



REPUBLIKA E KOSOVËS - РЕПУБЛИКА КОСОВО - REPUBLIC OF KOSOVO

GJYKATA KUSHTETUESE

УСТАВНИ СУД

CONSTITUTIONAL COURT

CONSTITUTIONAL COURT OF THE REPUBLIC OF KOSOVO CODE OF JUDICIAL CONDUCT

PREAMBLE

The Constitutional Court of the Republic of Kosovo, recognizing the important responsibilities entrusted to the Court in the Constitution of the Republic of Kosovo, adopt these principles to guide and govern judicial conduct.

The purpose of these principles is to protect and to enhance public confidence in the independence and impartiality of the Court, and to provide guidance to the Judges in exercising their responsibilities.

I. INDEPENDENCE

- 1.1 The Judges shall be independent in the exercise of all judicial functions, and shall not allow any external influence or improper internal influence to impact their independence.
- 1.2 The Judges shall not engage in any activity or be a member of any association that may impact public perception and confidence in the independence of their decision-making.

II. IMPARTIALITY

- 2.1 The Judges shall exercise all responsibilities impartially and shall ensure the appearance of impartiality in all actions.
- 2.2 The Judges shall take care to avoid all conflicts of interest and shall disqualify themselves from participation in any case in which their partiality may reasonably be questioned.
- 2.3 The Judges shall perform their judicial duties without favor, bias or prejudice.
- 2.4 The Judges shall not allow personal opinions or personal financial interests to improperly impact their fair review of the cases presented to the Court.

III. INTEGRITY

- 3.1 The Judges' conduct, at all times, shall be consistent with the high moral character that is essential to upholding the reputation of the Court.
- 3.2 The Judges shall always be aware that their personal and professional conduct may impact the public respect for the Court and shall conduct themselves with the Court's standing in mind.
- 3.3 The Judges shall not accept any gift, advantage, decoration, honor or award that would cause the public to question their independence or impartiality.
- 3.4 The Judges shall not allow family, relatives, government officials or other persons to improperly influence in any way their judicial decision-making.
- 3.5 The Judges should not permit public opinion, pressure, threats or criticism to impact the independence of their decisions.

IV. EXTRA-JUDICIAL ACTIVITY

- 4.1 The Judges should not engage in additional activity that is inconsistent with independence, impartiality and the demands of the judicial appointment.
- 4.2 The Judges may undertake activities that are intended to improve the judicial system and the administration of justice. Such activity may include teaching, lecturing or writing on subjects related to the law. Participation in such activities should not interfere in any way with the performance of judicial duties, which shall take precedence over all other activities. The Judges shall report to the President in writing all such extra-judicial activity and comply with Article 5, Section 4 of the Law on the Constitutional Court of the Republic of Kosovo.
- 4.3 The Judges shall not hold membership in a political party or political organization and shall not participate in political activities.

V. CONFIDENTIALITY

- 5.1 The Judges shall not disclose secret or confidential information relating to proceedings that are pending before the Court.
- 5.2 The Judges shall respect the secrecy and confidentiality of all deliberations of the Court.
- 5.3 The Judges shall not make public comments or release information concerning a case before the case is decided and the opinion of the Court released to the public.

VI. FREEDOM OF EXPRESSION

- 6.1 The Judges shall exercise their freedom of expression in a manner that is fully compatible with the dignity and respect of their judicial office.
- 6.2 The Judges, when exercising their freedom of expression, should avoid public statements or comments that may undermine the authority of the Court or give rise to reasonable doubt about the impartiality of the Judge.

VII. EQUALITY

7.1 The Judges, in the exercise of their judicial responsibilities, shall avoid any partiality or discrimination concerning any irrelevant matter, and shall treat all parties with respect, courtesy and equality.

VIII. DILIGENCE AND COMPETENCE

8.1 The judges shall perform the duties of their position with diligence and competence.

8.2 The judges shall continuously develop their professional skills and knowledge so that they might maintain a high level of competence.

8.3 The judges shall resolve cases in a prompt and expeditious manner in order to provide justice to the parties and to maintain the respect for the Court.

8.4 The Judges shall, to the extent possible, provide in writing a clear explanation and reasoning for all decisions.

8.5 The Judges shall keep themselves informed about relevant developments in international law and comparative jurisprudence, including international conventions and other instruments establishing human rights norms.

8.6 The Judges shall work together in a collegial manner and always show utmost respect for each judge's opinion and views.

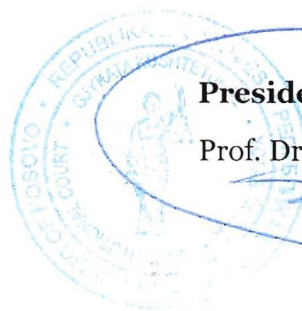
8.7 The Judges shall relate in a professional manner toward all employees of the Court and shall ensure that employees' conduct is in conformity with these guidelines.

IX. APPLICATION

9.1 These guidelines do not create any rights for parties to a case or for members of the public, but are adopted to provide guidance and assistance to the Judges in the performance of their duties.

9.2 When a Judge is in doubt concerning the interpretation of any of these guidelines, the Judge may consult with the President, and if necessary, with the other Judges, to help resolve the concern.

9.3 Former Judges shall comply with all provisions of this Code when relevant and applicable.

 **President of the Constitutional Court**
Prof. Dr. Enver Hasani

