



ПРОГРАМА ЗА ПАРЛАМЕНТАРНА ПОДДРШКА
PROGRAMI PER MBESHETETJE PARLAMENTARE
PARLIAMENT SUPPORT PROGRAMME



СОБРАНИЕ НА РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА



Schweizerische Eidgenossenschaft
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Swiss Agency for Development
and Cooperation SDC

A Comparative Overview of the Codes of Ethical Conduct for the Members of Parliament (International Experiences)



Имплементирано од:





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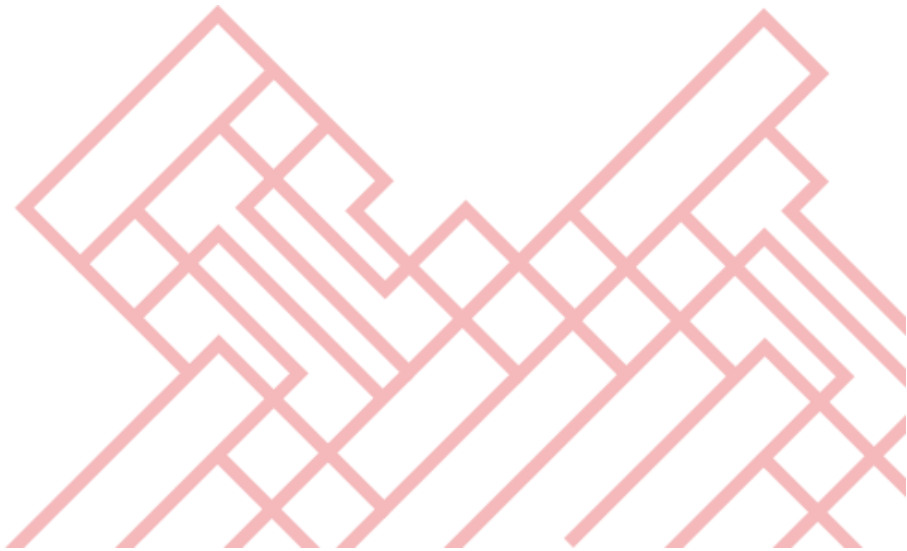
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1. INTRODUCTION

The National Democratic Institute (NDI) with partner organization Center for Change Management (CCM), within the framework of the Parliamentary Support Program (PSP) and in cooperation with the OSCE Mission in Skopje and ODIHR provides support to the Assembly in its efforts to build institutional credibility and public trust through the representation of the citizens' interests and needs and consensus-oriented and inclusive debate in the decision-making process. Before the upcoming GRECO report expected in September 2021, the Parliament of the Republic of Macedonia, with the support of NDI, CCM, OSCE Mission in Skopje and ODIHR, started a process of revising the Guidelines for the Implementation of the Code of Ethics for MPs. In accordance with the remarks of GRECO, but also according to the recommendations of the experts from ODIHR, it is necessary to further strengthen the Guidelines for the Implementation of the Code of Ethics in order to ensure its full implementation. The process of revision of the Guidelines opened up the question of the need for revision of the existing Code of Ethics for MPs in the Parliament of the RNM in the direction of its strengthening and alignment with the best international practices in the area.

This comparative overview is one of the documents to support the mentioned process of revising the Code of Ethics for Members of Parliament and the Guidelines for the Implementation of the Code of Ethics for Members of Parliament in the Parliament of the RNM. The overview makes it possible, through the presentation of the Codes of Ethical Conduct of MPs in several countries, to identify the areas that are missing in the Code of Ethics for MPs in the Parliament of the RNM, as well as to determine recommendations for expanding and strengthening the existing Code in order to encourage and ensure its full implementation, but also to contribute to the strengthening of citizens' trust in the Assembly. The comparative review covers the following countries: the United States of America, the United Kingdom, Albania, Georgia and Malta.

The overview also refers to the current Code of Conduct of MPs in the RNM compared to the codes of ethical conduct of MPs from the selected countries. The purpose of the review is, based on the best international practices, to propose a set of recommendations for improving the documents that govern the scope of ethical conduct and behavior of MPs in our country.

2. PURPOSE OF CODES OF ETHICAL CONDUCT

In addition to building democratic institutions, it is of crucial importance for the success of a state that the office holders in those institutions adhere to certain professional and ethical standards. This applies to both mature democracies and those where democratic institutions are still "under construction". In the world, but also in the region, there is a growing consensus to strengthen professional and ethical standards for Members of Parliament, which are crucial to strengthening good governance, public integrity and the rule of law.

One of the most important aspects when it comes to the application of codes of ethical conduct is the realization that the awareness and understanding of the Members of Parliament that their professional activities and decisions have a strong ethical dimension is of utter importance, and that they should follow the established ethical norms in their work, and practice acceptable and expected behavior in the performance of their work.

1 | A comparative review of the Codes of Ethical Conduct of Members of Parliament (international experiences), prepared by the Center for Change Management (CCM) within the framework of the PSP program



Based on these insights, and bearing in mind that good governance is fundamental to the effective functioning of democracy, especially in national representative bodies, the OSCE Parliamentary Assembly in its 2006 Brussels Declaration encouraged all parliaments to:

- develop and publish rigorous standards of ethics and official conduct for parliamentarians and parliamentary services;
- establish efficient mechanisms for public disclosure of financial information and potential conflict of interests of MPs; and
- establish a standards office to which violations of MPs' standards would be reported.

The establishment and implementation of such standards and mechanisms represents a bridge between the building of democratic institutions and the establishment of a democratic political culture.

In fact, the immediate purpose of codes of ethical conduct is not only the promotion of ethical standards and desirable conduct in public life, but it is also a powerful tool in the hands of Members of Parliament to:

- *Fight against corruption* - Strong standards and regulation can help prevent abuse of official positions and other forms of corruption by: setting clear rules about how MPs should behave, monitoring behavior and showing public outcry and condemnation of code violations. Considering that the role of the MP is complex and can raise a number of ethical dilemmas, the existence of clear and precise standards for the actions and behavior of the MPs is of invaluable importance.
- *Strengthening responsibility and trust* - Clear ethical standards improve accountability by providing clear benchmarks for the public and the media by which to monitor and evaluate the conduct of MPs. If citizens believe that the ethics regulation system is fair and effective, then they build trust more easily in the Assembly, which has expressed a strong commitment to applying these standards to its work;
- *Professionalization of politics* - Historically, the MPs elected in the Assembly are from different types of origins and occupations, which is very important for a representative democracy. As in any other profession, for public function holders, in this case for MPs, rules and standards for action and behavior are applied as a specific deontology in the area. In addition, clear and precise standards help MPs to unite around the public interest and common goals for progress and development, allowing them to overcome natural political differences and build a sense of collegiality and understanding; and
- *Fulfillment of international standards* - The introduction of codes of ethical conduct for public function holders, including MPs, promoting integrity, honesty and responsibility, also shows the state's commitment to the implementation and respect of common international standards and norms.

Precisely for these reasons, many parliaments are continuously trying to reform professional and ethical standards to adopt a specialized set of norms, essential for the role of MPs. There is no single solution and form of improving parliamentary ethical standards, however international experiences show that the most effective strategies are those that take into account the specific institutional and political conditions and adjust the standards to the current situation.



3. FORM AND CONTENT OF THE CODES OF ETHICAL CONDUCT – A COMPARATIVE OVERVIEW

The codes of ethical conduct for MPs attempt to define the basic ethical principles and values applied by MPs in the performance of their duties and behavior. The purpose of each code, through the set of norms expressed in it, is to provide a framework and standards for the conduct of MPs, at the same time building a system of trust on the part of the public through their personal integrity and the integrity of the institution they represent.

Codes of ethical conduct for MPs are often accompanied by Guidelines for the Implementation of the code of ethical conduct for MPs whose purpose is to provide clarifications of the provisions defined in the codes, as well as to convey concrete examples of what is considered desirable and approved behavior, and what unwanted and condemned. The instruction is a tool that should serve the MPs to easily and accurately assess how they should act in cases when they are faced with a certain moral dilemma.

In the following paragraphs, the best international practices in the regulation of the ethical conduct and behavior of MPs are presented, in order to serve to create good recommendations for strengthening the system of ethical conduct of MPs in our country.

3.1 USA

- *Form and structure of the Code*

The Code of Official Conduct for Members of the US House of Representatives was adopted by the Committee on Standards of Conduct. It has the form of a general act, i.e., it has no legalistic dimension. The document is written in the form of a Manual with about 10 chapters in which the principles and standards of ethical conduct and behavior are presented, but at the same time, instructions and directions for their application are given with specific examples in each of the areas. The manual is extensive and contains a multitude of examples that are intended to help congressmen in a situation of moral dilemmas during a procedure. There is also a shorter document that summarizes the most important points and established rules and standards of behavior intended for MPs.

- *Areas covered in the Code*

The Code of Conduct for representatives of United States of America contains 10 chapters that elaborate in detail different areas of the conduct of representatives, explained with numerous examples. In the first chapter, there is a review of the general ethical standards that representatives should adhere to. This section covers areas related to violation of ethical standards, history and procedures of the Committee, rules of conduct of representatives and officials. Also, this section explains the procedures for refraining from legislative activity after conviction and the procedures for giving advisory opinions.

The second chapter "Gifts" is the most extensive and provides of elaborated topics related to rules of acceptance and management of gifts. This section provides an overview of the prohibitions and history of the rules for receiving gifts. All topics in this chapter are explained with specific examples of acceptable or unacceptable conduct. The chapter on "Gifts" covers areas relating to: general provision of acceptable gifts, gifts given based on personal friendship and invitations to attend events. Then an explanation is given for accepting gifts according to the nominal value of the gift and specifying what are protocol items as acceptable gifts. Within this section, there are topics elaborated in detail relating to: items paid for by the Federal Government or a state or local government and gifts from foreign governments and international organizations. Also, the chapter on "Gifts" covers benefits arising from external business. Particularly significant aspects relate to gifts from relatives, other representatives, officials or employees, awards, donations, works of art and other gifts of an unusual nature. The rules for handling unacceptable gifts and returning gifts are also explained.



The third chapter “Trips” provides a general review and rules of permitted trips for representatives and other officials. In this chapter the topics are also elaborated in detail with specific examples given in each of the areas. The rules in this chapter apply to: official trips paid for from a private source, non-official trips paid for from a private source, trips paid for by the Federal Government or state or local government, trips paid for by a foreign government, trips paid for by a political organization, trips for mixed purposes and charity event trips. In addition, these areas cover topics related to trips sponsored by lobbyists or foreign agents, purposes of travel, escort on official trips acceptable travel expenses, approval by the Committee on Standards and registration of the trip.

The fourth chapter “Campaign” addresses the laws, rules and standards on four main topics relating to the participation of representatives in campaigning and political activity, such as:

- General ban on using official resources for campaign or political purposes;
- Rules for engaging representatives in a campaign (outside working hours, outside Congress offices and without using official resources);
- Solicitation, receipt and acceptance of campaign contributions; and
- Proper use of campaign funds.

Chapter 5 “External Income and Employment” provides a complete overview of laws, rules and standards of conduct governing the external employment of representatives. Restrictions on the employment and external income of employed officials are covered within this chapter, as well as restrictions on external employment that apply to representatives and senior staff. In this section, there is an explanation of the permitted and limited income from external earnings for representatives and senior staff. In addition, the area of voting on matters of personal interest for the MPs is covered. Restrictions on the employment of representatives and the employment of spouses of representatives have been elaborated as specific topics.

Chapter 6 “Financial Disclosure” aims to provide a basic review of the obligations to declare assets and financial assets by representatives and officials. Each year, the Committee on Standards publishes comprehensive booklets with instructions for completing the Financial Disclosure Statement. This chapter regulates and explains the rules governing the declaration of financial interests; reports for basic and specific reporting of interests; deadlines for submission, public access to reports and procedure for non-reporting or submission of false statements.

The chapter entitled “Rights and obligations of the Representatives” gives a clear overview of adopted specific rules and regulations stipulating the employment status in the Congress. This section covers the topics of discrimination, nepotism, illegal hiring and firing practices. Then, the ethics trainings that are offered to representatives and other employees on an annual level are defined. In addition, the possibilities for hiring volunteers, interns, associates and consultants are explained.

Chapter 8 “Case/Project Work” deals with the information to which the representative has access, the possibilities to establish contacts and arrange meetings with courts, other governments and non-governmental organizations. In addition, it discusses the possibility of the representative to request information or reports on the status of a particular subject and to request a review, based on law and regulation, or other decisions. In addition, this chapter addresses the prohibition of accepting gifts offered in connection with or in return for undertaking activities and providing employment instructions and recommendations.

Chapter 9 “Official Allowances” describes the representational allowances of members of Congress are entitled to for the performance of official duties in the areas to which they are elected. This chapter provides a review of the statutory powers for such reimbursements. In addition, there are clarified possible situations that cause dilemmas when using these allowances for official expenses and the circumstances when they are used for personal needs or in a campaign.



The last chapter “Official and External Organizations” covers the standards that the representatives and employees must respect in regard to the activities they have with organizations that provide support for the performance of their duties. The chapter also addresses the limitations of cooperation with private or “external” entities. Within this chapter, an overview is made of official support organizations, private entities with common goals, advisory groups of members, etc. Part of the focus is on the need to make a clear distinction between official congressional activities and activities outside Congress in which the representative participates, as well as rules for the representatives on using official resources for private purposes.

3.2 United Kingdom

- *Form and structure of the Code*

The Code of Ethical Conduct for United Kingdom’s MPs is adopted by the House of Commons (the Lower House of the Parliament). Similar to the Code of Conduct for Representatives of the USA, the document does not have a legalistic dimension, i.e., it has the form of a Manual. The document is a compilation of the Code and Guidelines for the application of the code. The Code includes the purpose of the Code, its scope, the duties of MPs, general principles, rules of conduct and the obligation to respect the Code. In the Guidelines for the Implementation of the code, the rules for the conduct of MPs are explained in detail.

- *Areas covered in the Code*

The UK Code of Conduct for Members of Parliament has been produced in conjunction with a Guide to the Rules of Conduct for Members of Parliament and an Appendix to the Rules Guide: House Resolutions on the Conduct of Members of Parliament.

The Code of Conduct for Members of Parliament provides a set of rules that Members of Parliament must adhere to. Within the Code, there is a review of the purpose and scope of the code, the duties of MPs in the performance of their duties and responsibilities, general principles and rules of conduct that are given in the form of tasks, as well as the competence of the Committee on Standards and the Parliamentary Commissioner for Standards for monitoring compliance with the rules of the code.

The Guide to the Conduct of Members of Parliament contains 4 chapters focusing on different areas of conduct of the Members of Parliament. The Guide also sets out the procedure for conducting investigations by the Parliamentary Commissioner for Standards. The first and second chapters “Register of Members’ Financial Interests” cover the conscientious fulfillment of the House’s requirements regarding the registration of interests in the Register of Members’ Financial Interests. Chapter 1 explains the conditions regarding the registration of the financial interests of MPs; Chapter 2 explains the requirements for reporting interests in other circumstances. The first two chapters contain provisions regarding the purpose of the registration and declaration of interests, provision of information on relevant financial interests of MPs, disclosure and storage of data in the Register and categories of financial information that MPs should register. This section also covers all registrable interests, other financial interests that meet the requirements of the relevance test but do not require registration, including past interests and anticipated future interests, as well as indirect financial interests of a spouse, a partner or family member, non-financial interests, etc.



The categories that are elaborated in the first chapter “Registration of Members’ Financial Interests” are the following:

- Employment and earnings;
- Donations and other support for activities performed in the capacity of a Member of Parliament;
- Gifts, benefits and hospitality from UK sources;
- Visits outside the United Kingdom;
- Gifts and benefits from sources outside the United Kingdom;
- Land and property;
- Equity shares;
- Miscellaneous;
- Employed family members;
- Family members involved in lobbying.

The categories that are set out in the second chapter “Declaration of MPs’ interests” are the following:

- Statement of Interest Requirements;
- Cases when it is necessary to submit a statement of interests.

The third chapter, “Lobbying for reward or compensation” establishes the limitations of MPs to carry out lobbying for a reward or compensation. This section addresses rules related to lobbying and limitations on MPs and time limits in accordance with lobbying rules. The last topic of this section concerns the application of lobbying rules.

Chapter 4 “Investigation Procedure” provides a review of the powers of the Commissioner and sets out the procedures related to the Commissioner’s investigations. This outlines the House’s requirements that include situations in which an investigation process can be initiated. It provides an explanation of the procedures for filing a complaint, the conditions for parliamentary privilege, as well as the processes for starting an investigation. This section explains the procedures and role of the Parliamentary Commissioner for Standards and the Committee on Standards when resolving investigations. Also, this chapter explains the competence of the Parliamentary Commissioner for Standards.

In the last section “Supplement to the Guide on the Rules”, examples and explanations of the Resolutions adopted by the Parliament regarding the conduct of the Members of Parliament are given, which relate to the following topics:

- Registration and reporting of financial interests of MPs;
- Lobbying for reward or compensation;
- Conduct of Members of Parliament.



3.3 ALBANIA

- *Form and structure of the Code*

The code of conduct of the MPs in the Assembly of the Republic of Albania was adopted on the proposal of a group of MPs based on the Constitution and the Rules of Procedure of the Assembly of the Republic of Albania. The code has the form of a legalistic document signed by the President of the Assembly, in which the basic ethical principles and tenets, the norms and rules of the expected conduct and the mechanisms for monitoring and evaluating the application of the code are stated in separate chapters containing articles, paragraphs and subparagraphs. The Code is part of the Rules of Procedure of the Assembly given in Annex 2 of the Rules of Procedure itself.

- *Areas covered in the Code*

The Code of Conduct for the MPs of the Republic of Albania contains 6 chapters that focus on different areas of the conduct of MPs, except for the last chapter. The first chapter presents a review of the purpose and application of the code, the basic ethical principles that are given in the form of tasks, as well as the duties of the MP in the performance of work obligations and duties.

The second chapter “Conduct in the Assembly” covers the expected and desired behavior of MPs. This section includes provisions relating to the prohibition of the use of unparliamentarily, offensive, obscene language that causes or incites hatred, as well as the use of discriminatory language and stereotyping on any basis. The ban on voting on someone else’s behalf by an MP is presented, as well as the dress code and maintaining order and discipline in the Assembly. The rules for using the resources of the Assembly are also given, including the use of assembly services with particular attention to respecting their impartiality. The ban on sexual harassment is stated, as well as the ways of polite address expected from the MPs.

In the third part “Conflict of interests and statement and control of property status”, which is also the most comprehensive, the conflict of interests is defined, as well as the declaration of conflict of interests that an MP gives before each plenary discussion. The Assembly keeps a separate register for these declarations and the prohibition of a member of parliament to vote on a draft law for which a conflict of interests was established is noted. This part also refers to the regulation that refers to the control of the assets of the MPs and the way of publishing the statements of assets. In addition, the limitations of the MPs in the course of their mandate are described in terms of incompatibility of the function with other state functions, management bodies, private activities with which profit is made, equity shares, etc., as well as the duration of the mentioned limitations. A reflection is also made on the current legislation that regulates the immunity of MPs and defines what is meant by the term extra-parliamentary activities that are allowed to MPs. In this section, the rules relating to the MP’s relations with lobbyists and civil society organizations or interest groups, as well as the establishment of a register of lobbying, interest groups and civil society organizations maintained by the Assembly, in which the MPs report meetings with lobbyists and lobby organizations. The last topic of this section refers to the receiving of gifts by MPs, that is, the prohibition of receiving gifts, permitted protocol gifts, the method of their reporting and registration, as well as the handling of gifts.

The fourth part refers to “Transparency and protection of information”, which covers the transparency of an MP in communication with voters, the public and the media about assembly activities, the publication of property status and financial expenses during the performance of the function, as well as the transparency of the Assembly for the projects being implemented, which are financed by external donors. This section also covers the obligation to keep classified information, as well as the restrictions that MPs have in their future career or business engagements after the end of the mandate.



The fifth part “Evaluation and interpretation of the code of conduct” defines the periodic evaluation and review of the Code, the impact of the standards on the political work of the MPs, the need for revision of the Code, as well as the evaluation process, which is carried out in an inclusive process with the involvement of citizens organizations and interest groups that closely cooperate with the Assembly. In addition, the body responsible for interpreting the Code - the Council for Regulation, Mandates and Immunity is defined.

The last part refers to the transitional and final provisions and this part does not contain standards and rules of conduct, but rather defines the necessary information infrastructure needed to ensure publicity and transparency, locates the competence for implementing the Code at the Bureau of the Assembly and prescribes the Instruction for application of the Code of conduct as a particular document.

3.4 GEORGIA

- *Form and structure of the code*

The Code of Conduct for Members of the Parliament of Georgia is a document adopted by the Parliament. The document has the form of a legal act in which in articles are presented the basic ethical principles, the rules of conduct and behavior of the MPs and the mechanisms for monitoring and evaluating the application of the Code. The Code is accompanied by several documents, namely: Rules of Procedure for the work of the Ethics Council, a declaration of conflict of interests, a complaint form for violation of the Code and a form for the Gift Registry.

- *Areas covered in the code*

The Code of Conduct for MPs in Georgia consists of a Preamble that explains the purpose of the Code and 6 articles that include basic principles, rules of conduct, and mechanisms for monitoring and evaluating the implementation of the Code. The first article refers to the “Area of application of the Code”, i.e. what is determined by the Code and what is the legal basis for its adoption. The second article includes explanations of the basic principles of the Code: legitimacy and loyalty, equality, honesty, accountability, transparency and responsibility.

The third article refers to the rules of conduct of MPs. This section lists rules for the ethical and conscientious behavior of MPs when performing their duties, such as the prohibition of receiving gifts, the prohibition of receiving gifts from lobbyists and persons whose purpose is to influence his/her performance of the function, registration of received gifts in the gift register. The rules regulate the procedure of giving statements that report conflicts of interest and statements about the MP's property. In addition, article 3 regulates prohibitions for performing certain activities of the MP, such as performing entrepreneurial activities, performing lobbying activities, using the status and administrative resources for personal, family or party interests. Some of the rules refer to the prohibition of discrimination against colleagues based on their race, ethnicity, gender, religion or other grounds, as well as the use of offensive, rude, sexist, discriminatory speech, appeals and actions, as well as any other use of hate speech. According to the rules of conduct, a Member of Parliament does not abuse the information containing official secret or other confidential information, which became available to him/her during the performance of his/her office.



The fourth article regulates the mechanisms for monitoring and implementation of the rules. This article covers cases of violation of the rules of conduct, the role, rights and obligations of the Ethics Council, as well as the rules for recruiting members of the Ethics Council. This article describes the procedures for electing the chairpersons and co-chairpersons of the Ethics Council. In addition, the article regulates the filling and submission of special forms of complaint on the Code violation, the procedure of accepting the complaint and the notification of the Members of Parliament. The scope of the decrees of this article contains description of the procedure of publishing the names of the Members of the Parliament who violated the code of ethics. In accordance with the provisions of this Article, the Members of the Ethics Council and the staff of the Secretariat are obliged to protect information containing official secrets or various confidential data made available to them during the consideration of the complaint.

Article 5 of the Code informs that the Parliament of Georgia provides training for members to introduce the provisions and content of the Code of ethics.

Article 6 contains a transitional provision that obliges the Parliament to adopt a Resolution on the establishment of the Ethics Council within 1 month from the adoption of the Code.

3.5 MALTA

- *Form and structure of the Code*

The Maltese Code, similar to the British one, does not have the form of a legalistic act, but a document in which the basic principles of ethical conduct and the rules and standards that MPs should follow and respect in the performance of their duties are given in several subsections. The document was adopted by the Parliament of Malta, i.e. by the speaker of the Assembly in 1995. In 2020, the Commissioner for Standards in Public Life made an analysis and revision and a new, supplemented and improved code was proposed, as well as Guidelines for its implementation, which have not been formally adopted yet.

- *Areas covered in the Code*

The Code establishes standards of proper conduct proposed by Members of Parliament as elected representatives serving their country in its highest democratic institution. It is pointed out in the introduction that MPs were always expected to behave in accordance with the dignity of the institution in which they serve, but that the codification of the rules and standards of conduct of MPs in a code is a tool for better public insight into the work of MPs and strengthening their responsibility to the citizens. The Code also establishes the Register of Interests of Members of Parliament and its public availability.

The Code is relatively short and contains only 6 points, and the first 4 points cover: acting and behaving in a way that reflects the status and dignity of the Parliament; commitment to act in accordance with the Rules and orders of the Parliament; the prohibition of receiving any remuneration or compensation for the performance of the office other than the remuneration provided by the Parliament; a commitment that the member of parliament, in the performance of his/her duties as a representative of the citizens, will not succumb to influence, threats or pressure from third parties during the performance of his/her duties. In the fifth point, the obligation of MPs to annually report to the Register of Interests information about their profession and employer, real estate, as well as the property of their spouse, the method of its acquisition, shares in trading companies, investments, including funds deposited in banks and any other form of monetary interest, directorships or other official positions in trading companies, associations, boards, cooperatives or other groups, even if they are associations of volunteers. In the second paragraph of the same point, the obligation to report the MP's interests is noted, namely: professional interest, including



consulting services for work, management or any form of connection, monetary or otherwise with persons, groups or companies, which have direct interest in legislation, the prohibition of receiving gifts from persons, groups or companies that have any direct or indirect intention to influence the legislative process, the prohibition of receiving speaking, writing or publishing fees or other similar activity from any person, organization or companies that is greater than the usual and customary value for such services, a prohibition on accepting travel outside the borders of Malta which is financed in whole or in part by a person, group or company having a direct interest in the legislative process, as well as the expectation from each member of the Parliament to notify the Speaker and the competent authorities of any attempt at corruption, pressure or influence by third parties, aimed at influencing the performance of the office. The last point refers to the non-interference of professional or business interests with the function that the member of the Parliament performs in the Parliament, and based on which he/she can gain an advantage compared to other entities in the field of activity.

4. RECOMMENDATIONS

The overview of the selected countries that apply a code of conduct for MPs provides an insight into the scope and content of the codes, based on which recommendations can be formulated for the improvement and advancement of the Code of Ethics for MPs in the RNM and the Guidelines for the Implementation of the Code of Ethics for the MPs in the Assembly of the RNM.

Codes of ethical conduct and legislation to prevent corruption and conflicts of interest are key elements for building strong integrity systems. Thus, a culture of intolerance towards certain harmful and unethical practices is systematically built, a consensus is developed on what constitutes ethical conduct and behavior, and is built citizens' trust in institutions and in the commitment of politicians to the public good.

Based on the best international practices in the area, the following courses of action are recommended for the improvement of the Code and the Guidelines for the Implementation of the Code of Ethics for MPs in the Assembly of RNM:

- *Promotion of the Code of Ethics for Members of Parliament*

Based on the comparative overview of the codes of several countries, as well as the accompanying documents in the form of Guidelines for the Implementation of the codes, it is recommended to revise and supplement the Code of Ethics for the Members of Parliament with the areas that are not currently covered, and are significant for ensuring a complete and coherent approach to ethical issues, as well as the development of a completely new Guideline for the Implementation of the Code following the example of the best international practices.

- *Raising standards of ethics and transparency*

For the code to have positive implications and impact, it is necessary to strengthen and promote standards of ethics and transparency. One of the possible measures to strengthen the application of ethical standards and the transparency of MPs is the introduction of formal, public declarations of property status and interests, as well as public announcement of the registers of gifts and interests maintained by the



Parliament so that they are available to the wider public. This will contribute to building trust, providing the public with transparent access to the activities of MPs and the Assembly, as well as ensuring the smooth functioning of the mechanisms for monitoring the work of MPs by the non-governmental sector and civil society organizations working in this sphere.

- Introducing independent supervision of implementation

From the considered examples, it can be concluded that the practice of introducing independent supervision of the implementation of the code can be an essential feature that will positively affect the full application of the code. Leaving MPs to monitor themselves increases the risk of incomplete implementation, even completely ignoring the code, turning it into a political tool that seriously undermines the code's established purpose and function of building public trust. Of course, it is of inestimable importance that the independent supervision is fully compatible and complementary with the other elements of the integrity system. It is recommended that the supervisory role of the implementation of the code be based on the holistic approach, that is complemented by regular inclusion and public participation in monitoring, promoting the role of the media as a supervisor of the work of public office holders, as well as an inclusive approach using the expertise and capacities of civil society.

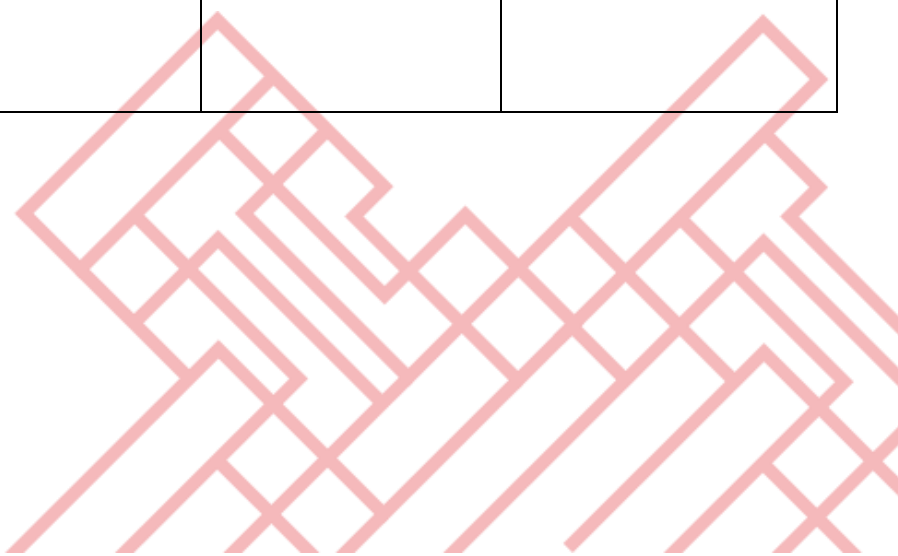
Overview of areas covered by the Code of Ethics

	Field	Republic of North Macedonia	Republic of Albania	USA	EU	Great Britain
1	Basic principles	Basic rules of conduct of MPs (objectivity in behavior without prejudice and discrimination, mutual respect and respect for the personal integrity of others)	General ethical principles and duties of a Member of Parliament. Conduct in the Assembly (Unparliamentarily and discriminatory vocabulary, Voting on behalf of another person, The appearance of the MP in the parliamentary activities, abuse of reputation, behavior in the sessions, behavior towards colleagues and services, clothing, prohibition of alcohol and narcotics, Prohibition of sexual harassment, Orientation and counseling of the MP, Keeping of classified information)	Basic ethical standards (public good and public interest, violation of ethical principles and measures, system (Committee), procedures, credibility, rules, ethical standards for the executive power, Code of Ethics for civil services, Rules of members, officials, supervisors and committees, advisory role)	Guiding principles and duties of MPs in the performance of their duties (referring to provisions of laws, Rules of Procedure and Code)	General principles and rules of conduct and Respect for the Code (selflessness, integrity, objectivity, responsibility, honesty, leadership, expected conduct, basic ethical values and application of the Code and its violation)
2	Conflict of interests	Conflict of interests (conscientious and responsible conduct, prevention of conflict of public and private interest in performing the function)	Conflict of interests (permanent and occasional conflict of interests, determination of conflict and action, register of statements, property status and income)		Conflict of interests when a member of the European Parliament has a personal interest, steps to resolve a conflict of interests, disclosure of all real or possible conflicts of interest by members of parliament	Conflict of interests ()
3	Additional employment and other income		Restrictions during the performance of the mandate (performance of another state duty, performance of profitable activities, being the member of management bodies, performing private activity, income from tender procedures, active ownership,	Additional employment and income (conflict of interests, personal gain, fees, scholarship, donations, prohibition of representation of other persons when the Assembly is involved in the case, double employment, prohibition of receipts from		Employment and earnings

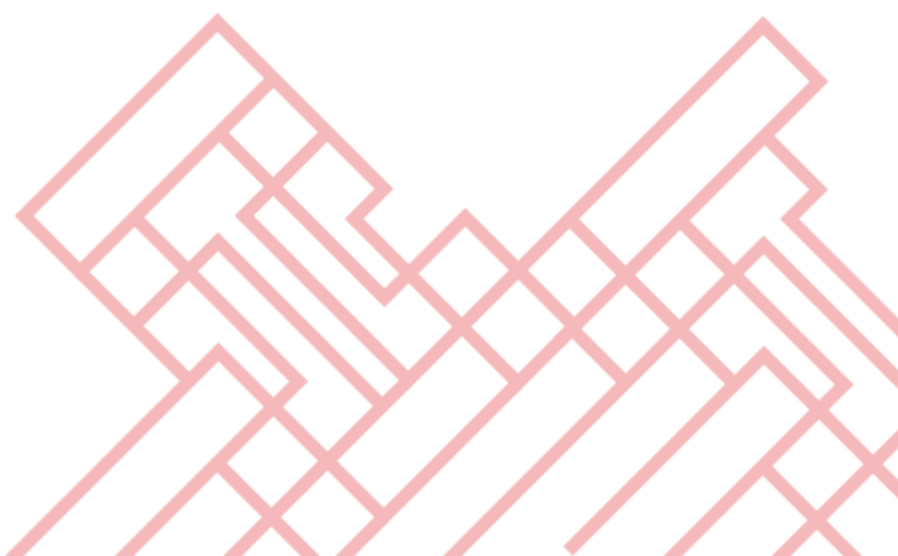
			dominant position in the market, shares or capital, shares in the name of a close relative)	foreign governments, negotiations for future employment, prohibition of board membership for compensation, copyrights, annual limits for additional income of service employees, post-employment limits)		
4	Prohibition of corruption	Prohibition of corruption (acting in accordance with the provisions of the Law on Prevention of Corruption, as well as avoiding situations that may lead to suspicion of abuse)		Income and expenses (funding from official accounts, official travel, false claims and fraud, postage)		Donations and other support for performing activities in the capacity of a Member of Parliament, Permitted donors
4	Gifts	Prohibition on receiving gifts (value of gifts, participation in tribunes and seminars)	Gifts and benefits (registration, delivery, storage of gifts, registry, value of gift, benefits for extra-parliamentary activities)	Gifts (basic prohibitions, rules, categories and value of gifts, rules for family members, spouses, children, lobbyists, foreign representatives, personal friendship gifts, attendance at events, sporting events, fundraising and humanitarian events, sponsorships, campaigns, gifts from foreign governments and organizations, pro bono activities, awards and recognitions, other opportunities and benefits, unacceptable gifts and their return, bribery, publication)	Gifts and similar benefits (gifts received in an official capacity, notification, delivery, retention, storage, display, registry)	Gifts, benefits and hospitality services from UK sources, Visits from outside the UK, Visits from outside the UK
5	Travels			Trips (Covering travel expenses and purpose of travel, prohibition of lobbyist participation in travel organization, official visits, travel paid for by private individuals, travel within the US or abroad, length of trip,		

				companion, disclosure of expenses, gift travel from a friend, travel paid for by the government, by a foreign country, by a political party)		
6	Financial transparency	Budgetary and financial discipline (proper use of public funds and devices given for use)	Transparency and confidentiality (Statement and control of property status, Publication of the statement, financial transparency)	Financial disclosure (financial transparency rules, content of statements – external income and business transactions, assets, investments, liability to a spouse and children, other benefits, gifts, information on extra-parliamentary positions, contracts, funds	Statement of MPs on financial interests	Financial interest (employment and income, permitted donations and registration, gifts, benefits and hospitality services in UK, visits outside UK, gifts and benefits from sources outside UK, land and property, equity share, family members - employment)
7	Attitude towards resources of work and conduct during campaign	Attitude towards the funds used in the Parliament (household use of the funds made available to him)	Use of resources and personnel	Campaign (Proper use of funds and resources of the campaign and Activities related to the campaign, prohibition of using the premises and funds of the Assembly in a campaign, campaign outside working hours, conduct, use of campaign funds, travel, separation of political from official activities, rules for aspiring employees)		
8	Rules for service employees			Rules for service employees (discrimination, nepotism, hiring, firing, personal assistants, compensation, hiring interns, volunteers, consultants, lobbyists, minimum ethics training)		
9	Contact and cooperation with external			External organizations (official support organizations, informal organizations, private entities with common goals, advisory		

	organizations			groups, conferences and meetings, reimbursement for participation in an event, sponsorships)		
10	Subject/project work		Allowed extra-parliamentary activity of the MP, Transparency of projects with the Assembly	Casework (informal communication, supporters, procurement and grants, communication with courts, with other governments, with non-governmental parties, confidentiality of information, personal interests, gifts and compensation, political positions in government, relations with the private sector)		
11	Lobbying		Lobbying in the Assembly and Register of Interest Groups and Civil Society (Relationships of the Member of Parliament with lobbyists and civil society organizations, Transparency of the Member of Parliament's contacts with lobbyists, public announcement of meetings with lobbyists, relations between the Member of Parliament and lobbyists should be documented, written documents officially are published, lobbying in exchange for payment is prohibited)	Restrictions on lobbying. Lobbying gifts prohibited		Lobbying (rules related to lobbying, time limits, definitions, application, Family members involved in lobbying)



12	Competent body of the Assembly	The Commission is responsible for determining committed violations and imposing measures	The Bureau of the Assembly is the competent authority for the implementation of the Code of Conduct for Members of Parliament, the Bureau of the Assembly issues detailed instructions for conduct in the Assembly	Role of Congress and the Committee, Committee History and Procedures	Role of the Advisory Committee on the Conduct of Members of Parliament	Dismissal of investigations: Parliamentary Commissioner for Standards, Resolution of Investigations: Standards Committee, Remit of the Parliamentary Commissioner for Standards
13	Measures	Warning for minor injury and Public warning for serious injury are published on the website of the Assembly.	Limitation of immunity (disciplinary procedure for violation of the Code, measures, procedure)	Violations of ethical standards	Procedure and implementation in case of possible violations of the Code of Conduct (ensuring the application of measures, monitoring, authority of the Secretary General)	Investigations and measures (filing a complaint, parliamentary privilege, investigative procedures)



Information about the project

The Swiss Program for Parliamentary Support (PSP) will support the efforts of the Assembly of the Republic North Macedonia for independence building consensus, structural reforms and building of capacities in institutional development the Assembly; in its legislative and supervisory roles and in his institutional transparency and accountability. PSP are implemented by the National democratic institute, the Institute for democracy "Societas Civilis" – Skopje and the Center for Change Management, for support of the strategic planning of The Assembly; for reforms in the management of human resources; for improved assessment the impact of regulation and process for procurement; for commitment to open data and through the measurement of public opinion and the monitoring of efforts for reforms, including for greater civil engagement in the processes of creation policies.

Information about CCM

The Center for Change Management (CCM) is a think tank, non-governmental organization that believes that strengthening the capacities of public administration, the civil sector, the business community, Euro-integration and investing in people are the main agents for change in society. This document was prepared by the CCM and refers to the application of the Code of Ethics for Members of Parliament in the Assembly of the Republic of North Macedonia in the direction of improving the system for parliamentary ethics in the Assembly of RNM.

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