RECOMMENDATION ON THE THEME:
"CORRUPTION IN JUSTICE"

The African Regional Group of the International Association of Judges, during its meeting held on 18, 19, 20 and 21 February 2001 in Lomé;

- Considering that corruption consists in the handing-over or in the promise of money, of movable or real goods by the corrupter, as well as in taking interests in businesses by the corrupted party as a reward for an act or a favourable judicial decision and that it can also consist in a promise of promotion in the professional life of a civil servant;

- Considering that the phenomenon of corruption exists in justice, but in different degrees and following different forms;

- Considering the poverty of the resources allocated to judges and to their collaborators in their mission of rendering justice and the inadequacy of material means and logistics;

- Considering the insufficiency of regulations or laws repressing corruption as well as the existence of gaps in the legal provisions which govern the rendering of the services;

- Considering the lack or the insufficiency of a control of morality during the recruitment of new judges;

- Considering the insufficiency in number and in quality of judges;

- Considering the lack of courage of certain judges in being fully aware of their independence while accomplishing their mission:

RECOMMENDS

1. To substantially and effectively improve the living and working conditions of judges and of other civil servants of the judicial administration.

2. To effectively enforce legal texts repressing corruption.

3. To increase severity in the investigation upon the morality of candidate judges while recruiting new people in the judicial and legal professions.

4. To recruit judges in a sufficient number and to provide them with good-quality training.

Finally the Regional Group exhorts judges to be fully aware of their independence.

Approved in Lomé, on February 20, 2001

The African Regional Group of the
International Association of Judges