

ETHICAL REQUIREMENTS SUBSTANTIVE SESSION

IATJ 6th Assembly

September 5th, 2015

Lucerne, Switzerland



ETHICAL REQUIREMENTS

Judge Dr. Manuel Hallivis Pelayo

President of the Federal
Administrative and Tax Court

MEXICO

VIRTUES AND QUALITIES OF A JUDGE

- Impartiality is the most important value a judge should have
- In Mexico, judges act under a full-time salaried appointment
- Mexican Federal Courts have enacted Codes of Judicial Ethics and Codes of Conduct that are mandatory for all judges, and they can be subject to administrative or criminal liability and/or penalties.

Values

Impartiality
excellence
professionalism
efficiency
transparency
honesty
honorability







MEXICAN FEDERAL ADMINISTRATIVE AND TAX COURT

- **The Administrative and Tax Court is neither part of the executive branch nor the judiciary or the legislative powers in Mexico.**

-  Constitutional Independence
-  Full technical and financial authority

- **Appointment of Judges for the Administrative and Tax Court:**

-  Proposal of the President to the Mexican Senate
-  Approval of the Senate
-  15 years appointment for Superior Chamber
-  10 years appointment for Regional Chamber



JUDGE'S ACTIVITIES



Judges in Mexico are full-time governmental officers

-The only other activity they can undertake is academic such as teaching or publishing



Full time judges must not undertake any other activity, specially if that could affect or jeopardize the **impartiality** within her/his charge



Procedure laws and/or Codes of Conduct or Ethics foresee the figure of **disqualification** of a judge.

-A judge should disqualify himself when her/his impartiality might reasonably be questioned (**e.g. Family or friends appear before him**)

-Or they could be disqualified by the parties of a given case

We cannot be part-time judges

SOCIAL MEDIA AND JUDGES

🦉 Judges shall not express their opinions with respect to pending matters to be solved by him/her. Academic forums are spaces through which a judge can express their views as an academic individual.

🦉 One of the most important principle in Mexico as well as in other countries is:

*Do not make any **comments** or provide **indicators** about the way a judge will solve a matter that is going through her/his study*

