

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS AND BODIES

COURT OF JUSTICE

Code of Conduct

(2007/C 223/01)

THE COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES

Having regard to the deliberations of the Court of Justice at its meetings of 28 March, 24 April and 3 July 2007;

Having regard to Articles 2, 4, 6, 18 and 47 of the Statute of the Court of Justice and to Article 5 of the Annex to that Statute, to Articles 3 and 4 of the Rules of Procedure of the Court of Justice and to Articles 4 and 5 of the Rules of Procedure of the Court of First Instance;

Whereas, without prejudice to the applicable provisions of the Statute and of the Rules of Procedure, it is appropriate to establish a Code of Conduct which clarifies certain obligations arising under those provisions as regards the Members of the Court of Justice, the Court of First Instance and the Civil Service Tribunal;

After consulting the Court of First Instance and the Civil Service Tribunal;

Has decided to adopt the present Code of Conduct:

*Article 1***General principles**

1. This Code of Conduct shall apply to Members and former Members of the Court of Justice, the Court of First Instance and the Civil Service Tribunal.

2. Members shall devote themselves fully to the performance of their duties.

3. Members shall refrain from making any statement outside the Court which may harm the reputation of the Court or which may be interpreted as the adoption of a position by the Court on issues falling outside its institutional role.

*Article 2***Integrity**

Members shall not accept gifts of any kind which might call into question their independence.

*Article 3***Impartiality**

Members shall avoid any situation which may give rise to a conflict of interest.

*Article 4***Declaration as to financial interests**

1. On taking up their duties, Members shall submit a declaration as to their financial interests to the President of the Court of Justice.

2. The declaration referred to in paragraph 1 shall be worded as follows: 'I declare that I have no interest in any property or asset which might compromise my impartiality and my independence in the performance of my duties'.

*Article 5***Other activities**

1. Members who wish to take part in an external activity shall request prior authorisation from the Court or Tribunal of which they are a Member. They shall undertake, however, to comply with their obligation to be available so as to devote themselves fully to the performance of their duties.

2. Members may be authorised to participate in teaching activities, conferences, seminars or symposia, but may not receive any uncustomary financial remuneration for doing so.

3. Members may also be authorised to engage in activities of an academic nature and to assume unremunerated honorary duties in foundations or similar bodies in the cultural, artistic, social, sporting or charitable fields and in teaching or research establishments. In that connection, they shall undertake not to engage in any managerial or administrative activities which might compromise their independence or their availability or which might give rise to a conflict of interest. The expression 'foundations or similar bodies' means non-profit-making establishments or associations which carry out activities in the general interest in the fields referred to.

Article 6

Undertakings of Members after ceasing to hold office

1. After ceasing to hold office, Members shall continue to be bound by the duty of discretion.
2. Members shall undertake that after ceasing to hold office, they will not become involved:
 - in any manner whatsoever in cases which were pending before the Court or Tribunal of which they were a Member when they ceased to hold office;
 - in any manner whatsoever in cases directly and clearly connected with cases, including concluded cases, which they have dealt with as Judge or Advocate General;

and that, for a period of three years from the date of their ceasing to hold office, they will not act

— as representatives of parties, in either written or oral pleadings, in cases before the Community judicature.

3. Former Members may be involved as counsel, adviser or expert in other cases or provide a legal opinion, provided that they comply with the obligations arising under paragraph 1.

Article 7

Application of the Code

1. The President of the Court of Justice, assisted by a Consultative Committee composed of the three Members of the Court of Justice who have been longest in office, shall be responsible for ensuring the proper application of this Code of Conduct.
2. The Court of Justice shall ensure compliance with the Code and shall take decisions in cases of doubt. Where appropriate, it shall consult with the Court of First Instance or the Civil Service Tribunal.

Article 8

Entry into force

1. This Code of Conduct shall enter into force on 1 October 2007.
2. The declaration of the Members in office on that date shall be submitted to the President of the Court of Justice no later than 30 November 2007.