

**International Association of Judges Annual Meeting in Valle de Bravo Mexico**  
**1<sup>st</sup> Study Commission**  
**October 31<sup>st</sup> to November 04<sup>th</sup> 2004**

## **Rules for ethical conduct of judges, their application and observance**

### **A. General Aspects**

**1. Are there any ethical rules/rules of conduct for judges/magistrates explicitly expressed in the law?**

☐ Yes ☐ No

If your answer is positive, are these rules made in the shape of

☐ a catalogue ☐ a general wording ☐ both

Quote some examples:

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**2. Are there ethical rules for judges/magistrates outside the law (e.g in a code of ethics, code of conduct etc.)?**

☐ Yes ☐ No

How is this "code" called?

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**3. Who did elaborate and enact/make the "code"?**

The Association of Judges?

The High Council of Justice?

The Supreme Court?

Parliament?

Government?

Others?

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**4. If you have both a code of ethics and legally fixed ethical rules for judges/magistrates in what way do they complement one another?**

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**5. If you don't have any code of ethics, are there plans in your country to introduce one?**

☐ Yes ☐ No.

## B. Contents

### 6. Does your code of ethics include the following principles/aspects:<sup>1</sup>

a) Independence	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
b) Impartiality in general	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
c) Impartiality and conduct of judges in the exercise of their judicial functions	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
d) Impartiality and extra-judicial conduct of judges	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
e) Impartiality and other professional activities of judges	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
f) Impartiality and the media	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
g) Party politics and judges	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
h) Propriety	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
i) Equality	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
k) Competence	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
l) Diligence	<input type="radio"/>	Yes	<input type="radio"/>	No	<input type="radio"/>	No, but should
m) Others:						

In case your answer is “yes”, please give some examples.

- a).....
- b).....
- c).....
- d).....
- e).....
- f).....
- g).....
- h).....
- i).....
- k).....
- l).....
- m).....

## C. Violation of the Code of Ethics

### 7. What happens if a judge/magistrate violates a duty explicitly stated in a provision of law?

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### 8. What happens if a judge violates a duty stated in the Code of Ethics?

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### 9. Is there any influence of the Code of Ethics on a disciplinary procedure?

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### 10. Are violations of the Code of Ethics made public? ☐ Yes ☐ No

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<sup>1</sup> Compare The Bangalore Principles of Judicial Conduct 2002. The Hague, November 25-26, 2002.

## D. Judicial Ethics

**11. Is judicial ethics an issue among the judiciary? Why? Why not?**

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**12. Is judicial ethics an issue in the public? Why? Why not?**

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## E. Analysis

**13. Do you consider a code of ethics an useful institution for the judiciary? Why? Why no?**

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**14. Should the IAJ elaborate and adopt a code of ethics which could serve the national associations as a model? Why? Why not?**

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**15. If you have a code of ethics, give some practical hints to those who are willing to introduce one (what should they take care of etc.).**

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**16. Other remarks on the topic:**

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Stephan Gass

[s.gass@fhbb.ch](mailto:s.gass@fhbb.ch)

John Murray

[murrayJ@netcourier.com](mailto:murrayJ@netcourier.com)

Gerhard Reissner

[g.reissner@gmx.de](mailto:g.reissner@gmx.de)

Please send the answers to this questionnaire by E-Mail to the presidency of the First Study Commission and to the Secretariat of the IAJ not later than by 30-06-2004  
Mind the timetable sent to you on 02<sup>nd</sup> February 2004.