

Ethic Code of Judicial Conduct

Ethic Code of Judicial Conduct (hereinafter referred to as "Code") is collection of ethical principles and standards of judicial activity. The Code regulates specific requirements of morality, good conduct and extra-judicial activity, determines judge's attitude towards professional activity.

I. General Provisions

Article 1. Serving his/her term of office, a judge should personally adhere to high standards of conduct in compliance with given before state, citizens and judiciary judge's oath both in his/her professional and personal conduct.

Article 2. A judge shall respect and comply with Constitution of Republic of Azerbaijan, Law on Courts and Judges, and other laws, uphold the integrity and independence of judiciary, and uplift its prestige.

Article 3. The judicial duties of a judge take precedence over all the judge's other activities.

Article 4. A judge shall comply with rule of law, decide on the basis of facts, provide for ethical effect of judicial activities, and be fair, impartial and self-possessed.

Article 5. A judge shall act at any times in a manner that protects honor and high prestige of judicial office. While exercising his/her judicial duties a judge shall avoid all improprieties that can harm judge's high position, his/her independence, honor and dignity.

II. Rules applicable to judicial duties

Article 6. A judge shall perform his/her judicial duties with high responsibility, shall take all legal measures for reviewing cases and all materials on time.

Article 7. Judge shall exclude any interference to his/her professional activity by relatives, friends and familiars. If the decision adopted by judge can touch the interests of family members and other relatives or any doubt his/her impartiality he/she shall disqualify himself/herself.

Article 8. A judge shall perform judicial duties on the basis of principle of equality of treatment to everyone (defenders, prosecutors, witnesses and etc.) before the law and court, without bias or prejudice towards any party to the proceedings. Judge shall avoid from expressing thoughts about race, sex, religion and nation and other type of discrimination.

Article 9. By demonstrating high judicial culture judge shall treat parties courteously, make demand of parties to respect each other and to the court and punish any party who expresses disrespect to court.

Article 10. Judge shall not be under influence of any governmental and administrative bodies, as well as individuals, and public opinion or criticism shall not affect legality and substantiality of his decisions. While considering the case in staff, judge shall adopt decision based on his/her internal belief by reviewing opinions of other staff members.

Article 11. Judge (the court's chairman, deputy chairman of the court, the chairman of the board, as well as those who perform the duties of the temporary) who has administrative powers shall fulfill these responsibilities in good faith, should not use this power as a means of pressure against the other judges, shall avoid any action restricting the independence of judges.

Article 12. A judge shall not disclose information acquired in a judicial capacity. A judge shall not, while a proceeding is pending or just started, make any public comment. He/she shall not express his/her opinion on any case on public or during meetings with journalists. A judge shall not question any enforced court decision or acts of other judges in private capacity.

Article 13. A judge shall not create relations and refrain from establishing non-procedural relationships with proceeding parties.

Article 14. Judge shall obey principle of public hearing. This principle can be restricted only in cases defined by law. Judge must respect duty of mass media representatives on informing public about judicial activity. If there is not any reasonable doubt on influencing court with obtained information, judge shall give an opportunity for activity representatives of mass media. Judge shall not create any relationship with mass media representative that can influence judges conduct or proceeding, and refrain from the use of these relations for his/her own interests.

Article 15. In order to diligently discharge the judge's duties, a judge shall raise his professional competence and constantly improve his/her theoretical and practical knowledge.

Article 16. Judge seems to be accurate, conduct court hearings by wearing special judge's gown in court hall equipped with symbols of judiciary, while complying procedural documents should obey law and use words and expressions that meet the requirements of state language.

Article 17. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or his family members. He/she shall act in a manner that his family, social and other relationship will not demean the prestige of judicial office.

Article 18. A judge shall not accept a gift, award, favor or benefit in connection with the case under his/her consideration; shall refrain from receiving any services if they can affect case outcome.

III. The judge's extra-judicial activities

Article 19. A judge's personal standard of conduct should not question his/her being just, unbiased and impartiality.

Article 20. Judge can take part in social activities; establish judge associations that defend interests and professional development of judicial staff and protection of independence which will not damage the reputation of the judiciary. Judge should refrain from any activity that can negatively influence his/her independence or impartiality.

Article 21. A judge shall not be in appointed or elected post, engage himself/herself in any financial or business dealings, except for teaching and research.

Article 22. Judge shall not belong to political party or movement, support them in any way, take part in mass actions, openly express his/her political views.

Article 23. Judge can mutually cooperate with legislative, executive bodies and municipalities regarding legal system, judiciary and etc., only if it shall not interfere with performance of his/her judicial duties and his/her impartiality will not be questioned.

IV. Relation of the Code with evaluation of judges' activity

Article 24. *Violation of requirements of the Code is taken into account within evaluation of judge's activity.*