

## **Training Module for Public Officials on Conflict of Interests and Ethics**

### ***Introduction:***

Public officials and high officials have to be trained in a time to time manner, raising awareness among public servants in the field of conflict of interests, corruption and professional ethics.

Law of Georgia on the Conflict of Interests and Corruption in Public Service, the Law on Civil Service of Georgia and Georgian National Anticorruption Strategy Program establishes the ways to obey the general rules of behavior, reveal and suppress conflicts, also above mentioned laws regulate issues of professional ethics and Incompatibility with the Civil Service.

The Law of Georgia on the Conflict of Interests and Corruption in Public Service defines the range of high officials which is declared by the decree of the President of Georgia. The law also regulates the legal basis and mechanism of submission of the property status declaration by the public officials.

Therefore, Civil Service Bureau facilitates elaboration of unified state policy in the field of the civil service and coordinates relevant actions, incompatibility of high officials and anticorruption system analyses expressed by administering online asset declarations.

### ***Main Goals:***

1. To establish the general rules of behavior and professional ethics in civil service;
2. To prevent the conflict between private or property interests of a public official with interests of a public service.

### ***Specifics of the Program:***

1. Standards of disposition by the public officials towards civil service;
2. Determining general rules of behavior and the action area;
3. Preventing the conflict of interests and the cases of corruption;
4. Submission of asset and financial declarations;
5. Restriction activity in the public service;
6. Restriction of treaty;
7. Restriction of discrete decision making;

8. Restriction of receiving material benefits and presents.

***Curriculum:***

The main aspects of the curriculum:

- a) The general rules of behavior in public sector;
- b) The prevention of corruption and incompatibility of public servants (especially high officials).

Each of these articles consists of the general rules of behavior, as well as the ethics and incompatibility issues across the public sector.

***Implementation of the curriculum:***

The group of target audience members must include employees from every level of authority, public officials as well as high officials.

The training must be conducted with the knowledge exchange, approaching new experience and must include the issues of conflict of interests, professional ethics and promotion.

***Methods of the training:***

Issues about the main principles, general rules of behavior, protection of a secret, submission of asset declarations, restrictions, eradication of position incompatibility will be based on the Law of Georgia on the Conflict of Interests and Corruption in Public Service and the law on civil service of Georgia and Georgian National Anticorruption Strategy Program, as well as international experience and researches will be used as the training material.

***Main Criterion:***

**Protection of a secret**

Performing the duties or upon the dismissal from the service, a civil servant must refrain from disseminating a state and commercial secret, also information related to other people's families and private lives, as well as information he/she obtained while performing duties.

***Profit Related to the Position in the Civil Service:***

- Pay attention to any real or potential incompatibility of interests;
- Take measures to eliminate any case of incompatibility of interests;
- Declare about the incompatibility of interests before being appointed (elected) to a position or as soon as he/she becomes aware of such a fact.

***Restrictions:***

- a) A civil servant may not be permanent Head, a member of Controlling, Supervising or Revising body of an enterprise;
- b) State servant may not use his/her work position for party activities;
- c) A civil servant must not receive income from organizations, supervision of which is his/her duty. A civil servant shall not be charged with supervision of organizations, where members of his/her family serve on management bodies.

**General rules of behavior for civil servants:**

- a) A civil servant must perform his/her duties in accordance with the legislation of Georgia and the general rules of behavior. A civil servant must perform his/her duties without bias and in good faith;
- b) A civil servant must act based on the principle of collectivity, taking in consideration job duties;
- c) A civil servant must comply with the principles of efficiency and effectiveness while performing his/her duties. He/she shall not abuse job funds in order not to waste them;
- d) A civil servant must avoid any action, which might damage his/her reputation, reputation of his/her agency or the Civil Service;
- e) When making a decision, a civil servant must be guided by the principles of transparency and lawfulness. Issuing instructions and/or assigning a task contradicting the legislation of Georgia or State interest are prohibited;
- f) Take necessary measures to avoid corruption delinquency;
- g) Protect professional ethics of public servant.

### ***Declaration and Publication of Economic Interests:***

An official is obliged to fill in and present a property declaration within a month after his/her appointment to the Civil Service Bureau. The program must include important articles presented in the asset declaration submission form elaborated by the Civil Service Bureau.

### ***Limitation on arrangements:***

A civil servant must not:

- a) Purchase an agency property assigned to him/her;
- b) Make a property arrangement with an agency, where he/she serves, except the exceptions determined by the legislation;
- c) As a civil servant, make an arrangement with his/her enterprise, party or other agency.

### ***Restriction in the decision making:***

1. An official whose obligation within the board agency is to make decision regarding his/her property or private interests, is obliged to inform other members of the board or his/her direct supervisor about it and has to refuse to participate in decision making.
2. An official whose obligation is to make sole decision regarding his/her property or other private interest has to declare self-recusal and to inform his/her supervisor (supervisory agency) about this in a written form, who has to make an appropriate decision or entrust other official to make decision.

### ***Positional Incompatibility:***

- An official has no right to implement any kind of paid work except scientific, pedagogical or creative or to hold any position in any other treasury establishment or treasury enterprise or to implement any kind of paid work or to hold a position in the agency or institution of a foreign country.
- An official has no right to hold any position in an enterprise.
- A close relative of an official cannot be appointed on the position of a public servant except by the competition which is under the supervision of an official
  
- An official has no right to be a representative of a natural or legal person or commissary or represent or defence in criminal, civil or administrative offences cases against Treasury establishment except in a case when he/she is trustee of the natural person.

- An official, a member of his/her family is obliged to retire from an incompatible position or to terminate incompatible work within 10 days after the appointment on the position if the Constitution of Georgia or the Present Law does not prescribe anything else.

***Restriction of receiving material benefits and presents***

During reporting period any income or/and loss by a person or a member of his/her family which prize in separate cases does not exceed 1 500 GEL except other incomes or/and losses prescribed by the present Article – mentioning a person, a member of his/her family who had income or/and loss, type of income or/and loss, amount (prize) of income or/and loss;

***Feasible Results:***

***This training will provide the basic information which will be useful not only on daily basis. It will raise ones responsibility and awareness towards rights and guarantees. The program will raise awareness about the commitment submitting asset declarations and economic, social and legal protection of the servant.***