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## **Declaration on Professional Conduct**

*Adopted by the Administrative Tribunal of the Council of Europe  
on 17 June 2020 and revised on 26 January 2023*

The Administrative Tribunal of the Council of Europe,

Having regard to Article 21 of the European Convention on Human Rights, which defines the conditions for the exercise of judicial functions;

Having regard to the Staff Regulations of the Council of Europe;

Having regard to the Statute of the Administrative Tribunal, and, in particular, Articles 3.3 and 3.4 thereof;

Having regard to the rules of procedure of the Administrative Tribunal;

Considering the Council of Europe Code of Conduct of 21 December 2022;

Considering the resolution on judicial ethics adopted by the European Court of Human Rights on 21 June 2021;

Considering the special jurisdiction of the Administrative Tribunal and its role within the Council of Europe, the Council of Europe Development Bank and the other intergovernmental organisations which have agreed to an extension of the Tribunal's jurisdiction;

Considering that, in the interests of transparency, it is appropriate, in the light of the above-mentioned instruments, to set out the principles governing the conditions for the exercise of judicial functions within the Administrative Tribunal;

Considering that adherence to the principles set out in this declaration uphold and strengthen the public confidence which the Administrative Tribunal should inspire;

Adopts the present declaration:

### **Article 1 – Scope**

1. This declaration shall apply to the members of the Administrative Tribunal and, where appropriate, former members of the Tribunal.
2. The Council of Europe Code of Conduct shall apply to the staff of the Tribunal.

### **Article 2 – Professionalism**

The members of the Tribunal shall be available to devote themselves to the fulfilment of their mandate and the exercise of their judicial functions.

### **Article 3 – Independence**

1. During their term of office, the members of the Tribunal shall exercise their functions independently and without external influence.

2. The members of the Tribunal shall refrain from any activity and avoid any situation which might cast doubt on their independence.

#### **Article 4 – Integrity**

1. Members of the Tribunal shall be of high moral character. They shall avoid any behaviour which might be perceived as an abuse of the status conferred by their functions. They shall act in all circumstances with the integrity and dignity called for by the authority and reputation of the Tribunal.
2. Members of the Tribunal shall not, directly or indirectly, negotiate for or accept any income, compensation, gift, benefit or privilege which may reasonably be perceived as a reward that might influence them in favour of a party.
3. Members of the Tribunal may not use their judicial functions to promote their own interests.

#### **Article 5 – Impartiality**

1. Members of the Tribunal shall be impartial. They shall take care to avoid conflicts of interest and any situations which may reasonably be perceived as giving rise to such conflicts.
2. In this respect, the members of the Tribunal shall refrain from participating in the handling of any case in which they have a personal or direct interest and shall immediately inform the Chair of such circumstances.

#### **Article 6 – Loyalty**

Members of the Tribunal shall exercise their freedom of expression, in whatever form and by whatever means, in a manner which protects the authority and reputation of the Tribunal, and act in a spirit of loyalty towards the Tribunal.

#### **Article 7 – Discretion**

The members of the Tribunal shall perform their judicial duties with the discretion implied by their functions. They shall respect the secrecy of deliberations and exercise the utmost discretion with regard to secret or confidential information relating to cases heard by the Tribunal.

#### **Article 8 – Final provisions**

1. Members of the Tribunal shall ensure that they do not conduct themselves or express themselves, by whatever means, in a manner which adversely affects the public perception of their independence, integrity and dignity in the exercise of their functions, and their impartiality.
2. The Chair of the Administrative Tribunal shall ensure that this declaration is properly applied.