



General Assembly

Distr.: General
8 July 2026

Original: English

Human Rights Council

Sixty-second session

15 June–8 July 2026

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Resolution adopted by the Human Rights Council on 6 July 2026

62/12. Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers: mandate of Special Rapporteur on the independence of judges and lawyers

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, articles 7, 8, 9, 10 and 11 of the Universal Declaration of Human Rights, articles 2, 4, 9, 14 and 26 of the International Covenant on Civil and Political Rights, and bearing in mind the Vienna Declaration and Programme of Action and all relevant human rights instruments,

Recalling the Basic Principles on the Independence of the Judiciary, the Basic Principles on the Role of Lawyers, the Guidelines on the Role of Prosecutors, the Bangalore Principles of Judicial Conduct and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,

Recalling also all previous resolutions and decisions of the Human Rights Council, the Commission on Human Rights and the General Assembly on the independence and impartiality of the judiciary and on the integrity of the judicial system,

Recalling further its resolutions 5/1 on institution-building of the Human Rights Council, and 5/2 on the Code of Conduct for Special Procedure Mandate Holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate holder shall discharge these duties in accordance with those resolutions and the annexes thereto,

Taking note of the reports of the Special Rapporteur on the independence of judges and lawyers submitted to the Human Rights Council¹ and to the General Assembly,²

Taking note also of all relevant general recommendations and general comments adopted by the treaty bodies,

Reaffirming that an independent, impartial and adequately resourced judiciary, an independent legal profession, an objective and impartial prosecution able to perform its functions accordingly and the integrity of the judicial system are key pillars of the rule of law and contemporary democratic systems, necessary for the realization of Sustainable Development Goal 16 of the 2030 Agenda for Sustainable Development, and are

¹ A/HRC/62/43.

² A/80/169.



prerequisites for the proper functioning of modern governance and for the protection of human rights, including for ensuring fair trials and the administration of justice without any discrimination,

Recalling that prosecutors should, in accordance with the law, perform their functions fairly, consistently and expeditiously, respect and protect human dignity and uphold human rights, thus contributing to due process and the smooth functioning of the criminal justice system, and that they should avoid and combat all forms of prejudice, discrimination and stigmatization based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recognizing that judicial selection processes, in line with the Basic Principles on the Independence of the Judiciary, should be based on objective and pre-established criteria, incorporate integrity screening and safeguards to ensure impartiality, and be applied in a manner that eliminates both direct and indirect discrimination and bias, while promoting diversity, gender equality and representativeness, so that the judiciary reflects the society it serves,

Condemning the increasingly frequent attacks on the independence of judges, lawyers, prosecutors and court officials, including those serving in international courts, in particular threats, intimidation, silencing or harassment, and other forms of reprisals, including those with an impact abroad, and interference in the discharge of their professional functions, as well as their association with their clients or their clients' causes, which contributes to the erosion of the rule of law,

Expressing serious concern at the rise in strategic lawsuits against public participation, including those brought by business entities, which use abusive litigation tactics to exercise pressure, intimidate or exhaust the resources and morale of lawyers and thereby impede them in the performance of their work, including on matters of public interest,

Recalling that every State should provide an effective framework of remedies to redress human rights grievances or violations and that the administration of justice, including law enforcement and prosecutorial agencies and, especially, an independent judiciary and legal profession consistent with applicable standards contained in relevant international instruments, is essential to the full and non-discriminatory realization of human rights and indispensable to the processes of democracy and sustainable development,

Recalling also that it is essential to ensure that judges, prosecutors, lawyers and court officials possess the professional qualifications required for the performance of their functions through improved methods of recruitment, as well as access to legal and professional training, tailored and interdisciplinary human rights training, and through the provision of all necessary means for the proper performance of their role in ensuring the rule of law,

Stressing the importance of ensuring accountability, transparency and integrity in the judiciary as an essential element of judicial independence and as a concept inherent to the rule of law when it is implemented in accordance with the Basic Principles on the Independence of the Judiciary and other relevant norms, principles and standards,

Emphasizing that judges, prosecutors and lawyers play a critical role in upholding human rights, including the absolute and non-derogable right to freedom from torture and other cruel, inhuman or degrading treatment or punishment,

Emphasizing also the importance of establishing and upholding a legal framework that protects judges, prosecutors, lawyers, jurors and assessors from attacks, threats, harassment and intimidation simply for performing their professional duties, and that judicial bodies, prosecutors' offices and other legal institutions and organizations should institute safe and effective procedures reflecting international human rights standards that protect, as appropriate, the anonymity of the complainant and avoid re-victimization, while mainstreaming a gender perspective and addressing the specific threats that women participating in the judicial system might face,

Acknowledging that digital technologies, including artificial intelligence tools, if applied with adequate safeguards, have the potential to improve the functioning of justice systems,

Underlining simultaneously that the digital development of the justice sector must be in conformity with international human rights law and consistent with the principles of due process and fair trial standards,

Emphasizing that an independent and impartial judiciary, objective and impartial prosecution service and an independent legal profession, which foster a balanced representation of men and women and the establishment of gender-responsive procedures, are essential for the effective protection of women's human rights, including protection from all forms of violence and re-victimization through court systems, and for ensuring that the administration of justice is free from gender-based discrimination and stereotypes,

Acknowledging the vital role of professional associations of lawyers in upholding professional standards and ethics, protecting their members from persecution and improper restrictions and infringements and providing legal services to all in need of them,

Recognizing the importance of independent and self-governing bar associations and professional associations of judges and prosecutors and of non-governmental organizations working in defence of the principle of the independence of judges and lawyers, as well as the vital role that lawyers and the legal profession, bar associations, law societies and national and international lawyers' organizations can play in upholding the rule of law and in promoting and protecting human rights,

Expressing its concern about situations where the entry into or continued practice within the legal profession is controlled or arbitrarily interfered with by the executive branch, with particular regard to the abuse of systems for the licensing of lawyers,

Recognizing that accessible and effective legal aid is an essential element of a fair, humane and efficient system of administration of justice that is based on the rule of law,

Noting the rights and specific needs of women, children and persons belonging to minorities, in particular those in situations of vulnerability who are in contact with justice systems, who may require particular attention, protection and skills from the professionals interacting with them, especially from lawyers, prosecutors and judges,

Reaffirming the importance of a privileged lawyer-client relationship based on the principle of confidentiality, and the need to protect it from undue interference, including surveillance,

Noting the threats and challenges to justice systems posed by extraordinary and crisis situations, armed conflict and situations of occupation, including with regard to access to justice, and reaffirming that emergency measures, including those that relate to the administration of justice, taken by States in response to these situations must be necessary, proportionate to the evaluated risk, applied in a non-discriminatory way, have a specific focus and duration and be in accordance with the State's obligations under applicable international human rights law,

Recognizing the role of regional instruments and initiatives for the protection of lawyers, and in that respect noting the adoption of the Council of Europe Convention for the Protection of the Profession of Lawyer, which offers States a standard for the protection of lawyers, allowing for objective measurement of progress and identification of gaps,

Reaffirming the Human Rights Council resolutions in which the Council extended the mandate of Special Rapporteur on the independence of judges and lawyers for a period of three years, and acknowledging the importance of the mandate holder's ability to cooperate closely, within the framework of the mandate, with the Office of the United Nations High Commissioner for Human Rights, including in the fields of advisory services and technical cooperation, in the effort to guarantee the independence of judges and lawyers,

1. *Commends* the Special Rapporteur on the independence of judges and lawyers for the important work undertaken in the discharge of the mandate;

2. *Calls upon* all States to guarantee the independence of judges and lawyers and the objectivity and impartiality of prosecutors, and their ability to perform their functions accordingly, including by taking effective legislative, law enforcement and other appropriate measures that will enable them to carry out their professional functions without interference, harassment, threats or intimidation of any kind;

3. *Encourages* States to promote diversity in the composition of the members of the judiciary, including by taking into account a gender perspective and by actively promoting the balanced representation of women and men from various segments of society at all levels, and of persons belonging to minorities and other disadvantaged groups, and to ensure that the requirements for joining the judiciary and the selection process therefore are non-discriminatory, public and transparent, based on objective criteria and guarantee the appointment of individuals of integrity and ability with appropriate training and qualifications in law based on individual merit and under equal working conditions;

4. *Calls upon* States to promote the full, equal and meaningful participation and representation of all women, as well as equality in access to positions at all levels of the administration of justice, and encourages States to adopt substantive and procedural standards to make progress towards achieving gender balance and to ensure the full, equal and meaningful participation and representation of women in public decision-making roles in the judicial system, including the judiciary and prosecution services;

5. *Stresses* that the term of office of judges, their independence, security, adequate remuneration, conditions of service, pensions and age of retirement should be adequately secured by law, that the security of tenure of judges is an essential guarantee of the independence of the judiciary and that grounds for their removal must be explicit, with well-defined circumstances provided for by law, involving reasons of incapacity or behaviour that renders them unfit to discharge their functions, and that procedures upon which the discipline, suspension or removal of a judge are based should be in compliance with due process;

6. *Encourages* States to develop, as appropriate, policies, procedures and programmes in the area of restorative justice as part of a comprehensive justice system;

7. *Also encourages* States to consider, in collaboration with relevant national entities, such as bar associations, associations of judges and prosecutors and educational institutions assisting the judiciary developing guidance on issues such as gender, children, persons with disabilities, Indigenous Peoples and migrants, among others, to inform the action of judges, lawyers, prosecutors and other actors in the judicial system;

8. *Underscores* that lawyers must not be identified with their clients or their clients' causes as a result of discharging their function;

9. *Emphasizes* that lawyers, including those serving in international courts, should be enabled to discharge their functions freely, independently and without any fear of reprisal;

10. *Calls upon* States to ensure that prosecutors can perform their functional activities in an objective and impartial manner, without undue interference or any fear of reprisal, and condemns all forms of violence, intimidation, retaliation or harassment against them, their families and professional associates, whether by State or non-State actors, while reminding States of their duty to protect them, uphold their integrity and bring perpetrators to justice;

11. *Also calls upon* States to adopt and implement laws and policies that protect lawyers and members of the legal profession, including from strategic lawsuits against public participation and from the misuse notably of financial, defamation or libel laws to pressure, intimidate or discourage them from carrying out their professional duties, including from defending politically sensitive cases, and to provide training for prosecutors, judges, lawyers and forensic professionals on identifying and responding effectively to such cases;

12. *Expresses its grave concern* at the significant number of attacks against lawyers and other members of the legal profession, including the repressive measures taken by States to harm, silence and intimidate members of the legal profession outside their borders, in retaliation for or in connection with the exercise of their professional functions, as well as instances of arbitrary or unlawful interference with or restrictions to the free practice of their profession, and calls upon States to ensure that any attack or interference of any sort against lawyers is promptly, thoroughly and impartially investigated and that perpetrators are held accountable;

13. *Calls upon* States, in collaboration with relevant national entities, such as bar associations, associations of judges and prosecutors and educational institutions, to support access to adequate training, including human rights training, for judges, prosecutors and lawyers, both on initial appointment and periodically throughout their careers, taking into account regional and international human rights law and, where applicable and relevant, the concluding observations and decisions of human rights mechanisms, such as the treaty bodies and regional human rights courts;

14. *Encourages* States to take measures to combat discrimination in the administration of justice by, inter alia, promoting tailored and interdisciplinary human rights training, including anti-racist, multicultural, gender-, age- and disability-responsive training, for all judges, lawyers and prosecutors;

15. *Underscores* the importance for States of developing and implementing an effective and sustainable legal aid system, consistent with their international human rights obligations and relevant good practices to ensure accessible legal aid at all stages of legal proceedings, subject to appropriate eligibility criteria, and encourages States to adopt gender-, age- and disability-responsive measures, including awareness-raising programmes, to ensure women's meaningful access to legal aid and public defence services;

16. *Invites* States to take measures, including by adopting domestic legislation, to provide for independent and self-governing professional associations of lawyers and to recognize the vital role played by lawyers in upholding the rule of law and promoting and protecting human rights;

17. *Calls upon* States to ensure that legal provisions that are to be or have been adopted in relation to counter-terrorism or national security are consistent with the international obligations of the State concerning the right to a fair trial, the right to liberty and the right to an effective remedy for violations of human rights and other provisions of international law relevant to the role of judges, prosecutors and lawyers;

18. *Urges* States to ensure that judiciaries have the necessary resources and capacity to help to maintain functionality, accountability, transparency and integrity, and to ensure due process and the continuity of judicial activities, including efficient access to justice consistent with the right to a fair trial and other rights and fundamental freedoms, during extraordinary and crisis situations, including in armed conflict and situations of occupation;

19. *Encourages* States to equip judiciaries with safe, secure and responsibly developed digital technologies, including artificial intelligence, to help ensure access to justice and the right to a fair trial, to provide judges, prosecutors, lawyers and judicial staff with appropriate digital training to ensure the effective and responsible use of such technologies, while underlining that the use of artificial intelligence in the administration of justice must remain subject to human oversight and transparent human rights impact assessments in order to prevent or mitigate effectively potential risks they may pose to human rights;

20. *Invites* the Special Rapporteur to collaborate with relevant stakeholders within the United Nations system in the areas pertaining to the mandate;

21. *Encourages* the Special Rapporteur to facilitate the provision of technical assistance and capacity-building and the dissemination of guidelines and best practices, including through engagement with relevant stakeholders and in consultation with the Office of the United Nations High Commissioner for Human Rights, when requested by the State concerned, with a view to establishing and strengthening the rule of law, paying particular attention to the administration of justice and the role of an independent and competent judiciary and legal profession;

22. *Encourages* Governments that face difficulties in guaranteeing the independence of judges and lawyers, the objectivity and impartiality of prosecutors and their ability to perform their functions accordingly, or that are determined to take measures to implement these principles further, to consult with and to consider the services of the Special Rapporteur, for instance, by inviting the mandate holder to visit their countries;

23. *Encourages* Governments to give due consideration to recommendations made by United Nations human rights mechanisms, and to implement recommendations supported under the universal periodic review process, addressing the independence and effectiveness of the judiciary and their effective implementation, and invites the international community, regional organizations and the United Nations system to support any implementation efforts;

24. *Invites* United Nations agencies, funds and programmes to continue their activities in the areas of the administration of justice and the rule of law, including at the country level at the request of the State, encourages States to reflect such activities in their national capacity-building plans, and emphasizes that institutions concerned with the administration of justice should be properly funded;

25. *Encourages* States to ensure that their legal frameworks, implementing regulations and judicial manuals are fully in line with their international obligations and take into account relevant commitments in the areas of the administration of justice and the rule of law;

26. *Decides* to extend the mandate of Special Rapporteur on the independence of judges and lawyers for a period of three years on the same terms as provided by the Human Rights Council in its resolution 53/12 of 13 July 2023;

27. *Urges* all Governments to cooperate with and to assist the Special Rapporteur in the performance of the mandate, to provide all information requested by the Special Rapporteur, and to respond to communications transmitted to them by the Special Rapporteur without undue delay;

28. *Calls upon* Governments to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries, and urges States to enter into a constructive dialogue with the Special Rapporteur with respect to follow-up to and the implementation of her recommendations to enable her to fulfil the mandate even more effectively;

29. *Encourages* the United Nations, including its specialized agencies, as well as regional organizations, national human rights institutions, independent experts, bar associations, professional associations of judges and prosecutors, non-governmental organizations and other relevant stakeholders, to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of the mandate;

30. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the human and financial resources necessary for the effective fulfilment of the mandate;

31. *Decides* to continue consideration of this issue in accordance with its annual programme of work.

*32nd meeting
6 July 2026*

[Adopted without a vote.]
