



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

## **Resolution on Judicial Ethics**

*Adopted by the Plenary Court on 21 June 2021*

The European Court of Human Rights,

Having regard to Article 21 of the European Convention on Human Rights, which sets forth the criteria for judicial office;

Having regard to Rules 3, 4 and 28 of the Rules of Court, which develop these criteria;

Considering that it is appropriate, in the interests of clarity and transparency, to articulate the principles underlying these criteria, without prejudice to the interpretation or application of the provisions referred to above;

Considering that the adherence to the principles set forth in this text sustains and enhances public confidence in the Court;

Having reviewed the principles on judicial ethics adopted by the Plenary Court on 23 June 2008,

Adopts the present resolution:

#### **I. Integrity**

Judges' conduct must be consistent with the high moral character that is a criterion for judicial office. They should be mindful at all times of their duty to act, in and outside the Court, with the requisite integrity, as well as loyalty, dignity and discretion inherent in the authority and reputation of the Court. Judges shall exercise particular caution in all contact with parties and other persons associated with pending cases.

#### **II. Independence**

In the exercise of their judicial functions, judges shall be independent of any public national or international institution, body or authority or any private entity. They shall keep themselves free from undue influence of any kind, whether external or internal, direct or indirect. They shall refrain from any activity, expression and association, refuse to follow any instruction, and avoid any situation that may be considered to interfere with their judicial function and to affect adversely public confidence in their independence.

#### **III. Impartiality**

Judges shall exercise their function impartially and ensure the appearance of impartiality. They shall take care to avoid conflicts of interest as well as situations in and outside of the Court that may be reasonably perceived as giving rise to a conflict of interest. Judges shall not be involved in dealing with a case in which they have a personal interest. They shall refrain from any activity, expression and association that may be considered to affect adversely public confidence in their impartiality.

#### **IV. Diligence and competence**

Judges shall perform the duties of their office diligently and in a respectful manner. Judicial duties take precedence over all other activities and judges shall be available to discharge their judicial function and attend all meetings save for very weighty and exceptional reasons. In order to maintain a high level of competence, judges should strive to enhance their professional knowledge and skills.

#### **V. Discretion and confidentiality**

Judges shall exercise discretion in dealing with their judicial functions. They shall respect the secrecy of deliberations. Judges shall exercise the utmost discretion in relation to secret or confidential information relating to proceedings before the Court.

#### **VI. Expression and contacts**

Judges shall exercise their freedom of expression in a manner compatible with the dignity of their office and their loyalty to the institution of the Court. They shall refrain from expressing themselves, in whatever form and medium, in a manner which may undermine the authority and reputation of the Court or give rise to reasonable doubt as to their independence or impartiality. This applies equally to the exercise of judicial function, representation of the Court, and to academic or other public or private activities outside of the Court. They shall proceed with the utmost care if using social media.

#### **VII. Additional activity**

Judges may not engage in any additional activity except insofar as this is compatible with independence, impartiality and the demands of their full-time office. They shall declare any additional activity to the President of the Court, as provided for in Rule 4 of the Rules of Court. Only teaching, research and publishing activities may give rise to remuneration. Requests for leave for judicial or other missions should be submitted to the President of the Court.

#### **VIII. Favours and advantages**

Judges must not use the prestige of their judicial office for any personal gain. Judges shall not accept any gift, favour or advantage, for themselves or any family member, in relation to their duties or functions. This equally applies but is not limited to tokens of appreciation and hospitality of more than modest value.

#### **IX. Decorations and honours**

Judges may not accept any decorations or honours during their mandate as a Judge of the Court.

#### **X. *Ad hoc* Judges**

Articles of the present Resolution, insofar as relevant, shall apply to *ad hoc* judges.

**XI. Former Judges**

Article V and, insofar as relevant, Article VI shall apply to former Judges. Former Judges shall not represent any party before the Court relating to an application lodged before the date on which they ceased to hold office or, as regards applications lodged subsequently, for a period of two years after they ceased to hold office, in accordance with Rule 4 of the Rules of Court.

**XII. Application**

In case of doubt as to application of these principles in a given situation, a judge may seek the advice of the President of the Court. The President may consult the Bureau if necessary. The President shall report annually to the Plenary Court on the application of these principles.

**XIII. Entry into force**

This Resolution enters into force on 1 September 2021.