

Statement on Removal from Office of the Chief Justice of the Islamic Republic of Pakistan

The Commonwealth Lawyers Association (CLA) notes with grave concern the circumstances surrounding the recent removal from office of Chief Justice Iftikhar Mohammad Chaudhary and the absence of any public details of the allegations said to have warranted his removal.

Graeme Mew, President of the Association, said the following:

“The existence of an independent and impartial judiciary is one of the cardinal features of any country governed by the rule of law. By virtue of its membership of the Commonwealth, the Islamic Republic of Pakistan is committed to the shared fundamental values and principles of the Commonwealth, at the core of which is a shared belief in, and adherence to, democratic principles including an independent and impartial judiciary. Any measure on the part of the Executive which is capable of being seen as eroding the independence and impartiality of the judiciary is a matter of serious concern

The Commonwealth (Latimer House) Principles on the Accountability of and the Relationship between the Three Branches of Government (2003) state that ‘Disciplinary proceedings which might lead to the removal of a judicial officer should include appropriate safeguards to ensure fairness’ that is to say, the right to be fully informed of the charges against him, to be represented at a hearing, to make a full defence and to be judged by an independent and impartial tribunal.

The Association will continue to monitor this situation closely.”

The CLA is a pan-Commonwealth professional association of lawyers and exists to maintain and promote the rule of law throughout the Commonwealth. The membership includes representatives from all 53 Commonwealth countries.

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