

## RESOLUTION

**Relating to the updating of the Basic Principles on the Independence of the Judiciary adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Milan from 26 August to 6 September 1985 and confirmed by the General Assembly in its resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985**

The International Association of Judges (“the IAJ”) observes that the “Universal Charter of the judge,” has not been reconsidered since its adoption in Taiwan in 1999 and has decided in 2014 to update this reference text.

A new Charter was adopted unanimously by the IAJ member associations at its annual meeting in Santiago de Chile in November 2017.

The IAJ continues to welcome the adoption by the United Nations in 1985 of the “Basic Principles on the Independence of the Judiciary.”

The IAJ considers that these general principles continue to be relevant 33 years after their adoption and stresses the importance of worldwide rules designed to ensure the independence of judges and to enable judges, through the creation of associations, to defend the principles of independence.

Nevertheless, it believes that some of these principles could be clarified, including the guarantees of irremovability, the training of judges and the distribution of cases within the courts.

It also notes that some topics which are now at the centre of the concerns of judges do not appear in these principles, such as:

- the rules relating to the organization of justice and internal independence of the judiciary,
- the conditions under which justice must be rendered effectively,
- the guarantees for remuneration and retirement,
- the possible creation of a body, whose composition ensures its independence, in charge of recruitment, appointment, promotion and discipline,
- the clarification of the ethical and deontological requirements, in the context of increased demands from citizens.

The Ibero-American Group of the International Association of Judges therefore calls for an update of the principles enacted in 1985.

It calls on the United Nations and national governments to engage in this evolution and declares its readiness to contribute to it.

Brasilia, April 18, 2018.