

## **New Nauru Judges appointed**

**Media Release from Geoffrey M Eames AM QC**

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It is not for me to endorse the appointments announced in recent days of a new Chief Justice and two additional Supreme Court judges to the Nauru Supreme Court. I have never met or spoken to the appointees.

For six months the citizens and residents have been deprived of a functioning Supreme Court by virtue of actions by the government which have been condemned by international judicial and professional bodies, as well as by the Nauru Law Society, as clear breaches of the rule of law and denials of judicial independence.

The Nauru government has never acknowledged that its actions in arresting and deporting Resident Magistrate Peter Law, in its disregard for lawful injunctions, and by the cancellation of my own visa, constituted breaches of the rule of law. The explanations that government ministers finally offered for their conduct, namely, that they were upholding sovereignty in the face of judicial decisions tainted by cronyism - are nonsense.

The true motivation was that the government sought to remove judicial officers whose independent and legally

correct decisions offended them. It was that abuse of power that led to the resignation of the Solicitor General and a senior government lawyer, and to condemnation by the Nauru Law Society.

By cancelling my visa the government cynically circumvented the constitutional guarantee that a judge may not be removed except by a vote of two thirds of the members of parliament, for proven incapacity or misconduct. There is nothing to stop the government from again adopting that approach if decisions of the new judges offend ministers.

Long before the government cancelled my visa I had urged it to appoint two additional Supreme Court judges so as to improve efficiency and ensure that decisions by a single judge could be reviewed by an appeal court. I am pleased that the government has taken my advice, in that regard at least.

I hope that the new judges have taken heed of the events that led to the removal of Mr Law and myself. I wish them well, as I fear that their independence and courage will be tested many times.

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Please Note: I do not propose to expand on the above comments.

