

NORCALMUN 2025
SOCHUM

PROTECTING INDEPENDENCE OF JUDICIARY SYSTEMS



Dais Backgrounds:

Head Chair: Sameeha Soora

Hi! My name is Sameeha Soora and I'm going to be your head chair for this committee. I'm a senior at Foothill and this is my fourth year in MUN. My biggest hope for every delegate in this committee is to have as much fun as possible and hopefully make new friends. Some of my other hobbies include listening to music, dance, and spending time with my friends. I'm so excited to meet everyone! If you have any questions feel free to email me at sameehasoora@gmail.com.

Vice Chair: Aarav Bhagya

Hey, I'm Aarav, and I will be your vice chair for SOCHUM. I'm a junior at Foothill, this being my third year doing Model UN. What you need to know about me is that I've always been a big-time debater, whether it be MUN, Mock Trial, Speech & Debate, or Student Government. Outside of school, I go to concerts, hang out with friends, play tennis, and sometimes contemplate. If you have questions about ANYTHING IN LIFE, I'm your guy. Email is aaravbhagya@gmail.com. Use wisely.

Vice Chair: Kelly Huey

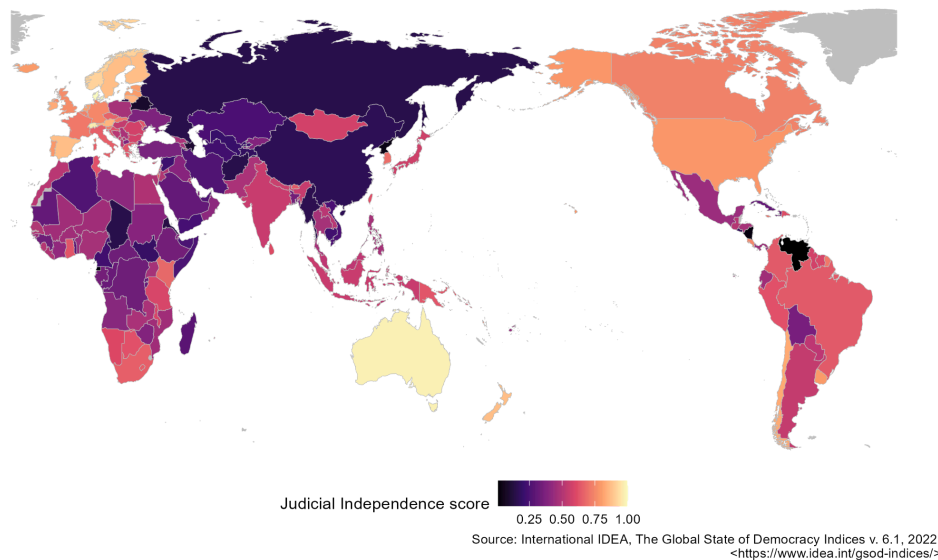
Hey everyone! My name is Kelly, and I'm so excited to be your vice chair for this committee! I'm currently a sophomore at Foothill, and this is my third year in Model UN. In my free time, I love hanging out with my friends, listening to music, and napping. I can't wait to have an amazing time in committee with everyone! If you have any questions, feel free to email me at kellyhuey09@gmail.com.

Table of Contents

I.	Topic Background	pg. 4
II.	Past UN Action	pg. 6
III.	Current Action	pg. 7
IV.	Questions to Consider	pg. 9
V.	Bibliography	pg. 10

I. Topic Background

An independent judiciary is essential to upholding the rule of law. Judges of every court are able to make decisions in their court fairly and impartially, regardless of the authority of outside parties. Financial and administrative independence of these judicial bodies are protected by an independent Judicial Supreme Council. This independence can limit external influence or power and safeguard all the civil liberties of citizens. Yet in many countries, both authoritarian and democratic, independence is under threat.



Without judicial independence, courts risk becoming extensions of the ruling authority. This may lead to corruption within the legal system with unfair trials, as well as human rights violations. Governments in Poland and Hungary have changed judicial structures in the past under the labels of ‘reform.’ This was done by pushing out disagreeing judges and replacing them with loyalists. In Turkey, the 2016 coup attempt was followed by sweeping purges that left the judiciary weakened and politically compliant. Similar tactics are seen in Russia, Cambodia,

Zimbabwe, and Venezuela, where courts constantly serve as tools of the ruling party. Even in stable democracies, judicial independence is not guaranteed. The politicization of the Supreme Courts and media influence has raised questions in countries like the United States and Brazil. Public trust in legal systems has suffered, especially among marginalized communities that already face uneven access to justice.



The situation becomes more unstable in post-conflict and transitional states. Courts here usually lack legitimacy and resources, or even autonomy, and function as symbols rather than actual judges of law. In Myanmar, the judiciary has been used to jail political opponents without significant due process. International legal bodies such as the ICC and regional human rights courts can only provide limited oversight. Their reach is typically inconsistent, and powerful states often reject or ignore their influence anyway. When national courts are compromised, few actual external mechanisms remain to defend legal integrity.

II. Past UN Action

The United Nations has implemented various approaches towards supporting the independence of justice systems to ensure impartiality and protection of rights. One of the early actions included the implementation of the Basic Principles on the Independence of the Judiciary in 1985. These principles were used to set guidelines for Member States to establish and strengthen judicial independence within their countries. This framework calls for justice in every country, with efforts to put it into reality and allowing judges to perform their duties while upholding these key principles. The selection of judges must also be impartial, with justice being administered without influence.

In addition to these principles, the United Nations has also appointed a Special Rapporteur, who is an independent expert who monitors and publicly reports on specific issues or urgent situations. During the adoption of resolution 18/7 on September 29, 2011, a Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence was introduced and appointed. This Special Rapporteur works to ensure accountability and serve justice through judicial vetting processes and criminal justice mechanisms, and reform national institutional and legal frameworks. The current mandate holder is Mr. Bernard Duhaime, who was appointed on May 1, 2024.



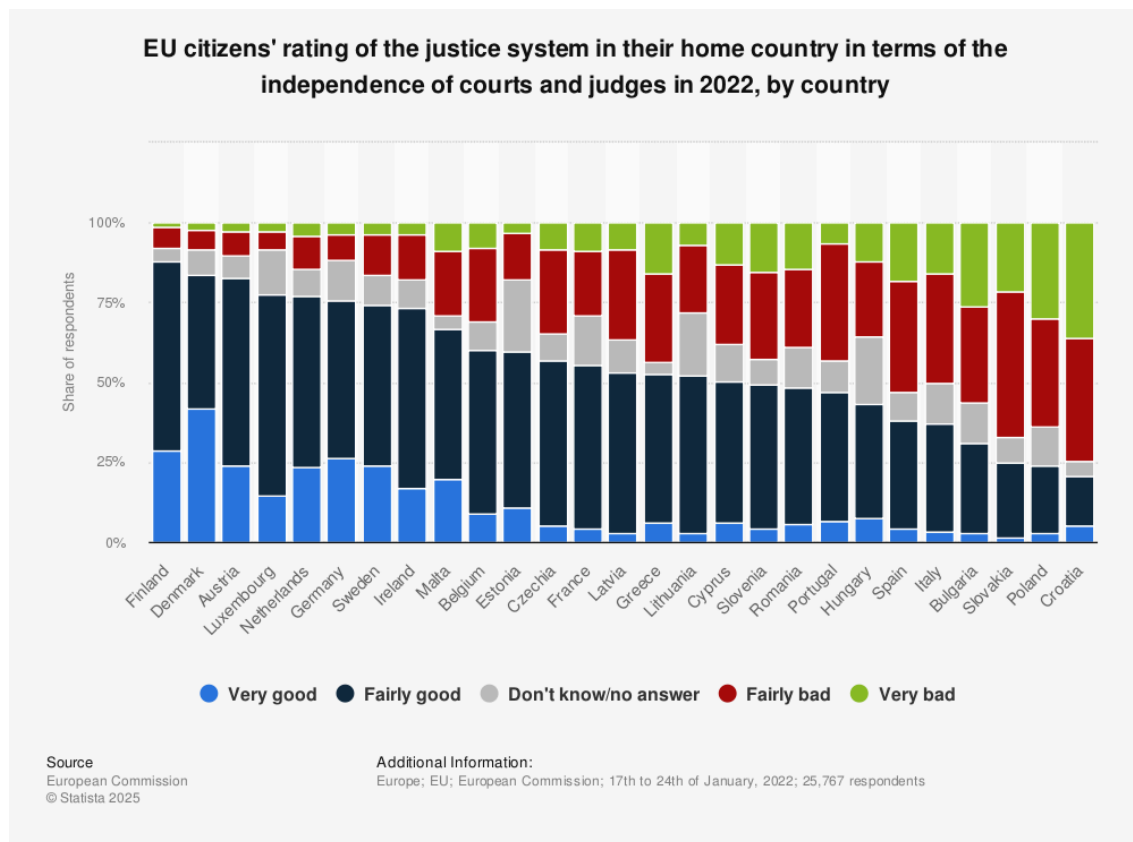
III. Current Situation

In many countries, especially those led by increasingly authoritarian governments, judges, prosecutors, and lawyers are facing growing risks of politicized attacks. A 2025 Freedom House policy brief found that between 2014 and 2024, at least 78 out of 112 assessed countries saw legal professionals subjected to detention or politically motivated prosecution. Lawyers in particular were targeted in at least 75 nations. In regions like Russia, Iran, and China, attorneys defending contrary voices are frequently harassed, disbarred, or jailed, which international commentators say requires strong democratic action. In the United States, concerns are mounting that recent executive actions threaten judicial independence, especially regarding interference with the Department of Justice and dismissal of judges or prosecutors perceived as unfavorable.

Authoritarian regimes are undermining legal systems through structural reforms and direct control. Mexico has become the first country to elect its entire judiciary, which was a reform seen by critics as a strategy to consolidate power under the ruling party, despite international warnings that it politicizes the courts and lessens impartiality. In Afghanistan, the Taliban has dismantled protections for women and replaced female and trained judges with unqualified men who enforce harsh religious laws: denying due process to women and effectively criminalizing their access to justice. Similarly, in Nicaragua, President Ortega's regime has dismantled judicial independence entirely through constitutional changes and repression, prompting UN calls for international action.

Despite the grim landscape, there are still important efforts underway to monitor and defend judicial independence on a global scale. The International Commission of Jurists and United Nations Special Rapporteur have stressed rising threats across regions, including in

Tunisia, Guatemala, India, Eswatinia, the US, and Europe, calling for international early warning mechanisms and stronger legal safeguards.



At forums such as the recent World Justice Forum in Warsaw, former Polish Justice Minister Adam Bodnar highlighted how civil society among judicial associations and global solidarity have been essential to reviving the rule of law. Still, many countries continue to decline in the Rule of Law metrics: over half saw a decline in government constraints and civil justice in recent years, and 78% experienced a decline in rule-of-law indicators overall.

IV. Questions To Consider

1. Are threats coming primarily from executive overreach, legislative interference, corruption, or external political pressure?
2. What international mechanisms currently exist to protect judges, prosecutors, and lawyers from political interference?
3. How does the weakening of judicial independence affect human rights such as freedom of expression, political participation, and fair trial guarantees?
4. How can the international community provide protection to legal professionals at risk in authoritarian regimes?
5. What role should the UN, NGOs, and civil society play in strengthening and monitoring the independence of justice systems?

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