



**INTERNATIONAL ASSOCIATION OF JUDGES  
UNION INTERNATIONALE DES MAGISTRATS  
UNIÓN INTERNACIONAL DE MAGISTRADOS  
INTERNATIONALE VEREINIGUNG DER RICHTER  
UNIONE INTERNAZIONALE DEI MAGISTRATI**

**PALAZZO DI GIUSTIZIA - PIAZZA CAVOUR - 00193 ROMA - ITALY**

Following a request from one of its regional group - The European Association of Judges (EAJ) - at its meeting in Taipei on 20 September 2023, the General Assembly of the International Association of Judges (IAJ) debated the alleged misuse of disciplinary procedures and other pressures on Armenian judges and adopted the following

### **RESOLUTION**

- 1.) The IAJ is seriously concerned by the information given by the Association of Judges of the Republic of Armenia to the effect that –
  - Several disciplinary procedures have been brought against judges who expressed views on problems facing the justice system or on certain measures regarding judges and the judiciary, leading to dismissal or the imposition of other sanctions on the judges concerned.
  - The non-judicial members of the Supreme Judicial Council, which has jurisdiction to hear and decide disciplinary procedures, have been elected by the majority of the parliament dominated by the party of the government without any explanation of the criteria for this selection or of the application of those criteria.
  - The minister of justice has the right to institute disciplinary proceedings, particularly in circumstances in which his immediate predecessor, a member of the same political party, was elected as one of the non-judicial members of the Supreme Judicial Council and now chairs the Council.
- 2.) The IAJ notes that neither the Statement of the EAJ adopted on 2 June 2023 nor the letter of concern from the Board of the EAJ dated 14 July 2023 has ended or diminished the exercise of such undue pressures on Armenian judges.
- 3.) The IAJ recalls that, without questioning the accountability of judges or the need for effective disciplinary procedures, in order to safeguard the independence of judges proper procedural standards must be followed and political influence should be excluded.

4.) The IAJ also underlines that the right of free speech is also guaranteed for judges. This fundamental right also encompasses the right to examine critically problems or shortcomings in the judicial system and to express those views.

5.) The IAJ therefore urges the Armenian authorities:

- Fully to observe and uphold the principle of the independence of the judiciary in all respects;
- To ensure that the non-judicial members of the Supreme Judicial Council are selected openly and on merit and are free from political influence by the executive;
- To respect the right of judges to freedom of speech;
- To refrain from misusing disciplinary proceedings as a means of preventing a judicial office holder from speaking publicly about the judicial system and its institutions; and
- To review the cases in which the power of the Minister of Justice to bring disciplinary proceedings has been used in this way.