



Réseau Euro-Arabe de Formation Judiciaire
Euro-Arab Judicial Training Network
الشبكة الأوروبية العربية للتدريب القضائي



Judicial ethics in Europe and the Arab world: a comparative overview

Naples

Scuola Superiore della Magistratura

Castel Capuano - Via Concezio Muzii, 2

7-8 March 2024

Introduction

1. - The protection of the rule of law is a growing concern in many European and Arab countries. In recent years, concerted efforts have been made to prevent the deterioration of the rule of law through measures to ensure the proper functioning of national judicial systems.

At the European Union (EU) level, the 2020 Rule of Law Report stated that 'effective judicial systems are essential for the rule of law. Independence, quality and efficiency are the defined parameters of an effective judicial system, irrespective of the model of the national legal system and the tradition in which it is embedded. (...) The independence of national courts is crucial to ensure this judicial protection. (...) Despite reform efforts in several Member States to improve judicial independence, developments in some Member States give cause for concern.

Judges, prosecutors and lawyers occupy a critical and sensitive position in society; the way they behave has a direct impact on public confidence and the administration of justice. Therefore, they have a duty to adopt the highest ethical behaviour.

There are international standards that provide guidance on the ethical conduct and fundamental principles of these professions. Independence, impartiality and integrity are the foundation of the rule of law in a healthy democracy and guarantee the protection of human rights.

2. - Drawing on the international framework and relevant case law, the course aims to deepen knowledge and understanding of professional tools and to develop reflective skills, based on practical examples, to deal with ethical dilemmas in the exercise of professional duties.

3. - The seminar consists of five sessions.

The first is an introductory one, aimed at presenting the objectives of the programme and the relevant resources developed by the Global Network for Judicial Integrity of the United Nations Office on Drugs and Crime (UNODC), namely the International Non-Binding Guidelines on the Use of Social Media by Judges and the Judicial Ethics Training Tools.

The second, third and fourth sessions include working groups on three main topics: Politics and the Judiciary, Use of Social Networks and Relationships with Non-Profit Organisations.

Starting from the Bangalore Principles, insights will be offered from the expert systems to allow participants to compare their own experiences.

The last session will see the presentation of the Dutch School of the Judiciary's training project on behavioural ethics and conclusions.

The results of the seminar will be published.

Programme

7 March 2024

I session

Judicial ethics

9:00-9:15 - Introduction and presentation of the results of the survey

Gianluca Grasso, SSM Board of Directors - Domenico Airoma, Public Prosecutor of Avellino

9:15-9:45 - Relevant resources developed by the Global Judicial Integrity Network of UNODC

Tatiana Veress, Coordinator of the Global Judicial Integrity Network of UNODC

II session

Politics and the Judiciary

9:45-12:15 - Division of participants into 4 working groups coordinated by a European expert and an Arab expert

1. Politics and judges

1.1. Which positions of political assignment can and cannot be held by a judge (differentiating between those of a technical nature with no public exposure and those actively political with a significant danger of influencing the image of impartiality).

1.2. May a judge join a political party and run in national elections?

Groupe 1 *Coordinators:*

Italy: Domenico Airoma, Public Prosecutor of Avellino / Raffaele Sabato, Judge of the European Court of Human Rights-ECHR / Kuwait: Saud Al-Sanea, Judge, Member of the Technical Office of the Kuwait Institute for Judicial and Legal Studies

Groupe 2 *Coordinators:*

Belgium: Raf Van Ransbeeck, Director of the Belgian training institute / Romania: Cristian Daniel, Oana, Administrative judge at the High Court of Cassation and Justice, NIM trainer / Jordan: Nawal Aljawhari, Judge

Groupe 3 *Coordinators:*

Netherlands: Remco van Tooren, Vice Chairman of the Board of SSR / Spain: Javier Pereda, member of the Spanish Judicial Ethics Commission / United Arab Emirates: Jasim Saif, Chief of Judicial Inspection Department in the UAE Ministry of Justice

Groupe 4 *Coordinators:*

France: Samuel Laine. *ENM* / Italy: Gianluca Grasso, *SSM Board of Directors* / Algeria: Sahel Hamid, *Avocat général à la cour suprême* / Maroc: Younes Ezzahri, *Magistrat docteur en droit membre du conseil supérieur du pouvoir judiciaire*

11:10-11:15 - Break

12:15-13:00 - Plenary report of the groups' work

13:00-14:00 - Lunch break

III session

The use of social networks

14:00-16:15 - Division of participants into 4 working groups coordinated by a European expert and an Arab expert

2. Use of social networks by judges

2.1. Content and behaviour on social media

2.2. Friendships and interactions on social media

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Italy: Domenico Airoma, *Public Prosecutor of Avellino* / Raffaele Sabato, *Judge of the European Court of Human Rights-ECHR* / Kuwait: Saud Al-Sanea, *Judge, Member of the Technical Office of the Kuwait Institute for Judicial and Legal Studies*

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16:15-17:00 - Plenary report of the groups' work

8 March 2024

IV session

Relations with non-profit organisations

9:00-11:15 Division of participants into 4 working groups coordinated by a European expert and an Arab expert

3. Judge involvement in non-profit organisations

3.1. Possible damage to the image of independence and impartiality

3.2. Particular attention to the participation of judges in organizations dedicated to cultural or educational activities that are only apparently non-profit”

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11:15-11:30 - Break

11:30-12:15 - Plenary report of the groups' work

V session

New developments and conclusions

12:15-12:45 Presentation of the SSR project on behaviour and its impact on the brain

Remco van Tooren, Vice Chairman of the Board of SSR

12:45-13:00 Conclusions

Relevant tools and documents:

[Commentary on the Bangalore Principles of Judicial Conduct](#)

[Non-Binding Guidelines on the Use of Social Media by Judges, developed by the Global Judicial Integrity Network of UNODC](#)

[Discussion Guide: The Use of Social Media by Judges, developed by the Global Judicial Integrity Network of UNODC](#)

[Judicial Ethics Training Tools, developed by the Global Judicial Integrity Network of UNODC](#)

Experts:

Algeria: Sahel Hamid, *Avocat général à la cour suprême*

Belgium: Raf Van Ransbeeck, *Director of the Belgian training institute*

France: Samuel Laine, *ENM*

Italy: Domenico Airoma, *Public Prosecutor of Avellino*

Italy: Gianluca Grasso, *SSM Board of Directors*

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United Arab Emirates: Jasim Saif, *Chief of Judicial Inspection Department in the UAE Ministry of Justice*

ECHR: Raffaele Sabato, *Judge of the European Court of Human Rights*

UNODC: Tatiana Veress, *Coordinator of the Global Judicial Integrity Network of UNODC*