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Italy: ICJ Shocked at Berlusconi's Attacks on the Judiciary

The Centre for the Independence of Judges and Lawyers of the International Commission of Jurists (ICJ/CIJL) today expressed its shock at the vicious attacks by Italian Prime Minister Silvio Berlusconi on the Italian judiciary, calling magistrates a "cancer that must be cured".

Mr. Berlusconi, who is currently being prosecuted, along with his former attorney on corruption charges, has repeatedly claimed that some Italian magistrates are "politicised" and "biased" against him and his Government and has accused them of not letting him govern the country. The Prime Minister believes the proceedings against him are the work of "opposition" judges who are trying to stage a "coup d'état" against his Government and that it is not possible for him to get a fair trial as long as some elements in the judiciary "attack and seek to eliminate their political adversaries". Italy's Justice Minister has also said that some Italian magistrates were "subversive".

The ICJ/CIJL addressed an intervention to Prime Minister Berlusconi on November 2002 reminding him of his obligation not to criticise judges. In his report on a mission to Italy last year, the UN Special Rapporteur on the independence of judges and lawyers reminded the Italian Government that judges should not be personally attacked for their judgements and that such attacks undermine judicial independence and, in consequence, the rule of law.

The ICJ/CIJL urges Prime Minister Berlusconi and other members of his Government to immediately cease all their attacks on the judiciary and to conduct themselves in accordance with the *UN Basic Principles on the Independence of the Judiciary*, which declare that it is a duty of the government and other institutions to respect the independence of the judiciary.

For further information, please contact Linda Besharaty-Movaed, Legal Advisor, at +41 22 979 3809

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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