

KINGDOM OF MOROCCO
SUPREME COUNCIL OF THE JUDICIAL POWER



المملكة المغربية
المجلس الأعلى للتسلطة القضائية

CODE OF JUDICIAL DEONTOLOGY



English Version




KINGDOM OF MOROCCO
SUPREME COUNCIL OF THE JUDICIAL POWER

CODE OF JUDICIAL DEONTOLOGY


June 2023



His Majesty King Mohammed VI, may God assist Him, President of the Supreme Council of the Judicial Power



**Preface of the First President of the Court of
Cassation, President Delegate of the Supreme
Council of the Judicial Power**







By virtue of its strategic vision, the Supreme Council of the Judicial Power aims at moralizing justice and raising awareness among judges about observing judicial values in both their professional and private lives.

Having the firm will to restore justice to its rightful position in a state governed by the rule of law, the Council ensures that judges perform their duties with loyalty, honesty, and integrity, which guarantees citizens' access to an honest, transparent, and efficient justice system, as stated in the royal message HM the King Sent to the participants in the international conference on the independence of the judiciary on April 2, 2018, in Marrakech: "As the guarantor of the independence of the judiciary, I seek to make sure that that independence - as enshrined in the Constitution - serves the citizen, enhances the rule of law and promotes development.... Enhancing confidence in the judiciary as the bedrock of the rule of law and the main driver of development is another challenge that needs to be tackled. This can be achieved by improving the performance of the legal system in order to enable it to accompany the profound economic and social changes taking place in society."

The Council is keen on highlighting the illustrious experience of the independence of the Moroccan judiciary and sharing its values with other countries, which is why it allotted a great deal of importance to translating into several languages the Code of Deontology as elaborated by the Council and published in the Official Gazette on March 8, 2021.

M'hammed Abdennabaoui

*First President of the Court of Cassation
President Delegate of the Supreme Council
of the Judicial Power*

**Preface of the First President of the Court of
Cassation, President Delegate of the Supreme
Council of the Judicial Power (2017-2021)**



With an immense feeling of pride, we put forth the Code of Deontology as the fruit of the great effort and relentless work that reflects the serious strategic involvement of the Supreme Council of the Judicial Power in the holistic and deep dynamic reform led by His Majesty King Mohammed VI, May God bless him, given that "responsible conscience" is the real test to consecrate trust and is the success formula to the entire justice field.

The Council has worked on preparing and building the details and particularities of this Code of Deontology according to an open participatory approach and a scholarly method through several stages, with the contribution of elite judges and highly experienced national and international senior legal and human rights figures. This work was inspired by the Royal guidelines, the constitutional and organic dispositions, the international references, and the Islamic judicial heritage preserved through time by letters and charters in the judicial literature and values, which have become a universal heritage of mankind. The Moroccan Code of Deontology, produced in 2008, was an exclusive judicial output in which all Moroccan judges participated, and that has become a charter taught in many law universities and judicial institutions around the world.

Promulgating this Code reflects the council's strong conviction of the ability of the judicial power to work effectively and efficiently to provide justice that litigants want and deserve, based primarily on the judicial principles and values that the Council has been trying to consecrate since its establishment, as a practice and a pragmatic approach implemented by judges, whose effects are felt by everyone.

The future of the nation today, as emphasized by His Majesty the King, may God protect him, is based on major social workshops that found many of its choices on the existence of an independent, qualified, and strong judicial power which is at the service of citizens through protecting their rights and freedoms, judicial security, and the fair application of the law. These are the challenges whose main starting point is ethics and values. The latter characterizes the judge whose justice in one hour equals 60 years of worship.

Certainly, confidence in the judiciary and the support of its credibility can only be achieved through the consecration of these high judicial values and ethics, and the preponderance of the proper conduct of the components of the judiciary as a whole, while judges should adhere to these values and ethics in their professional life and personal conduct in order to preserve the dignity and the prestige of the judiciary.

The judiciary has been and shall remain the most eminent of sciences, and the noblest and hardest of professions. Its cornerstone is its ethics and values, which are the essential elements to gain public confidence and ensure their respect for its judgments and decisions, which we are keen to implement with all seriousness, responsibility, and determination.

The principles of this Code and the mechanisms of its implementation and support shall enable judges, whatever their positions, responsibilities, and tasks, to know their professional and ethical duties better, and it shall open the door for litigants to understand the transparent criteria of judicial ethics in order to build confidence and reinforce the image of the judicial system and improve its effectiveness and performance.

The Council recognizes the difficulties and challenges that judges face throughout the world today in order to adjudicate cases according to justice and law, in an environment where the operation of producing justice, the multiplicity of actors and partners, the effects of globalization, the growing development of communication, technology, and social media, and the establishment of the legal framework of ethics committee as well as defining its competences and methodology of work, are all reasons to make the publication of this Code an important professional and cognitive work that shall allow us to find balanced objective answers to the challenges at hand.

We are certain that our distinguished judges will interact with this Code, as it has always been expected of them, with responsibility and commitment, upholding the oath, maintaining the trust, and protecting the dignity, sanctity, history, and due confidence of the profession; as God, the Almighty says: “Indeed, Allah commands you to return trusts to their rightful owners; and when you judge between people, judge with fairness. What a noble commandment from Allah to you! Surely Allah is All-Hearing, All-Seeing” Almighty God has spoken the truth.

Mostafa Fares

First President of the Court of Cassation
President Delegate of the Supreme Council of the Judicial
Power (2017-2021)



PREAMBLE





If the principle of the Independence of the judicial power is tied to the status of the judiciary amongst other powers, and to the importance of the laws allocated to it as well as those regulating the individual status of judges, and the ensemble of rules related to justice, then at the same level, it shows the importance of the rules regulating judicial conduct and its direct reflection on achieving the purpose of this principle and its consecration through the daily practice of judges, whether inside or outside courts.

There is no doubt that the greatness of the mission of the judiciary, as a safe haven for the protection of rights, the preservation of freedoms, and the indicator for the classification of systems in terms of democracy and civilizational security, is the reason that dictates the need to shield judges and bind them to obligations they must respect. Needless to say, the weight of the trust thrust upon the judge requires him to assemble the qualities of chivalry, the greatness of soul, and dignity, as well as evoke the elements and manifestations of independence, impartiality, objectivity, and integrity.

It is the rules of conduct that clarify the values and principles that judges should adhere to and the qualities they should have in order to carry out their duties. They make the general public understand the standards of conduct they may expect of judges and provide the necessary conditions for a fair trial. As such, they strengthen the standing of the judiciary and provide trust in it and its judgments and decisions.

- The legislator enshrined the importance of establishing a Code of Deontology in Article 106 of the Organic Law No. 13-100 on the Supreme Council of the Judicial Power issued by the Royal Dahir No 1-16-40 of March 24th, 2016 (14 Jumada II 1437), which stipulates that “the Council shall, after consultation with the professional associations of judges, draft a judicial Code of Deontology that contains the values, principles, and rules that judges should abide by during the exercise of their duties and judicial responsibilities, so as to:

- Preserve the independence of judges and enable them to exercise their duties with integrity, impartiality, and responsibility;

- Safeguard the prestige of the judicial body to which they belong, observe the noble ethics of judicial work, and engage in the proper implementation of the rules of the functioning of justice;

- Protect the rights of litigants and all auxiliaries of justice and ensure their proper treatment within the framework of total compliance with the law;

- Ensure the continuity of the judicial services and guarantee its proper functioning” ...

The Supreme Council of the Judicial Power elaborated this Code in order to provide the judges with a reference that allows a definition of their ethics. At the same time, it constitutes a directory to guide and direct judges to the principles and values that one has to have and follow to take up the mission of the judiciary, as well as the behaviors and practices they should avoid, including the disciplinary consequences that may emerge

in respect of any breaches.

Taking into consideration the reality of the country and the specificities of its judicial system, the Supreme Council of the Judicial Power respected in the preparation of the Code of Deontology the constitutional reference, his Majesty's high guidance, and the two Organizational Laws regarding the Supreme Council of the Judicial Power and the Statute for Judges, without ignoring the international commitments of the Kingdom of Morocco.

The constitution of 2011 consecrated a certain number of ethical principles, particularly the principle of the independence of the judicial power with all its individual and institutional manifestations, as well as the principle of the proper administration of justice.

The royal high directives in this respect are numerous, and we cite from it the statements made in this regard in the throne speech of July 30, 2013:

“Ever since I was entrusted with the sacred mission of leading the nation, the reform, moralization, and modernization of the judicial system have been one of my main concerns. The aim is not only to ensure that justice is served and grievances are dealt with properly, but also to foster a climate of trust...

However important the said reform may be, and regardless of the regulatory texts drafted and the effective mechanisms set up, it is the actual conscience of the actors involved which is going to be the real test, not only for the planned reform, but more broadly for the efficiency of the judicial system”

Additionally, in preparing this Code, the Supreme Council of the Judicial Power invoked the content of the two Organic Laws on the Supreme Council of the Judicial Power and the Statute for Judges, and relevant legal texts, as well as the standards of judicial conduct as recognized internationally through the charter of the "Bangalore principles of judicial conduct", and several guides on the rules of judicial conduct of countries such as France, Belgium, and Canada. The Council also used a series of decisions it had issued when deciding disciplinary procedures, through which it had accumulated several rules enshrined in this Code.

Within the framework of the participatory approach, the Council has allowed all professional associations to provide thematic reports about ethics in the profession, which ended with the filing of observations and suggestions that have been reviewed, and in some cases adopted, in response to the need to develop a comprehensive, integrated, and harmonious moral reference capable of translating the objectives for which it was developed, through the consecration of the principles of independence, integrity, neutrality, reservation, efficiency, and boldness.

For the Ethics and Support for Judges' Independence Committee to exercise its mandated functions under the Organic Law on the Supreme Council of the Judicial Power and its internal regulations, consisting of tracking and monitoring the compliance of judges with the provisions of this Code, the responsibility of ethics advisor shall be assigned to judicial officials at the level of Courts of Appeals, as an authority that assumes the role of the central ethics committee at the local

level, and works under the supervision of the latter in providing consultations to judges, on their initiative, on topics pertaining to certain behaviors that may affect their obligations and that require examination and scrutiny, as well as provide support in what may affect them.

Given that the principles included in this Code cannot be limited to a few applications, they are therefore mentioned for illustration rather than limitation purposes.



**PART ONE:
GENERAL PROVISIONS**





ARTICLE 1: DESIGNATIONS

The following references are made in the present Code:

- *Code of Deontology shall be referred to as “the Code”;*
- *The Supreme Council of the Judicial Power shall be referred to as “the Council”;*
- *Ethics and Support for Judges’ Independence Committee shall be referred to as the “Committee”;*
- *The President Delegate of the Supreme Council of the Judicial Power shall be referred to as the “President Delegate”*

ARTICLE 2: SCOPE OF APPLICABILITY

The provisions of this Code shall apply to all judges of the Kingdom composing the judiciary as stated in Article 3 of the Organic Law No. 106.13 on the Statute for Judges regardless of their status.

These provisions shall also apply to judges with honorary status and retired judges regarding the principles that should be upheld after retirement.

The institution in charge of training judges and trainee judges shall take into consideration the provisions of the present Code, and work on integrating them into their training curricula.



**PART TWO:
GENERAL PRINCIPLES OF ETHICS**





**CHAPTER ONE:
INDEPENDENCE**





ARTICLE 3: DEFINITION

Independence refers to the ability of judges to perform their judicial duties without being subject to any pressure or receiving any orders or instructions from any party except their professional conscience and their commitment to the equitable application of the law and the internationally recognized rules of justice and equity, and the commitment of public prosecutors to the legal written instructions issued by the supervisory authority.

ARTICLE 4: OBJECTIVES

Judicial independence constitutes the pillar of the rule of law and one of the constitutional values. It is also considered a right recognized for judges, entitling them to perform their functions free of any influence or pressure that contradicts the rule of law, while realizing that it is above all a litigant's right in order to ensure a fair trial. Consequently, a judge shall work on supporting and consecrating the independence of the judiciary at the individual and institutional levels.

ARTICLE 5: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. The judge shall exercise the judicial duties independently by virtue of assessing the facts from the perspective of the fair application of the law, and being free from any extraneous influence, inducement, pressure, threats, or interference, direct or indirect, from any party for any reason;

2. When deciding on cases, the judge shall be free from any outside influence, either from media or society, and shall ensure that the taken decisions and procedures duly conform to the law alone;

3. A public prosecutor shall freely express his/her viewpoint during courtroom proceedings, to the satisfaction of his/her conscience, in a manner that reflects his/her fair and legal convictions, while taking into account the legal written instructions issued by the supervisory authority.

4. A judge shall recall the obligation of independence with regard to all relations made and avoid any action or behavior that might affect or appear to affect his independence;

5. A judge shall perform his judicial duties independently of the influence of his colleagues with respect to decisions and procedures that have been taken, while recalling and defending the legal convictions as prescribed by procedural law;

6. Public prosecution judges shall respect the independence of judges when performing their duties and abstain from calling into question the judgments and decisions rendered by them;

7. Judges shall respect all procedures and decisions taken by the public prosecution judges, except in cases where the law explicitly states that such measures and procedures must be monitored;

8. A judge shall perform his judicial duties without any dependence on or interference from the executive or legislative powers and shall recall the principle of independence in every functional relationship with them;

9. A judge shall defend the principle of judicial independence on any occasion and shall maintain and preserve institutional and operational independence of the judicial power while performing his judicial duties;

10. Whenever he/she considers his/her independence jeopardized due to influence or pressure applied or might be applied by any party, a judge shall refer the matter immediately to the Supreme Council of the Judicial Power for appropriate actions.



CHAPTER TWO: NEUTRALITY AND IMPARTIALITY



ARTICLE 6: DEFINITION

1. Neutrality and impartiality mean performing judicial duties in accordance with the facts stated and the law, without any bias, prejudice, or favor towards any party to the proceedings, and abstaining from any attitude that might raise doubt about court proceedings and their credibility, as well as refraining from any ideological, cultural, religious or philosophical convictions while adjudicating over cases.

ARTICLE 7: OBJECTIVES

1. Impartiality is essential to ensure a fair trial. It guarantees litigants' the right to equality before the law. It is, similar to independence and integrity, an essential element in enhancing confidence in the judiciary, as well as it being a constitutional duty.

ARTICLE 8: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. When deciding on a case, a judge shall refrain from any cultural, religious, philosophical, or ideological convictions that might affect the normal course of proceedings. He/she shall also commit to the fair application of the law and interpret its provisions in line with the purpose it was created for;

2. A judge shall remain impartial in appointing justice auxiliaries such as experts or translators, to handle proceedings, and ensures their seriousness and good conduct. He/she shall

also take into account the principle of equality and equal opportunities when appointing them;

3. A judge shall ensure, whether inside or outside the court, that his/her conduct increases the confidence of the public, auxiliaries of the judiciary, and litigants in the impartiality of judges and the judiciary as a whole;

4. A judge shall keep the same distance from all parties during judicial proceedings;

5. A judge shall refrain from any action that might affect his/her impartiality or the image of the judiciary as a whole, such as making improper comments to the parties, their defense, witnesses, or anyone else;

6. A judge shall refrain from contacting the parties of the dispute, their legal representatives, or witnesses only through the clerks' office or the prosecution's office;

7. A judge shall not participate, in case of conflict of interest, in the determination of a case and shall take all necessary measures where:

- A judge, his/her relatives, or anyone he/she shares a personal relationship with, have a conflict of interest with a case brought before him/her;

- A judge, his/her relatives, or anyone he/she shares a personal relationship with, either directly or through the other and under any name, has, in an institution party to the proceedings, an interest that might influence his/her independence and impartiality, or might hinder the normal performance of judicial duties;

- The practice of a judge's relatives, or anyone he/she shares a personal relationship with, of any activity that might lead to preferential treatment towards natural or legal persons party to a lawsuit;

8. A judge shall immediately disqualify himself/herself following the procedure stated by the law in case of a conflict of interest, contradiction, or feeling a risk threatening this impartiality;

9. A judge shall refrain from making any comments that might affect the outcome of a lawsuit during its course, or prior to the trial date;

10. A judge shall refrain from making any comments that might affect the safeguards of a fair trial;

11. This refrain shall not include the explanation of lawsuit procedures, an academic presentation for legal educational purposes, or the proceedings of a lawsuit where the judge is a party, provided that the credibility and integrity of judgments and lawsuit proceedings are not put into question;

12. A judge shall refrain from addressing the public regarding ongoing cases, or expressing an opinion in a way that weakens the public confidence in the impartiality of the judiciary;

13. Exempt from this refrain are delivering presentations or expressing opinions related to the independence of the judicial power or the proceedings of the judicial administration, provided these institutions are respected, as well as abstaining from giving any comments that are considered improper or unprofessional beyond the limits of constructive criticism and the right to freedom of speech;

14. A judge shall not disclose any information acquired through his/her judicial duty, hand it to others, or use it for any other purposes.

CHAPTER THREE: EQUALITY



ARTICLE 9: DEFINITION

Equality means refraining from all kinds of discrimination, based either on political or union affiliation, religion, opinion, sex, age, health status, work, race, color, language, lineage, nationality, or any other personal, social, or economic status against litigants while hearing a case.

ARTICLE 10: OBJECTIVES

The principle of equality is a symbol of justice. It is the impression that all parties should sense when they are standing before the court.

Equality aims to treat everyone standing before the court with full respect for the law and to ensure a safe trial.

ARTICLE 11: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. A judge shall treat litigants equally without discrimination against sex, color, religion, culture, social, regional, racial, or professional affiliation, disability, nationality, or any other personal status;
2. A judge respecting differences to the extent permitted by law is not considered discrimination because it is a part of the essence of consecrating the right of a fair trial. Such example is the preferential treatment provided for persons with specific needs regarding the facilitation of proceedings;

3. A judge shall refrain from any conduct that might insinuate inferiority or stereotypes contrary to the principle of equality;
4. A judge shall avoid any courtesies that might insinuate favoritism, or make the parties feel inequality;
5. A judge shall impose on parties and their representatives, during proceedings, to have due respect for their adversaries.

CHAPTER FOUR : **INTEGRITY**



ARTICLE 12: DEFINITION

Integrity entails avoiding any misconduct, and refusing material or moral inducements that affect the judge's duty, and damages his or her prestige and that of the judicial power.

The integrity of the judge is essential, given the noble duties entrusted to him or her. It enables the judge to perform his or her function, it preserves the legitimacy of the judicial power, and it enhances confidence in the latter.

ARTICLE 13: OBJECTIVES

Adherence to the principle of integrity aims at establishing in the consciousness of the judge that his personal conduct automatically reflects the image of the judicial power and the prestige of his colleagues as well as the public confidence in judges.

ARTICLE 14: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. A judge shall not use his or her judicial function to achieve illegal personal gains and privileges, through exploiting that function either during or because of performing his or her duties;
2. A judge shall refrain from participating in an auction either announced at the judge's court or any other court;
3. A judge shall not accept, directly or indirectly, any kind of

gift, bequest, or compensation, from any party, either during or because of performing his duties;

4. A judge shall carefully choose the places he or she regularly frequents, and take precautions regarding people he or she associates with, by avoiding suspicious places and disreputable people;

5. A judge shall be above reproach in his personal life by setting a good example in dealing with family and the public;

6. A judge shall declare his assets within the legal time frame, in an honest and sincere manner, and provide all the documents that justify the legitimacy of the source of these assets;

7. A judge shall abide by the principles of the constitution, respect the legislative and organic laws in place, and avoid any illegal misconduct;

8. A judge shall be aware that his or her conduct automatically reflects the image of the judicial power and the judiciary. Thus, he must work on developing the values of integrity, either at the court or the judicial bodies he works inside or outside them;

9. A judge shall refuse any interference or inducement from any party, which might damage the integrity and prestige of the judiciary;

10. A judge shall ensure wise and rational use of the means and capabilities at hand, and use them for the greater good of the public.





**CHAPTER FIVE:
COMPETENCE AND DILIGENCE**





ARTICLE 15: DEFINITION

Competence and diligence mean keeping abreast of judicial developments, jurisprudence, general topics, and the best practices related to judicial performance, ensuring the quality of judicial judgments and decisions, giving due attentiveness to all cases brought before the court studying them, and adjudging them within a reasonable time frame.

ARTICLE 16: OBJECTIVES

Competence and diligence are essential to preserving the confidence of the public in the judiciary in order to better the judicial service.

ARTICLE 17: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. A judge shall use his or her educational attainment and judicial experience with a high degree of responsibility which allows him or her to best perform their duties;
2. A judge shall keep abreast of new legal requirements, and scholarly studies and ensure openness to the different experiences to widen and enhance his or her knowledge;
3. A judge shall keep himself or herself informed about relevant developments in international law, including international conventions and other instruments establishing human rights norms;

4. A judge shall ensure the attendance of continuous training courses, and work constantly to update his or her legal and judicial knowledge, which contributes to the development of the judicial performance in order to enhance it and raise the confidence of the public in the judicial efficacy;

5. Experienced judges shall adhere to the professional support of their new colleagues, help them improve their effectiveness, facilitate their integration, and introduce them to judicial jurisprudence;

6. A judge shall deal with all cases, study them beforehand, without prejudice, allocate sufficient time for research and investigation, and perform judicial duties carefully and within reasonable time limits;

7. A judge shall pay the necessary attention to hearings, and shall ensure punctuality, and responsible participation in the proceedings, delivery of judgments on the due dates, and promulgate the extension and the reasons behind it and the new date, when deemed strictly necessary;

8. A judge shall ensure the successful implementation of the procedures he ordered, within a reasonable time limit;

9. A judge shall inform the judicial official of his or her court of all shortcomings that might negatively affect the performance of judicial duties, and provide suggestions that might promote the judicial performance and enhance its quality;

10. A judge can participate in scholarly and judicial or associative activities, provided that they do not affect his or her judicial duties or hinder the proceedings;

11. A judge shall ensure active participation in the general assembly of the court, by presenting all data and means that might improve its efficiency and proper functioning.

**CHAPTER SIX:
AUDACITY AND MORAL COURAGE**



ARTICLE 18: DEFINITION

Moral courage means the ability to express and courageously defend legal convictions, and audacity means the ability to firmly take the right decision derived from right and law, and the ability to resist embarrassment and hesitance.

ARTICLE 19: OBJECTIVES

The heavy responsibility assumed by the judge in his or her capacity as a protector of people's rights, freedoms, and their judicial security requires them to honor their obligations without hesitation, fear, shyness, or worry.

ARTICLE 20: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. A judge shall be completely aware of the heavy responsibility over his or her shoulder in his capacity as a protector of people's rights, and freedoms and the guardian of their judicial security; thus, the judge shall honor his or her obligations without hesitation, fear, or shyness;
2. A judge shall render judgments according to his or her personal conviction, professional conscience, and the equitable application of the law, without any regard to discomfort, annoyance, or disapproval that it might cause;
3. A judge shall work hard to develop his or her ability to defend judges' independence and the image and prestige of the judiciary by using all legitimate instruments;

4. A judge shall defend the legal convictions and the justifications of the rulings during the proceedings, without being influenced by public opinion, media, colleagues, or any other reason.

CHAPTER SEVEN: **DISCRETION**



ARTICLE 21: DEFINITION

Discretion means that a judge shall ensure equanimity in his or her behavior and expression, and without breaching the judges' constitutional right to free speech, he or she shall refrain from giving opinions that might harm the litigants' confidence in the independence and the impartiality of the judiciary, regardless of the means of communication and social media he or she uses.

ARTICLE 22: OBJECTIVES

Discretion asserts itself to avert the loss of confidence in the independence and impartiality of the judiciary and to safeguard the credibility of judicial judgments and decisions.

ARTICLE 23: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. A judge shall not publicly defend the arguments used in his or her judgments and decisions even if they spark debate within society;
2. A judge shall refrain from giving legal consultancies, especially regarding cases before the court;
3. A judge shall ensure that the reputation of judges and the judiciary is not abused, and that the independence, integrity, and impartiality of the judiciary are not harmed, especially while participating in scholarly conferences and activities ;
4. A judge must accept personal restrictions that might be

viewed as burdensome by the ordinary citizen; a judge shall conduct himself or herself in a way that is consistent with the dignity of the judicial message.

Dealing with the Media:

1. A judge shall deal with the media in a manner befitting the prestige of the judiciary by ensuring its impartiality and independence, and avoiding debates that might negatively affect both his image as a judge and the prestige of the judiciary. The judge shall notify, in advance, the President-Delegate, or the President of the Public Prosecution, in the case of public prosecution judges, of any media interviews or press releases, except for judges appointed to speak on behalf of judicial institutions, and judges who are authorized to represent professional associations, by virtue of their statutes, when discussing the activities and the fieldwork of these associations;
2. The interviews or releases referred to above must not dispute judgments, decisions, or orders taken by the courts;
3. A judicial administrator or his deputy shall be in charge of communication with the media to inform public opinion;

Dealing with Social Media:

1. A judge shall take into consideration that using social media must be consistent with respecting the moral obligations stated in this Code;
2. A judge shall exercise the utmost caution in expressing his or her opinions through social media, whether when disclosing his judicial position, or when it regards the judiciary, his or her personal life, or any other matter;

3. A judge shall distance himself or herself from anything detrimental to the reputation of the judiciary or harmful to the independence, integrity, and impartiality of the judge while using social media. He or she shall take into account the judges' status either in their posts, comments, or replies; which includes the different shared electronic data such as photographs, videos, and others, as well as exercising caution in accepting "friend requests" through these media;
4. While on social media, whether using his real or pseudo name, personal photo, or one related to him, a judge shall uphold honor and dignity, and abstain from using inadequate or profane language, or sending photos that might damage his or her image or that of the judiciary;
5. A judge shall also use clear language in his or her comments and ideas that he or she publishes, and refrain from any ambiguous or provocative expressions, or insinuations aiming at sending negative cues, and weakening the public's confidence in the judicial institution;
6. A judge shall not enter into public disputes on social media with anyone, especially from the legal profession, in a way that harms his or her image as a judge, and the prestige of the judiciary, or negatively affects the mutual confidence between judges and those in the legal profession;
7. Not disclosing his or her real identity in social media shall not liberate judges from their moral obligations. Thus, he or she must adhere to a style that is adequate for these obligations.



**CHAPTER EIGHT:
TACTFULNESS AND PRESENTABILITY**





ARTICLE 24: DEFINITION

Tactfulness means right and proper manners through which the judge substantiates his or her commitment to human values and etiquette, acts in a good manner, and shows mutual respect to judicial officials, colleagues, legal professionals, and litigants. Presentability means that a judge should be properly dressed at all times.

ARTICLE 25: OBJECTIVES

Tactfulness aims to avoid harming the reputation of judges and the judiciary, to preserve the prestige of the judicial body, and to show respect for the supreme and moral values of the judiciary.

Tactfulness intends to protect the rights of litigants in a way that they feel equal within the framework of respect for the law.

ARTICLE 26: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. A judge shall respect the ethics, traditions, and customs of the judiciary;
2. A judge shall take into consideration the ethics of dealing with and talking to everyone, which necessitates avoiding abusive language, and prejudice to personal life as well as to the inviolability of hearings;

3. A judge shall have undivided attention and patience, and avoid giving an impression of indifference towards what occurs in the judiciary, submitted requests, or defense means and notes laid before him or her;
4. A judge shall conduct his or her proceedings with tactfulness, seriousness, and judiciousness, and avoid expressing his or her opinion and preconceptions;
5. A judge shall act in a calm and thoughtful manner, and exercise self-restraint;
6. A judge shall ensure good appearances that reflect the moral status of judges.

CHAPTER NINE:
SOLIDARITY



ARTICLE 27: DEFINITION

Solidarity means the essential moral value that is based on the unity of the judicial body.

ARTICLE 28: OBJECTIVES

Solidarity is considered one of the essential values that are based on the idea of the unity of the judicial body. This value allows the continuity of the judicial service while safeguarding its effective functioning.

ARTICLE 29: SOME APPLICATIONS THAT REFLECT THIS VALUE

1. Judges shall exchange counsel when a breach of judicial values and principles harming the image of the judiciary occurs;
2. A judge shall ensure the exercise of solidarity, which safeguards the continuity of the judicial service, and work on guaranteeing its proper functioning by never suspending or impeding hearings or the normal functioning of courts, or organizing any protests.



**PART THREE:
APPLICATION AND SUPPORT
MECHANISMS**



**CHAPTER ONE:
COMPOSITION, TASKS, AND FUNCTIONING
OF ETHICS AND SUPPORT FOR JUDGES'
INDEPENDENCE COMMITTEE**



ARTICLE 30: COMPOSITION

The committee shall comprise, pursuant to Article 22 of the Internal Regulation of the Council, no less than three members and no more than seven including the President. They shall be designated every year pursuant to a Council's decision.

ARTICLE 31: TASKS

The committee, established in accordance with Article 52 of the Organic law of the Council and Article 18 of the Internal Regulation of the Council, shall ensure the follow-up and control of the judges' commitment to this Code pursuant to Article 106 of the Organic law of the Council and paragraph one of Article 26 of the Internal Regulation of the Council.

This committee shall particularly carry on the following tasks:

- *Receive referrals submitted to the Council by judges regarding attempts to illegally influence them in accordance with the provisions of Articles 104 and 105 of the Organic Law No. 100.13 on the Supreme Council of the Judicial Power, and Article 48 of the Organic Law No. 106.13 regarding the Statute for Judges, using all available media, including judges' space in the Council's website;*
- *Receive suggestions and recommendations aiming at adjusting or amending the provisions of this Code by the judicial officials and Judges' professional association;*

- *Introduce recommendations, suggestions, and amendments related to the provisions of this Code to the Council;*
- *Advise on any issue presented before it by judges or ethics advisors regarding this Code or its interpretations, and provide any recommendation or suggestion in this regard;*
- *Notify the council of all breaches and immoral behaviors submitted to it by judicial officials who act as ethics advisors;*
- *Organize conferences and workshops for judges regarding the provisions of this Code in coordination with judicial officials and ethics advisors, whether at the national level or the appeal jurisdictions.*

ARTICLE 32: FUNCTIONING OF THE COMMITTEE

According to Article 22 of the Internal Regulation of the Council, the committee shall hold its meetings at the invitation of its President, wherever necessary. Invitations shall be delivered by all methods.

In its first meeting, the committee shall appoint the rapporteur and a vice-rapporteur in case of absence.

The committee shall have a secretariat to preserve and archive its documents and minutes of the meetings. The Council shall provide all necessary financial, logistic and human resources to the committee to conduct its work, as well as provide all

documents and information related to its work.

The committee might request the help of outside experts from the President-Delegate, after determining their qualifications, according to the nature of cases before it.

The chairperson of the committee shall refer a detailed report of its work to the President-Delegate in order to present it to the Council.

**CHAPTER TWO:
ROLES AND TASKS OF JUDGES - ETHICS
ADVISORS**



ARTICLE 33: DENOMINATION AND METHODS OF APPOINTMENT

A position of ethics advisor occupied by a judge shall be created at all appeals courts under the responsibility of the First President and the King's Public Prosecutors, according to their respective competencies.

ARTICLE 34: TASKS

The judicial officials and ethics advisors, shall perform the following tasks:

- *Circulate and introduce this Code at the level of their jurisdictions and prompt judges to adhere to its provisions;*
- *Support and advise judges of their appeals courts in case they face any difficulties, problems, or ambiguity regarding the application and interpretation of their moral and ethical obligations as stated in this Code;*
- *Maintain the identity of judges requesting ethical advisory confidential;*
- *Notify the committee of any ethical breach that might occur within their appeal courts in order to take the necessary measures;*
- *Present the suggestions and recommendations regarding all measures and procedures necessary to implement the provisions of this Code, as well as suggest training and*

awareness programs related to it at the level of their appeal courts and submit them to the committee;

- Present an annual report of their activities to the committee.

ARTICLE 35: PUBLICATION

Pursuant to Article 106 of the organic law of the Supreme Council of the Judicial Power, this Code shall be published in the Official Gazette, and shall enter into force from the day of its publication.



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KINGDOM OF MOROCCO
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