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Republic of Albania  
**The High Justice Inspector Office**  
**General Directorate of Legal Affairs and Services**

No. 2145 prot.

Tirana, 01.10.2020

**ORDER**

No. 71 , date 01 , 10 , 2020

**"ON THE**

**APPROVAL OF RULES OF ETHICS AND CONDUCT AT THE  
HIGH INSPECTOR OF JUSTICE OFFICE"**

Pursuant to article 147/d, of the Constitution, article 204, point 1, letter "c", of the law no.115/2016 "On the Governing Bodies of the Justice System", amended, and law no.9131, dated 08.09.2003 "On the Rules of Ethics in Public Administration",

**ORDER:**

1. The approval of the Rules of Ethics and Conduct at the High Inspector of Justice Office attached as an integral part of this order.
2. The employees of the High Inspector of Justice Office are in charge of implementing this order.
3. The Directorate of Economic Affairs and Support Services are in charge of notifying and publishing this order on the official website of the High Inspector of Justice Office.

This order enters into force immediately.

HIGH INSPECTOR OF JUSTICE  
Artur Metani

## **RULES OF ETHICS AND CONDUCT AT THE HIGH INSPECTOR OF JUSTICE OFFICE**

Pursuant to article 204, paragraph 1, letter "c", of the law no. 115/2016 "On the Governing Bodies of the Justice System ", amended, and law no. 9131, dated 08.09.2003 "On the rules of ethics in public administration"

### **Article 1 The Scope**

1 The scope of this regulation is to define the rules of conduct and professional ethics that shall be respected by various levels of administration at the Office of the High Inspector of Justice (below ILD), during their exercise of administrative and public functions, taking into account the nature and specific conditions of the activity of ILD.

### **Article 2 Scope of Application**

The provisions of this regulation are mandatory for implementation by the cabinet, civil servants and administrative staff. The magistrate and non-magistrate inspectors are subject to the rules provided in it, unless otherwise is provided by other legal provisions.

### **Article 3 General principles of professional conduct and ethics**

In addition to the obligations defined by law, each employee of the Office of ILD when performing his functions shall respect the principles of the professional and ethical conduct as follows;

- a) the protection of the public interest, respecting the Constitution, the legal framework as well as the rights and legitimate interests of citizens;
- b) the avoidance of any private interest, which consists in the avoidance of any direct or indirect gain, monetary or otherwise, for him/herself or for third parties during the exercise of his/her function;
- c) the impartiality, which consists in performing the functions respecting the principle of equality and avoiding the discrimination against citizens, civil society organizations or groups of interest;
- ç) the loyalty which consists in performing the task of fulfilling the objectives of ILD and the unit where each employee is part of;
- d) the correctness of the strict implementation of the official schedule, job description, the fulfillment of the lawful orders of the superiors, regular reporting of the work and the implementation of approved, applicable regulations;
- dh) the etiquette which consists in behaving respectfully towards the head of the institution, the superiors, colleagues, subordinates and the public;
- e) providing the required information to each individual in accordance with the provisions and legal procedures in force;
- ë) the responsibility for the function or task performed and the fulfillment of duties with

- professionalism using the right knowledge, skills and experience;
- f) the implementation of norms that regulate health, hygiene and safety at work.

#### **Article 4**

##### **Special obligations of the employees**

1. Every employee of the ILD Office has the following special obligations:

- a) the obligation of the political impartiality, which consists in exercising the duty in an independent way from a political point of view regardless the personal conviction, and in the implementation of the policies, decisions or legal actions of the public administration authorities without being in favour of or prejudicing anyone.
- b) the obligation to maintain the confidentiality of the information which he/she is informed with during the exercise of his/her duty, as well as the non-distribution of the documentation related to the work of ILD without prior authorization of his/her superiors, in accordance with the law in force;
- c) the availability obligation, which consists in the complete fulfillment of the obligations that derive from the special working regime, ensuring the functioning of the ILD Office activity in accordance with the legislation in force;
- ç) the obligation to preserve and protect the state property, which is made available during the duty exercise and to use it only for the purpose defined by the law and the interior regulations;
- d) the obligation to contribute to the dignity of the institution increase and to guarantee the preservation and the strengthening of the public confidence in the justice system;
- dh) the obligation to participate in the trainings provided by the institution itself or other state administration institutions and international mechanisms, as a tool to strengthen and improve professional skills.

#### **Article 5**

##### **Professional rights of employees**

1. Every employee of the ILD Office has the following rights:

- a) the right to be promoted in accordance with the conditions and criteria provided in the law;
- b) the right to be respected for his professional and personal dignity;
- c) the right to be professionally promoted through training or education, in the country or abroad;
- ç) the right to perform his/her duty in the appropriate, safe and hygienic conditions;
- d) the right to be paid for the performance of the duty, according to the legislation in force;
- e) the right to create and become member of trade unions and professional associations whose purpose is to protect their interests;
- ë) the right to have paid annual leave, as well as to other leave with or without being paid;
- f) as well as any other right recognized by the legislation in force.
- g) the right to strike, with the exception of the inspectors who enjoy the status of the magistrate;

**Article 6**  
**Rules of Ethics for the Employees**

1. The employees of the ILD Office must know and follow the rules defined by the legislation for the etiquette in force, to preserve the reputation, dignity, and to stay away from any action, attitude or behavior, which may devalue the good name of the employee and the institution he/she represents.
2. The employee is obliged to adhere to the rules of ethics during the working hours, as well as outside ordinary working hours.
3. The employee shall try to avoid those behaviors or actions that seem to create the impression that he/she is violating the law or the rules of ethics.
4. The employee shall maintain the confidentiality deriving from the law regarding the information and the material that he/she knows and learns during the performance of the duty. This confidentiality is not limited in time.
5. After leaving office, the former employee may not use the information he owns and may not use confidential information, taken during the time he/she was performing his duty, for personal interest.
6. After leaving office the former employee may not represent any person or organization in conflict or commercial relationship with the Albanian public administration, related to the task he/she had performed or for its continuation, for a two- year period.
7. The employee must develop courteous workplace relationships and communication in both written and verbal form with his superiors, colleagues and subordinates, as well as to respect the principles of ethics according to the applicable legislation.
8. The employees must respect the hierarchical scale in his/her daily communication within the institution. During the communication every employee shall be characterized by ethics and mutual respect.
9. If employees face a situation, which there are no specific provisions for in the legislation, they shall solve the problem posed by that situation according to the basic principles of ethics.
10. The employee shall report any case of theft, corruption and violation of the rules of ethics at the relevant authorities and superior levels.
11. The employee dress code shall be formal.
12. It is not allowed to use the internal telephone line for private purposes, except the urgent familiar cases.
13. All the employees who have a mobile phone number provided by the institution must keep it all the time and answer the phone even outside the working hours.
14. The mobile device must be switched off or silent during the ILD staff meetings and the reporting to the superiors.
15. It is strictly prohibited the use and the possession of alcoholic beverages in the ILD premises and out of it during the working hours.
16. Smoking is prohibited indoor the ILD. It can be allowed only in certain places designed for this purpose.
17. During the public relations the citizens shall be treated politely, making their wait as short as possible by serving them quickly, courteously and with quality.

**Article 7**  
**Conflict of Interest Prevention**

1. The employee of the ILD Office is obliged on a case by case basis to make a preliminary self-declaration in relation to the existence of his private interests, which may give rise to a conflict of interest, according to the legislation in force, during the performance of his public duties and competences, in cases when he/she:

- a) supervises or uses public funds,
- b) makes service or investment contracts,
- c) represents an institution in relation to third parties.

2 The ILD office in any case, acts in accordance with the legislation in force for the prevention of the conflict of interest and the regulation "On the Prevention of Conflict of Interest, in the Exercise of Public Functions as well as for the Declaration of Assets and Financial Liabilities in the High Inspector of Justice Office".

### **Article 8** **Gifts and Favours**

1. The employees of the ILD Office may not ask for or accept gifts, favors, or any other benefits, or avoidance of potential losses, as well as promises for them, for themselves, their families, relatives, persons or organizations which they have relations with that can affect or appear to affect the impartiality of their duty performance, or are or appear to be a reward for the way they perform their official duties.

2. Paragraph 1 of this article does not apply in the case of ordinary invitations, of traditional hospitality, of gifts of symbolic or traditional value, of kindness, which do not create doubts on the impartiality of the employee.

3. In case when there is doubt about the impartiality of the benefits, the employee consults with the responsible unit for human resources.

- 1. External activities of the employee of the ILD Office mean any kind of regular or random activity, which requires the commitment of the employee of the public administration, whether for profitable purposes or not, that the employee conducts outside his/her official duty.
- 2. The employee may not engage in an external activity that prevents him/her from performing his/her official duty or requires a mental or physical commitment, which makes it difficult for him/her to perform the task, or it is a continuation of this task which affects in any way the image of the public administration employee.
- 3. In case of doubt about the qualification of an activity as permissible or not, the employee consults with the structure responsible for human resources.
- 4. Carrying out external activities shall be notified in advance to the direct superior of the employee and the unit responsible for human resources .
- 5. Activities, in the framework of trade union activities, employee representation or teaching activities are permissible when they do not interfere with the performance of the task.
- 6. Teaching activities may be carried out only with the written permission of the Secretary General.

### **Article 10**

#### **State property**

1. The employee shall protect and safeguard the property of the institution, including official documentation. The employee may not use or allow to be used property that the institution owns or uses for no other purpose but to perform approved activities, in accordance with legal acts and regulations in force.
2. The employee shall use the office equipment offered by the job position only to perform his duties and not for personal purposes.
- 3 The employees of the ILD Office, in order to avoid cases of fire escape from electrical conduction apparatus and to increase the safety of any environment of the ILD Office, keep only one heating equipment per office in working condition during the working time. Upon completion of the work, all equipment, both electrical and electronic, are switched off.

### **Article 11**

#### **Working Hours**

1. The duration of the working hours and leave for the employees of the ILD Office is regulated by the legislation in force for labor relations.
2. The daily working hours start at 8 o'clock every day and end at 16.30 except Friday when the schedule ends at 14:00.
3. During the official hours, the employee is obliged to use the working time in an effective way to perform his/her official duties. This time is not used for any other purpose, except the cases when it is officially authorized to use it for other purposes in compliance with the law in force.
4. Every ILD employee is provided with an identification badge. The employee must give back the means of identification in cases where he/she finishes the working relations with the ILD.
5. For any movement the employee must read the identification badge.

### **Article 12**

#### **Justified absence from work**

1. During the official working hours, the employee shall leave work for health or other justifiable reasons, with the approval / permission of the direct superior.
2. If the employee is absent from work due to health, family or other reasons, he/she shall notify within the official working hours, the direct superior or the superior, for the absence and its reasons.
3. If the employee is absent from work for health reasons, justified by a medical report, he/she shall notify the superior and send the medical report to the sector responsible for Human Resources the first day of presenting at work.
4. In all cases, where the employee informs the superior for his/her absence at work and the reasons of his absence, the superior immediately informs via e-mail the sector responsible for Human Resources which, when necessary, informs the Secretary General.

### **Article 13**

#### **Dress Code and Appearance in the Workplace**

1. The employee dress code should be formal:
  - a) The dress code for male employees should consist of formal trousers, shirt and tie.
  - b) The dress code for female employees should consist of skirt or formal trousers, or dresse of acceptable length, shirt and blouse without a low-cut neckline, shoe and sandal heels not higher than 8 cm.
  - c) Casual dress code (jeans, etc.) is allowed only on Friday, yet in work meetings outside the institution the employees of the ILD Office shall appear in a formal dress code.
2. All the employees of the ILD Office shall take care of their personal hygiene and appearance.

**Article 14**  
**Violation of the Regulation**

1. The violation or the non-implementation of the obligations provided in this Regulation constitute a cause for initiating disciplinary proceedings against civil servants of the ILD Office and taking disciplinary action against its administrative staff.

**Article 15**  
**Entry into force**

1. This regulation enters into force after the approval by order of the High Inspector of Justice.