

# **Bolstering Anti-Corruption Mechanisms and Judicial Independence:**

## **The applicability of the Global Judicial Integrity Network In Uganda**

By Ruth Sebatindira SC

Commissioner, JUDICIAL SERVICE COMMISSION



# A UNODC PROGRAMME

- ▶ Boosting judicial integrity is an integral part of the Doha Declaration Global Programme of the UNODC.
- ▶ In 2016, the United Nations Office on Drugs and Crime launched a global programme to promote a culture of lawfulness.
- ▶ It includes the creation of a **Global Judicial Integrity Network** to share best practices and lessons learned on the fundamental challenges and new questions relating to judicial integrity and the prevention of corruption.



# THE DOHA DECLARATION

- ▶ At the conclusion of the 13th United Nations Congress on Crime Prevention and Criminal Justice held in Qatar, the Doha Declaration was adopted.
- ▶ To put the Doha Declaration into reality, the United Nations Office on Drugs and Crime - with the financial support of the State of Qatar - launched an ambitious **Global Programme** aimed at helping countries achieve a positive and sustainable impact on crime prevention, criminal justice, corruption prevention, and the rule of law.
- ▶ A four-year initiative to promote peaceful, corruption-free and inclusive societies for sustainable development, through a people-centred approach that provides access to justice for everyone and builds effective and accountable institutions at all levels.

# THE DOHA DECLARATION

- ▶ Aims to assist judiciaries across the globe in strengthening judicial integrity and preventing corruption in the justice sector, in line with article 11 of the United Nations Convention against Corruption.
- ▶ The Global Programme focuses on four inter-related components:
- ▶ **Resilient, reliable and transparent institutions:** Strengthening judicial integrity and preventing corruption in the justice system.
- ▶ **Fair, humane and effective criminal justice systems:** Fostering the rehabilitation and social integration of prisoners to provide a second chance in life.
- ▶ **Youth crime prevention:** Preventing youth crime through sports-based programmes and life skills training.
- ▶ **Education for Justice:** Supporting the integration of crime prevention and the rule of law into all levels of education.



# Article 11 of the United Nations Convention against Corruption

- ▶ Article 11 of the United Nations Convention against Corruption requires States parties, to take measures to strengthen integrity and to prevent opportunities for corruption among members of the judiciary, bearing in mind the independence of the judiciary.



# Article 11 of the United Nations Convention against Corruption

- ▶ The term "integrity" in Article 11, in its application to members of the judiciary, may be defined as a holistic concept that refers to the ability of the judicial system or an individual member of the judiciary to resist corruption, while fully respecting the core values of **independence, impartiality, personal integrity, propriety, equality, competence and diligence.**
- ▶ These values are identified in the [Bangalore Principles of Judicial Conduct](#)

# UNODC provides assistance to States in the implementation of the requirements of Article 11

- ▶ In its role as Guardian of the Convention and Secretariat of the Conference of the States Parties, UNODC provides assistance to States in the implementation of the requirements of Article 11. Examples of such assistance include:
  - ▶ Diagnosing the risks and vulnerabilities in the judicial system and in the prosecution services with a view to suggesting measures to address them.
  - ▶ Strengthening the legislative framework in which the judiciary and the prosecution services operate, in order to ensure their effective and independent operation.

# UNODC provides assistance to States in the implementation of the requirements of Article 11

- ▶ Providing capacity-building support to strengthen the knowledge and skills of members of the judiciary and prosecution to investigate, prosecute and adjudicate corruption cases.
- ▶ Supporting the development of ethics frameworks, including the adoption and implementation of Codes of Conduct, introducing training programs on professional ethics and putting in place effective oversight, accountability and disciplinary systems.
- ▶ As part of its efforts to promote and support the measures taken by States parties to effectively implement Article 11, UNODC has developed a [Resource Guide on Strengthening Judicial Integrity and Capacity](#) as well as [Implementation Guide and Evaluative Framework for Article 11](#).



# Chief Justices and senior judges launch UNODC's Global Judicial Integrity Network

- ▶ **11 April 2018** – Launch - After two years of planning, seven regional preparatory meetings, and consultations with approximately 4,000 judges, the United Nations Office on Drugs and Crime launched its Global Judicial Integrity Network in the presence of Chief Justices, senior judges and judicial professionals from around the world.
- ▶ A platform for judges to share good practices and lessons learned, to support each other, and to join forces in developing new tools and guidelines for strengthening integrity and preventing corruption in the judicial system.
- ▶ *"This Network brings together lead institutions responsible for upholding the rule of law, and as such for attaining peace and justice."* - Amina J. Mohammed, Deputy Secretary-General of the United Nations
- ▶ *"Judges need the opportunity to share experiences, exchange good practices and support each other. The Network will continue to serve as a resource for addressing new and emerging challenges, such as those posed by social media and other technological developments."* - UNODC Executive Director Yury Fedotov



# Chief Justices and senior judges launch UNODC's Global Judicial Integrity Network

- ▶ *"It is time to develop global measures and mechanisms for the attainment and sustenance of the prescribed integrity. Accepted global standards and measures have persuasive force. They empower national champions of judicial integrity, providing ready tools and weapons."* - Chief Justice Walter Samuel Nkanu Onnoghen of Nigeria
- ▶ *"The Network will strengthen judicial cooperation between courts and tribunals from different legal and cultural traditions. In an increasingly globalized world, this is more important than ever"* Justice Elisabeth Lovrek, Vice-President of Austria's Supreme Court



# Participation

- ▶ Participation is open to Judiciaries and a broad range of individuals and institutions, including judges, magistrates, members of judicial councils, court personnel, judicial associations, and other stakeholders, as well as relevant international organizations.



# TORs of the Network

- ▶ To promote networking opportunities through virtual and face-to-face opportunities for dialogue, with a view to continuously expand the Network and advance the exchange of knowledge and mutual support;
- ▶ To facilitate access to existing guidance materials, tools and similar resources on judicial integrity via an online library of relevant resources;
- ▶ To assist in the identification of gaps in international standards and technical resources on judicial integrity and to support the development of new tools and technical resources to address such gaps and various emerging issues;
- ▶ To facilitate the identification of technical assistance needs and the provision of required technical assistance, including through facilitating peer-to-peer support and learning opportunities, such as a training programme on judicial ethics.
- ▶ To share experiences to help build strong and effective justice institutions and a culture of lawfulness on a global scale, strengthen the rule of law and enhance the delivery of fair and transparent justice to every citizen.



# How?

## CONNECTING AND SUPPORTING PARTICIPANTS

- ▶ Promoting networking opportunities through virtual and face-to-face opportunities for dialogue on best practices and experiences in the implementation of standards is a priority of the Network. These opportunities are conducted to advance the exchange of knowledge and mutual support.
- ▶ Bringing together experts to pinpoint key issues related to judicial integrity and corruption prevention worldwide. To address these emerging challenges, the Network is documenting and analysing good practices and experiences to prepare practical tools, guidance materials, and knowledge products.
- ▶ Providing selected judiciaries with advisory services, including technical and policy advice, capacity and institution building, legislative assistance, and support towards research, data-gathering and analysis.



# How?

## PROVIDING ONLINE JUDICIAL INTEGRITY RESOURCES

- ▶ With the launch of the Network, a new website ([www.unodc.org/ji](http://www.unodc.org/ji)) also went live and now acts as the hub of all Network activities. One of its main features is an online library of resources which provides access to existing guidance materials, tools and similar resources on judicial integrity topics. The library now contains approximately 1,200 sources and is regularly updated with participants' submissions.
- ▶ In addition to the resource database, the Network's website also contains information on past and upcoming events and activities, news articles and opinion pieces written by participants, as well as multimedia such as videos and podcasts. Network participants may also benefit from additional resources, a contact database, and a queries section by registering for the restricted area of the website at: [www.unodc.org/ji/register.html](http://www.unodc.org/ji/register.html).



# How?

## JUDICIAL ETHICS TRAINING TOOLS

The judicial ethics training tools consist of:

- ▶ **E-Learning Course:**

A widely applicable and interactive electronic course;

- ▶ **Self-directed Course:**

A text-based version of the e-Learning course; and

- ▶ **Trainers' Manual:**

A guide for national trainers to develop and design their own training courses, tailored to the needs of their jurisdictions.

These tools are aimed at providing newly appointed and serving members of judiciaries with a solid understanding of the Bangalore Principles of Judicial Conduct and the requirements of article 11 of the United Nations Convention against Corruption.



# Work Plan (2018-2019)

Following the recommendations and suggestions from the launch of the Global Judicial Integrity Network , as well as the advice of the Advisory Board , the Global Judicial Integrity Network intends to focus thematically on the following areas in the 2018-2019 work plan:

- ▶ Creation of guidelines on the use of social media by judges ;
- ▶ Raise awareness about gender-related integrity issues in the judiciary ;
- ▶ Exchange of good practices in the investigation of judicial misconduct;
- ▶ Exchange of good practices in financial disclosure regimes for judges;
- ▶ How to draft, review, and implement judicial codes of conduct;
- ▶ Support the JIG review of the Bangalore Principles of Judicial Conduct (and Commentary) ;
- ▶ Finalization of the judicial ethics training tools and training of trainers ;





# Work Plan (2018-2019) Cont.

- ▶ Exchange of good practices in judicial ethics training;
- ▶ Exchange of good practices in the selection and appointment of judges;
- ▶ Exchange of good practices in transparency and community outreach;
- ▶ Supporting networking among anti-corruption courts;
- ▶ Facilitation of peer-to-peer support;
- ▶ Guidelines for the development of court and case management software in line with the Bangalore Principles;
- ▶ Maintain and expand the online resources of the Global Judicial Integrity Network website.



# HOT TOPICS

- ▶ SOCIAL MEDIA
- ▶ The Role of Women Judges and a Gender Perspective in Ensuring Judicial Independence and Integrity - Achieving equality for women judges, in terms of representation at all levels of the judiciary and on policy-making judicial councils, should be our goal- not only because it is right for women, but also because it is right for the achievement of a more just rule of law. Women judges are strengthening the judiciary and helping to gain the public's trust.



- ▶ Exposing and Preventing Sextortion in the Judiciary
- ▶ Sextortion, as defined by the International Association of Women Judges (IAWJ), is the abuse of power to obtain a sexual benefit or advantage. As such, it is a form of corruption in which sex, rather than money, is the currency of the bribe. It is not limited to certain countries or sectors and can be found wherever those entrusted with power lack integrity and try to sexually exploit those who are vulnerable and dependent on their power.
- ▶ The IAWJ has succinctly explained the principle underlying sextortion as follows: what distinguishes sextortion from other types of sexually abusive conduct is that it has both a sexual component and a corruption component. The sexual component of sextortion arises from a request - whether implicit or explicit.



Questions?

