

Ethics content on the HOME intranet

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## Ethics & conduct

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### Ethics Correspondents for DG Home Affairs, DG Justice and Shared Resources

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## News

**SYSPER2 module for Gifts and hospitality: starting from 7 March 2012 submit your requests for prior permission via Sysper2**

- **How?** Go to [Sysper2](#) and under "Ethics" you will find the option "My ethics requests".
- Find out more about [gift and hospitality](#); [FR](#) See [Commission en direct issue 9>12/3/12](#) on the New guidelines on gifts and hospitality

## Ethics & conduct in our DGs

The objective of the [Code on Professional Ethics in DGs HOME and JUSTICE](#)  is

to create a local framework on professional ethics and integrity, taking into account the recommendations of the audit report of organisational ethics performed by the Internal Audit Unit and based on the central practical guide on ethics. This document provides also a series of Quick Guides on specific topics linked to the days-to-day activities of the DG.


At DG Home Affairs and DG Justice, we seek to provide practical information about Ethics and Integrity and staff conduct through concise and user-friendly case studies in our newsletter and intranet, information sessions for newcomers and lunchtime sessions on specific topics. Information on upcoming events is published on the Homepage of the intranet, but you may also contact our Ethics Correspondents for more information.

If you wish to learn more about Ethics, we invite you to take the one-day course Ethics & Integrity, which you can sign up for via [Syslog](#). If you have any questions or concerns related to Ethics & Integrity, please contact one of our Ethics Correspondents.

## **Ethics & conduct in the Commission**

As a public body, the Commission is accountable to the other institutions, most notably the European Parliament, as well as to the Member State governments, and ultimately, to the citizens, for ensuring that it meets the highest standards in terms of independence, integrity, impartiality and objectivity.

The [Staff Regulations](#) establish the general framework of rights and obligations affecting EU officials. This is supplemented by the Commission's [Code of Good Administrative Behaviour](#), which determines the type of service the public can expect from Commission staff. DG HR provides also a practical [guide to staff ethics and conduct on MyIntracomm](#).

The rules for employees not covered by the regulations above, such as trainees (stagiaires), seconded national experts (SNEs/ENDs), external experts, non regular external staff, employees of external service providers, etc. are described in the [attached note](#) .

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## Reference


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### Ethics guidelines

- [Code on Professional Ethics in DGs HOME and JUSTICE](#) 
- [DG HR's practical guide to staff ethics](#) [FR](#)
- [Copy of the statement of ethical principles](#) 
- [General guidelines regarding interest groups \(lobbyists\)](#) 
- [Guidelines on gifts and hospitality](#)

### Staff conduct

- [Staff regulation](#)
- [Code of good administrative behaviour](#)
- [Rules applicable to external staff such as trainees, seconded national expert \(ENDs\), Non regular external staff, agency staff, etc.](#) 

### At work

- [Rules on personal use of the internet and email](#)

### Reports

- [The 2009 report of the Investigation and Disciplinary Office of the Commission \(IDOC\)](#)

### Other

- Commission en plus: [General guidelines regarding interest groups](#)
- [The Ethical communication of 5 March 2008](#) [FR](#)
- Les dispositions relatives aux [Stagiares](#) et [Experts Nationaux Détachés](#)

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## Case studies

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### Case studies related to Ethics and Integrity at work

Below you will find a selection of articles and case studies related to Ethics and Integrity at work.

- [External activities - Real-life dilemmas](#) Commission en Direct 10/09/2010
- [Ethical dilemmas: test your ethical reflexes - Practical cases, page 2](#) Commission en Direct 03/04/2008
- [Accepting gifts](#) JLS Staff matters edition 162 - 07/01/2010 
- [An interesting ethics case: be careful with hospitality offers](#) JLS Staff matters 05/11/2009 
- [A new code on Professional Ethics for DG JLS](#) JLS Staff matters 01/10/2009 
- [Should I declare my external activities, why and how?](#) JLS Staff matters 27/11/2008 
- [Enhancing our service to citizens through a culture of integrity - Et si vous deviez dénoncer un manquement grave ou une activité illégale?](#) JLS Staff matters 30/10/2008 
- [How much do you know about ethics at work?](#) JLS Staff matters 26/09/2008 

## External activities

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### External activities

#### Submitting a request

From 1 September 2010, "external activities requests" are made via Sysper2. Paper requests are no longer accepted.

- **How?** Go to [Sysper 2](#) and under "Ethics" you will now find the option "My ethics requests". Here you can now register external activities.
- [Administrative notice No. 51-2010 FR DE](#)
- If you have any questions please contact DG HR using this mailbox [HR-B1-ETHIQUE](#)

#### Additional information

- [Find out more about external activities FR](#)
- Commission en direct issue 10 September 2010 on Ethics
  - [Activités extérieures durant le service actif - Des formalités simplifiées dans Sysper2 - page 2](#)
  - [External activities - Real-life dilemmas](#)

### Publications, speeches, gifts

- [Rules on publications/Right of freedom of expression](#)
- [Rules on gifts](#)
- Applications are to be submitted by paper, using the circulation sheet below and the forms provided in the links above (DG HR). Please **do not** submit your request via ARES.
- Circulation sheets:
  - [Publications, speeches/discours](#)  (Jan 2012)
  - [Gifts/cadeaux](#)  (Jan 2012)

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## Reporting

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### Informing about irregularities

#### ✓ **Your duties**

Article 2 of the Commission Decision of 2 June 1999 (see OJ L 149 p. 57) obliges any official or servant of the institution to report "evidence which gives rise to a presumption of the existence of possible cases of fraud..." without delay to either the Director-General or, if the official or servant considers it useful, to OLAF or to the Secretary General.

The duty is restricted to evidence suggesting wrongdoing relating to possible illegal activities and serious failure to comply with professional obligations. It does not cover all cases of non-respect of obligations under the Staff Regulations but only serious professional wrongdoings. Neither does it cover disputes or disagreements about policy matters.

**If you encounter an irregularity, you can fulfil your obligation to inform by reporting internally within DGs HOME and JUSTICE or directly to OLAF. You are not expected to prove that your presumption is true. However, your belief must be reasonable at the time of reporting.**

#### ✓ **The duties of the hierarchy**

When cases of irregularity have been reported to the Director-General or Secretary General, he is obliged to report the matter to OLAF without delay. As a result OLAF will have at hand the information necessary for its own investigations and can play its role in full independence.

The Director General will have to decide whether the evidence provided reveals shortcomings that could be redressed or require other further measures in addition to the transmission of the information to OLAF. Following the investigation, if it appears that a management action, procedural or organisational change could prevent risks of further serious professional wrongdoing in the future, then these measures must be considered and, where appropriate, applied as soon as possible.

**The duty of the Director General to notify OLAF does not in itself absolve him from the responsibilities of tackling the wrongdoing.**

#### ✓ **Protection from adverse consequences**

If you report evidence giving rise to a presumption of illegal activity or serious professional wrongdoing to the Director General, the Secretary-General or to OLAF you will be protected from any adverse consequences. Article 17 of the Staff Regulations obliges officials to exercise the greatest discretion with regard to facts and information received in the course of their work. It may not be disclosed, if not already made public, to any unauthorised person.

Article 17 does not conflict with your obligation to report concerns either internally or directly to OLAF, as it defines the persons who are authorised to

receive information on wrongdoings.

**Reporting on irregularities does not conflict with Article 17 and you can be assured that no action will be taken against you. However, your protection depends on your good faith when reporting the wrongdoing. Should it be proved that you have reported information maliciously to OLAF, you would be open to disciplinary proceedings.**



To protect the interests of anyone who may be personally implicated in such an investigation, OLAF is under an obligation

- to notify that person as rapidly as can be done without harming the investigation, and
- to make no conclusions about that person without first giving him an opportunity to express his views on all the facts which concern him.

Additionally, information supplied to or obtained by OLAF is in turn subject to an obligation of professional secrecy and 'shall enjoy the protection given by the provisions applicable to the institutions of the European Union'. The preamble to the Regulations also make clear the need to give full respect for the human rights and fundamental freedoms of those involved and provide that the actions of OLAF may be judicially challenged where its investigations adversely affect the interests of a party. In this way it can be seen that the scheme itself has been designed so that OLAF is to provide safeguards against any malicious allegation and that you are not viewed as a complainant.

**In order to allow proper investigation and to protect the rights of those who are accused of wrongdoings, it is indispensable that the official to whom concerns are reported (your Director General, the Secretary-General or an official of OLAF) must treat such evidence in accordance with Article 17 of the Staff Regulations, in confidence, and pass it on only to those persons who are competent to investigate the evidence provided.**

## **Related links and documents**

- Whistleblowing
  - [Whistle blowing page on MyIntraComm](#)
  - [Note](#)  from Director-General DG Home Affairs (7 June 2011)
  - [Note](#)  from Director-General DG Justice (10 June 2011)
- [Financial liability page](#)
- [IDOC page](#) - Investigation and Disciplinary Office of the Commission (IDOC)
- link to the [OLAF fraud hotline](#)

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