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"In turbulent times, we must recommit to independent justice and stand with judges to defend the rule of law"

Statement by the UN Special Rapporteur on Independence of Judges and Lawyers, Margaret Satterthwaite on the Day of Judicial Independence, 11 January 2026

Geneva (10 January 2026) – Six years have passed since the 1000 Robes March, when people around the world were witness to powerful images of the largest demonstration of judges in contemporary Europe. On 11 January 2020, judges from more than twenty European countries[1] joined Polish judges and thousands of citizens on the streets of Warsaw to protest laws which threatened to fundamentally undermine the independence of the judiciary.

In commemoration, since 2023, the International Association of Judges (IAJ) has called for the United Nations to proclaim 11 January the "International Day of Judicial Independence", receiving full support from Margaret Satterthwaite, the UN Special Rapporteur on the Independence of Judges and Lawyers.

"We should recognize the brave actions of the 1000 Robes marchers in standing up for independent justice, as enshrined in international human rights law", declared Satterthwaite. " Now is the time for Member States to recommit to these principles, by showing their solidarity with judges whose independence is under threat around the world."

Satterthwaite stressed that the reasons for protecting judicial independence are often poorly understood and neglected in public debate. "Independent and impartial judges are foundational to the right to a fair trial", she explained. "They ensure that every person receives equal treatment before the court, and that decisions are made on the basis of the law, not prejudice, preference or pressure."

Independent judges also play a wider role in maintaining strong and peaceful democracies and preventing the abuse of power. "The public can only believe in the rule of law when they know that judges are not beholden to a leader or a political party," said Satterthwaite. "We must all have confidence that in every case, judges will review the facts and law and issue a just decision without any interference or pressure. This means that judges must be insulated from undue influence by powerful governmental and private actors."

[1] Austria; Belgium; Bulgaria; Croatia; Czechia; Denmark; Estonia; France; Germany; Greece; Hungary; Ireland; Italy; Latvia; the Netherlands; Norway; Portugal; Romania; Slovakia; Slovenia; Spain; and Türkiye.

In a powerfully symbolic act during the 2020 march in Warsaw, judges wore their judicial robes, connecting this act of protest with their official role. “Many judges consider that they have a professional duty to speak out, fearlessly, in defence of the rule of law and judicial independence when those fundamental values come under threat.” This position has been endorsed by the European Court of Human Rights,[2] and by the Consultative Council of European Judges.[3]

“Independence is not a privilege afforded to judges; it is a means of protecting the rights to which we are all entitled as members of the human family,” noted Satterthwaite.

The expert emphasized that speaking out against incursions into judicial independence has become especially important in 2026, when the principle is under pressure in countries around the world. “I have received an alarming number of cases in the past year, including threats and smear campaigns against judges, criminalization of judicial operators, and law reforms that impinge on judicial independence.”

Recalling that independence refers, in particular, to the procedure and qualifications for the appointment of judges, guarantees relating to their security of tenure, the conditions governing promotion, transfer, suspension and cessation of functions, as well as actual independence from political interference by the executive branch and the legislature, the Special Rapporteur has regularly voiced concern regarding legal reforms that undermine the independence of the judiciary. Recently, she has expressed concern about the implementation of the sweeping judicial reform in Mexico[4] and the 27th amendment to the Constitution of Pakistan.[5] This law fundamentally restructured the judiciary by creating a new Federal Constitutional Court which displaces the Supreme Court’s traditional role over constitutional disputes and fundamental rights cases, as well as taking over key election-related cases. “Furthermore, the amendment grants the President almost unilateral authority to appoint the first judges of the new court and provides no public criteria or transparent procedures for these pivotal appointments, giving the executive vast influence”, Satterthwaite stated. “Despite its sweeping impacts, this amendment was passed in a matter of days, in the absence of widespread consultation with the judiciary. Following the passage of the amendment, two Justices of the Supreme Court resigned due to their concerns about the changes wrought to the Constitution.”

In addition to major reforms that impact the independent functioning of justice systems, individual judges or courts frequently come under personal attack, and even criminalization, aimed at intimidating them into compliance. The expert warned that this pattern is a notable warning sign in cases of marked deterioration of the independence of the judiciary. In Tunisia, at the start of the year, Judge Anas Hmedi, the President of the

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[2] Żurek v Poland (2022).
[3] Consultative Council of European Judges (CCJE) Opinion no 25 (2022) Section VI.
[4] AL MEX 6/2025.
[5] OL PAK 14/2025. [5] Żurek v Poland (2022).
[5] Consultative Council of European Judges (CCJE) Opinion no 25 (2022) Section VI.
[5] AL MEX 6/2025.
[5] OL PAK 14/2025.

Association of Tunisian Magistrates is again at risk, facing new criminal proceedings on top of those he faced in 2022.[6]

Another worrying sign are the unwarranted attacks in public discourse and social media. In Ecuador, high-ranking officials labelled Constitutional Court judges as 'enemies of the people' and a threat to national security after the Court provisionally suspended elements of recently enacted laws to prevent possible violations of fundamental rights while their constitutionality was reviewed.[7]

"While disagreement with some judicial decisions is normal in a democracy, I highlight that judiciaries offer avenues for appeal, and public officials charged with safeguarding the separation of powers carry an immense responsibility to avoid undermining judges' ability to act independently and free from external pressure," the expert said. "It is particularly worrying that these threatening words were followed with threatening actions, including a march against the Court led by the President, including the deployment of security forces."

Such acts of intimidation are not limited to judges operating in the domestic context. In the past year, the United States of America has repeatedly imposed sanctions against judges of the International Criminal Court, in an assault against the independence of the tribunal and a devastating blow to victims of international crimes.[8] "The sanctions against ICC judges sabotage the fight against impunity for humanity's worst crimes," said Satterthwaite. "They tell the world that power, not justice rules in the face of atrocities."

"In these troubled times, we must stand in solidarity with independent courts. If judges have a duty to resist attacks on their independence, then so do all people who prize human rights, justice and the rule of law," Satterthwaite concluded. "I call on Member States to demonstrate their commitment to these values by sponsoring a General Assembly resolution establishing an official Day of Judicial Independence on January 11."

ENDS

The expert:* ***Margaret Satterthwaite,* *Special Rapporteur on the independence of judges and lawyers.*

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For further information and ***media requests****, please write to hrc-sr-independencejl@un.org.*

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[6] https://www.ohchr.org/fr/press-releases/2026/01/tunisia-un-experts-concerned-fresh-criminalisation-attempt-against-judge#:~:text=%C2%AB%20Nous%20craignons%20que%20ces%20mesures,du%20pouvoir%20judiciaire%20en%20Tunisie%20%C2%BB.

[7] AL ECU 5/2025.

[8] JAL USA 3/2025; https://www.ohchr.org/en/press-releases/2025/08/us-sanctions-icc-officials-undermine-independence-tribunal-and-justice.

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