

Pursuant to Article 14, paragraph 5 of the Law of Civil Service in the Institutions of BiH ("Official Gazette of BiH", no. 19/02, 35/03, 4/04, 17/04, 26/04, 37/04, 48/05, 2/06, 32/07, 43/09, 8/10 i 40/12) and Article 17 of the Law on Council of Ministers of Bosnia and Herzegovina ("Official Gazette of BiH", no 30/03, 42/03, 81/06, 76/07, 81/07, 94/07 i 24/08), the Council of Ministers of Bosnia and Herzegovina, upon a proposal of the Agency for Civil Service of Bosnia and Herzegovina, at the 51st session held on 28 May 2013 has adopted

**CODE OF CONDUCT
FOR CIVIL SERVANTS
IN THE INSTITUTIONS OF BOSNIA AND HERZEGOVINA**

CHAPTER I – GENERAL PROVISIONS

Article 1

Subject

(1) The Code of Conduct for Civil Servants in the Institutions of Bosnia and Herzegovina (hereinafter: the Code) regulates the rules and principles of good behaviour of civil servants in the institutions of Bosnia and Herzegovina (hereinafter: institutions) in the performance of the civil service based on the Constitution, ratified and published international treaties, laws and other regulations in Bosnia and Herzegovina.

(2) This Code contains the rules and principles of good behaviour of civil servants towards citizens and civil servants' internal relations, as well as acquainting citizens with behaviour that they have the right to expect from civil servants.

Article 2

Code of Conduct Goal

The aim of the Code is that the civil servant as a representative of the institution, by its behaviour, protects public and legal interest based on the Constitution and the law and thus contributes to the strengthening of the role and reputation of the civil service.

Article 3

Application of Civil Service Principles, Responsibilities and Obligations

(1) A Civil Servant in the performance of his duty shall apply the civil service principles and the principles of civil servants' conduct as stipulated by the Law on Civil Service in the Institutions of Bosnia and Herzegovina and other regulations.

(2) In pursuit of the Code of Conduct principles, a civil servant undertakes stipulated actions and measures, avoids and refrains from actions which are not permitted or are prohibited.

(3) Except for the provisions of the regulations on disciplinary responsibility, evaluation and promotion of civil servants, the civil servant is not responsible for the opinion expressed and the decision made in good faith and in accordance with the best knowledge and skills during the execution of official duties, entrusted tasks and assigned powers.

(4) A civil servant shall be obliged to orderly, lawfully and timely perform the duties and tasks in his work post as well as other entrusted duties and tasks within the framework of professional qualifications and competences.

(5) Any order issued by a superior in the exercise of discretionary powers shall be clear, meaningful and possible with established reasonable time limits for execution and with a specific or determinable subject, and based on laws, by-laws, plans and programs of work, or other rulings governing the competences and activities of the institution.

CHAPTER II –PROTECTION OF PERSONAL IMAGE AND CIVIL SERVICE REPUTATION

Article 4

Preserving Institution Reputation

(1) A civil servant shall be obliged to take into account that by behaviour in public and in public outreach he should not diminish personal reputation, reputation of the institution and citizens' trust with the civil service.

(2) In the execution of private affairs, a civil servant shall not use the official signs or authority of a work post in the civil service.

Article 5

Public Interest Protection

When making decisions and exercising discretionary powers, a civil servant is obliged to take into account the public interest and relevant facts and shall not act in a manner that places him in the position of being obliged to return the service to a natural or legal entity.

Article 6

Prevention of Conflict of Interest

(1) In execution of his duties, a civil servant shall not allow his private interest to come into conflict with the public interest.

(2) He is obliged to take account of a real or potential conflict of interest and take all measures envisaged by the Law to avoid conflicts of interest.

Article 7

Dealing with Entrusted Assets

A civil servant is obliged to purposefully, economically and efficiently use the material and financial means entrusted to him in the performance of duties and solely for business purpose and not for private purposes.

Article 8

Gifts

(1) A civil servant shall not accept a gift, or any service or other benefit or him or any other person in the exercise of his or her duties, except for protocols or occasional gifts of minor value, with the application of regulations regulating the prevention of conflicts of interest in performing public functions.

(2) If a gift or other value is offered to a civil servant, he shall reject it, or return it, and take action to identify that person and, if possible, find the witnesses and immediately make an official note and notify immediately superior.

(3) If a civil servant doubts whether an offered gift is considered a gift of a lesser value, he or she is required to seek an opinion from the immediate superior.

Article 9

Use of Institution Property for Private Purposes

The civil servant is not allowed to use the property of an institution for private purposes, and in particular the use of property of the institution contrary to the civil service interests.

Article 10

Information Handling

- (1) In the performance of his or her duties, a civil servant may not require access to information that is not necessary for the performance of his duties and information that are available to him are used in the stipulated manner.
- (2) A civil servant shall not reveal to an unauthorized person any information he has obtained in execution of his duties or provide information to others if this is contrary to the Law, other regulation or rules and procedures of the institution.
- (3) In the execution of private affairs, a civil servant must not use information that are officially available to him in order to obtain benefits for himself or his relatives.

Article 11

Political Neutrality

- (1) A civil servant shall adhere to political neutrality in the exercise of his duty.
- (2) A civil servant shall not bear the symbols of political parties or their propaganda material in the premises of institution, and shall not publicly express his beliefs regarding political parties and their activities.
- (3) A civil servant shall not influence the political affiliation of other civil servants.

Article 12

(Dealing with Parties)

- (1) In dealing with the parties, the civil servant is obliged to act professionally, kindly and politely, respect the personality and dignity of the party, show interest and patience, especially with the unprofessional party, provide timely and accurate data and information in accordance with the law and other regulations, assist and provide information on the competent authorities who deal with the claims, as well as on the legal remedies for the protection of rights and interests.
- (2) A civil servant shall be guided by the principle of equality, equally treat all citizens, without discrimination or preference on the basis of age, nationality, ethnicity or origin, social origin or origin, language and racial origin, political, religious or other beliefs or inclinations, disability, education, gender, marital or family status, sexual orientation, property status, entity citizenship or other status.
- (3) The civil servant shall pay particular attention to persons with disabilities and other persons with special needs.

Article 13

Mutual Relations between Civil Servants

(1) Mutual relations of civil servants are based on mutual respect, trust, cooperation, decency and patience.

(2) A civil servant is obliged to provide the necessary co-operation with other civil servants, not to disturb the process of work, to enhance professional relations and the working atmosphere and avoid actions that would have harmful consequences for the reputation of the institution.

Article 14

Healthy Work Surrounding and Health Protection

(1) A civil servant is obliged to take care of a healthy and pleasant working environment in the official premises.

(2) In official premises, a civil servant does not consume tobacco products, except in places that comply with the regulations for that purpose. He shall not bring in or consume alcohol, prohibited substances or psychoactive drugs that can not be purchased in free sale and are not prescribed by an authorized doctor of medicine.

Article 15

Dress Code in Office

(1) A civil servant is obliged to be suitably and neatly dressed, appropriate to the civil servant's duties and that his dressing does not disturb the reputation of the institution.

(2) Inappropriate clothing understands:

a. For men: short trousers or other trousers which, in standing position, reach length above the ankles, a blouse / shirt with no collar and / or sleeves and / or unusual / vivid colours, and open shoes showing fingers;

b. For women: too open neckline on a blouse / t-shirt and / or blouse / backless and sleeveless shirt, skirts or short trousers which in standing position reach length above the knee of more than five centimetres and inadequate footwear (slippers or other footwear that do not stick to the leg on the band);

c. (C) sportswear, a larger sign or label on clothing, a symbol which may be offensive or irritating on any ground, revealed torso, and caps worn in official premises.

CHAPTER III – FAILURE TO FOLLOW THE CODE OF CONDUCT

Article 16

Protection of Conduct Standards

(1) A civil servant who finds that he or another civil servant request him to act in a manner contrary to this Code, shall notify the manager of the administrative body or other institution about it in writing (hereinafter: the head of the institution).

(2) A civil servant therefore must not be in a disadvantageous position with respect to other civil servants, nor be exposed to harassment while performing his duties and exercising his rights in the institution.

Article 17

Complaints for Failing to Adhere to Code of Conduct

(1) Citizens and civil servants may address the institution manager a complaint about the conduct of a civil servant that is found to be contrary to the provisions of the Code.

(2) The complaint shall be considered by the head of the institution and if necessary, he shall launch a request for disciplinary action in accordance with the Law on Civil Service in the Institutions of Bosnia and Herzegovina, which stipulates that breach of this Code, represents a breach of official duty.

CHAPTER IV – TRANSITIONAL AND FINAL PROVISIONS

Article 18

Supervision over Code Application

Supervision over application of this Code is performed by the head of the institution.

Article 19

Special Regulations

Institutions whose civil servants perform tasks requiring additional regulation of the rules of conduct or acting may further regulate the specifics of the said behaviour or conduct (wearing uniforms or apparel, using weapons, other means of coercion or special powers, etc.). Such regulation must comply with the principles of this Code.

Article 20

Application of Code of Conduct to the Appointed and Employees

(1) Unless stipulated otherwise, the provisions of this Code shall apply accordingly to:

- a) the persons who got employment appointment or appointment to the institution;
- b) interns, volunteers, persons working for the Institution during the working hours under a work contract, and persons performing activities in an institution under agreements with an institution of any kind.

(2) Until the rules of conduct of employees in institutions are not uniformly regulated, the provisions of this Code shall apply to employees, unless the Law on Labour in the Institutions of Bosnia and Herzegovina ("Official Gazette of BiH", No. 26/04, 7/05, 48/05, 60/10 and 32/13) and by-laws otherwise regulate.

Article 21

Entry into Force

This Code of Conduct shall enter into force on the eighth day effective from the day of publishing in the "Official Gazette of BiH".

VM number 121/13

28 May 2013

Sarajevo

Chairman

Council of Ministers of BiH

Vjekoslav Bevanda, s. r.