

**ETHICS FOR JUDGES,
PROSECUTORS AND LAWYERS**

Ethics for Judges, Prosecutors, and Lawyers

HELP ONLINE COURSE

Duration: 9 hours

**Available for free on the CoE
HELP e-learning platform**

**Statement of
Accomplishment**

START COURSE 

Council of Europe
Human Rights Education for Legal Professionals (HELP) Programme

2021

Co-funded
by the European Union



EUROPEAN UNION

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Co-funded and implemented
by the Council of Europe

Background

The state of **rule of law** is an increasing concern in respect of many European countries. In recent years concerted efforts have been made at European level to prevent degradation of the rule of law through measures aimed at the well-functioning of national justice systems.

In the Council of Europe (CoE) [Plan of Action on Strengthening Judicial Independence and Impartiality](#) it is stated that *“Only an independent and impartial judiciary can provide the basis for the fair and just resolution of legal disputes, particularly those between the individual and the State. In this context, it is recalled that all member States have undertaken, under Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms, to guarantee access to independent and impartial tribunals, whenever civil rights or obligations are in issue or criminal charges are to be determined; and in respect of which the European Court of Human Rights has developed a wide jurisprudence. (...) It is of primordial importance that judicial independence and impartiality exists in fact and is secured by law, and that public confidence in the judiciary, where it has been lost, is restored and maintained.”*

Among other measures, the Plan of Action requires States to **ensure comprehensive and effective training of the judiciary in effective judicial competences and ethics.**

At European Union (EU) level, the [2020 Rule of Law report](#) stated that *“Effective justice systems are essential for upholding the rule of law. Independence, quality and efficiency are the defined parameters of an effective justice system, whatever the model of the national legal system and tradition in which it is anchored. (...) The independence of national courts is fundamental to ensuring such judicial protection. (...) Despite reform efforts in a number of Member States to enhance judicial independence, developments raise concerns in a few of them.”*

Judges, prosecutors, and lawyers occupy a critical and sensitive place in society; the way they conduct themselves directly impacts on public confidence and on the administration of justice. Therefore, they have a duty to maintain the highest of ethical behavior.

There are international standards providing guidance on ethical conduct and on the core principles of these professions. **Independence, impartiality and integrity underpin the rule of law** in a healthy democracy and guarantee the protection of human rights.

About the course

To address these issues, the HELP course on **“Ethics for Judges, Prosecutors and Lawyers”** covers in an interactive way the key concepts and principles, the **International and European (CoE and EU) framework** as well as the relevant **case law of the European Court of Human Rights (ECtHR) and of the Court of Justice of the European Union (CJEU)**. It is aimed at deepening the knowledge and understanding of professional tools and at developing reflective skills, based on practical examples, to address ethical dilemmas in the performance of professional duties.

The HELP online course includes the main international standards for each profession (such as the Bangalore Principles), as well as, at CoE level, the standards and guidelines referenced in the European Commission for the Efficiency of Justice ([CEPEJ](#)) materials, the Venice Commission relevant [opinions](#) and [Rule of Law Checklist](#), the opinions issued by the Consultative Council of European Judges ([CCJE](#)) and the Consultative Council of European Prosecutors ([CCPE](#)), as well as the relevant case law of the ECtHR. At EU level, it includes the relevant EU framework, including Article 47 of the EU Charter of Fundamental Rights and the case-law of the CJEU, as well as references to the [EU initiatives to strengthen the rule of law](#), such as the Rule of Law reports and the specific Rule of Law Mechanism.

This course is thought to help professionals understand the **purpose and importance of ethics in the administration of justice** for the benefit of the people, allowing to identify key **concepts** and understand common **values**, ethical **principles** and **virtues**.

The online course has been developed in 2020-21 by the **Council of Europe HELP Programme** under the EU-CoE “HELP in the EU II” project, in cooperation with several Council of Europe entities/services such as the **Secretariats of the Venice Commission**, the **European Commission for the Efficiency of Justice** (CEPEJ) and the **Consultative Councils of European Judges and Prosecutors** (CCJE and CCPE) as well as the **Registry of the European Court of Human Rights**. It also involved representatives of the **European Judicial Training Network** (EJTN) and the **Council of Bars and Law Societies in Europe** (CCBE).

Target audience

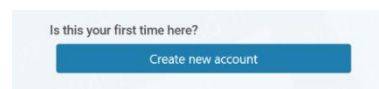
This free on-line course is primarily addressed to legal professionals: **judges, prosecutors, and lawyers**.

For a better understanding of the aspects related to the importance of judicial independence and impartiality, the course can also be useful to senior court staff, as well as members and staff of the executive and legislative powers.

How to access the HELP online course

The course is freely available in self-learning format on the [CoE HELP e-learning platform](#). The overall length of the online course is approximatively **nine hours** and those who complete it in self-learning format can obtain an electronic '**Statement of accomplishment**'.

To access the course, you need to have a HELP account. If you haven't created one yet, you can sign up here, it only takes 2 minutes: <http://help.elearning.ext.coe.int/login/signup.php>.



Course outline

The course consists of **2 general modules** on Introduction, and International and European Framework, as well as **3 specific modules** for judges, prosecutors and lawyers, respectively.

1

Introduction

- Why does professional ethics matter?
- Common values and principles
- Key concepts
- Distinction between ethical principles and disciplinary rules

2

International and European Framework

- Treaty norms
- United Nations
- Council of Europe
- European Union
- Professional bodies
- Instruments of international courts

3

Ethics for Judges

- Main principles
- Qualities and virtues
- Tools
- Practical examples

4

Ethics for Prosecutors

- Main principles
- Relation with the media
- Tools

5

Ethics for Lawyers

- General principles
- Relation with other parties
- Values
- Tools
- Practical examples

You can also watch a course presentation video at <https://vimeo.com/540560904>.

For a comprehensive approach on rule of law, you can enroll in HELP-related courses dealing with fair trial, access to justice (for women), anti-corruption (as of July 2021) and media. All are available at <http://help.elearning.ext.coe.int/>