



## Human Rights Council, 32nd session

16 June 2016

### Agenda Item 3: Interactive Dialogue with the Special Rapporteur on the Independence of Judges and Lawyers

Mr President,

As international organisations of legal professionals, we endorse the recommendation made by the Special Rapporteur to develop a set of international indicators to assess the independence of justice systems.

The Special Rapporteur has previously stated: ‘No ideal justice system exists; rather, there are universal principles that must be respected in the structure and functioning of any judicial system, so that it can duly fulfil its purpose’.<sup>1</sup>

Achieving Sustainable Development Goal 16 – that is, providing access to justice for all and building effective, accountable and inclusive institutions – will require respect for the universal principles of independence and impartiality of justice systems and the independence of the legal profession.

In 2015, the International Bar Association (IBA) and the International Commission of Jurists (ICJ) proposed two indicators under SDG16, regarding the independence of the judiciary and an independent and self-governing legal profession. The IBA is currently developing ‘indicia of independence’ that can be used to assess the state of independence of the legal profession in a given jurisdiction. The Commonwealth Lawyers Association (CLA) and the Commonwealth Magistrates’ and Judges’ Association (CMJA) continue to monitor judicial and legal independence through the Commonwealth Latimer House Working Group.

We therefore, Madam Special Rapporteur, fully support your endeavour to develop universal indicators that complete the UN Rule of Law Indicators, and build on the UN Basic

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<sup>1</sup> UNGA, ‘Report of the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul’ (2014) UN Doc A/69/294, para 92.

Principles on the Independence of the Judiciary, the Basic Principles on the Role of Lawyers, and the Guidelines on the Role of Prosecutors.

We further call upon States to ensure that national targets and indicators duly align with international indicators and international principles.

Thank you, Mr President

The following organisations have endorsed this statement:

Avocats Sans Frontières -Suisse

Commonwealth Magistrates' and Judges' Association

Commonwealth Lawyers Association

International Bar Association's Human Rights Institute

International Commission of Jurists

Judges for Judges

Lawyers for Lawyers

Southern Africa Litigation Centre

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