

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

35TH SESSION OF THE HUMAN RIGHTS COUNCIL: CLUSTERED INTERACTIVE DIALOGUE
WITH THE SPECIAL RAPPOREUR ON THE INDEPENDENCE OF JUDGES AND LAWYERS

Room XX, Palais des Nations

June 12, 2017

Geneva, Switzerland

*Delivered by Hector Guerra, Office of the Permanent Observer to the United Nations and other
International Organizations, IDLO*

Check against delivery

Madam/Mr. Chair,

The International Development Law Organization (IDLO) welcomes the reports of both Special Rapporteurs and will focus its remarks this morning on the Report of the Special Rapporteur on Independence of Judges and Lawyers.

As the only intergovernmental organization exclusively devoted to promoting the rule of law and development, we support the mandate of the Special Rapporteur on the independence of judges and lawyers and thank him for his first report to the Council.

The legal profession – including judges and lawyers – plays a key role both in providing avenues for remedy and access to justice for people, as well as in ensuring respect for international standards and human rights.

The establishment of functional, credible and transparent legal systems with strong independent judiciaries and qualified legal professionals lies at the core of IDLO's business. As the Special Rapporteur mentions, "Judicial independence is fundamental for the protection of human rights, democracy and the rule of law", and in our experience, it is an essential ingredient for ensuring equitable sustainable development and the successful implementation of Sustainable Development Goal 16.

Independent judges ensure fair and equal treatment for all: equality before the law; guarantees of due process; access to justice; and ensuring accountability for human rights violations.

A strong, independent and effective judiciary is essential to holding other branches of government to account, building citizens' confidence in the rule of law.

IDLO works in countries to strengthen judicial institutions, including by helping governments and partners to root out corruption. From our work, we see the importance of improving rules concerning judicial selection and more broadly to build judiciaries that have adequate budgets and the right internal management processes and regulations to root out corruption. An independent judiciary is the outcome of effective judicial institution-building. The international community needs to invest in it as a key means of

access to justice. That is what Goal 16 of the 2030 Agenda for Sustainable Development seeks to achieve.

Mr. Special Rapporteur,

Your emphasis on judicial integrity is critically important. This issue has long preoccupied IDLO and we have drawn many lessons on it from our work assisting governments and other partners. We look forward to working with you and supporting your efforts on this issue.

We would like to take this opportunity to ask:

What can international development and rights organizations do to help advance your mandate?

Finally, allow me to draw attention to an important event – this evening at 6:30 p.m. at the Graduate Institute - that IDLO is convening together with the IPU and with the Special Rapporteur's participation, and with the sponsorship of the Permanent Missions of Italy, Japan, Mexico and the United Kingdom. We hope this debate will help to inform the recommendation in paragraph 123 of the report, calling for multilateral cooperation and coordination to address the independence of judges and lawyers from a global perspective.

IDLO stands ready to support the critically important work of the Special Rapporteur.

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.