

# CODE OF CONDUCT

*For the presidents and members of Territorial Commissions for the recognition of International Protection and the National Commission for the Right of Asylum, as well as for interpreters, support staff and all other individuals who provide their services, including on a free or occasional basis, at the said Commissions*



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DELL'INTERNO



## PREMISE

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*On 15/11/2016, the National Commission for the Right of Asylum adopted this Code of Conduct in accordance with article 5 paragraph 1 ter of Legislative Decree n°25 of 2008, which sets out the rules of conduct governing the professional and ethical responsibilities of presidents, members and support staff of Territorial Commissions for the recognition of International Protection and of the National Commission for the Right of Asylum, as well as of interpreters and all other individuals providing their services, even on a voluntary or occasional basis, in the context of procedures before the above mentioned Commissions.*

"This Code of Conduct was developed as part of the activities of the National Commission for the Right of Asylum's Quality Monitoring Project, in collaboration with the United Nations High Commissioner for Refugees".

# 1. GENERAL PROVISIONS AND SCOPE

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Pursuant to Article 5, Paragraph 1 ter, of Legislative Decree n° 25 of 2008, as subsequently supplemented and amended, this *Code of Conduct* establishes the rules of conduct that, in compliance with current provisions, regulate professional and ethical responsibilities of presidents, members, and support staff of Territorial Commissions for the recognition of international protection and of the National Commission for the Right of Asylum, as well as of interpreters and all other individuals providing their services, even on a voluntary or occasional basis, in the context of procedures before the above mentioned Commissions; hereinafter, the above individuals are all referred to as "staff".

## 2. GENERAL PRINCIPLES CONCERNING THE PROCEDURE FOR THE RECOGNITION OF INTERNATIONAL PROTECTION

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### **2.1 Integrity**

Staff shall align their behaviour to the principle of integrity, acting honestly and in good faith, professionally and ethically, in accordance with the principles of correctness, proportionality, objectivity, transparency, fairness and reasonableness.

### **2.2 Impartiality**

Staff shall act in an impartial and objective manner.

### **2.3 Professionalism**

Staff shall ensure a high level of expertise and professionalism and are committed to updating their knowledge in relation to the activities they are tasked to undertake, including by participating in training courses organised by the National Commission for the Right of Asylum.

### **2.4 Efficiency and effectiveness of the service**

When performing their functions, staff balance the interest to the highest quality of service with the interests of affordability, efficiency and effectiveness of service.

## **2.5 Equal treatment and conditions**

**2.5.1** Staff shall, within their powers and functions, be responsible for ensuring that proceedings are fair, orderly and efficient.

**2.5.2** Staff shall perform their duties in accordance with the principle of non-discrimination in relation to sex, gender, age, sexual orientation, nationality, ethnicity, language, religion or belief, personal or political beliefs, disability, social or health conditions, or any other factor.

**2.5.3** Specifically, staff shall ensure that each application is individually treated and assessed and shall not be influenced by personal opinions; prejudices; social, political, ethnic, religious circumstances; the interest of certain groups, or any other factors, including those relating to the grounds of the application for international protection.

## **2.6 Fair, respectful and dignified treatment of applicants for international protection**

Staff are required to have due regard to the past experience and personal profile of every applicant for international protection and to treat such persons with respect and dignity. To this end, staff shall make all necessary arrangements, so that the applicants feel at ease promoting active participation in the procedure.

## **2.7 Contribution to, and participation in, a work environment based on respect, fairness and cooperation towards all staff involved**

**2.7.1** Staff shall carry out their functions in an environment based on respect and fairness, allowing everyone to express their thoughts, to share relevant information whilst ensuring confidentiality, and to contribute to tasks through their knowledge and experience, promoting collaboration and collegiality of the decision-making responsibilities.

**2.7.2** Staff shall base their behaviour on constructive dialogue, with a view to bridging differences and solving problems of any kind.

## 2.8 Confidentiality of information acquired in the course of the procedure

**2.8.1** In accordance with legal obligations, staff are obliged to comply with professional secrecy and with legislation concerning the protection and treatment of personal data and not to disclose information that was acquired whilst performing their functions.

**2.8.2** In accordance with applicable legislation, staff shall ensure the confidentiality of information obtained from the applicants at any stage of the procedure, in order to guarantee the applicants' safety and that of family members who are in the country of origin. In relation to individual cases, staff shall not communicate with diplomatic authorities of the applicants' country of origin, or with the alleged perpetrators of persecution against the applicants. Staff are committed to making applicants aware of the confidentiality of any information he wishes to share with the Commission.

## 3. BEHAVIOUR IN CASE OF CONFLICT OF INTEREST OR INCOMPATIBILITY

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**3.1** Besides a self-declaration confirming the absence of incompatibility grounds upon acceptance of the appointment, to be signed pursuant to Article 4, Paragraph 3, of Legislative Decree n° 25 of 2008, staff shall inform the President of the Territorial Commission, as well as the National Commission for the Right of Asylum, of any conflict of interest arising, including potential conflicts of interest, refraining from carrying out their functions.

**3.2** Staff shall not participate in external activities, including of a professional nature, which are inconsistent or incompatible with the duties and responsibilities inherent to their role in the Territorial or National Commission. External activities refer to all activities staff participate in, in a personal capacity, including those carried out free of charge. Where doubts arise as to the nature of external activities, staff shall consult with the National Commission for the Right of Asylum.

## 4. IMPROPER USE OF POSITION

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Staff shall not abuse of the power and influence gained by virtue of their functions, using them against applicants. Furthermore, they shall not use for private purposes the information available to them due to office reasons.

## 5. GIFTS, PAYMENTS AND OTHER BENEFITS

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Staff shall not request, or accept or solicit, either for themselves or others, gifts, payments or other benefits from individuals involved in the procedure, as remuneration to perform or have performed an act inherent in their duties or to derive a benefit from their position, unless they are gifts and presents of nominal value, received on a strictly occasional basis, and exclusively as part of normal courtesy and customs.

## 6. FINAL PROVISIONS

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The National Commission for the Right of Asylum is responsible for the interpretation, the updating of this Code of Conduct and will ensure its implementation.

The Presidents of the Territorial Commissions for the recognition of international protection and the National Commission for the Right of Asylum shall make staff aware of this code of conduct, collect the statements of acknowledgments and take care of its preservation.

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and all other individuals who provide their services, including on  
a free or occasional basis, at the said Commissions*

The *Code of Conduct* establishes the rules of conduct that regulate professional and ethical responsibilities of staff of Territorial Commissions.

I have accurately read and understood the Code of Conduct and I agree to be bound by the rules therein.

LAST NAME AND FIRST NAME	
FUNCTIONAL TITLE	
DUTY STATION	

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(Place and date)

Signature:

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