



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



Ibero-American Group – International Association of Judges (IAJ)

The Ibero-American Group of the International Association of Judges, in fulfilment of its commitment to the defence of judicial independence, the Rule of Law, and the protection of human rights, expresses its **strongest condemnation** of the actions undertaken by the National Council of Justice of the Republic of Peru in the evaluation and ratification process of Judge **Oswaldo Ordóñez Alcántara**, President of the National Association of Magistrates of that country.

Based on publicly available information, it is of serious concern that, within this process, specifically during the interview, questions were raised regarding the judge's participation in a hearing before the **Inter-American Commission on Human Rights**, a legitimate body within the Inter-American human rights protection system.

In this regard, the Ibero-American Group of the International Association of Judges considers:

1. That evaluation and ratification processes for judges must be governed by **strictly technical criteria**, with full respect for **due process, reasonableness, and the dignity of the judicial function**, excluding any consideration that may be construed as a sanction or reprisal.
2. That the participation of judges in international forums, including bodies of the Inter-American system, constitutes a legitimate exercise of their **freedom of expression**, as well as an expression of their institutional commitment to the protection of human rights, judicial independence, and the strengthening of international legal dialogue.
3. That, in accordance with the standards developed by **the Inter-American Court of Human Rights**, particularly in the cases of *Cuya Lavy v. Peru* and *Urrutia Laubreaux v. Chile*, the State has the obligation **to refrain from adopting measures that directly or indirectly constitute reprisals** against those who participate in human rights protection mechanisms, or that may affect their professional trajectory as a result of exercising such rights and prerogatives, particularly in a representative or associative capacity.
4. That requiring explanations from, or questioning, a judge regarding participation in international forums **undermines the nature of evaluation processes**, generating a chilling effect incompatible with judicial independence, democratic professional representation, and the principles of a constitutional rule of law.

5. That the manner in which such processes are conducted—including the tone, content, and orientation of the questioning—reflects an inadequate democratic standard in the exercise of evaluative authority, and must therefore adhere to criteria of **strict respect, objectivity, and impartiality**.
6. That it is particularly concerning that, for the same facts—namely, the judge’s participation in a hearing before the Inter-American Commission on Human Rights—a prior **disciplinary proceeding** had already been initiated, evidencing a pattern of conduct incompatible with the aforementioned international standards.

In this regard, the Ibero-American Group considers that the initiation of such prior proceedings is **illegitimate**, insofar as:

- it is based on the exercise of protected rights, such as **freedom of expression and participation in international human rights mechanisms**;
- it contravenes the State’s duty **to refrain from direct or indirect reprisals** against those who engage with the Inter-American system; and
- by attempting to reiterate questioning over the same facts in different proceedings, it undermines fundamental principles **of legal certainty, reasonableness, and the prohibition of disguised institutional persecution**.

This repetition of actions not only aggravates the impact on judicial independence but also generates a **chilling effect** on other judges, incompatible with a constitutional rule of law.

7. That, in the exercise of their judicial functions, judges do not forfeit their rights to freedom of expression, participation, and engagement with international bodies, and any restriction on these rights must be exceptional, objective, and strictly necessary—conditions that are not met in the present case.
8. That, in a constitutional rule of law, respect is not a concession but an inherent requirement of all public action; therefore, the use of forms or tones that may be perceived as disqualifying or unnecessarily confrontational in the context of an evaluation process is incompatible with such standards.
9. That the reiteration of questioning regarding conduct protected under international human rights law seriously undermines **judicial independence** and weakens public confidence in the institutions entrusted with safeguarding it.

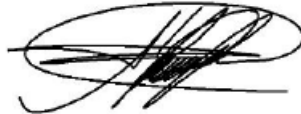
In light of the foregoing:

- **Urges** the National Council of Justice of Peru to realign its actions with Inter-American standards, ensuring evaluations that are **technical, impartial, and free from any element that may undermine judicial independence**.
- **Calls** for the annulment of any proceedings—current or prior—that are directly or indirectly based on the judge’s participation in international human rights mechanisms, as they are contrary to Inter-American standards.

- **Reaffirms** that the participation of judges in the Inter-American system is not only legitimate but essential for strengthening the democratic rule of law.
- **Warns** that any practice that may be interpreted as a reprisal or form of institutional pressure is incompatible with the international obligations of the Peruvian State.

Judicial independence is not a privilege of judges, but a guarantee for society. Its protection requires constant vigilance and a firm response to any action that may compromise it.

San José, Costa Rica, April 26, 2026



MSc. Adriana Orocu Chavarria
President
Ibero-American Group
International Association of Judges

CC:

UN Special Rapporteur on the Independence of Judges and Lawyers

Inter-American Commission on Human Rights

International Association of Judges

International Organizations