



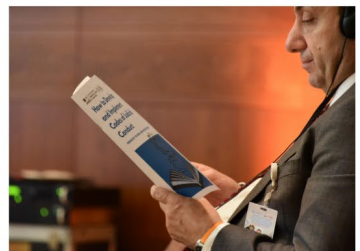
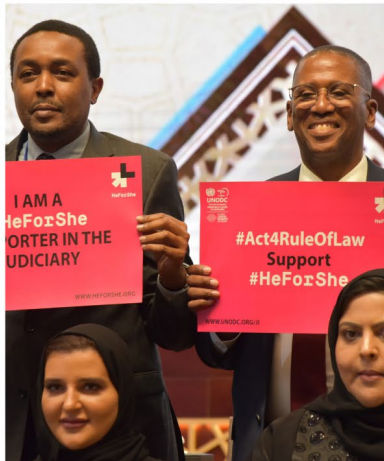
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# Summary Report of the Second High-Level Meeting of the Global Judicial Integrity Network

Doha, Qatar, 25-27 February 2020





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## 1. INTRODUCTION

The Global Judicial Integrity Network is one of the key outcomes of the UNODC Global Programme for the Implementation of the Doha Declaration, which aims to assist Member States in implementing key areas of the Doha Declaration adopted at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice in 2015.

The Global Judicial Integrity Network was launched in April 2018 in Vienna at a high-level event that brought together over 350 high-level participants, including 35 Chief Justices and other senior representatives of judiciaries, from 106 countries and 40 judicial associations, thus at that time representing the largest gathering of judges ever organized under the auspices of the United Nations. The launch event concluded with the adoption of the terms of reference of the Network and a landmark Declaration on Judicial Integrity. In addition, the launch participants endorsed the composition of the first Advisory Board of the Network and UNODC was tasked with the secretariat role.

As set out in the terms of reference, the Network assists judiciaries in strengthening judicial integrity and preventing corruption in the justice system, including through the promotion of networking opportunities, facilitation of access to resources and concentration on existing and emerging challenges related to judicial integrity.

In its two years of existence, the Global Judicial Integrity Network has successfully created a global movement for the strengthening of judicial integrity and the level of participation and interest from judiciaries and other stakeholders is very high and continues to grow. The Network's work and activities have been guided then by an ambitious 2018-2019 workplan developed by the Advisory Board, and some of the concrete achievements include: the finalization of the widely applicable Judicial Ethics Training Tools; the development of several knowledge products; the organization of meetings and networking opportunities; the continued expansion and enrichment of the Network's website; and the provision of peer-support and guidance.

The purpose of the second High-Level Meeting of the Network was to:

- (i) take stock of the achievements of the Network since its launch and discuss the work conducted in the priority areas of the 2018-2019 workplan of the Network;
- (ii) discuss existing and emerging challenges related to judicial integrity and explore the efforts made by judiciaries to address them; and
- (iii) identify priority areas for the Network going forward.

This summary report provides a brief overview of the discussions and outcomes of the High-Level Meeting. It aims to capture the main messages and recommendations stemming from the plenary and thematic breakout



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sessions, and draws attention to the key outcomes of the event, including the endorsement of the Network's new knowledge products and the adoption of the new Doha Declaration on Judicial Integrity.

## 2. MEETING DETAILS

The High-Level Meeting was hosted by the Supreme Judiciary Council of the State of Qatar, with support from UNODC as the Secretariat of the Global Judicial Integrity Network. The meeting featured: (i) several thematic plenary sessions addressing the key priority areas of the Network to date, including the use of social media by judges, gender-related judicial integrity issues and the ethical aspects of the use of artificial intelligence by judiciaries; (ii) twelve breakout sessions organized by the Network's partner organizations on a variety of pertinent judicial integrity-related topics; and (iii) several plenary sessions dedicated to the identification of the next steps and future priorities for the Network. The meeting also provided ample opportunities for networking, coordination and partnership meetings, including through the networking breakfasts organized on the margins of the meeting.

With over 700 participants from 118 countries and 50 judicial associations and organizations, the size of the High-Level Meeting in Doha surpassed the launch of the Network in 2018, which at that time, as mentioned in the introduction, had been the largest gathering of judges ever assembled under the auspices of the United Nations. This is undoubtedly proof that the Network has succeeded in generating trust, interest and support for its goals and visions, and that the High-Level Meeting was an achievement in itself. The dedication and commitment of the Network participants to strengthening judicial integrity topics was felt during the meeting. The discussions were fruitful, productive, forward-looking, and were a testament to the Network's successful efforts to create a space "by judges, for judges" aimed at jointly addressing existing and emerging judicial integrity-related challenges.

## 3. SUMMARY

### A. High-Level Opening Ceremony and the Presentation on the Achievements of the Global Judicial Integrity Network since its Launch

(Day 1, 25 February 2020, 9:00-10.30)

The High-Level Meeting opened with remarks by **Hon. Dr. Hassan bin Lahdan Alhassan Almohanadi, the President of the Court of Cassation and the Supreme Judiciary Council of the State of Qatar**; a video message of **Ms. Ghada Waly, the Executive Director of UNODC**, and remarks by **Mr. John Brandolino, Director of the Division for Treaty Affairs, UNODC**. The opening remarks were followed by a presentation of the achievements of the Network since its Launch, led by **Mr. Marco Teixeira, Coordinator of the Global Programme for the Implementation of the Doha Declaration, UNODC**, and **Ms. Roberta Solis, Team Leader**



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**of the Judicial Integrity Component of the Global Programme for the Implementation of the Doha Declaration, UNODC.**

**Hon. Dr. Hassan bin Lahdan Alhassan Almohanadi**, as the host of the High-Level Meeting and on behalf of the Supreme Judiciary Council of the State of Qatar, welcomed guests and participants. He emphasized the great precedent that the meeting sets for international judicial cooperation, given that the meeting constituted one of the largest United Nations-led gatherings of judges. He referred to the instruments and international principles supporting the judiciary, including the Universal Declaration of Human Rights and its recognition of the fundamental right to a fair, independent, open and impartial trial; the United Nations Basic Principles on the Independence of the Judiciary; and the Bangalore Principles of Judicial Conduct. He expressed that, through the High-Level Meeting, the participants would be able to strengthen these principles of integrity which unite judges regardless of jurisdiction and language.

Hon. Dr. Almohanadi also used the occasion to announce Qatar's willingness to finance and establish an international training and research hub on judicial integrity to be set up in Doha. The announcement was commemorated in a symbolic signing ceremony with Mr. John Brandolino.

**Ms. Ghada Waly** addressed the participants via video recording. She thanked the participants of the Network for their support in the implementation of the United Nations Convention Against Corruption and other international standards, helping countries take concrete measures to strengthen judicial integrity. She noted that the Network has already assisted seven countries in developing codes of conduct and enabled more than 1,300 judges to take part in capacity building events. She commended the Network for its work in addressing contemporary global issues, including through its package of training tools, guidelines on priority topics and its innovative website serving as a global hub on judicial integrity. She concluded noting that UNODC as the Secretariat of the Network was proud to support the Network and to help it strengthen the rule of law and contribute to progress toward achieving the Sustainable Development Goals.

**Mr. John Brandolino** commended the Network participants for forming the Network into a truly global movement led by the judges themselves. He made reference to the fact that the level of participation at the present meeting exceeded the level of participation at the launch event. This was not only a sign that another important milestone had been reached, but also that the Network had been fulfilling its purpose and had gained trust and support of judiciaries worldwide. He highlighted that the work carried out within less than two years of the Network's existence was unprecedented in its scope and reach, and referred to some of the Network's key activities, such as development of a series of practical guides on emerging judicial integrity issues and the establishment of a training programme with more than 45 countries participating. In total, 25,000 people from 188 countries have participated in the Network following its launch. Recognizing the momentum, connections, and impact created over this time, he characterized the High-Level Meeting as an opportunity to look to the future and identify new challenges that the Network could address.



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**Mr. Marco Teixeira** began the presentation on the achievements of the Network by describing the foundational concept of the Network as an international hub to link existing initiatives and provide a space for members of judiciaries to work together on common challenges. As evidence of the flourishing of the Network, he reiterated that 25,000 people from 188 countries had participated in activities of the Network following its launch. Meanwhile, the entirety of the Global Programme for the Implementation of the Doha Declaration, under which the Network became a reality, had reached over 1.8 million beneficiaries in total, including 26,000 participants in direct capacity building activities. Of those participants, 1,300 specifically were judges. He expressed his conviction that with the commitment and vision of the participants, the Network makes an important contribution to the achievement of the Sustainable Development Goals, in particular, Goal 16. He concluded by inviting all participants to continue to provide ideas and identify emerging challenges and priority topics that the Network could examine. He expressed that the forging of new partnerships would sustain the Network's valuable work.

**Ms. Roberta Solis** continued the presentation, describing the key achievements of the Network since the launch in 2018. She expressed gratitude for the Advisory Board members, who, through promotion of the Network in their respective regions and networks, had presented the Network and its tools to approximately 2,300 judicial stakeholders. She noted that the Network website had reached 100,000 hits over the last two years, and served as a hub for distribution of: substantive resources (the online library of resources had grown to include more than 2,000 documents in 40 languages); opinion articles (17 opinion articles published); and podcast episodes (22 judicial experts had been interviewed and the series had been listened to over 4,500 times).

She highlighted the utility of the Network's Judicial Ethics Training Package, consisting of an e-learning course, a self-directed course and a trainers' manual. The e-learning course and self-directed course deal with various aspects of judicial ethics, while the trainers' manual leads judicial trainers through all aspects of organizing their own training courses, to tailor them to the specific needs of their jurisdictions. Through five train-the-trainers workshops, UNODC trained 110 judicial instructors using this manual. Those trainers then went on to train approximately 1,500 people. The training package is now available in Arabic, English, French, Russian, Spanish, and Portuguese. The number of officially confirmed training sites, i.e. jurisdictions that have committed to organizing training activities based on the tools, continued to grow. At the time of the High-Level Meeting, there were training sites in 5 of the 6 inhabited continents of the world and the number exceeded 45. She also emphasized that in developing standards to guide judiciaries, the Network had heard the voices of its participants and had tackled the most critical challenges the participants revealed. Through a series of Expert Group Meetings and online consultations, it was possible to draw on the expertise of Network participants to draft comprehensive and useful guidelines. The knowledge products developed thus far were: the **Non-Binding Guidelines on the Use of Social Media**, the **Paper on Gender-related Judicial Integrity Issues**, and the **Guide on How to Develop and Implement Codes of Judicial Conduct**. Other topics that the Network had also begun to consider included the role of judicial immunities in safeguarding judicial integrity and the



ethical implications of the use of artificial intelligence in the judiciary. She concluded by thanking all participants for valuable contributions, without which it would not be possible to achieve these great heights.

## **B. Plenary Session on The Use of Social Media by Judges** **(Day 1, 25 February 2020, 10:30-12:00)**

The session was moderated by **Ms. Brigitte Strobel-Shaw, Chief of the Corruption and Economic Crime Branch, UNODC**, who explained that the panel would focus on: (i) why the topic of social media creates opportunities and poses certain integrity risks for judges; (ii) whether there was value in providing guidance to judges on this topic; and (iii) what the Global Judicial Integrity Network had done in this regard. The panellists were **Hon. Patrick Kiage, Justice of the Court of Appeal of Kenya; Hon. Jean Tannous, Judge and the Head of the Statistical Unit and the International Relations in the Higher Judicial Council of Lebanon; Hon. Emmanuelle Perreux, Judge and Deputy Director of the National Magistrates' School in France; and Hon. Virginia Kendall, District Judge of the United States District Court for Northern District of Illinois**. Each panellist began by explaining their backgrounds and experiences derived from their respective jurisdictions, while also posing scenarios and examples for participants to understand the implications of social media use by judges.

Hon. Patrick Kiage described how the use of social media posed both challenges and opportunities for judges. He explained that social media use must be treated differently than traditional communication forms. Social media platforms can be unintuitive, especially for inexperienced users, leading to situations where straightforward actions can cause violations of codes of judicial conduct. For example, the public can make inferences about a judge's character and opinions merely based on facts such as accounts the judge is following and the comments or interactions made with accounts of local businesses. Any words or contact, such as "likes", may give the public an impression that the judge holds personal connections or biases for particular litigants and businesses.

Hon. Jean Tannous described the work of the Francophone Network of Judicial Councils (Réseau francophone des conseils de la magistrature judiciaire) and its working group on the use of social media by judges. In November 2018, the working group promulgated a series of recommendations for the use of social networks by judges. He emphasized that while the use of social media falls within the right to freedom of expression, it is also necessary to ensure that social media use does not damage the image of the judicial institution. Thus, social media use must comply with the ethical obligations of the judge and must not interfere with the values of independence and impartiality.

Hon. Emmanuelle Perreux explained that similar values were contained in France's code of judicial conduct, seeking to balance the right to social media use against the possible repercussions on the judiciary. Because judges in France often begin their careers in the mid-20s, the country is welcoming new judges who grew up with greater technological familiarity but different standards regarding privacy and publicity. In light of this, it



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is necessary to educate judges from the start of their careers on how to handle social media as a judge. Furthermore, she noted that social media platforms could be harnessed as tools to democratize justice when they are used to communicate with and educate the public.

Hon. Virginia Kendall highlighted training as a necessary tool because judges, like most other members of society, need familiarization with the technical features of every social media platform. At a basic level, judges should have at least some understanding of the differences between the various social media platforms and how they differ in terms of privacy functions and length of data storage.

Hon. Kendall and Hon. Kiage noted that newly-appointed judges also faced challenges regarding how they should manage their social media once the position subjects them to heightened scrutiny and different standards of ethical conduct. They noted that social media risks often encompass matters outside the judges' direct control, including posts by colleagues mentioning or tagging the judge; receipt of un-invited communications; spread of fraudulent information; re-surfacing of old messages; and the risk of being hacked. While some jurisdictions recommend complete deactivation of social media, a more measured approach would be to proceed cautiously about social media usage, cognizant that what judges say or do on social media may reflect on the judiciary as a whole. Judges should recognize that these risks exist, and that management of the risks requires involvement of the courts' information technology department and public information officers.

Finally, Hon. Perreux and Hon. Tannous reiterated the value of the Non-binding Guidelines on the Use of Social Media developed by the Global Judicial Integrity Network as an important tool in assisting judges with their personal use and management of social media tools. The Guidelines could also be applied toward national and regional efforts to understand judicial use of social media around the world.

### **C. Thematic Breakout Sessions**

**(Day 1, 25 February 2020, 14:00-15:10; 15:25-16:35; 16:50-18:00)**

The afternoon of the first day of the High-Level Meeting was dedicated to 12 thematic breakout sessions addressing various pertinent judicial integrity-related topics (i.e. four sessions running in parallel during three consecutive time slots). The sessions were organized by a multitude of partner organizations, to whom UNODC is very grateful.

The sessions featured various thought-provoking panel interventions, and provided opportunities for all participants in the audience to share their experiences and expertise and actively contribute to the discussions. At the end of each session, the session rapporteurs gathered recommendations stemming from the discussions as possible inputs for the future workplan of the Global Judicial Integrity Network. The emerging recommendations were then collected and presented during a dedicated plenary session on the second day of the meeting (see below).





The below table summarizes the key outcomes and recommendations from the 12 thematic breakout sessions. For more information, detailed discussion guides and session summary reports are available for all thematic sessions on the Network's website: <https://www.unodc.org/ji/en/high-level.html>.

**“The Judges Shall Hold Their Offices During Good Behaviour: Ethics and Disciplinary Measures”** - organized by the Iberoamerican Commission on Judicial Ethics

The session discussed various aspects of the adoption, implementation and enforcement of codes of judicial conduct. The session resulted in the recommendations for the Network to: (i) promote the establishment of mechanisms and fora for discussing existing and emerging ethical dilemmas that judges face; (ii) encourage judiciaries to adopt ethical codes and establish judicial ethics committees; (iii) raise awareness about the potential of the Ibero-American Commission of Judicial Ethics to serve as a reference framework for establishing similar regional or supranational committees; and (iv) encourage judges, judicial councils or other judicial institutions to consider requesting advisory opinions from such regional or supranational bodies.

**“Us Too? Bullying, Harassment and Other Gender-related Integrity Issues”** - organized by the International Bar Association

The session discussed the efforts of the IBA, judiciaries and the Network in increasing the understanding of the complex topic of gender-related judicial integrity issues. The session supported the ongoing revision of the Commentary of the Bangalore Principles of Judicial Conduct and recognized the need to modernise the Commentary's language to better address the full spectrum of gender-related issues. It was recommended for the Network to continue to increase the understanding about these issues and how they impact on judicial integrity, public perception of the judiciary and the fair administration of justice. The Network was also recommended to set out a possible framework for integrity appraisals in the judicial selection process. The importance of cooperation and joining forces in the area of legal and judicial education was also highlighted.

**“Mainstreaming Anti-Corruption at the Top: Transparency and Accountability of the Highest Bodies of the Judiciary”** - organized by the Group of States against Corruption and the Due Process of Law Foundation

The session dealt with anti-corruption and integrity policies on the highest judicial bodies, particularly Councils for the Judiciary and Supreme Courts, and explored challenges and good practices concerning their composition, appointment criteria and accountability mechanisms. The session recommended to the Network the following: (i) to develop and implement guidelines on the appointment and selection of members of these bodies, as well as on accountability procedures; (ii) to focus on research and training on



how to maintain a balance between independence and accountability; (iii) to develop partnerships with civil society and other relevant actors to promote compliance with international standards and to design protocols to mitigate the threats to judicial independence; and (iv) to include prosecutors and prosecutorial independence in the agenda of the Network.

**“Selection and Appointment of Judges and Judicial Independence”** - organized by the Democratic Governance and Rights Unit of the University of Cape Town and the Judiciary of Brazil

The session focused on various aspects relating to judicial selection and appointment, including selection criteria, transparency, fairness and applicable procedures. The session emphasized the following key messages: (i) transparency is the core principle and should be present throughout the whole selection and appointment process; (ii) apart from transparency, the criteria for selection should be pre-set by the selection and appointment authority, publicly advertised, and should not be altered during that selection process. In the same vein, it is important that criteria are continuously updated to reflect the changes in the society; (iii) candidates for judicial office should have the right to challenge the decisions of the selection body, whose decisions should be subject to judicial review; and (iv) selection practices vary across the world and sharing of experiences is therefore of value.

**“Judging with Independence and Integrity: Unique Challenges and Opportunities within the Middle East and Northern Africa”** - organized by the American Bar Association Rule of Law Initiative

The session discussed the efforts in the region to further the integrity, independence and accountability of the judicial system. The session suggested for the Network to continue to share information and good practices and concluded with three key messages: (i) legal and community education on ethics and integrity should take place at all levels and the use of thoughtfully selected real situations and interactive teaching techniques should be encouraged; (ii) accountability processes, in addition to specifically spelled out disciplinary processes, should include the incorporation of compliance with judicial codes into a fair and transparent judicial inspection process; and (iii) bearing in mind the need for their independence, the composition of the supreme judicial councils should include representatives from the defence bar, prosecution, the executive and the civil society.

**“User-centred Approaches to Assess Judicial Performance and Perceptions of Citizens”** - organized by Afrobarometer and the World Justice Project

The session underscored the power of user-centred assessments for evaluating and monitoring judicial institutions and their legitimacy and discussed how trust and judicial legitimacy have been changing overtime in different regions. The key recommendations resulting from the session are for the Network to:



(i) further discussions on this topic; (ii) support the exchange of information, findings, learnings and advice; and (iii) continue to assist in connecting practitioners and existing initiatives dealing with this topic.

**“Reassessment and Removal of Judges in Constitutional Transitions”** - organized by the Bingham Centre for the Rule of Law

The session focused on the lessons that can be learned from countries that have been facing challenges relating to the integrity of the existing judiciary during a constitutional transition. The session suggested the following recommendations for the Network: (i) to collect and disseminate good practices and challenges through written opinion pieces and the online library (the outputs of the Bingham Centre’s 2018-2020 research project are useful in this regard and could be made widely available); and (ii) to possibly explore the establishment of an independent advisory body to advise countries with transitional problems considering reassessment of judges.

**“Judicial Ethics Education-Improving its Reach, Quality and Impact through Algorithms”** - organized by the Commonwealth Judicial Education Institute

The session addressed interesting issues of behavioural change education and the use of machine learning and artificial intelligence-assisted programming. It recommended to the Network to: (i) raise awareness that judicial education specifically targeting behavioural changes is integral for the teaching of judicial ethics for sustainable transformation; (ii) further explore artificial intelligence tools in the effective delivery of judicial ethics training; (iii) in light of the high cost of preparing artificial intelligence assisted judicial education tools, recognize the value in developing such tools regionally and internationally for common use of all judicial education bodies; and (iv) consider the need to develop judicial education programmes to alert judges to the potential use of algorithms which may cause unfairness in judicial decision-making and remedial recommendations.

**“Civil Legal System Modernization: Is Online Dispute Resolution Making a Difference in Access to Justice?”** - organized by the National Center for State Courts

The session provided several key messages for the Network to bear in mind concerning the links between online dispute resolution (ODR) and judicial integrity: ODR is now a reality and works well in those jurisdictions that implement it correctly, especially as ODR fully supports the Bangalore Principles. The numbers show improvements in access to justice, reduction in staff time so they can be prioritized into more important tasks, and better preparation of participants if they do need to come to court. The session



also reminded that there are now enough cases of implementation that have helped identify the key elements to success. Experience-sharing was deemed of key importance.

**“Judicial Independence: New Challenges and Judicial Governance Innovations”** - organized by the CEELI Institute and the Justice Studies Centre of the Americas

The session addressed the increasing efforts and trends to curtail and infringe judicial independence and examined ways in which the judiciary itself can protect and promote judicial independence. It was recommended for the Network to offer a vision for the future by: (i) encouraging public trust in the judiciary; (ii) promoting clear universal guidance; (iii) developing international codes and standards; (iv) providing an international network of support for individual judges; (v) allowing networking among judges; and (vi) fostering accountability on the part of judges themselves.

**“Judicial Immunity and Due Process in the Determination of Allegations of Judicial Misconduct”** - organized by the Commonwealth Magistrates’ and Judges’ Association, the International Bar Association and the International Association of Judges

The session discussed various questions revolving around the topic of judicial misconduct and resulted in several recommendations for the Network, including to: (i) identify and develop principles of good practice in the constitution of forums hearing complaints of judicial misconduct and procedures for their determination; (ii) produce a model test of what constitutes judicial misconduct; (iii) develop guidelines on the relationship between criminal and disciplinary proceedings in cases of judicial misconduct; (iv) promote and disseminate existing relevant resources; and (v) contribute to the revision of the Commentary on the Bangalore Principles of Judicial Conduct in this area.

**“Enforcing Judicial Integrity Through Codes of Conduct and Ethics Training”** - organized by the Institute for African Women in Law

The session discussed good practices and existing challenges, as the title of the session suggests, in the areas of codes of conduct and ethics training. The session identified several key messages, including: (i) the importance of the existence of effective and clear codes of conduct based on the Bangalore Principles; (ii) the need to recognize the role of integrity as a key virtue of every candidate for judicial office; and (iii) the crucial role of practical judicial ethics training based on real-life scenarios.



#### **D. Plenary Session on Gender-related Judicial Integrity Issues**

**(Day 2, 26 February 2020, 9:00-10:30)**

The session was moderated by **Ms. Tatiana Balisova, Crime Prevention and Criminal Justice Officer, UNODC**, who explained that the topic of gender-related judicial integrity issues encompasses multiple ways in which gender issues implicate judicial integrity, such as sextortion, sexual harassment, gender bias, discrimination, unequal gender representation and gender stereotyping. She invited panellists to discuss the achievements of their respective jurisdictions and to reflect on pertinent gender-related challenges.

The panellists were **Hon. Margarita Beatriz Luna Ramos, Justice of the Supreme Court of Mexico (ret.); Hon. Ivor Archie, Chief Justice of the Supreme Court of Judicature, Trinidad and Tobago; Hon. Vanessa Ruiz, President, International Association of Women Judges; Hon. Fatima Al Mal, Circuit President at the Court of First Instance - Criminal Branch, Qatar; and Mr. Edward Wageni, HeForShe Programme Manager, UN Women.**

Hon. Margarita Beatriz Luna Ramos described the experience of Mexico, which recently adopted its Protocol for Judicial Decision-Making with a Gender Perspective. She contextualized the events leading to its adoption, pointing to a series of domestic legislative reforms (such as amendment of the constitution Article 4 to acknowledge equality of men and women under the law) and international commitments (such as ratification of the UN Convention on the Elimination of All Forms of Discrimination against Women), leading Mexico to prioritize and mainstream gender considerations in the administration of justice. Further, she noted that the Gender Protocol provided the Judiciary of Mexico with a valuable resource containing case examples from various jurisdictions on crafting decisions with a gender perspective.

Hon. Ivor Archie described the experience of Trinidad and Tobago, which recently adopted its Gender Equality Protocol for Judicial Officers. Under the Protocol, multiple facets of the judiciary had been reformed to promote gender balance and gender-sensitive education. For instance, the recruitment platform had been revised to increase the objectivity of its competitive exam and screening, while a more robust complaints and disputes mechanism had been developed. Both the bench and the Committee on Judicial Appointments were reaching equal gender representation. Finally, the reforms were accompanied by periodic monitoring, evaluation, and survey mechanisms to ensure that desired objectives were achieved.

Hon. Fatima Al Mal described her personal experiences of becoming a judge, noting gender-related challenges that she personally overcame and that she witnessed herself. In addition, she described specific challenges arising from local conservative traditions. She noted that the judiciary of Qatar had seen an increase in the number of female judges, stemming in part from initiatives to achieve the Sustainable Development Goals. Some unique challenges included the need to counter stereotypes about the temperament of female judges; to thrive in a profession historically dominated by men, and to learn how to balance professional and personal spheres of life.



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Mr. Edward Wageni introduced the HeForShe initiative of UN Women. He described HeForShe as a “change accelerator” focused on securing commitments of male leadership to stand in partnership for the gender equality movement. It has focused its outreach activities on heads of states, large private sector players, and universities—institutions traditionally dominated by men. Thus, there was a strong fit for the HeForShe workplan to include outreach to judiciaries. Goals of this work would include collection and disaggregation of data; addressing biases and stereotypes in the justice system; and promoting the creation of pipelines of leadership for women judges.

Panellists stressed that training for gender equality required sensitivity to context, as situations which were on their face gender-balanced or gender-neutral could nonetheless mask problems which disadvantage women. It would thus be necessary to look deeper into situations where 50/50 balance of men and women was achieved (for example, in law school graduation rates or in the overall number of judges). Despite achieving pure parity, women might still lack access to positions of higher rank, responsibility, or authority over policy organs of the court. A commenter from the floor added another example: a rule for periodically rotating judges among geographical locations was found to significantly disadvantage female judges who bore family care obligations.

Finally, Hon. Dr. Almohanadi, Chief Justice of the State of Qatar, and Hon. Vanessa Ruiz, President of the International Association of Women Judges, announced their intention to submit a joint proposal to the General Assembly of the United Nations recommending the establishment of an International Day of Women Judges.

#### **E. Plenary Session on The Use of Artificial Intelligence by Judiciaries** **(Day 2, 26 February 2020, 10:30-12:00)**

The session was moderated by **Ms. Roberta Solis, Judicial Integrity Team Leader, UNODC**, who explained that the Network has been exploring the ethical use of technology and artificial intelligence in judiciaries since its launch in April 2018. While many judiciaries have begun using automation and artificial intelligence applications to improve efficiency, judiciaries should be mindful of potential challenges they pose to ethical principles, such as transparency, accountability, and impartiality.

In order to take an informal survey of the participants, Ms. Solis invited the audience to visit a specially designed page on [www.menti.com](http://www.menti.com) where they could participate in the formation of a word cloud describing the most important ethical challenges posed by technology in the judiciary.



The panellists were **Hon. Dory Reiling, Judge from the Netherlands (ret.); Hon. Victor Momotov, Justice of the Supreme Court and Member of the Council of Judges, Russian Federation; Hon. Ju Yeon Lee, Judge of Suwon District Court, Republic of Korea; Hon. Madan Lokur, Justice of the Supreme Court of Fiji, Justice of the Supreme Court of India (ret.);** and Prof. Karen Yeung, University of Birmingham.

Prof. Karen Yeung clarified definitions of the various technologies underpinning the discussion. While there was no current technological capability to implement “**general artificial intelligence**”, which is a machine capable of learning and thinking exactly as a human, there have been great advances in narrower forms of artificial intelligence such as **machine learning**. Machine learning is a predictive technique which works by finding patterns within large sets of past data, rather than generating a result based on traditional logical rules (i.e. IF-THEN rules). A machine learning algorithm must use **training data** to incrementally refine its predictive capabilities—a process called **modelling**. More conventionally, courts may also apply simple **automation** to perform routine tasks on large amounts of data, such as case categorization, assignment, scheduling, and document distribution.

Prof. Yeung described the core challenge of artificial intelligence and machine learning systems in terms of open justice and transparency. Because these systems operate on pattern recognition and are “trained” using large sets of data, it was likely that their outputs could not be explained in simple, non-technical terms. She cautioned that, under such limitations, artificial intelligence tools would not stand up to requirements of due process. They also faced limitations arising from biases inherent in training data, and in intellectual property

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<sup>1</sup> Image 1: Results of Menti Word Cloud.



protections which creators may assert to prevent disclosure of the underlying details of an artificial intelligence technology.

Hon. Ju Yeon Lee described the experience of the Republic of Korea, which has been using e-litigation and e-filing tools for about ten years. She noted that the courts have seen multiple benefits including ease of case management, search functions, thematic organization of files, case event notifications, and standardization of common templates. Because documents were immediately delivered online to judges and the parties, there were both time and cost savings. Finally, there was a transparency-related benefit because it was not possible to corrupt or alter the documents. On the issue of artificial intelligence in decision-making, Hon. Lee noted that judges would nonetheless be required to explain why an outcome was reached, and could not solely rely on the conclusions of a predictive system.

Hon. Madan Lokur described the experience of India, which has been using technological solutions to address case backlog. A virtual court system has been introduced to address a very large number of pending cases where the offense is only punishable by fine. Defendants were able to plead guilty and pay their fines online, leading to significant reduction of this backlog. Another feature of the virtual court system had been the uploading and hosting of a database which includes up to 18 million judgments. The availability of information had not only eased the work of judges, but had also provided a rich set of data for academics and NGOs interested in reviewing case law. Hon. Lokur explained that transitioning to a virtual court system may create resistance among some judges and practitioners, and that it was important to solve the challenge of network unavailability in remote areas.

Hon. Victor Momotov discussed whether it would be possible to see stronger artificial intelligence systems in the judiciary. He argued that, while basic information technology systems were making positive changes for case management and reducing the costs of justice, it was too early to conclude that an artificial intelligence system could, or should, supplant the decision-making role of the judge. Ultimately, artificial intelligence would likely assist the judge as an auxiliary tool. It would not independently be able to discern or handle certain aspects of judging, such as applying nuance and tact in family-related disputes. Furthermore, artificial intelligence systems may have difficulty discerning the spirit of a legal text. In these examples, the professional judge would hold the advantage of personal human experience.

Hon. Dory Reiling discussed the experience of the Netherlands, which developed its own digital infrastructure “in house”. The advantage to this decision was that it freed the judiciary from the technological and legal uncertainty of using a product developed by a third-party. The lack of clarity about how software functions could seriously undermine the technology’s credibility and frustrate its application within the judiciary. Therefore, there was a clear benefit of transparency when building and maintaining tools in-house rather than purchasing tools from a vendor.





To conclude, panellists noted that cost-saving should not be the leading reason to adopt any e-court systems. Rather, the motivating purpose should be to increase the quality of the court's services to the public. Panellists agreed that technology which assists with actual decision-making of the judge would have to be carefully scrutinized and would work alongside the judge rather than supplanting his or her roles. The scrutiny it must overcome should increase proportionately with the consequences of using the tool—with highest scrutiny being applied to decisions that result in deprivation of individual liberties.

#### **F. Outcomes of the Breakout Sessions**

**(Day 2, 26 February 2020, 14:00-15:30)**

During this session, **Mr. Marco Teixeira, Coordinator of the Global Programme for the Implementation of the Doha Declaration, UNODC**, and **Ms. Tatiana Balisova, Crime Prevention and Criminal Justice Officer, UNODC**, summarized the recommendations reached at each thematic breakout session, as contributed by the designated session rapporteurs. [*Please refer to the table above for the individual recommendations collected during thematic sessions*].

Mr. Marco Teixeira expressed his satisfaction that a lot of important topics were discussed during the breakout sessions and that the sessions were thought-provoking, topical, and allowed for interactive discussions and exchange of valuable expertise and experiences. The breakout sessions were a reminder that judicial integrity is a complex notion, touching upon many areas of professional and personal lives of judges, court processes and delivery of justice. He expressed gratitude to all of those who contributed to the breakout sessions, namely the session organizers, panellists, speakers, moderators and rapporteurs. He reminded participants that one of the purposes of the High-Level Meeting was to identify new priority areas for the Network's future activities and the new 2020-2021 workplan. The breakout sessions played a key role in that regard and the recommendations stemming from them were of great value.

#### **G. Plenary Session on Working Together for Judicial Integrity**

**(Day 2, 26 February 2020, 15:30-16:45)**

The session was moderated by **Ms. Roberta Solis, Judicial Integrity Team Leader, UNODC**. She first shared reflections on the title of the session, Working Together for Judicial Integrity, and how it concisely described the vision of the Global Judicial Integrity Network: serving as a resource for all judiciaries and accomplishing its mission through the contributions of member judges, judicial associations, and partner organizations working to promote the core judicial integrity principles. Following this vision statement, the purpose of the session was to present the products that the Advisory Board, Secretariat, and participants of the Network had developed together since the launch of the Network.

**Hon. Adrian Saunders, President of the Caribbean Court of Justice, Chairman of the Caribbean Association of Judicial Officers, and Former Chief Justice of the Eastern Caribbean Supreme Court**, led the presentation



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of four new knowledge products of the Network. The **Judicial Ethics Training Package** is a set of training tools on judicial ethics and conduct which can be tailored to the needs of any judiciary, consisting of an interactive e-learning course, a self-directed course for offline use, and a trainers' manual. It is currently available in English, Arabic, French, Russian, Spanish and Portuguese. The **Non-binding Guidelines on the Use of Social Media by Judges** are a set of practical suggestions regarding the use of social media—both for individual judges and for judiciaries—that contemplate addressing the use of social media in national or regional codes of conduct, other guidance materials, or in organization of training activities. The **Paper on Gender-related Judicial Integrity Issues** explores various gender issues that face judges and judiciaries and provides examples of real cases and existing practices to deal with issues such as sextortion, sexual harassment, gender bias, stereotyping, discrimination and inappropriate sexual conduct. Finally, the **Guide on How to Develop a Code of Judicial Conduct** provides judiciaries with practical considerations for adoption or revision of codes of judicial conduct. It explains why a code is important and sets out a process to develop codes which are inclusive, legitimate, and capable of generating positive impact.

Hon. Adrian Saunders encouraged participants to disseminate the products of the Network as broadly as possible. Ms. Solis announced the products as officially endorsed and invited participants to visit the Network website to access and share them.

**Hon. Lynne Leitch, Justice of the Ontario Superior Court of Justice in Canada and the Regional Vice President and Chair of the Gender Section of the Commonwealth Magistrates' and Judges' Association**, delivered the presentation of the **Guidelines for the Selection of the Members of the Advisory Board of the Global Judicial Integrity Network**. First, she referred to the Network's Terms of Reference, which state that "the Advisory Board may adopt further guidelines for the organization and coordination of its work". Under this authority, the Advisory Board undertook a task to draft more detailed guidelines concerning the selection of future board members to complement the Terms of Reference, with a view to strengthening the transparency of the functioning of the Advisory Board and clarifying the selection of its members. The Guidelines provide an extensive description of the functions of the Advisory Board. The Advisory Board members act as ambassadors and champions of the Network. Their advocacy is essential for raising awareness about the activities and services of the Network, particularly in each member's respective countries and regions. Advisory Board members should report back to the Network about their own consultations and activities, using this information to help the Network develop its workplans, anticipate challenges, and identify emerging issues. The Guidelines also provide detailed information on the composition of the board, member term lengths, identification and selection procedures; and member qualifications. Finally, the Guidelines formalize the increase of Advisory Board members from 10 to 12, with equal representation of 6 judiciaries and 6 judicial institutions or associations. The purpose of this change was to increase representation in the Board in terms of expertise, institutional balance, and geographic origin. The Guidelines also established that one seat in the group of judicial associations members would be reserved permanently for the United Nations Special Rapporteur on the Independence of Judges and Lawyers.



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Ms. Solis announced the Guidelines as officially endorsed. She thanked the members of the first Advisory Board for their commitment to the Network and expressed that the Guidelines would ensure that the Network would always enjoy outstanding guidance and leadership from the Board.

**Hon José Igreja Matos, Judge of the Court of Appeal of Porto (Portugal), President of the European Association of Judges, and Vice-President of the International Association of Judges,** presented the draft **Doha Declaration on Judicial Integrity**. Hon. Matos explained that the Declaration would be the main outcome document of the High-Level Meeting. The draft of the declaration, shared with the participants in advance of the meeting, reflected the key guidance received from the Network participants as to the priority areas that the Network should focus on. It was developed in line with the Terms of Reference of the Network, the 2018-2019 workplan, and all preparatory meeting documents such as the discussion guides for the plenary and breakout sessions. The Declaration also aimed to memorialize the progress of the Network made with respect to the Declaration on Judicial Integrity adopted in 2018, and to set out priorities to be addressed by the Network in the coming years.

Hon. Matos highlighted a number of provisions of the Declaration. The Declaration reiterated the commitment of the Network to firmly uphold the principle of judicial independence and to strengthen integrity, accountability and transparency in the justice system, among other commitments which have been in place since the founding of the Network. It identified judicial independence as an essential pre-requisite to the Rule of Law, linking the goals of the Global Judicial Integrity Network with wider efforts on anti-corruption and strengthening criminal justice responses. It renewed the support to promoting existing international standards and strengthening their effective implementation. The Declaration recognized the need for increased public education, outreach, and social awareness regarding judicial integrity, all aimed at strengthening confidence in the judiciary and promoting access to justice. The Declaration encouraged stakeholders to continue using the Network as a venue to coordinate and amplify their work.

Ms. Solis opened the floor for comment on the Declaration. Suggested modifications were noted by the Secretariat for consideration in the final version of the Declaration. Most notably, participants requested (1) the inclusion of text to commend the willingness of the State of Qatar to start consultations for the establishment of an international training and research hub on judicial integrity in Doha, and (2) the inclusion of formal language commending the proposal of the International Association of Women Judges and the State of Qatar to initiate steps for the submission of a proposal to the United Nations General Assembly for the adoption of an International Day of Women Judges. In addition, several participants referred to various relevant, existing international documents, such as the Istanbul Declaration on Transparency in the Judicial Process and the Opinions of the Consultative Council of European Judges, as examples of good practices to strengthen judicial integrity. The references were well-noted by Ms. Solis, who ensured that the Network would continue to disseminate all relevant documents and resources through its website.



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Finally, Hon. Lynne Leitch took the floor to announce the appointment of two new Advisory Board members. **Hon. Vanessa Ruiz** is a Senior Justice for the Court of Appeals of the District of Columbia (Washington D.C.), United States of America and the current President of the International Association of Women Judges (IAWJ). She was previously Chair of the D.C. Courts' Advisory Committee on Judicial Conduct and is a Commissioner of the D.C. Access to Justice Commission. **Hon. Mathilda Twomey** is Chief Justice of the Supreme Court of Seychelles. She was first appointed to the Court of Appeal in April 2011 and was elevated to become Chief Justice of the Supreme Court in 2015.

#### **H. Closing Remarks**

**(Day 2, 26 February 2020, 16:45-17:00)**

**Hon. Dr. Hassan bin Lahdan Alhassan Almohanadi, President of the Court of Cassation and the Supreme Judiciary Council of the State of Qatar, and Mr. Marco Teixeira, Coordinator of the Global Programme for the Implementation of the Doha Declaration, UNODC,** presented key takeaways to close the meeting.

Mr. Teixeira noted that the meeting had confirmed the necessity of the Global Judicial Integrity Network and had showed the power of joining forces to tackle common challenges. The Network has produced practical, replicable, and concrete guidance for judges by judges, and has mitigated feelings of isolation within the profession. He thanked the Network participants for the trust and high expectations placed on the Network and emphasized that efforts to strengthen judicial integrity needed to be multidimensional, targeted, and flexible. Thus, the Network was well positioned to play a leading role in driving positive change and innovation in topics linked to judicial integrity.

Mr. Teixeira expressed gratitude to the State of Qatar for its generosity in hosting the meeting, its hospitality and organizational support, and its commitment to establish the training and research centre in Doha.

Hon. Dr. Almohanadi praised the outcomes of the meetings and discussions held through the participation of judges and legal experts from countries around the world. He noted that the meeting represented an opportunity to share expertise between judiciaries and to further strengthen the foundations of the Global Judicial Integrity Network. He thanked the participants for their invaluable contributions to the meeting, and reaffirmed the commitment to build a training and research centre on judicial integrity in Doha.

The meeting was officially closed.