



**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

Your Excellences,

On behalf of the International Association of Judges, the Polish Judges Association IUSTITIA and all the organisations and persons signed under this letter, we the undersigned would like to draw your attention and strongly support the motion made by the International Association of Judges on 27 March 2023 to name January 11th “International Day of Judicial Independence - 1000 Robes March”.

Judicial independence is a value universal to all societies. Independent courts are the only protection the citizens can get against abuse from the state authorities and influential or powerful organizations or individuals.

Therefore, judges and courts are one of the first objects of attacks from autocratic governments – once you have the judiciary under control, your power becomes absolute.

Over the last decade the world has experienced many attacks on judicial independence.

In Turkey, hundreds of judges and lawyers are still imprisoned, hundreds more had to flee the country for fear of arrest.

The judiciary in Poland survived 8 years of attacks against its independence, with the legal system seriously damaged by the previous government.

Since 2015, the rule of law in Poland was progressively undermined by the executive and legislative powers. Successive governments under the guise of “reforms”, introduced a number of amendments concerning the Polish judicial system in order to exert control over it in a way that would facilitate the implementation of its policy agenda.

The first significant change was taking control over the Constitutional Tribunal. Then the National Council of Judiciary followed. The new law enabled the ruling party to elect 23 out of the 25 members of the Council, including the 15 representatives of the judiciary. A Council so composed was no longer able to perform its basic functions, that is the protection of the independence of the judiciary. It also lost its ability to independently assign candidates to judicial positions.

When the judges opposed such changes, disciplinary sanctions began. The Polish government refused to reverse the law in the direction of constitutional and international standards of judicial independence. Instead, it chose to harass and intimidate judges.¹

The culmination of this process was the so-called muzzle-law, introduced in December 2019, forbidding judges to examine the proper composition of court panels, especially with view to the nomination process of judges, under the sanction of being dismissed from office

The judges found that were no longer able to perform their duties without the threat of disciplinary sanctions, including dismissal from office.

In such a situation, where legal actions were no longer possible, the Polish Judges Association IUSTITIA has organised an unprecedented action in defence of the independence of judiciary – the 1000 Robes March.

“1000 Robes March” was a unique event that took place on 11 January 2020 in Warsaw under the motto: “Right to independence. Right to Europe.”

Judges of all Europe gathered together in Warsaw to join Polish judges and Polish citizens to protest with them shoulder to shoulder in defence of judicial independence.

It was the greatest demonstration of judges in contemporary Europe. 30 thousand people, including hundreds of judges from 22 European countries walked for a couple of hours the streets of Warsaw, from the Supreme Court, through the Presidential Palace to the Polish Parliament where they shouted out that they are Polish and European judges and that their place is in the family of democratic states of the European Union.

Judges from the following countries participated in the 1000 Robes March: 1. Austria, 2. Germany, 3. Portugal, 4. Denmark, 5. France, 6. Croatia, 7. Greece, 8. Slovenia, 9. Spain, 10. Hungary, 11. Ireland, 12. Italy, 13. Norway, 14. Romania 15. the Netherlands, 16. Czech Republic, 17. Latvia 18. Bulgaria, 19. Turkey 20. Estonia 21. Belgium 22. Slovakia.

This March also gave rise to a new notion of identity among the judges from different countries, and solidarity in their struggle to maintain the rule of law all within the European Union and outside it. It resulted in intensified cooperation among the European judges.

This event was noticed and praised in the whole the Globe by all those who are devoted and understand the importance of an independent judiciary for the rule of law for democratic order and, finally, for world peace; it was unprecedented in World history.

The March did not stop on 11 January 2020. We can see every day the attempts to diminish and curb the independence of the judiciary under the pretext of democratic representation. One of the examples is Tunisia, where the High Council of Judiciary was dissolved by a decision by the President and about 50 judges were dismissed authoritatively. We also witnessed the constitutional crisis in Israel, with protests gathering hundreds of thousands of participants. In Guatemala judges are prosecuted and imprisoned for being independent and for applying law independently.

The notion of 1000 Robes March resounds all over the world wherever judicial independence is in danger.

The International Association of Judges since 2022 awards a “IAJ Judicial Independence Award” to judges who risked their professional careers and sometimes even their freedom in defence of judicial independence.

In the time of rise of autocratic governments all over the world, the division of powers becomes more crucial than ever. No state can protect its citizens without an effective, independent judiciary.

We consider the establishment of **11 January by UNITED NATIONS as the “International Day of Judicial Independence - 1000 Robes March”**—both as a symbol of a

universal value of a democratic society and as a tribute to those who risked their lives and freedom to defend it.

Therefore, we strongly support the motion of 27 March 2023 made by the International Association of Judges.

ⁱ These legislative modifications were thoroughly described in the letter of the International Association of Judges to the UN Secretary General of 27.03.2023