



Bundesverfassungsgericht

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Code of Conduct for the Justices of the Federal Constitutional Court

Translation provided by the Federal Constitutional Court

Preamble

The Justices of the Federal Constitutional Court declare their conduct during and after their term of office to be guided by the following principles, which derive from the special function of the Federal Constitutional Court as a federal constitutional organ.

I. General principles

1. In all matters, both official and unofficial, the Justices of the Federal Constitutional Court conduct themselves in a way that does not compromise the reputation of the Court, the dignity of their office or confidence in their independence, impartiality, neutrality and integrity.
2. Due to the status of the Federal Constitutional Court as a constitutional organ and the social and political significance of its decisions, members of the Court primarily fulfil the duties and obligations that arise from their judicial function, yet also participate in presenting and imparting knowledge of the Court's status and functioning as well as its case-law, both in national and international contexts.
3. The members of the Court exercise their duties independently and impartially, without bias as to personal, social or political interests or relations. In their entire conduct, they are mindful of ensuring that no doubts arise concerning their neutrality in the exercise of their office with regard to social, political, religious or ideological groups. This does not exclude affiliation with and, subject to due restraint, involvement in such groups as well as participating in the general social discourse.
4. Without prejudice to the secrecy of deliberations, the Justices respect confidentiality in relation to the work at the Federal Constitutional Court.
5. The Justices of the Federal Constitutional Court ensure their continuous availability as well as their personal presence at the Court, guaranteeing the expeditious discharge of their judicial duties.
6. The Justices of the Federal Constitutional Court exercise appropriate restraint with regard to criticism of other opinions or legal positions. This applies, in particular, to decisions of this Court, but also in relation to other national, foreign or international courts.
7. The Justices of the Federal Constitutional Court do only accept gifts or donations of any kind in social contexts and to the extent that their personal integrity and independence will not be called into question.

II. Non-judicial activities

8. Engaging in non-judicial activities may not affect the performance of judicial duties. This applies, in particular, to academic publications, lectures, speeches as well as any other participation in events and related travels.
9. The Justices of the Federal Constitutional Court may only accept remuneration for attending events and for

publications if and to the extent that it does not compromise the reputation of the Court, nor cast doubt on the independence, impartiality, neutrality and integrity of the Court's members. They disclose any resulting income. It is not objectionable if an organiser of an event covers appropriate expenses for travel, accommodation and meals.

The income obtained in 2021 is also available for [download](#).

10. When attending events in any manner, the Justices of the Federal Constitutional Court are mindful of ensuring that the type of event is compatible with the dignity of their office, the general principles that govern the exercise of their duties and the reputation of the Court.

11. The Justices do not give expert opinions concerning constitutional matters nor do they offer predictions as to the outcome of pending proceedings or matters that will likely be brought before the Court.

12. When interacting with the media, the Justices of the Federal Constitutional Court ensure that the type of statements provided and the format are compatible with their duties, the reputation of the Court and the dignity of their office.

III. Conduct after ceasing to hold office

13. After ceasing to hold office, the Justices of the Federal Constitutional Court continue to exercise restraint and confidentiality with regard to statements and conduct relating to matters of the Court.

14. After ceasing to hold office, the Justices of the Federal Constitutional Court do not become involved in legal matters that were the subject of proceedings before the Federal Constitutional Court during their term of office or are closely related to such proceedings. Regarding such matters, they also refrain from submitting expert opinions, taking on responsibilities as lawyer or counsel, and appearing in court.

15. In the first year after ceasing to hold office, the Justices of the Federal Constitutional Court refrain from undertaking advisory activities that relate to the subject areas of their cabinet, submitting expert opinions and appearing in court. Thereafter, they still refrain from representing anyone before the Federal Constitutional Court. After leaving office, the Justices avoid the impression of inappropriately exploiting internal knowledge.

IV. Further development of the Code of Conduct

16. By way of plenary session, the Justices of the Federal Constitutional Court attend, on a regular basis, to questions regarding conduct appropriate to the office, the effectiveness of the Code of Conduct and its further development. Each member of the Court is entitled to raise matters pertaining to compliance with and application of the Code of Conduct.

Karlsruhe, November 2017

Voßkuhle	Kirchhof	Eichberger	Schluckebier
Masing	Paulus	Huber	Hermanns
Baer	Britz	Müller	Kessal-Wulf
König	Maidowski	Langenfeld	Ott