

**Appendix B**

**Report on the**

**Ranking of Items**

**Of the Judiciary Experts Surveys**

## Outline

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**Subscales**

		<b>Egypt</b>		<b>Jordan</b>		<b>Morocco</b>		<b>Lebanon</b>	
		<b>Judges</b>	<b>Lawyers</b>	<b>Judges</b>	<b>Lawyers</b>	<b>Judges</b>	<b>Lawyers</b>	<b>Judges</b>	<b>Lawyers</b>
<b>Independence</b>	Guarantees of judicial independence						3.17		3.19
	Freedom of expression and association	3.73	3.71	3.88	3.84	3.42	3.68	3.74	3.53
	Personal independence								3.23
	Security of tenure		3.24		3.22		3.18		3.37
	Institutional independence				3.04		3.12	3.45	3.33
<b>Integrity / Impartiality</b>	Institutional Impartiality		3.40		3.22		3.57	3.00	3.87
	Personal integrity						3.40		3.29
	Procedural integrity								
<b>Competence</b>	Adequate qualification								
	Objective criteria of selection		3.41		3.17				3.19
	Objective system of promotion		3.07					3.20	3.68
	Objective and well-defined disciplinary processes				3.07		3.35		3.47
	Training							3.10	3.41
<b>Efficiency</b>	Reasonable time to receive final and binding judgments		3.56		3.15		3.37		3.76
	Transparent and effective court administration						3.36		3.26
	Effective enforcement of court judgments	3.28	3.53		3.23		3.69		3.28
	Transparent, clear and efficient processes								3.04

**Item per item**

		Egypt		Jordan		Morocco		Lebanon		
		J	L	J	L	J	L	J	L	
<b>Independence</b>	<b>Constitutional guarantees of judicial independence</b>	1. Special courts have a clear and limited jurisdiction	3.08	3.23				3.06		
		2. Judges are selected by the judiciary								
		3. Laws regulating the judiciary are in compliance with the constitution						3.35		3.19
		4. Constitutional guarantees for the independence of the judiciary are effectively implemented		3.08				3.36	3.52	3.82
	<b>Institution. indep.</b>	6. The judiciary receives funding from sources other than the government allocated budget (i.e. besides bribery money)	4.34	3.62	4.05	3.44	3.30	3.31	3.67	
		7. The judiciary has adequate resources at its disposal			3.84	3.18	3.44		4.15	3.40
		8. Judges control and supervise the job of the judiciary of the judiciary						3.16		3.38
	<b>Personal independence</b>	10. Judges do not get pressured with threats of physical harm								
		11. Judges do not get pressured with threats of economic sanctions								
		12. Judges do not get pressured in their decisions by sources outside the judiciary		3.05		3.23		3.49	3.33	4.05
		13. Judges do not get pressured in their decisions by sources inside the judiciary				3.32		3.41		3.64
		14. Judges enjoy limited judicial immunity against civil and criminal suits								
		15. Judges have adequate salaries	3.15		4.09		3.20		3.96	3.05
	<b>Exp &amp; ass.</b>	17. Judges enjoy complete freedom of expression of their political thoughts	3.65	3.46	3.76	3.80	3.45	3.82	3.58	3.37
18. Judges are free to join any professional association		3.38	4.13	4.04	3.93	3.37	3.52	3.98	3.71	
	20. It is prohibited to remove judges without relevant justification									

	<b>Security of tenure</b>	21. Appointments of judges are made based on objective and transparent criteria		3.63		3.59		3.21		3.59
		22. Transfers are not used to pressure judges		3.12	3.07	3.36		3.16	3.06	3.57
		23. Judges are not reassigned to posts outside of the judiciary		3.29		3.10		3.14	3.33	3.31
		24. Disciplinary measures against judges are clear and objective		3.34		3.19		3.31		3.94
<b>Integrity/Impartiality</b>	<b>Institutional Impartiality</b>	26. Laws to fight corruption in society are meticulously and rigorously enforced	3.40	4.07	3.04	3.78		3.97	4.23	4.43
		27. Laws to fight corruption within the judiciary are meticulously and rigorously enforced		3.56		3.32		3.79	3.15	4.16
		28. There is a clear code, or rules, of ethics that regulate the behavior of judges								3.13
		29. The judicial code of ethics is clearly enforced		3.11		3.04		3.62		3.71
	<b>Personal Integrity / Impartiality</b>	31. Court decisions are made in total impartiality and objectivity						3.41		3.25
		32. The principle of equality before the law is strictly enforced		3.36		3.07		3.68		3.39
		33. Judges do not look into any case in which they may have interest or relation								3.11
		34. Judges regularly disclose their assets		3.55	3.80	4.10		3.86	3.71	4.22
		35. Judges are generally perceived as having a high degree of personal integrity						3.26		
	<b>Procedural integrity</b>	37. Trial procedures are impartial in all situations (equal treatment, non discrimination)		3.05		3.04		3.47		3.26
		38. Right to defense and public trials are strictly enforced in all situations		3.04				3.21		
		39. Litigants can appeal any rulings allowed by the law								
		40. Judges have easy access to legal information and judgments								
41. Citizens have easy access to legal information and judgments		3.66	3.82		3.30		3.56	3.11	3.36	

<b>Competence</b>		43. Candidates to the judiciary know the rules and the qualifications needed								
	<b>Qual.</b>	44. The qualifications criteria are applied to all candidates		3.55		3.41				3.25
		45. In general, judges have adequate professional training								
		46. Judges have adequate technical skills (e.g. knowledge of computers)		3.18		3.01		3.09		3.12
	<b>select.</b>	48. The criteria for selecting judges are clear and objective		3.22		3.02				3.29
		49. The criteria for evaluating the qualifications of judges are clear				3.17		3.23		3.30
		50. Selection is based on the results of competitive public examinations	3.04	3.82		3.33				3.37
		51. The assessment of the moral integrity of candidates is an important component of the selection process				3.13		3.06		3.23
		52. The psychological assessment of candidates is an important component of the selection process		3.39		3.15				3.23
		53. Women have exactly the same chance of being selected as men	3.81	4.14		3.04				
		54. Men have better opportunities than women					3.47		3.57	3.46
	<b>Objective and clear system of promotion and transfer</b>	56. The performance of judges is regularly evaluated							3.41	3.70
		57. Promotion is based on clear and objective criteria				3.04			3.35	3.80
		58. Transfer of judges are made in a clear and transparent way		3.12		3.23		3.05	3.47	3.80
		59. Women have exactly the same chances of promotion as men have		3.62						3.33
		60. Performance evaluation is the most important factor in promotion				3.05			3.36	3.79
	<b>discipline processes</b>	62. The disciplinary process is independently managed		3.17		3.09		3.49		3.74
		63. The disciplinary process is managed by judges						3.28		
		64. The decisions made by the disciplinary committee against judges are provided with sufficient explanation						3.04		3.42

		65. The decisions made by the disciplinary committee against judges are clear and objective		3.00		3.05		3.39		3.51
		66. Court examination and disciplinary proceedings are regularly inspected				3.20		3.57		3.91
	<b>App trai.</b>	68. Judges follow specialized training programs								3.39
		69. Judges have adequate resources for judicial training programs	3.19			3.03		3.14	3.33	3.42
<b>Efficiency</b>	<b>Processes</b>	71. The courts maintain up-to-date daily records								
		72. Processing of court documents is made without noticeable delays		3.73		3.09		3.46		3.74
		73. Courts have an adequate number of staff to assist judges			3.33	3.21	3.11	3.67	3.83	3.50
		74. Judges can call upon relevant experts								
	<b>Admin.</b>	76. Case assignments are based on clear and objective rules						3.25		3.03
		77. Courts have adequate resources to manage case loads (e.g. staff, IT, etc.)			3.39			3.32	3.48	3.17
		78. Cases are managed in a transparent manner		3.07				3.60		3.47
	<b>Time</b>	80. A reasonable timeframe for case processing		3.69				3.09		3.78
		81. Delays in case processing are sanctioned		3.50		3.21		3.56		3.76
		82. Disciplinary measures are taken against those that delay the processing of cases		3.53		3.29		3.59		3.71
	<b>enforcemen t of court judgments</b>	84. Judgments are enforced in a consistent manner	3.53	3.66				3.63		
		85. There is a sufficient number of enforcement personnel		3.08	3.30	3.52		3.72	3.07	3.30
		86. There are no external pressures that interfere with the efficient enforcement of judicial decisions	3.55	3.80		3.32		3.71		3.58

Items 17 and 18 were above the midpoint for both judges and lawyers in the three targeted countries.

**Problematic items within countries**  
**for judges, lawyers and for both**

Of numbers of items above 3

	<b>Unique to Judges</b>	<b>Unique to Lawyers</b>	<b>Common to judges and lawyers</b>
<b>Egypt</b>	2	26	10
<b>Jordan</b>	2	29	9
<b>Morocco</b>	3	40	4
<b>Lebanon</b>	1	31	21

Overall, highest rates were consecutively in Lebanon, Morocco, Jordan and Egypt.

(see ranking documents for details. There are 4 files, one for every country. )



**Top 5 most highly ranked items per country and profession**

Egypt		Jordan	
Judges	Lawyers	Judges	Lawyers
Item 6 (ind) = 4.34	Item 53 (com) = 4.14	Item 15 (ind) = 4.09	Item 34 (int) = 4.10
Item 18 (ind) = 3.83	Item 18 (ind) = 4.13	Item 6 (ind) = 4.05	Item 18 (ind) = 3.93
Item 53 (com) = 3.81	Item 26 (int) = 4.07	Item 18 (ind) = 4.04	Item 17 (ind) = 3.80
Item 41 (int) = 3.66	Items 41 (int) &	Item 7 (ind) = 3.84	Item 26 (int) = 3.78
Item 17 (ind) = 3.65	50 (com) = 3.82	Item 34 (int) = 3.80	Item 21 (ind) = 3.59
	Item 86 (eff) = 3.80		

Morocco		Lebanon	
Judges	Lawyers	Judges	Lawyers
Item 17 (ind) = 3.45	Item 26 (int) = 3.97	Item 26 (int) = 4.23	Item 26 (int) = 4.43
Item 54 (com) = 3.47	Item 34 (int) = 3.86	Item 7 (ind) = 4.15	Item 34 (int) = 4.22
Item 7 (ind) = 3.44	Item 17 (ind) = 3.82	Item 18 (ind) = 3.98	Item 27 (int) = 4.16
Item 18 (ind) = 3.37	Item 27 (int) = 3.79	Item 15 (ind) = 3.96	Item 12 (ind) = 4.05
Item 6 (ind) = 3.30	Item 85 (eff) = 3.72	Item 73 (eff) = 3.83	Item 24 (ind) = 3.94

**N.B:**

- ind = independence
- int = integrity
- com = competence
- eff = efficiency

**Commonalities of the top five most highly ranked**

	Egypt		Jordan		Morocco		Lebanon	
	J	L	J	L	J	L	J	L
18. Judges are free to join any professional association	X	X	X	X	X		X	
26. Laws to fight corruption in society are rigorously enforced		X		X		X		X
34. Judges regularly disclose their assets			X	X		X		X
6. The judiciary receives funding from sources other than the government allocated budget (i.e. besides bribery money)	X		X		X			
7. The judiciary has adequate resources at its disposal			X		X		X	
53. Women have exactly the same chance of being selected as men	X	X						
41. Citizens have easy access to legal information and judgments	X	X						
15. Judges have adequate salaries			X				X	
27. Laws to fight corruption within the judiciary are rigorously enforced						X		X
50. Selection is based on the results of competitive public examinations		X						
86. There are no external pressures that interfere with the efficient enforcement of judicial decisions		X						
21. Appointments of judges are made based on objective and transparent criteria				X				
54. Men have better opportunities than women					X			
85. There is a sufficient number of enforcement personnel						X		
73. Courts have the adequate number of staff to assist judges							X	
24. Disciplinary measures against judges are clear and reasonable								X
12. Judges do not get pressured in their decisions by sources outside the judiciary								X

**Top 5 most positively viewed items per country and profession**

<b>Egypt</b>		<b>Jordan</b>	
<b>Judges</b>	<b>Lawyers</b>	<b>Judges</b>	<b>Lawyers</b>
Item 33 (int) = 1.69	Item 39 (int) = 1.56	Item 39 (int) = 1.32	Item 39 (int) = 1.57
Item 35 (int) = 1.75	Item 54 (com) = 1.78	Item 31 (int) = 1.51	Item 71 (eff) = 2.08
Item 74 (eff) = 1.78	Item 74 (eff) = 1.89	Item 33 (int) = 1.53	Item 43 (com) = 2.12
Item 31 (int) = 1.85	Item 15 (ind)	Item 37 (int) = 1.58	Item 11 (ind) = 2.16
Item 39 (int) = 1.89	& 40 (int) = 1.93	Item 35 (int) = 1.60	Item 74 (eff) = 2.20
	Item 10 (ind) = 2.10		

<b>Morocco</b>		<b>Lebanon</b>	
<b>Judges</b>	<b>Lawyers</b>	<b>Judges</b>	<b>Lawyers</b>
Item 39 (int) = 1.13	Item 39 (int) = 1.86	Item 39 (int) = 1.41	Item 39 (int) = 1.91
Item 38 (int) = 1.36	Item 43 (com) = 2.09	Item 20(ind) = 1.44	Item 43 (com) = 2.15
Item 33 (int) = 1.40	Item 74 (eff) = 2.17	Item 38 (int) = 1.53	Item 74 (eff) = 2.29
Items 43 (com)	Item 10 (ind) = 2.24	Item 2 (ind) = 1.55	Item 20 (ind) = 2.42
& 71 (eff) = 1.41	Item 11(ind)= 2.49	Item 71 (eff) = 1.59	Item 45 (com) = 2.56
Item 37 (int) = 1.43			

**Commonalities of the top five most positively viewed items**

	Egypt		Jordan		Morocco		Lebanon	
	J	L	J	L	J	L	J	L
39. Litigants can appeal any rulings allowed by the law	X	X	X	X	X	X	X	X
74. Judges can call upon relevant experts	X	X		X		X		X
43. Candidates to the judiciary know the rules and the qualifications needed				X	X	X		X
71. The courts maintain an up-to-date daily records				X	X		X	
33. Judges do not look into any case in which they may have interest or relation	X		X		X			
35. Judges are generally perceived as having a high degree of personal integrity	X		X					
31. Court decisions are made in total impartiality	X		X					
37. Trial procedures are impartial in all situations (equal treatment, non discrimination)			X		X			
11. Judges do not get pressured with threats of economic sanctions				X		X		
38. Right to defense and public trials are strictly enforced in all situations					X		X	
20. It is prohibited to remove judges without relevant justification							X	X
54. Men have better opportunities than women		X						
15. Judges have adequate salaries		X						
40. Judges have easy access to legal information and judgments		X						
10. Judges do not get pressured with threats of physical harm						X		
2. Judges are selected by the judiciary							X	
44. The qualifications criteria are applied to all candidates								X

### **Commonalities across countries**

#### **A. Lawyers**

lawyers in all 4 countries negatively rated items 12,21,22,23,24,26,27,29,32,34,37,41,46,58,62,65,72,81,82,85,86.

#### **B. Judges**

- Items 15 was negatively evaluated by judges in the 4 countries
- Item 26 was negatively evaluated in Egypt, Morocco and Lebanon.

#### **C. Lawyers and judges**

- All judges and lawyers rated item 6 negatively, except for lawyers in Lebanon.
- All judges and lawyers rated items 17 and 18 negatively.

### **Same answers by profession**

#### **Egypt:**

- all the lawyers answered “neutral” to question 65
- all judges agreed (answer = 2) to question 28

#### **Jordan and Lebanon:**

None of the questions was answered by all the lawyers or all the judges alike.

#### **Morocco:**

- all judges agreed (answer = 2) to question 1 and 26

**Reforms that are perceived to be the most important**

Egypt		Jordan	
Judges	Lawyers	Judges	Lawyers
Item 70 (com) = 1.53 Item 87 (eff) = 1.55 Item 47 (com)= 1.60 Item 55 (com) & 61 (com )= 1.65 Item 19 (ind) = 1.67	Item 87 (eff) = 1.25 Item 70 (com) & 55 (com)= 1.27 Item 36 (int) = 1.33 Item 47 (com) = 1.34 Item 61 (com) = 1.37	Item 47 (com) = 1.62 Item 70 (com) = 1.64 Item 16 (ind) = 1.70 Item 87 (eff) = 1.73 Item 9 (ind) = 1.79	Item 47 (com) = 1.36 Item 55 (com) = 1.37 Item 70 (com) = 1.47 Item 83 (eff) = 1.48 Item 61 (com) = 1.51

Morocco		Lebanon	
Judges	Lawyers	Judges	Lawyers
Item 70 (com) = 1.53 Item 47 (com) = 1.54 Item 25 (ind) = 1.75 Item 16 (ind) = 1.83 Item 87 (eff) = 1.85	Item 47 (com) = 1.32 Item 87 (eff) = 1.34 Item 70 (com) = 1.35 Item 30 (int) & 83 (eff) = 1.36 Item 36 (int) & 42 (int) = 1.42	Item 9 (ind) = 1.55 Item 61 (com) = 1.58 Item 16 (ind) = 1.62 Item 70 (com) = 1.64 Item 83 (eff) = 1.66	Item 36 (int) & 83 (eff) = 1.19 Item 61 (com) = 1.27 Item 30 (int) = 1.28 Item 9 (ind) = 1.30 Item 67 (com) = 1.31

**Commonalities of the top five most importantly viewed reforms**

ITEM	Egypt		Jordan		Morocco		Lebanon	
	J	L	J	L	J	L	J	L
70. Reforms to improve the judicial training systems are needed to improve the competence of the courts	X	X	X	X	X	X	X	
47. Reforms are needed to strengthen the qualifications and skills of judicial officials	X	X	X	X	X	X		
87. Reforms targeting the improvement of the enforcement system are needed	X	X	X		X	X		
61. Reforms in the promotion and transfer criteria are needed to improve the competence of the courts	X	X		X			X	X
83. Reforms are needed to improve the speediness of delivery of judgments				X		X	X	X
9. Institutional reforms are needed to strengthen the independence of the judiciary			X				X	X
55. Reforms are needed to improve the judges' selection process	X	X		X				
36. Reforms to promote judicial officials' personal integrity are needed		X				X		X
16. Reforms to strengthen the personal independence of judges is necessary			X		X		X	
30. Reforms to increase institutional integrity are needed						X		X
19. Reforms to strengthen freedom of expression and association are needed	X							
25. Reforms to increase job security within the judiciary are needed					X			
42. Reforms are needed to improve the integrity of trial procedures						X		
67. Reforms in the disciplinary process are needed to improve the competence of the courts								X