



**Republika e Kosovës • Republika Kosova • Republic of Kosovo
Institucioni i Avokatit të Popullit • Institucija Ombudsmana • Ombudsperson Institution**

he Ombudsperson Institution in accordance with the Article 31 of the Law no. 03/L-195 (Official Gazette nr. 80/2010 of the Republic of Kosovo) and Article 51 of the Rules of Procedure of the Ombudsperson Institution, by Decision no. 02/2011, dated 18 April y 2011, adopts:

**THE CODE OF ETHICS
OF THE OMBUDSPERSON INSTITUTION
NO. 01/2011**

CHAPTER I

General principles of the code of ethics

Article 1

The scope of the Code of Ethics

This code of ethics aims to determine rules and standards for the professional ethics that all the Ombudsperson Institution staff members shall be based on when performing their mission. The code promotes moral values and professional ethics, as well as the quality of the work performed by the staff members of the Ombudsperson Institution to serve the citizens.

Article 2

Respect for the mission of the Institution

The staff members of the Ombudsperson Institution shall respect mission of the Institution and the Constitution of the Republic of Kosovo.

Article 3
Impartiality and independence

During their work, staff members of the Ombudsperson Institution shall perform their duties impartially, independently, objectively and professionally, they shall not be influenced by outside interferences. Also, they shall take into account and impartially shall assess every kind of information on the issues they handle in order to achieve the right conclusions.

Article 4
Integrity

Staff members of the Ombudsperson Institution should have high standards of integrity, including, honesty, verity and justice. They should faithfully follow the truth without fear and without being influenced by political, social, religious or economic views of the persons they meet while performing their duty. They shall keep their moral image clean and should avoid behaviour and actions which affect authority and image of the Ombudsperson Institution on the front of public opinion.

Article 5
Transparency

Staff members of the Ombudsperson Institution must perform their duties in a transparent manner. They must maintain the confidentiality of the information they possess without affecting the rights deriving from the Law on Access to Official Documents.

Article 6
Effectiveness and quality

The staff members of the Ombudsperson Institution shall accomplish their duties in the best possible manner and work in order to achieve qualitative and quantitative results considering the public interest, as well as the principles of the Institution's mission.

Article 7
Professionalism and responsibility

Staff members of the Institution should be professional and accountable for their decisions and actions. The staff members during their work should demonstrate modesty, seriousness, integrity and must do the right assessment based on their knowledge and experience. They should not become a prey of prejudices and premeditation and shall not allow that their own private interests to conflict with the duty they perform.

Article 8
Social sensitivity and respect for the needs of citizens

Staff members of the Institution shall perform their duties with social sensitivity and act or make decisions taking into account the peculiarities of individuals or groups and demonstrate due respect for liberties and civil rights.

Article 9
Non-discrimination

In cases that staff members of the Ombudsperson Institution handle complaints and make decisions, they shall do so based on the principles of equal treatment of individuals and groups.

CHAPTER II

Norms of ethics and conduct during the process of submission and handling of cases

Article 10
Conduct toward the citizens

1. A staff member of the Ombudsperson Institution has a duty to host any person who addresses this Institution politely, with courtesy, patience and if need be to explain to him/her the Law on the Ombudsperson Institution and the rules of procedure of the Institution. Ombudsperson staff members should respond to complaints of the parties with professional ethics in order to protect and respect the dignity and personality of the complainant.

2. Every staff member of the Ombudsperson Institution during his/her work or conversations with the parties should always be guided by the principle of work of the institution, in order to maintain and cultivate public trust in the service provided.

Article 11

During their work and handling of complaints, the staff members of the Ombudsperson Institution shall not give up before difficulties or fear of pressure or difficulties they may encounter, whether these pressures or difficulties arising from administration officials or public or private persons.

Article 12

Ombudsperson Institution staff member during performing the function must demonstrate the same high level of professionalism and professional ethics in the cases they request information, when entering the office or need to check documents only in the cases when it is authorized to act in such manner. Institution`s identification card should be used only when the staff member is on duty.

Article 13
Conflict of interests

1. Staff members of the institution should arrange their private interests so as to prevent actual or potential cases of conflict of interest. If there is a case of conflict of interest between their private interests and official duties, the conflict must be resolved in favour of the institution.

2. Conflicts or potential conflicts of interest must be declared at the earliest opportunity by the Ombudsperson Institution staff members. Ombudsperson Institution staff member shall not participate or handle a complaint if:

a) It affects his civil, administrative, criminal or moral interests or of his spouse, children or other member of his closed family;

b) his/her personal interest include any advantage for the persons or organizations with which he has or has had business or political ties;

c) When there are other causes of impartiality set forth by Nr.03/L-155 Law on Amendments and completion of the Law Nr.2/L-133 to prevent conflict of interest in the exercise of public functions.

3. If an Ombudsperson Institution staff member becomes aware that he would not participate in a working process for the ascertainment of the causes mentioned in paragraphs a, b and c of this article, then this employee should explain to his supervisor in writing details of his conflict of interest so that his superior may look in the matter as fairly as possible.

Article 14
Corruption

When various people attempt to corrupt an official of the Ombudsperson Institution by offering money or by other ways, the Ombudsperson Institution staff member shall immediately inform his/her supervisor or the Ombudsperson. Even in the cases when an Ombudsperson Institution staff member provides accurate information that there were attempts to corrupt another Ombudsperson staff member, the official which has such information should inform his/her supervisor or the Ombudsperson without any delay.

Article 15
Gifts, favours and other benefiting

1. The staff members of the Ombudsperson Institution shall not accept or request gifts, favours or any other benefits from the sources outside of the Institution for themselves, family, relatives, people or organizations with which they have connections which could bring in question the independence, impartiality and the integrity of the Institution.

2. Acceptance of such gifts and favours shall be done only in accordance with the rules and policies adopted by the Institution.

Article 16
Abusing with the duty

1. Staff members should not use the authority given to them, especially to do favours or privileges to colleagues, citizens and groups for financial gain, political, sexual or any other benefit, or cover illegal or irregular public clerks. Also, they cannot make private promises on behalf of the institution they represent.
2. The Ombudsperson Institution staff member shall not use or allow persons linked to him to use his/her official duty to encourage or to compel another person, including subordinates for any financial purpose or for any other benefit for personal interest.

Article 17
Participation in organizations and working outside of Ombudsperson Institution

1. Ombudsperson and his/her deputies cannot have other employment relationship, with or without compensation, in private and public entities and non-profit organizations, except for teaching, copyrights, cultural activities, delivering speeches and lectures.
2. Other Ombudsman Institution staff members may exercise after the working time activities which do not affect professional independence. This freedom is limited only to the extent of incompatibility of the outside activities with belief, impartiality and independence that could affect their work as Ombudsperson Institution staff members. In particular, it is forbidden for the staff members of the Institution to work for an organization that supports any kind of discrimination and restraint of human rights and fundamental freedoms.
3. If there is suspicion that an activity where they intend to participate may be contrary to the aforementioned principles, the staff members should consult the human resources department or their supervisor.

Article 18
Using the Institution`s property

Staff members shall protect and preserve the property of Ombudsperson Institution, including official documents and use it for purpose of performing duties and responsibilities which were assigned in accordance with the laws and bylaws in force. Every employee shall use equipments granted to him in accordance with the job description of his position to accomplish his duties and not for the personal purpose.

CHAPTER III

Relations in and outside the Institution

Article 19

Relations with the management of the Institution

The staff members shall present to the supervisors and the management of the Institution detailed reports, information on the issues within their power and to express their opinions on handling different issues by demonstrating integrity, initiative, creativity and commitment.

Article 20

Relations with the subordinates

The staff members of the Ombudsperson Institution should be an example of conduct for their subordinates and should apply all the time a code of ethics. They must respect and listen to opinions and views of their subordinates and to promote cooperation, by always being responsible regarding final decision. They shall oversee the work of their subordinates, to take responsibility for actions and/or their mistakes and should recognize and protect the rights of their subordinates.

Article 21

Conduct with the colleagues

1. Staff members of the Institution must show good behaviour among them based on understanding, mutual respect and solidarity and cooperative spirit in the daily policies and actions in order to accomplish mission of the Institution. They should behave politely and honestly with colleagues, regardless of ethnicity, religious beliefs, sex, medical situation, family status or any other circumstances. They should respect the effort and work done by others and not hide or minimize the effectiveness, but to support and help them, offer cooperation and use their knowledge and experience.

2. The cases of non-information of the colleague on the possible errors that he could have done during his/her work shall be considered, displaying the weaknesses of his/her colleague during the presence of the complainants, displaying the weaknesses of subordinates, supervisor or of their work, as well as non-exchanging information and opinions on working progress.

Article 22

Conduct with the representatives of the other institutions

1. The staff members of the Institution shall promote cooperation in the areas related to the mission of the Ombudsperson Institution with all organizations, state institutions and civil society.

2. Staff members should promote co-operation with educational and scientific institutions in the areas related to the mission of the Institution by tendering information and facilitating in any way cooperation with them.

3. The staff members of the Institution cannot make any promises, nor can speak on behalf of the Institution without a prior authorization of the Ombudsperson or their management.

Article 23

Conduct toward media

The staff members shall not make public for the Medias information on the institution for which there is no prior approval issued by the supervisor and in no manner cannot provide to Medias information or inaccurate data. They cannot make public comments or statements if there is no prior authorization issued by the management of the institution.

Article 24

Representation of the Institution

1. When representing the institution in meetings, events, international organizations, educational institutions, conferences etc., the staff members must do the best appearance to promote the values of the institution. When contacting representatives of the other countries, the staff members shall demonstrate discretion and understanding. They shall refrain from expressing personal opinions concerning matters of national concern, as well to ensure that their behaviour does not offend laws, legal norms and traditions of the hosting countries.

2. When representing the institution in working groups or committees, officials should express the opinion or position of the institution and not personal opinion. When the staff members are required to express their opinion for an important issue on which the institution does not have yet an official position, they must make clear that they are expressing their personal opinion if they have such opinion.

KAPITULLI IV

Final and transitional provisions

Article 25

1. Appearance at work should be appropriate and such that expresses the care and seriousness of the staff members of the institution for their visual side, the necessary level of personal cleanliness and attention to the way of communication and attitude in the premises of the institution. Similarly, staff members of the institution must meet the requirements necessary to dress in office environments, according to the rules defined by an internal order.

2. All the staff members within the Ombudsperson Institution shall wear visible the identity card of the Institution.

Article 26
Implementation of the legal norms in effect

1. Staff members of the Ombudsperson Institution which have the status of civil servants shall correctly implement the Law on Civil Service in Kosovo. Any employee who is not a civil Servant will implement obligations under the Labour Law. All staff members are required to correctly apply the Regulation of the Ombudsperson Institution.

2. For violation of rules set forth in this code, when they do not constitute a criminal offense shall apply disciplinary measures set forth by the Law on Civil Service in Kosovo or the Labour Law.

Article 27

This Code of ethics comes into effect on the date set by an Internal Order issued by the Ombudsperson.

Sami Kurteshi

Ombudsperson