



**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**

Montevideo July 7<sup>th</sup> 2015

The IAJ has been informed of an on-going concern about the removal of judges from a case or from a court.

The IAJ reminds the government that the requirement of independence of the judiciary, which is guaranteed by the Universal Declaration of Human Rights (Article 10), and is specified in the United Nations Basic Principles on the Independence of the Judiciary, forbids any interference with the judicial process.

The independent exercise of the judicial function by a judge means that a judge normally cannot be removed from a position without the consent of the judge in question except in exceptional cases. Such exceptional cases have to be clearly defined in the law, and the procedure which leads to a transfer of a judge must follow clear and transparent rules laid down in the law. It is essential to ensure that the decision of the body which is constitutionally in charge of such decisions is not influenced externally especially by the other powers of state.

Every person has the right that his or her case is dealt with by an independent judge. International standards provide that the jurisdiction of a judge regarding a certain case, which had been assigned to him/her, should not be removed, unless there are grounds for bias. In many countries the law requires that the assignment of cases to individual judges follows pre-established rules and criteria.

If the above mentioned principles are not followed the independence of the judiciary may be harmed and trust in the judiciary, and the rule of law in general, will be infringed.

The IAJ will closely follow the developments in Argentine and will keep the competent international authorities informed in accordance with the goals of the IAJ to protect and foster independence of judges and the judiciary.

**Cristina Crespo**

President of the International Association of Judges