

# **CODE OF CONDUCT**

## **of the Employees of the Foreign Service**

We, the employees of the Foreign Service,

Determined to display integrity, sound judgment and high morals in our professional and private lives, to maintain appropriate respect;

Confirm that our principle values are reliability, transparency, honesty and impartiality;

Work as a team towards common goals to protect the interests of Icelandic citizens and companies abroad, to promote Icelandic culture abroad and to implement government policy in foreign affairs, external trade, development cooperation and defence;<sup>1</sup>

Conscious that the Foreign Service respects equal rights and equal status of men and women and promotes the integration of gender and equality perspectives in its work and policy-planning;<sup>2</sup>

Mindful, furthermore, that the Foreign Service ensures a secure, humane and stimulating working environment where due account is taken of the interests of the family;<sup>3</sup>

Aware that customs and practices differ from one country to another;

Undertake to abide by this Code of Conduct to protect Iceland's high reputation:<sup>4</sup>

### **CHAPTER I**

#### **GENERAL PROVISIONS**

##### **Article 1**

##### ***Scope of Application***

This Code of Conduct applies to the employees of the Foreign Service, including temporary employees, trainees and employees of other government ministries. It also applies to advisers, contractors and partners of the Foreign Service, as applicable, who shall be informed of it. Separate rules apply to crisis response personnel and honorary consuls.<sup>5</sup>

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1 Art. 1 of the Icelandic Foreign Service Act, No. 39/1971; Art. 12 of the Regulation on Government Offices of Iceland, No. 177/2007.

2 Equality Agenda of the Ministry for Foreign Affairs of 24 April 2007.

3 Family Policy of the Ministry for Foreign Affairs of 24 April 2007.

4 This Code of Conduct forms part of the *Foreign Service's Instruction and Guidance Manual*, cf. Art. 18 of the Icelandic Foreign Service Act, No. 39/1971.

5 As regards crisis response personnel, the *Code of Conduct of Icelandic Crisis Response Unit (ICRU)*, No. 960/2007, applies, and as regards honorary consuls, the *Manual for Honorary Consuls of Iceland*, Reykjavík 1995, applies.

## **CHAPTER II**

### **INTERACTION AT THE WORKPLACE**

#### **Article 2**

##### ***The Workplace***

Employees should display professionalism in their work at all times. They should comply with all principles, rules and obligations applicable to the workplace, including those concerning interaction between employees. All employees should be treated equally, regardless of age, disability, race, marital status, sex, sexual orientation, colour of skin, religion, political or other beliefs, nationality, origin, possessions, descent or for other reasons.

Employees may not harass their co-workers<sup>6</sup> or engage in gender-based or sexual harassment at the workplace.<sup>7</sup> They may not abuse in any way their position towards a person who is dependent upon them, including their subordinate.

## **CHAPTER III**

### **OBLIGATIONS TO THE ICELANDIC AUTHORITIES**

#### **Article 3**

##### ***Implementing Instructions***

Employees should comply with any legitimate instructions from their superior regarding their duties.<sup>8,9</sup>

Employees may neither seek nor accept instructions from any state or party other than Icelandic authorities.

Employees should carry out their instructions impartially. Employees' personal views may not impede them in performing their duties or lead them to act in any way which contravenes legitimate instructions from Icelandic authorities.

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6 Harassment means: "Unacceptable or repeated inappropriate conduct, i.e. an act or conduct which is meant to humiliate, belittle, insult, hurt, discriminate against, threaten or cause discomfort to the person to whom it is directed. This includes sexual harassment and other forms of psychological or physical violence. This does not include differences of opinion or conflicts of interest which may arise at the workplace between a superior and an employee or between two or more employees, provided that such disagreement or conflict of interest does not lead to the conduct described above.", cf. Art. 3 of the Regulation on measures against harassment at the workplace, No. 1000/2004.

7 Gender-based harassment means: "Any type of unfair and/or insulting behaviour which is related to the gender of the person affected, is unwelcome and impairs a person's self-respect and is continued in spite of a clear indication that it is unwelcome. The harassment can be physical, verbal or symbolic. A single occurrence can be considered gender-based harassment if it is serious."

Sexual harassment means: "Any type of unfair and/or insulting sexual behaviour which is unwelcome and impairs a person's self-respect and is continued in spite of a clear indication that it is unwelcome. The harassment can be physical, verbal or symbolic. A single occurrence can be considered sexual harassment if it is serious."

cf. Art. 2 of the Act on Equal Status and Equal Rights of Women and Men, No. 10/2008.

8 Superior means: An employee's immediate superior or his/her superior's superior, up to the Head of Mission or Permanent Secretary of State.

9 Cf. Art. 15 of the Government Employees Act, No. 70/1996.

## **Article 4**

### ***Decision-Making***

Employees should exercise the authority entrusted to them responsibly and in the public interest, act fairly and with proportionality, and not apply it for their own gain.

When exercising their discretionary authority to select individuals, e.g. for recruitment, allocating grants or other benefits, or awarding contracts, employees shall take decisions on the basis of substantive criteria, such as merit and qualifications. No one may be discriminated against on the basis of non-substantive criteria, such as sex, race, sexual orientation or social circumstances.<sup>10</sup>

Employees should, to the extent possible, ensure transparency in their decision-making.

## **CHAPTER IV**

### **OBLIGATIONS TO FOREIGN AUTHORITIES**

## **Article 5**

### ***Immunities***

Employees should be aware that immunities granted to them in the host country are not granted for their personal benefit but for the benefit of the Icelandic authorities. They should respect the laws and regulations of the host country, as well as its traditions and customs. Immunities do not exempt them from fulfilling their personal obligations.

Employees who enjoy immunities may not interfere in the internal affairs of the host country, including by participating in political activities. They should show due respect to the authorities of the host country.<sup>11</sup>

## **CHAPTER V**

### **FINANCIAL MATTERS**

## **Article 6**

### ***Financial Interests***

Employees should ensure that their personal and financial interests, and those of their families and friends, do not conflict with their duties. They may not, for example, involve themselves in cases if the parties include members of their family, their friends, former spouse or children-in-law or if they themselves are parties.<sup>12</sup>

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10 Points 1 and 2 of the Ministry of Finance Guidelines of Good Practice for Government Employees (GPE), dated February 2006.

11 Art. 41 of the Vienna Convention on Diplomatic Relations of 18 April 1961, cf. Art. 1 and 2 of Iceland's Accession to the International Convention on Diplomatic Relations Act, No. 16/1971.

12 Point 3 of the GPE.

## **Article 7**

### ***Gifts and Privileges***

Employees should neither accept nor seek gifts or valuables from individuals, companies or other parties that are in any way related to their work if this can be construed as a consideration for a favour or special service. Christmas gifts or other courtesy gifts may be accepted, provided that their value is within reasonable limits. A superior should be consulted if there is doubt whether an employee may accept a particular gift.<sup>13</sup>

The abovementioned also applies to privileges and honours. If accepting a gift of greater value than SDR 100 cannot be avoided as a matter of courtesy, the gift becomes the property of the Foreign Service. It should be rendered immediately and listed in the inventory of the Foreign Service. Monetary gifts may never be accepted.

## **Article 8**

### ***Other Activities***

#### *a. In General*

Employees may not be involved in the operation of or own a business if they stand to benefit as a result of their position in the Foreign Service. If employees need to deal in an official capacity with any business in which they hold an interest they should immediately disclose the measure of that interest to their highest ranking superior.<sup>14</sup> This does not apply, however, to holdings of less than 10% in public limited companies.

Before accepting a paid position in the service of another party, taking a seat on the board of a business or institution or starting a business alongside their duties, employees must notify their highest ranking superior thereof. They shall be informed within two weeks whether the aforementioned activity is considered compatible with their duties and whether they are authorised to engage in it.<sup>15</sup>

#### *b. In the Host Country*

Employees who have been granted immunities may not work or engage in business activities for their own profit in the host country.<sup>16</sup>

Family members of employees who enjoy immunities may work or engage in employment related activities if the rules in the host country so permit, provided that their highest ranking superior is notified before an employment contract is signed or operations begin.

## **Article 9**

### ***Insider Trading***

If employees are in possession of insider information they may not buy or sell financial instruments, directly or indirectly, on their own behalf or on behalf of others. Employees may not provide third parties with insider information or use such information to advise third parties to buy or sell financial instruments or otherwise encourage their trade.<sup>17</sup>

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13 Point 4 of the GPE.

14 Highest ranking superior means: Head of Mission or Permanent Secretary of State.

15 Art. 20 of the Government Employees Act, No. 70/1996.

16 Art. 42 of the Vienna Convention on Diplomatic Relations of 18 April 1961, cf. Art. 1 and 2 of Iceland's Accession to the International Convention on Diplomatic Relations Act, No. 16/1971, Art. 14 of the Icelandic Foreign Service Act, No. 39/1971.

17 Art. 123 of the Securities Transactions Act, No. 108/2007. Financial instrument means, inter alia, shares and bonds, cf. Art. 2 of the Securities Transactions Act, No. 108/2007.

**Article 10**  
***Public Property***

Employees should administer public funds responsibly, ensure that they are effectively used and not for other purposes than instructed or laid down by law.<sup>18</sup>

Employees may not wilfully or by negligence cause waste, loss or damage to property, documents or assets of the Foreign Service.

Employees may not use office equipment to retrieve or disseminate illegal content, pornography or other materials that may harm the reputation of the Foreign Service.

**Article 11**  
***Entertainment Expenses***

Entertainment expenses should only be incurred when necessary for Icelandic interests in connection with employees' duties, taking into account the customs and circumstances in the host country. The cost should be reasonable and the entertainment should not go beyond what is appropriate. Alcohol should be served in moderation.

**Article 12**  
***Abuse of Position***

Employees may not accept or pay bribes.<sup>19</sup>

Employees may not give preferences to suppliers or promote transactions on behalf of the Foreign Service by reason of non-substantive criteria such as family connections or other personal connections.

**CHAPTER VI**  
**PERSONAL BEHAVIOUR**

**Article 13**  
***Conduct***

As worthy representatives of Icelandic authorities, employees of the Foreign Service should apply the highest standards of conduct at all times, both at work and outside of working hours.

Employees should discharge their functions with the utmost care and conscientiousness. They should be polite, helpful and display fairness in their work. They should refrain from any action, at work or outside it, that is inappropriate or brings their work or profession into disrepute or disgrace. Employees are required to provide the necessary assistance and guidance to those who seek their help.<sup>20</sup>

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18 Point 7 of the GPE.

19 Art. 109 and 128 of the General Penal Code, No. 19/1940.

20 Art. 14 of the Government Employees Act, No. 70/1996.

**Article 14**  
***Human Rights***

Employees should ensure that their conduct conforms to the human rights objectives of Icelandic authorities. Employees may not purchase or accept prostitution services.

**Article 15**  
***Conflict of Interest***

Employees should avoid any conflict of interest in their work. They should alert their highest ranking superior if the possibility of such conflicts should arise. This also applies when a change in an employee's circumstances could result in such possible conflict of interest.

Employees should observe rules concerning disqualification from a case by reason of kinship or for other reasons.<sup>21</sup>

Employees may not use their position for private gain or to benefit others connected to them, irrespective of whether the benefit emerges immediately or at a later date, including after employment ceases.

**CHAPTER VII**  
**SECURITY MATTERS**

**Article 16**  
***Information***

Employees should make information available to the public on decisions and activities of the Foreign Service, provided the information is not confidential by law.<sup>22</sup>

**Article 17**  
***Confidentiality***

Employees should observe confidentiality with regard to all confidential matters they obtain knowledge of in the course of their duties. Employees may not seek confidential information which is not relevant to their duties. Employees may not use information obtained in the course of their duties, which has not been presented or made public, for their own gain or that of others, including financial gain, even if the information is not confidential. Employees should maintain confidentiality even after employment ceases.<sup>23</sup>

Employees who express their views in public should indicate whether they do so in their own name or on behalf of the Foreign Service, as the case may be.

Employees should ensure that confidential information is securely protected against unauthorised access.

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21 Art. 3 of the Public Administration Act, No. 37/1993.

22 Point 5 of the GPE.

23 Point 6 of the GPE and Art. 18 of the Government Employees Act, No. 70/1996.

## **Article 18**

### ***Security***

Employees should make every effort to ensure the security of the Foreign Service and its employees. They should comply with all rules and instructions regarding security matters, including contingency plans in the case of an emergency situation arising in the workplace.

In the event of an emergency situation in a host country, employees should make every effort to ensure the safety of co-workers, Icelandic citizens, their families and property, including evacuation from danger zones.

## **CHAPTER VIII**

### **FINAL PROVISIONS**

## **Article 19**

### ***Infringements***

Employees who become aware of corruption or illegal or inappropriate conduct should inform their highest ranking superior, head of personnel or Permanent Secretary of State thereof. The highest ranking superior should immediately notify the head of personnel or the Permanent Secretary of State of such reports. Employees who accurately report such conduct in good faith shall not be penalised in any way.<sup>24</sup>

Employees should report any well-founded suspicions of infringements of this Code of Conduct to their highest ranking superior and/or head of personnel of the Ministry. They may request anonymity.

Employees accused of infringements may have access to all relevant documentation and be given an opportunity to comment. The highest ranking superior or head of personnel should reach a decision within one month of receiving the report. If the matter is settled in writing, the parties should sign the findings. Employees have a right to attach their comments.

Penalties for infringements of this Code depend on the seriousness of the infringement. They can include a warning or dismissal according to Chapters IV and VI of the Government Employees Act, No. 70/1996.

## **Article 20**

### ***Publication and Entry into Force***

This Code of Conduct is not intended to be exhaustive or replace legislation that otherwise applies to employees of the Foreign Service. They further elaborate the general requirements applicable to employees with regard to their conduct and demeanour and thus further clarify their duties.

This Code shall be published in Icelandic and English and introduced to those to whom it applies for compliance. Employees who join the Foreign Service after these rules enter into force should sign a statement confirming they have read it and will abide by it.

Employees should introduce this Code to any family members and employees who enjoy immunities. They should ensure that the Code is complied with as appropriate.

This Code shall be revised within one year of its entry into force.

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24 Point 8 of the GPE.

This Code, established in accordance with Art. 18 of the Icelandic Foreign Service Act No. 39/1971, having regard to Chapter IV of the Government Employees Act No. 70/1996 and the Ministry of Finance Guidelines of Good Practice for Government Employees, dated February 2006, shall enter into force on 1 May 2009.

*Ministry for Foreign Affairs, 16 April 2009*

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**Össur Skarphéðinsson (sign.)**

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*Benedikt Jónsson (sign.)*

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