

Judicial Ethics Code of Georgia

Adopted by Conference of Judges of Georgia on July 23, 2001

Chapter I. The Purpose of the code and its Tasks

Article 1.

This code defines general principles of the judicial ethics, rules and standards of judicial conduct that the judge shall follow while fulfilling office duties, as well as while implementing other activities and in private life.

Article 2.

The purpose of the code is to support the independence, impartiality and unity of the judiciary, and to establish and promote public trust and confidence towards the judiciary, to protect the prestige and authority of judiciary and position of a judge.

Article 3.

The violation of the norms of judicial ethics causes disciplinary responsibility of a judge in cases determined by the legislation.

Chapter II. Principles of Judicial Ethics

Article 4.

A judge shall be faithful to the laws, judicial oath and duties, shall be the supreme guarantee of law during the implementation of justice.

Article 5.

A judge shall strengthen public trust and confidence in the independence, fairness, objectiveness, and impartiality of the judiciary.

Article 6.

A judge shall protect the prestige of the judiciary and shall not tolerate behavior that damages the reputation and authority of a judge.

Article 7.

A judge shall avoid expressing negative opinions about the professional or personal characters of his/her colleagues or other judges.

Article 8.

A judge shall not discuss the decisions made improperly by another judge.

Article 9.

A judge should preserve the dignity, impartiality and independence of the judiciary during the expression of his/her opinion, belief and use of the right to assembly.

Article 10.

A judge, who violates the norms of judicial ethics, shall make all possible efforts to ameliorate the damage..

Chapter III. Rules for Implementation of Judges' Professional Activities

Article 11.

During the implementation of judicial obligations, a judge shall be independent and shall act according to the laws, principles and norms of International Laws.

Article 12.

A judge shall implement his/her judicial obligations in a proper, competent, fair, impartially and unbiased manner.

Article 13.

A judge shall be independent and unbiased during making a decision. The opinion of a judge shall not be affected by any kind of influence from political, social interests, or the interests of the parties or public influence or by the fear of criticism.

Article 14.

A judge during the implementation of judicial obligations shall be free from any kind of preliminary opinion, attitude, feelings and prejudice. The judge shall also avoid behavior (gesticulation, mimics, expression) that can be understood by others as forethought or a fixed idea.

Article 15.

The opinions of a judge, concerning race, nationality, language, ethnicity, religion, gender, color of skin, disability, sexual orientation, social-economic status or other circumstances shall not have an impact on the fairness and legitimacy of the decision.

Article 16.

A judge shall not discuss preliminarily his/her decision on a specific case with any person or to report in any form about his/her decision.

Article 17.

A judge shall not fulfill orders and recommendations that with their form or contents could hinder his/her independence.

Article 18.

A judge shall respect, be constructive and support the interest of the representatives of the press and mass media to obtain and disseminate information about the implementation of justice, the activities of the court or some specific case.

Article 19.

A judge shall not express the opinion publicly or give any explanations on specific cases which are going to be heard or are in the process of being heard, if the matter does not concern the organizational or technical issues of the case.

Article 20.

The judge shall avoid making a pronouncement either publicly or in private conversations that could cause a reasonable apprehension that this announcement or its grounds will have an impact on making fair decision on a case.

Article 21.

A judge shall not express publicly or in private conversations, his/her attitude either positive or negative toward the parties of the case pending before the court or heard by the court.

Article 22.

The judge shall not use racist and chauvinist terms or offensive and insulting words and expressions.

Article 23.

A judge shall be attentive, courteous, and constructive with the citizens who apply to the court.

Article 24.

The judge shall wear a robe during court proceedings.

Article 25.

The judge shall treat politely and appropriately the parties of the case.

Article 26.

The judge shall not use improperly the information that he/she learned while fulfilling his/her duties for other purposes.

Article 27.

A judge should respect court staff.

Article 28.

The judge shall observe that the court staff obeys the rules of professional ethics, also behave with discretion, are unbiased, and treat parties equally and do not show their position in advance.

Article 29.

The judge is obliged to respond to all the violations of professional ethics conducted by court staff and imposes relevant measures.

Article 30.

The judge shall continually work on improving his/her professional level.

Article 31.

The judge shall also support the court staff in increasing their professionalism and competence and will give them necessary advice.

Chapter IV. Non-Judicial Activities of a Judge

Article 32.

The other activities of a judge that are not included in the official obligations are permissible only when the content of these activities do not contradict the declared principles of independence of a judge and of the judiciary, do not create any danger to the authority of the judiciary, do not cause any doubt in fairness and impartiality of a judge and do not contradict with the Legislation of Georgia or this Code.

Article 33.

Judicial obligations are superior for a judge. A judge is not allowed to implement other paid work, except teaching, scientific or creative work if it does not contradict with the proper fulfillment of judicial obligations.

Article 34.

A judge shall not participate in any deals that will conflict with his/her official functions, obligations and their fulfillment.

Article 35.

The judge cannot become the member of such union, which requires giving an oath of devotion, or places the reputation of a judge in doubt, damages the authority of a court.

Article 36.

The judge shall avoid participating in political activities. He/she cannot be a member of any political party nor implement any party orders. A judge shall not make a speech on behalf of any political organization.

Article 37.

The judge should not reveal publicly his/her political views. Any kind of direct or indirect propaganda in a courtroom, as well as outside of the courtroom is prohibited.

Article 38.

A judge should not support or oppose a political candidate publicly or in any other form.

Article 39.

It is prohibited for a judge to strike. A judge has no right to refuse (despite any reason) collectively or individually implementation of professional obligations or to encourage that others do so.

Article 40.

The judge shall advise the court staff to avoid participation in political activities and not exhibit of their political views.

Article 41.

The judge has the right to express his/her position in his/her own or other countries against abridging the rights of judges or the representatives of other legal profession, their persecution, influence on them or interference in their work.

Article 42.

The judge has a right to hold a position on voluntary basis, or participate in state or public commissions the aim of which is legislative work, perfection of justice, legal system and other legal and non legal issues, which are not against the requirements of this code.

Article 43.

The judge has a right, in a cases determined by law, to represent a country or its administrative unit at an official ceremony, cultural-educational program or celebration.

Article 44.

A judge has the right to be honorary citizen of his/her own country (city or administrative unit).

Chapter V. Final Provisions

Article 45.

Judicial Ethics Code of Georgia will enter into legal force upon its adoption at the Conference of Judges of Georgia.