

**CODE OF ETHICS
FOR
JUDGES OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF ALBANIA**

Preamble

Aware that the duty of a judge of the Constitutional Court is a public duty of fundamental importance for the protection of constitutionality, the rule of law, and human rights, and in view of the criteria and constitutional and legal guarantees to be met by judges for the performance of their duty, with the aim of enhancing and strengthening the public trust and confidence in their rulings, the Constitutional Court judges adopt these principles and standards to guide their conduct in the exercise of their duty.

Article 1

Purpose

This Code of Ethics seeks to guide the conduct of the judges of the Constitutional Court (herein referred to as judges/Court) in compliance with the highest ethical and professional standards and with the public interest, as imposed by the responsibility of the office they hold, and provides appropriate guidelines to maintain and enhance the public trust and confidence in the independence and impartiality of the Court.

Article 2

Scope

This Code sets forth the principles and standards that will guide the Constitutional Court judges in the course of exercising their duty and in their off-duty activity and relations, and, as per the case, for former judges upon termination of their term in office.

I. DURING TENURE

Article 3

Independence

In the course of exercising their functions, judges shall be faithful to the Constitution and remain independent of any inappropriate external authority or influence. They shall avoid any situation and refrain from any activity or membership in any organization or

participation in forums that may affect the public trust and confidence in their independence.

Article 4

Impartiality

Judges shall perform their duty with determination, deliberation, and impartiality and ensure that this impartiality is clearly visible to the public in all their actions. They take care to prevent any and all potential conflict-of-interest situations in their decisions or that can reasonably be perceived as causing a conflict of interest.

Article 5

Integrity

Judges' conduct shall be in conformity with the high moral character and professional integrity, as crucial requirements for the judicial function. They must be aware at all times of their duty to uphold the position and reputation of the Court.

Article 6

Freedom of expression

Judges exercise their freedom of expression in a manner consistent with the dignity of their office. They shall refrain from making public statements or remarks in electronic media or press that could infringe or undermine the authority of the Court or cause reasonable doubt as to their impartiality.

Judges shall be restrained from reacting to criticism or opinions given about them or their professional work/activity.

Article 7

Nondiscrimination

Judges exercise their activity without favoring or prejudicing any party or issue. They refrain from any display, in actions or omissions, conduct or expression, that raises doubts for biased treatment that has no legal grounds.

Article 8

Respect for Dignity in Court Proceedings

In the course of performing their duties, judges shall respect the human dignity of subjects and litigating parties.

Judges shall exercise their decision-making by being considerate to the situations of parties and those related to the process.

Article 9

Professional Competences and Skills

Judges shall perform the duties of the office with professional competence, speed, due diligence.

In order to maintain a high level of competence, they shall be actively engaged in developing their professional skills. They shall be committed to being informed of all developments of constitutional right and related domestic, regional and international jurisprudence, particularly those in the area of protection of rights.

Article 10

Confidentiality

Judges shall be mindful of protecting and guaranteeing the confidentiality of information and personal data with which they are acquainted during judicial proceedings before the Court, protected by law.

Judges shall respect the confidentiality of the deliberations held in the course of their activity in office.

Judges shall not disclose to the public their stance on a matter, which is under Court review and which has not yet been ruled upon by the Court.

Article 11

Conduct in Court

Judges shall address ethically and professionally all employees of the Court and should ensure, by example, that their conduct is in line with ethical and professional standards.

Article 12

Functioning of Institution

Judges shall continuously work for the smooth institutional functioning of the Court.

Article 13

Court Resources and Administration

Judges shall exercise due diligence in administering and using the financial and material resources of the Court as cost-effectively as possible and solely for the purpose of performing their duties.

III. EXTRAJUDICIAL ACTIVITY AND RELATIONS

Article 14

Off-Duty Activities

Judges shall not engage in extrajudicial activities that conflict with their duty and that may affect their professional dignity and the reputation of the Court.

Judges may engage in teaching and in academic and scientific activities as long as this engagement does not impede or prejudice the exercise of duty in accordance with the principles of this Code. In any case, the judge shall inform the President of the Court of the specific commitment.

Judges may engage in national or international bodies established to represent or protect judges' interests.

Article 15

Gifts and Preferential Treatment

Judges shall not accept any gift, preferential treatment, or benefit of any nature that affects or calls into question their professional independence and impartiality in the exercise of their duty or violates applicable legislation.

Article 16

Honoraria for Speaking Engagements and Publications

Judges shall not accept any form of payments for speaking engagements, reviews or publications directly linked with their responsibility during their tenure or in violation of the applicable legislation.

IV. RESTRICTIONS AFTER LEAVING DUTY

Article 17

Protection of Confidentiality After Expiration of Tenure

Judges leaving duty shall comply with all the principles of this Code, as the case may be, when deemed that these are imposed by the mandate as former Constitutional Court judges.

Former judges shall maintain and guarantee the confidentiality of classified information and personal data, with which they are acquainted during the exercise of their function in proceedings before the Court.

Article 17

Representation in Court After Expiration of Tenure

Former judges shall be restrained from presenting cases before the Court and shall not express public views on them, with which they are familiar with and have participated in decision-making proceedings in the capacity of a judge, before the end of their term.

V. FINAL PROVISIONS

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Counseling

When a judge is uncertain about the meaning and obligations arising from the principles/standards set forth in this Code, he/she may consult the President of the Court.

A meeting of judges may appoint one of the judges to follow the enforcement of this Code as well as to raise issues that need to be examined and resolved at the Meeting of Judges and for which a stance shall be upheld.

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Code and Related Legislation

This Code shall not replace nor compete with the ethical rules on avoidance of conflict of interest and on disciplinary measures set out in the organic law of the Court and other related legal acts in effect.