

Annex D

Reference	Article / Rule	Relevant excerpt
Albania, Constitution of the Republic of Albania, dated 28 November 1998, promulgated on 28 November 1998, amended in January 2007.	Article 143	Being a judge is incompatible with any other state, political or private activity.
Andorra, Constitution of the Principality of Andorra, 28 April 1993.	Article 91(1)	The office of Judge is not compatible with any other public post or with the exercise of commercial, industrial or professional activities. Remuneration of Judges is the sole responsibility of the State Budget.
Angola, Constitution of the Republic of Angola, adopted on 21 January 2010.	Article 179(5)	Serving judges may not exercise any other public or private duties except teaching or academic research of a legal nature. Serving judges may not become affiliated to political parties or political associations or become involved in party political activities.
Armenia, Constitution of the Republic of Armenia, 5 July 1995, amended in 2015.	Article 164(6)	A judge may not hold office not stemming from his function in other state or local self-government bodies [...].
Azerbaijan, Constitution of the Republic of Azerbaijan, adopted on 12 of November 1995, entry into force on 27 November 1995 and amended in 2016.	Article 126(II)	Judges cannot hold other elected or appointed position, they cannot be engaged in business, commercial and any other paid activity, excepting scientific, teaching and creative work, nor can they affiliate with political parties and be engaged in political activity, nor can they get any remuneration except salary and means for scientific, teaching and creative work.
Belgium, Code Judiciaire, as published on 31 October 1967, entry into force 1 November 1970.	Article 293	Les fonctions de l'ordre judiciaire sont incompatibles avec l'exercice d'un mandat public conféré par élection; avec toute fonction ou charge publique rémunérée, d'ordre politique ou administratif, avec les charges de notaire ou d'huissier de justice, avec la profession d'avocat, avec l'état militaire et avec l'état ecclésiastique.
Benin, Loi No.2001-35 du 21 Février 2003 Portant Statut de la Magistrature en	Article 11	L'exercice des fonctions de magistrat est incompatible avec l'exercice de toute autre fonction publique et de toute autre activité

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République du Bénin, publiée au J.O. 115^eme année No. 6 du 15 Mars 2004.		lucrative, professionnelle ou salariée.
Cape Verde, Constitution of the Republic of Cape Verde, adopted on 25 September 1993, revised and published on the Official Bulletin, No. 17 of 3 May 2010.	Article 242(3)	The judges on active duty shall not exercise any other public or private functions, with exception of teaching, research in the field of law or in special cases laid down by law.
Costa Rica, Political Constitution of the Republic of Costa Rica, dated 1949, revised in 2011.	Article 161	The quality of Magistrate is incompatible with that of functionary of the other Supreme Powers.
Czech Republic, Courts and Judges Act, Act on Courts, Judges, Associate Professors and State Administration of Courts and on the Amendment of Certain other Acts, Act No. 6/2002 Coll., 11 January 2002, valid from 01 April 2002.	Article 74(2)	[...] the Judge may not hold any other office in the public administration at the same time as the Judge. ¹
Dominican Republic, Dominican Republic's Constitution, as published on 10 July 2015.	Article 151	Service in the Judicial Power is incompatible with any other public or private office, except that of teacher.
Estonia, Courts Act, passed on 19 June 2002, entry into force 29 July 2002, as last amended on 4 February 2014, RT I, 06.02.2014.	Paragraph 49 (RT I 2005, 71, 549 – entry into force 01 January 2006)	Judges shall not be employed other than in the office of judge, except for teaching or research.
France, Ordonnance No. 58-1270 du 22	Article 8	L'exercice des fonctions de magistrat est incompatible avec

¹ Unofficial translation.

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<i>décembre 1958 portant loi organique relative au statut de la magistrature, consolidated version of 4 November 2019, modified by LOI No. 2017-54 du 20 January 2017.</i>		l'exercice de toutes fonctions publiques et de toute autre activité professionnelle ou salariée.
<i>Germany, German Judiciary Act in the version promulgated on 19 April 1972 (Federal Law Gazette I p.713), as last amended by Article 9 of the Act of 8 June 2017 (Federal Law Gazette I p.1570).</i>	Section 4	A judge shall not simultaneously perform duties of adjudication and legislative or executive duties.
<i>Haiti, Constitution of the Republic of Haiti, adopted on 10 March 1987 and revised on 19 June 2012.</i>	Article 179	The duties of a judge are incompatible with any other salaried duties, except for education.
<i>Honduras, Constitution of the Republic of Honduras, dated 20 January 1982 and revised in 2013.</i>	Article 319	The judges and justices shall lend their services exclusively to the judicial branch.
<i>Ireland, Constitution of Ireland, dated 1 July 1937, as last amended 27 November 2018.</i>	Article 46(2)	No judge shall be eligible to be a member of either House of the Oireachtas or to hold any other office or position of emolument.
<i>Italy, Regio decreto del 30 gennaio 1941, n.12, published on the Gazzetta Ufficiale on 4 February 1941, n.28.</i>	Article 16	Private magistrates may not take on public or private posts or offices, with the exception of those of senators, national councillors or free administrators of public charities. Nor may they exercise any industry or trade or any other liberal profession. ²
<i>Ivory Coast, Le statut de la magistrature, loi No. 78-662 du 4 Aout 1978, portant statut de la magistrature.</i>	Article 10	L'exercice des fonctions de magistrat est incompatible avec l'exercice de toutes fonctions publiques et de toute autre activité rémunérée.

² Unofficial translation.

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Korea, Court Organization Act, Amended December 27, 2007 (Act. No. 8794).	Article 49(2)	No judicial officer shall engage in the following acts during his or her term of office. [...] 2. To become a public official in any administrative body;
Kosovo, Constitution of the Republic of Kosovo, entry into force on 15 June 2008.	Article 106	A judge may not perform any function in any state institution outside of the judiciary, become involved in any political activity, or be involved in any other activity prohibited by law.
Lithuania, Constitution of the Republic of Lithuania, adopted on 25 October 1992, as amended in 2006 (Nr. 48-1701).	Article 113	A judge may not hold any other elected or appointed office, may not work in any business, commercial, or other private establishments or enterprises. Also he may not receive any remuneration other than the remuneration established for the judge and payment for educational or creative activities.
Luxembourg, Texte de la Constitution du Grand-Duché du Luxembourg, dated 17 October 1868, as last amended on 18 October 2016 (Mém. A – 215 DU 20 Octobre 2016, p. 4026 ; doc. parl. 5967).	Article 93	Sauf les cas d'exception prévus par la loi, aucun juge ne peut accepter du Gouvernement de fonctions salariées, à moins qu'il ne les exerce gratuitement, sans préjudice toutefois aux cas d'incompatibilité.
Madagascar, Constitution de la VIe République, promulgated on 11 December 2010.	Article 111	L'exercice des fonctions de magistrat est incompatible avec toute activité au sein d'un parti politique et du Gouvernement, l'exercice de tout mandat public électif ou de tout autre activité professionnelle rémunérée, à l'exception des activités d'enseignement.
Malta, Code of Ethics for Members of the Judiciary, as amended on 18 May 2004, and including the Chief Justice's Guidelines made pursuant to rule 29 and approved on 8 June 2004 and subsequently amended on 8 February 2010.	Article 9(a)	Members of the Judiciary shall not hold any other office of profit under the Government, except such offices as are expressly allowed by law.

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Mexico, Mexico's Constitution, dated 5 February 1917, amended in 2015.	Article 49	Two or more of these powers cannot be united in one single person or corporation, nor shall the legislative branch be vested in one single person [...].
Moldova, Law on the Status of Judge, no. 544-XIII from 20 July 1995, entered into force on 26 October 1995, as last amended by Law no. 271 from 23 November 2018, in force since 1 December 2018.	Article 8	A judge may not: [...] hold any other public or private positions; [...] be a member of any parties or carry out activities of political nature, including period of detachment from office. ³
Montenegro, Constitution of the Republic of Montenegro, published on the Official Gazette of Montenegro 01/07 of 25 October 2007.	Article 123	The judge shall not discharge duties of a Member of the Parliament or other public duties or professionally perform some other activity. ⁴
Mozambique, Constitution of the Republic of Mozambique, adopted on 16 November 2004 and entered into force on 21 December 2004.	Article 219	Judges in office may not undertake any other public or private activity [...].
Panama, Constitution, dated 11 October 1972, as amended in 2004.	Article 208	The incumbent Justices and Judges shall not occupy any other public position except that of Professor of Law in an educational institution at University level.
Paraguay, Constitution, 20 June 1992, revised on 2011.	Art. 254	The Magistrates may not exercise, while their functions last, another public or private office, remunerated or not, with the exception of part-time teaching or [of] scientific research.
Peru, Political Constitution of Peru, enacted on the 29th of December 2003, published by the Congress of the	Article 146	Judicial office is incompatible with any other public or private activity, except university teaching outside the working hours.

³ As already mentioned in the document hyperlinked, the text is an unofficial translation.

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Republic, September 2009.		
Philippines, Code of Judicial Conduct for the Philippine Judiciary, 2004, A.M. No. 03-05-01-SC.	Canon 1, section 5	Judges shall not only be free from inappropriate connections with, and influence by, the executive and legislative branches of government, but must also appear to be free therefrom to a reasonable observer.
Portugal, Constitution of the Portuguese Republic, 2 April 1976 and amended by Law No. 1/2005 of August 12, 2005.	Article 216(3)	Serving judges may not perform any other public or private function, save for unremunerated teaching or academic legal research functions, as laid down by law.
Romania, Constitution of Romania, adopted on 21 November 1991, entered into force on 8 December 1991, published in the Official Gazette of Romania Part I, No. 233 of 21 November 1991 and as amended by the Law No. 429/2003 on the revision of the Constitution of Romania, published in the Official Gazette of Romania, Part I, No. 758 of 29 October 2003.	Article 125(3)	The position of judge is incompatible with any other public or private office, with the exception of teaching positions in higher education.
Spain, Organic Law 6/1985, of 1 July, on the Judiciary, dated 1 July 1985 and entry into force in October 1985.	Article 389	The appointment to judicial office either as a magistrate or a judge is incompatible with 1. The exercise of any jurisdiction other than the Judiciary. 2. Any elective or political appointment to the State, Autonomous Regions, Provinces and other local entities or councils included within the structure of any of the above. 3. Remunerated or for profit employment or positions with the State Administration, Parliament, the Royal Staff, Autonomous Regions, Provinces, Councils or other local entities or councils included within the structure of any of the above.
South Africa, Code of Judicial	Article 14	A judge must not –

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Conducted, adopted in terms of section 12 of the Judicial Service Commission Act, 1994 (Act No. 9 of 1994), published on the Government Gazette on 18 October 2012, No. R. 865.		(a) accept any appointment that is inconsistent with or which is likely to be seen to be inconsistent with an independent judiciary, or that could undermine the separation of powers or the status of the judiciary [...].
Switzerland, Loi fédérale sur l'organisation des autorités pénales, 19 March 2010.	Article 44 (1)	Les juges ne peuvent être membres de l'Assemblée fédérale ou du Conseil fédéral ou juges au Tribunal fédéral ni exercer aucune autre fonction au service de la Confédération.
Turkey, Constitution of the Republic of Turkey, adopted on 18 October 1982, published in the Official Gazette dated 20 October 1982, No. 17844, as amended on 23 July 1995, Act. No. 4121.	Article 140	Judges and public prosecutors shall not assume any official or private occupation other than those prescribed by law.
Ukraine, Law of Ukraine on the Judiciary and the Status of Judges, dated 2 June 2016, No. 1402-VIII.	Article 54	Holding a position of a judge shall be incompatible with holding a position in any other body of state power, body of local self-government and a representative mandate. [...] judge may not combine his/her activities with entrepreneurial activities, legal practice, hold any other paid positions, perform other paid work(except for teaching, research or creative activities), or be a member of the governing body or a supervisory board in a company or organization that is aimed at making profit.
Uruguay, Constitution of the Oriental Republic of Uruguay, dated 1966, reinstated in 1985, amended in 2004.	Article 251	Positions under the Judiciary shall be incompatible with any other salaried public office [...].

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Venezuela, Constitution of the Bolivarian Republic of Venezuela, dated 1999, revised in 2009.	Article 256	In order to guarantee impartiality and independence in the exercise of their official functions, magistrates, judges [...] shall not be permitted [...] to perform any other public functions, with the exception of educational activities.