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General Rules of Conduct of Civil Servant

I. General Provisions

1.1. These General Rules are generalization of standards of ethical behaviour, honesty and prevention of conflict of interests in activity of civil servants as well as the ways of regulation of conflict of interests. The Rules are based on the Constitution of Ukraine and stipulated by Article 3 of the Law of Ukraine "On Civil Service", principles of civil service aimed at increase of image of civil service and strengthening of reputation of civil servants as well as informing the citizens about the rules of conduct, which they have to expect from civil servants.

Being employed to the state service the civil servant gets familiarised with these General Rules and the fact of such familiarisation is recorded in the personal file of civil servant.

1.2. These General Rules establish the main requirements to ethics of employees of state authorities, who occupy the positions attributed to the respective categories of titles of civil servants under the Law of Ukraine "On Civil Service".

1.3. State service is based on the following main principles:

Servicing to people of Ukraine;

Democracy and law;

Humanism and social justice;

Priority of rights and human being and citizen;

Professionalism, competence, initiative, honesty, devotion to cause;

Personal responsibility for fulfilment of service duties and discipline;

Meeting the rights and legal interests of local and regional self-governance authorities;

Meeting the rights of enterprises, institutions and organisations, associations of citizens.

1.4. Public purpose of civil service is to ensure efficient fulfilment of tasks and functions of the Ukrainian state through diligent fulfilment by civil servants of their service duties.

1.5. Conduct of civil servants should meet the expectations of public and ensure confidence of public and citizens to civil service, contribute to implementation of rights and freedoms of human being and citizen specified by the Constitution of Ukraine and laws of Ukraine.

1.6. Civil servant should take care of positive image of state authorities and of civil service in general as well as of his/her name and status.

1.7. Civil servants should keep themselves from demonstrating own political views and their attitude to political forces, parties, blocks, do not allow their impact on fulfilment of service duties.

1.8. Civil servant as other citizens has the right for private life and he/she should respect private life of other civil servants, keep confidentiality of information for these issues unless otherwise is established by laws of Ukraine.

II. General Duties of Civil Servant

2.1. Civil servant when fulfilling the service duties should act on the basis, within the limits and in the manner stipulated by the Constitution of Ukraine and laws of Ukraine as well as the current international agreements of Ukraine, the consent for obligation of which is granted by the Verkhovna Rada of Ukraine.

Decrees of local executive and local self-governance authorities approved on the respective territory within their powers, which do not contradict to the law, are also compulsory to be met by civil servants of any state authority.

2.2. Civil servant should diligently fulfil his/her service duties, demonstrate initiative and creative ability, continuously improve professional qualification and organization of his/her work.

2.3. Civil servant should fulfil his/her functions honestly, without prejudice, not give any privileges and show sympathies for certain individual and legal entities, political parties; civil servant should strongly stand against anti-governmental forces, which threaten the order in society or security of citizens.

2.4. Civil servant should diligently fulfil his/her functions, keep high culture of communication, respect citizens, managers and colleagues, other persons, with whom he/she contacts when fulfilling the functions.

Civil servant should not allow the actions and acts, which may harm the interests of society and state or affect his/her reputation.

2.5. Civil servant should properly respect the rights, duties and legal interests of citizens, their associations as well as legal entities; civil servant should not demonstrate despotism or indifference to their legitimate actions and requirements, commit actions of red tape, regionalism and seniority, incontinence in expressions and not to make actions, which discredit the state authority or disgrace the reputation of civil servant.

2.6. Civil servant should demonstrate tolerance and respect to different religious organisations, folk customs and national traditions, at that they should not display their religious views or beliefs, not give preferences to any associations of citizens, religious organisations irrespective of their number, status, confession, areas of activity etc.

Civil servant should follow the established protocol in relations with representatives of international organizations, foreign institutions and citizens.

2.7. Clothes of civil servant should be official and business and not contradict to generally accepted requirements to decencies.

2.8. While exercising his/her powers the civil servant should ensure that material and financial resources entrusted to him/her are used in efficient, effective and economical manner.

2.9. Civil servant should continuously improve his/her skills and knowledge in accordance with responsibilities and tasks of the occupied position, increase his/her professional, intellectual and cultural level.

2.10. Civil servant should timely and accurately fulfil the decisions of state authorities or officials, instruction and orders of his/her managers.

2.11. Civil servant should act within its competence.

In case the order is received, which contradicts to the current legislation of Ukraine, civil servant should immediately, in writing, inform about it the official, who gave the order, and in case such official insists to fulfil it – inform the higher official.

2.12 Civil servants should not take part in strikes and make other actions, which prevent normal functioning of state body.

2.13. Civil servant is not allowed disclosing the state secret entrusted to him/her as well as other information with restricted access established by the Laws of Ukraine "On Information", "On State Secret" and information he/she became aware of in the context with fulfilment of service duties, including that after he/she dismissed from civil service as well as such civil servant is not allowed using such information for his/her own interest or interest of other persons in the form of advices or recommendations.

At the same time civil servant should not conceal from citizens the facts and circumstances, which threaten life, health and security of people.

III. Settlement of Conflict of Interests

3.1. Civil servant should, within his/her competence, take actions concerning prevention of conflict of interests, namely, discrepancies between personal interests and service powers, availability of which can impact on objectivity and unprejudiced of the decision taking as well as fulfilment or non-fulfilment of actions when discharging his/her service duties.

3.2. Circumstances, which can result in occurrence of conflict of interests, should be removed until the civil servant is appointed.

In case the circumstances, which can result in occurrence of conflict of interests, occurred after the civil servant was appointed, then such civil servant should immediately inform about it, in writing, his/her direct manager and immediately take actions to remove such circumstances.

3.3. In case a conflict of interests occurred or the grounds, under which it can occur, are available, civil servant should follow these General Rules.

3.4. If civil servant became aware of availability of conflict of interests occurred with other civil servants, he/she should inform about it his/her direct manager.

Civil servant, who informed his/her direct manager about conflict of interests, and considers that the actions taken are insufficient, may inform about it, in writing, the manager of state body.

3.5. The direct manager should take all necessary actions aimed at prevention of conflict of interests through entrusting the respective service responsibilities to other official, he/she can personally fulfil such responsibilities or fulfil in another manner specified by legislation.

3.6. In case conflict of interests occurs with civil servant, who is a member of a collective body (committee, commission, board etc.); such civil servant should not take part in decision making unless his/her non-participation impacts the powers of this body.

If non-participation of civil servant, who has a conflict of interests and who is a member of collective body, will, when taking the decision by this body, result in loss of powers by this body, then participation of such civil servant in decision making should be done under control.

3.7. Civil servant is recommended to get rid of private interest, which can be the basis of conflict of interests, through alienation of corporate rights, property or property rights, transfer them into trust management or in any other manner.

3.8. If it is impossible to remove conflict of interests through replacement of civil servant by other person and there are no possibilities to move him/her to another position of the respective category of positions of civil servants then the manager of body, where the civil servant work or his/her deputy, take, according to allocation of powers within the shortest period, which does not exceed one working day, the decision to exercise control over the decisions taken by such civil servant.

In the decision it is necessary to indicate the form of control, person in charge and requirements to civil servant concerning making the decisions in terms of subject of conflict of interests.

3.9. Civil servant shall, not later than next working day from the day of making the decision on application of control, get familiarized with such decision.

If conflict of interests occurs in the context with activity of civil servant as a member of collective body then the decision on introduction of control of such civil servant is sent to all members of collective body.

3.10. Control is exercised in the following form:

Checking by person identified by manager of state body, the content of decisions or draft decisions, being taken or drafted by civil servant or the respective collective body, for the issues related to subject of conflict of interests;

Considering the cases and taking the decisions by civil servant in presence of person identified by manager of state body.

IV. Prevention of Corruption

4.1. Civil servant should strictly follow the restrictions and bans stipulated by anti-corruption legislation and the Law of Ukraine "On Civil Service", avoid actions, which can be considered as

a ground to suspect him/her in corruption. By his/her conduct the civil servant should demonstrate that he/she does not tolerate any displays of corruption, rejects the proposals concerning illegal services, properly distinguishes service and private life; in case there are slight signs of corruptive conduct he/she informs the manager of his/her structural division.

Civil servant, who has information about violation of requirements by other civil servants stipulated by the Laws of Ukraine "On Civil Service", "On Principles for Corruption Prevention and Combating" and these General Rules, should communicate such information to manager of state body.

4.2. Civil servant should follow the special restrictions stipulated by Article 12 of the Law of Ukraine "On Civil Service" and the Law of Ukraine "On Principles for Corruption Prevention and Combating".

4.3. Civil servant is not allowed to, directly or through other persons, receive gifts (donations) from legal entities or individuals as per the provisions of part one Article 8 of the Law of Ukraine "On Principles for Corruption Prevention and Combating".

4.4. If civil servant has found the gift in his/her service premises or has received such gift in another manner, then he/she should immediately inform, in writing, about such fact his/her direct manager.

In case the gift is revealed then the statement is drawn up optionally where the description of gift and circumstances under which it was revealed are specified. The statement is signed by civil servant, who revealed the gift, by direct manager and person in charge of prevention of corruption in state authority.

4.5. Managers of bodies or their structural divisions, in case they reveal or receive information about commitment of corruptive actions by their employees or if the special restrictions established by the Law of Ukraine "On Principles for Corruption Prevention and Combating" are violated, then such managers should, within their competence, take actions to stop the said deeds and immediately inform about it any state body specified in part five Article 5 of this Law.

4.6. Civil servants should meet these General Rules. In case the legislation on civil service is breached then civil servants are liable in accordance with the Law of Ukraine "On Civil Service".

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