talk about old manufactured tools or ancient jewels. Mead explained: The femur was broken, but it had healed. It is one of the largest bones in the human body. Someone had taken care of that person. Protected her instead of abandoning them to their fate. In nature, any animal that breaks a leg is doomed. If it is a predator, it cannot hunt; if it is a prey, it cannot escape. What distinguishes us as civilization is empathy, the ability to care.

Humans are defined by the concept of mutual compassion, of closeness.

Therefore, back in the hot days of late Summer's Rome, as new elected President, the primary goal, the immediate challenge was obvious, self-evident: to bring our members back together again, insufflating "heart and soul" to our organization.

Today, in my court, in my city, dear colleagues, we can happily proclaim: mission accomplished.

The European Association of Judges has the primacy of organizing our first personal event after the pandemic. And what a great gathering: around 40 countries represented in a meeting that will arguably signify one of the most participated in the history of European Judiciary.

The merit goes entirely to our Portuguese Association and to all those that helped organizing this event.

In the name of IAJ, thank you for bringing us the certainty of better days, to showing us the path for a renewed future.

But this new momentum that started today has become unstoppable.

A few days from now, from May 7 to May 10, Tunis, in Tunisia, will receive the Assembly of our African Group that will include an International Conference; beginning of June the Ibero-American group under the leadership of President Walter Barone will assemble a large congregation for their annual meeting in São Paulo, Brazil. Finally ANAO Group will have its meeting still virtually – being our largest geographical group – but to prepare a presential one in Washington.

To add to all these attainments it is my great pleasure to announce, still for this year of 2022, the 64^o General Assembly of the International Association of Judges to be held 18 to 22 September in Tel Aviv, Israel.

Due to the efforts of our Israeli Colleagues – allow me to acknowledge the President of the Israeli Association, my friend Yaron Levi - the world's assembly of our organization is being carefully organized. Please visit the dedicated website iaj2022.com, read about the many activities and start your registration; our common goal is to have a memorable event assembling judges from all continents, all regions, of all races, of all creeds.

Dear Colleagues and Honorable Guests

The joyfulness felt for being together again in this wonderful historical scenario embodies an encouragement for our organization to tackle the difficult problems judges are facing.

The war on Ukraine reminds us dangerously again, here in Europe, how civilization can be shattered by the persistent barbarity that human beings insist on leading. The insane, savage massacres of civilians horrified us; but they should also act as a powerful warning. Only the Law - public, international, based on the Universal Declaration of Human Rights and on humanitarian principles - can provide a response, a compass, to conflicts between sovereign States.

Conflicts, on a macro or micro scale, can only be solved on one of three ways: by agreement; by a decision, delivered by an impartial third party, a judge, in a court of law; or - the last odious proposition - by violence, with the subsequent tail of pain, suffering and death.

Therefore, in these troubled times, IAJ appeals to a prudent discussion, to constructive dialogue - knowing that politics, as Bismarck once said, is the "art of the possible" - refusing the irrationality of those who follow the logic of autocratic monologues.

As jurists, we must oppose the "Rule of Law" to the "Rule by Men", we must affirm the primacy of the Law in the face of the immoral law of the strongest.

In the present context of systemic crisis of Rule of Law with a special focus in the judiciary allow me to point out, perhaps for your future discussions within EAJ, a grave concern Europe is facing.

Around 38% of the leading judgments of the European Court of Human Rights from the last ten years have not been implemented. Many of these judgments relates to a systemic structural problem. Hungary, for example, has a very serious non-implementation problem, with 71% of the leading rulings of this court awaiting implementation.

There is also a growing resistance against the implementation of judgments of the Court of Justice of the European Union. Poland is bluntly refusing to implement these judgments particularly when related with Polish judicial system now that the Government is trying to destroy.

This dangerous trend of disrespect towards European Courts poses a direct threat to our legal order and should by a major index to assess compliance for the EU annual rule of law report.

Esteemed Colleagues

Towards the end, allow me a personal note.

As elected President of the Court, each day, I humbly learn the many historical lessons presented by the artists that idealized the Palace of Justice.

Looking at the panel in my left you can observe the departure from Porto of Prince Henry, the Navigator, and his fleet, on his way to Ceuta, more than six hundred years ago, beginning what we now call the phenomenon of globalization. At the entrance of the Palace you can identify the colossal figure of Justice.

The Goddess is presented without the usual blindfold; the intention was to show that only with "open eyes" can justice prevail.

In a global menaced world, we need to have judges alert, focused, publicly defending the essential values of independence and impartiality. No matter what: *Fiat jūstitia ruat cælum*. It is a Latin legal phrase meaning "Let justice be done though the heavens fall."

Associationism must be, today more than ever, a synonym of peace and good will among humankind.

IAJ is aware of its key role as a global organization of judges, representing national associations of 94 countries from all continents; we appeal and welcome, in any circumstances, all efforts to bring reason and a pacific debate to the international arena.

However, our mission remains uncompromisingly the same: let justice be done, no matter what, no matter the consequences.

The defense of legal order, the implementation of court judgements is a "sine qua non" condition for democracies.

So, dear colleagues and friends, today, when leaving my court, descending the stairs, night starting to fall in the old and wise city of Porto, do not forget to gently look to the seven-meter statue and, on returning to your countries, clarify to your fellow citizens the reason why her eyes must always be wide open.

Always.

José Igreja Matos