



The Law Society
of England and Wales



Lawyers' Rights Watch Canada
Item 4: General Debate
21 September 2026
Speaker: Gavin Magrath

Joint Oral Statement to the 63rd Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), the International Bar Association's Human Rights Institute (IBAHRI), and the Law Society of England and Wales (LSEW), NGOs in special consultative status, and endorsed by Judges for Judges, NGO without consultative status

United States: Executive interference with independence of immigration judges

Lawyers' Rights Watch Canada, the International Bar Association's Human Rights Institute, and the Law Society of England and Wales, with endorsement by Judges for Judges, draw the Council's attention to a recent communication¹ to the United States from the Special Rapporteur on the independence of judges and lawyers, and the Special Rapporteur on human rights of migrants. The US has not replied to the Special Rapporteurs' communication.

Since February 2025, the US has fired over 100 immigration judges mandated to conduct individualized reviews of immigration cases according to law. The US administration has framed immigration courts and judges as obstacles to its deportation objectives, issued directives to judges as to its preferred outcomes, and replaced terminated judges with so-called "deportation judges."

Immigration courts now have a large backlog of cases, putting migrants, including children, at risk of indefinite detention, deportation without due process, and potential refoulement. We urge the Council to call on the United States to comply with their international law obligations to ensure protection of rights of migrants, including freedom from arbitrary detention, and fair and timely hearings before impartial tribunals.

Thank you.

¹ AL USA 16/2026, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=31074>.