

CHAPTER I – SCOPE OF THE CODE

Article 1

Object of the Code

The object of the present Code shall be to proscribe the mandatory standards for behavior of local officials, and to inform the citizens, media, business community, civil sector, as well as the other stakeholders on the standards of behavior that the local officials shall have the obligation to respect.

Article 2

Definition of terms used in the Code

The terms used in the present Code are defined as follows:

- *local official* (hereinafter referred to as: *official*) refers to every elected and appointed person in the municipalities and the city of Skopje, as well as in the public enterprises, institutions and other organisations established by the foregoing;
- *local self-government* covers all the municipalities in the Republic of Macedonia and the city of Skopje;
- *office* denotes the competencies emerging from the elected or appointed position, as well as all the activities performed by the official in accordance with those competencies.

Article 3

Respect of the laws and acts of the local self-government

The local official shall execute his/her office in accordance with the law, the local self-government acts, the Code of ethics and all other regulations defining his/her office, and shall fully adapt all acts to the foregoing.

Article 4

Priority and protection of public interest

In the execution of his/her office, the official shall serve exclusively the public interest, and not the direct or indirect personal interests, interests of individuals or groups of individuals, nor the interests of political parties.

Article 5

Responsibility and accountability in front of the citizens

The official is elected by the citizens of the local community, or appointed on their behalf, and during the term of office, he/she shall be accountable first and foremost in front of them, including those citizens who did not vote for him or his candidate list.

Article 6

Protection of the reputation of local self-government

In the performance of duties as well as in his private life and during his term of office, the official shall act in a manner not damaging his reputation, the reputation of the local self-government administration and the reputation of local self-government as a whole.

Article 7

Protection of the property and assets of local self-government

The official shall be aware that the property and assets available to him and managed by him during his office, belong to the citizens of the local community, and shall be treated with respect and protected from misuse.

Article 8

Realization of the electoral programme and promises

The local self-government official obtains a mandate on the basis of the electoral programme and commitments, and shall observe them closely in the performance of his duties, striving to improve the quality of life of citizens and the local community as a whole by realizing them.

CHAPTER III – SPECIFIC OBLIGATIONS

Heading 1 Before taking office

Article 9

Behavior during the electoral campaign

The official shall take part in the electoral programme only by opposing arguments regarding programmes, and not by slandering other candidates, political parties or politicians, other individuals, by use of violence and/or threats, bribery or offering and promising favors.

Article 10

Financing electoral campaigns

Aware of the legal obligations regarding the financing of electoral campaigns, the official shall not agree to the use of budgetary financial means or financial means of the public funds or public enterprises for the purpose of any electoral campaign, nor shall request for or receive financial means from illegal resources.

Heading 2

Execution of office

Article 11

Waiver of breach of duty

The official, aware of the obligations emerging from the laws and regulations of local self-government, shall not direct any of his activities during the execution of office towards breach of duty.

Article 12

Prevention of corruptive behavior

In the performance of his duties, the official shall be obliged to oppose every type of behavior qualified according to law as active or passive bribery or providing privileges for a particular person or entity.

In case of doubt regarding the corruptive nature of a certain behavior, the official shall act in accordance with law and may request for an opinion from the institutions for prevention of corruption and the law enforcement authorities, and shall act in accordance with their recommendations.

Article 13

Prevention of conflict of interests;

If, during the execution of office, the official shall find himself in a situation to decide upon an issue that involves personal or any other type of interest apart from the public one, he shall always and exclusively protect the public interest.

If the official has personal interest regarding an issue he is to decide upon, he shall report this fact to the decision-making body before the relevant procedure commences asking for his exemption from the decision making process, and shall not influence in any way the persons involved in this process.

Article 14

Limitation to the

cumulation of two or more offices

An official shall not execute more than one elected or appointed, local or state office at the same time, as well as any other office that may prevent or distract him from executing his office in the local self-government.

In particular, the official shall not be placed in a position of monitoring his own duties in the local self-government, nor engaged in activities producing an inevitable and evident conflict of interests.

Article 15

Application of discretionary authorizations

Discretionary authorizations shall be used as an exception and in accordance with the laws and acts of the local self-government, and the official having made such a decision shall have, and produce upon request, a detailed explanation regarding the reasons and bases for its adoption.

Article 16

Limitation to giving and receiving gifts

An official shall not ask, receive, nor permit receiving and giving gifts, services, hospitality or similar personal benefit related to the execution of office on his behalf, except for expressions of gratitude with symbolical value, whose amount is prescribed by law or by an act of the local self-government.

Article 17

Observance of budgetary and financial discipline

The official shall treat with responsibility the local budget and the foreign assistance, especially in terms of indebting the municipality over the foreseen budget items, and shall consistently observe the acts regulating financial operations.

Heading 3 After the execution of office

Article 18

Limitation of privileges after the execution of office

After having completed the term of office, the official shall not be engaged in the operations of private companies that were subject to his monitoring or with which he established contractual relations during his term of office.

CHAPTER IV – MODALITIES OF MONITORING

Heading 1 When taking up office

Article 19

Establishment of resources and expenses for the campaign

The official shall not impede in any way the measures and activities in accordance with the law and acts of local self-government, that are directed towards the establishment of financial resources and the amount of costs for his campaign.

Heading 2 During the execution of office

Article 20

Reporting of interests

The official shall consistently respect the regulations on reporting the property standing, personal and family interests.

Article 21

Observance of the internal and external monitoring measures

The official shall not impede in any way the measures and activities undertaken in accordance with the law or the local self-government acts, that are directed towards the monitoring of his work.

Article 22

Obligation for reporting corruptive behavior and demands

If the official becomes familiar with the existence of corruptive or unethical behavior in the local self-government, he shall report it immediately to the institutions in charge of preventing corruption or the law enforcement authorities.

Article 23

Protection of informers

The official shall respect and protect other officials or members of the local self-government administration who, in function of the protection of public interest, have signalized corruptive or unethical behavior in the local self-government.

CHAPTER V – PUBLIC RELATIONS

Article 24

Transparency in decision-making

The official shall provide detailed reasons for the adopted decisions and procedures, except for those classified as confidential by regulation, whereby particular attention shall be given to the factors confirming that such procedures are in accordance with the regulations and are of public interest.

CHAPTER VI – RELATIONS WITH THE LOCAL SELF-GOVERNMENT STAFF

Article 25

Recruitment and promotion within the local self-government

The official shall commit to the prevention of recruitment and promotion in the local self-government administration on the basis of all other criteria except for the principles of expertise, competency and visible positive work results.

Article 26

Respect towards local self-government staff

The official shall respect and treat in a professional manner the members of the local administration, regardless of their ethnic, religious and political affiliation and belief, and shall not require illegal, corruptive or unethical behavior on their side.

Article 27

Improvement of the work of local self-government

Within the scope of his competencies, the official shall commit to the improvement of working conditions, motivation and accountability of the administration in front of the local self government, especially regarding efficient and effective provision of services to the citizens.

CHAPTER VII – RELATIONS WITH THE MEDIA

Article 28

Active and proportional transparency

The official shall provide a thorough, sincere and detailed response to every request made by the media, regarding information on the performance of his duties, but shall not provide confidential information or information on the private life of officials or third persons.

The official shall stimulate and promote measures for improvement of the media coverage of his competencies, the performance of his duties and the operation of functions and departments under his management.

In case of insufficient media coverage of the municipal activities for information of the public, the official shall undertake appropriate programme initiatives to ensure such coverage.

CHAPTER VIII – INFORMATION, DISSEMINATION AND AWARENESS RAISING

Article 29

Support to the implementation of the Code of Ethics

The official shall respect the media, business community and civil sector, and shall ask for their active support in raising the awareness regarding the necessity of ethical behavior.

Article 30

Acceptance of the Code of Ethics by officials
Before taking office, the official shall confirm in written form, that he has understood and accepted the obligations under the present Code, and shall act in accordance with them, which is an informal prerequisite for taking office and beginning of its performance.

Article 31

Acceptance of the Code of Ethics by candidates at the elections

As a reaffirmation of their intention to act in an ethical and accountable manner if elected or appointed, the candidates for officials in the local self-government may accept the present code by written notification.

Article 32

Publication of the Code of Ethics

The local self-government shall, within its best possibilities, undertake measures for wider dissemination of the Code – in order to familiarize all members of the local self government and as much citizens, media and NGO's as possible.

Article 33

Monitoring of the implementation of the Code at the local self-government level

The local self-government council may establish a body for monitoring the observance of this Code, that may provide explanations regarding the essence of the Code and the details of its implementation to officials, citizens and media.

Article 34

Monitoring of the implementation of the Code at a national level

With the acceptance of the present Code, the official shall also accept the competence for monitoring its observance by a body at a national level, that may be established or approved by the Association of local self government units.