



# Georgian Police Code of Ethics

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## Preface

Founded on the Nation's centuries-old statehood traditions and the principles enshrined by the Constitution of Georgia, the Georgian Police, under the present Code, acknowledges its commitment to the core humane and ethical values of the humanity.

The Georgian Police is committed to strictly observe the principles prescribed by this Code, taking into consideration that:

- Georgia is a democratic state, recognizing the principle of the rule of law;
- People aspire to the idea of building a just state, to ensure maximum protection of its freedom within the framework of necessary and fair restrictions under the law;
- Police is a state agency that serves the public and by enforcing the law ensures every citizen's liberty and security;
- The principle of the rule of law is the cornerstone of the Georgian Police activities;
- Police, being an agency serving the public, is accountable thereto.

The effectiveness of the police actions largely depends on the public support and assistance. Police is successful when it closely cooperates with the community. Achievement of benevolence, mutual understanding and cooperation with the society is highly important. A police officer shall combine own professionalism with ethics that will enable significant increase of the Police reputation within the society.

Firm adherence to the principles prescribed by this Code shall contribute to strengthening the trust and enhancing the reputation and prestige of the Police within the society. Acknowledgment of belonging to the decent institution is a prerequisite of professional dignity and pride for each police officer.

The present Code, considering the United Nations Universal Declaration of Human Rights, European Convention for the Protection of Human Rights and Fundamental Freedoms, international legal acts against torture, inhuman and degrading treatment or other forms of punishment, the basic provisions of the European Code of Police Ethics, other international and national legal acts, establishes the main principles of police ethics and the rules of conduct. The observation thereof is obligatory for a police officer while on duty as well as during other activities, including those off work.

The objective of the present Code is to strengthen the police officer's loyalty to ethical norms and high moral values, as well as to deepen the sense of responsibility towards the work-related duties.

The Police Code of Ethics applies to all police officers employed within the MoIA system. The police officer is obliged to observe the Code not only in Georgia but also beyond its borders.

## Chapter 1. The Principles of Policing

- 1.1. While performing daily duties, police officer firmly adheres to the principles of legality, humanity, good faith, respect for human rights and fundamental freedoms, fairness and impartiality.
- 1.2. Police officer, who enforces the law, must first of all comply with and respect it him/herself.
- 1.3. Police officer, prior to planning and commencing actions shall be confident in their legality.
- 1.4. Police officer shall be attentive, modest, acting in consideration of legal and moral norms.
- 1.5. Police officer shall respect human rights and fundamental freedoms.
- 1.6. Police officer shall protect human rights and fundamental freedoms, such as:
  - Human dignity;
  - Right to life;
  - Right to liberty and security;
  - Right to privacy;
  - Right to property;
  - Freedom of thought, conscience and religion;
  - Freedom of expression;
  - Right to peaceful assembly;
  - Freedom of movement;
  - Other rights, prescribed by the Constitution of Georgia and international obligations.
- 1.7. In performing his/her duties, police officer shall apply the principle of proportionality. Considering the particular situation, of the possible means prescribed by the law, the police officer shall give a preference to the less harmful one.
- 1.8. Police officer shall treat everyone with due respect for the inherent dignity of the human person, and deal with them fairly and impartially regardless of race, nationality, language, sex, age, religion, political or other opinion, property or rank, social belonging, origin, education, place of residence or other personal condition and/or sexual orientation of a person.

## Chapter 2. General Guidelines of Conduct for Police Officers

- 2.1. Police officer, while performing own duties, shall always be neat in appearance and properly dressed.
- 2.2. Police officer, while performing own duties, is obliged to manage the time rationally and perform his/her obligations in thorough manner.
- 2.3. Police officer shall not disclose the confidential information, document and personal data the revelation whereof violates the interests of the third parties, unless legitimate policing purposes require otherwise. Police officer shall not allow his/her case to be accessible by others and shall not discuss confidential issues in the presence of others. In conversations with friends and family members, police officer shall be moderate and cautious whilst discussing job-related issues.
- 2.4. Police officer is forbidden to visit casino and slot clubs, except for the cases related to operative-search activities. While dressed in the uniform, police officer is also prohibited from frequenting the places (places of distribution and consumption of alcoholic beverages, some types of entertainment facilities etc.) that are inappropriate for his/her profession.
- 2.5. It is unacceptable for police officer to carry firearms openly, while in a civilian dress, and use his/her status for personal interests, etc.
- 2.6. Police officer is forbidden to demonstrate interest to and inquire about details of cases of his/her colleagues, unless it is required by the job necessity.
- 2.7. Every police officer shall perform assigned duties in good faith and in conformity with the law.
- 2.8. Every police officer, irrespective of the position and the rank, is personally accountable for own actions and orders given to subordinates.
- 2.9. Police officer is prohibited to knowingly follow unlawful order or directive. In case of such an order, he/she shall refuse its execution, report the fact to the superior and act in accordance with the law. No disciplinary or other sanctions shall apply to the police officer, who refuses to perform illegal action.
- 2.10. Police officer shall always be ready to perform professional duties. Avoiding those responsibilities, by referring to false reasons and circumstances, is unacceptable.
- 2.11. Police officers shall have the calling to use their knowledge and skills to the maximum extent while performing their professional duties.

2.12. Police officer shall adequately react to the violation of the Code by his/her colleague. Each police officer shall be implacable towards any form of corruption and report the facts thereof to superiors and relevant agencies.

2.13. Police officer shall not take advantage of own status for personal interests. He/she shall reject any kind of illegal offer as well as abstain from using his/her position for receiving social-economic or other benefits. Also, a police officer shall not offer to the members of the society any service in exchange for any type of gain.

2.14. Police officer shall not use official or personal data for private purposes as well as for satisfying the personal interests of close persons.

2.15. Police officer shall not intentionally associate with persons engaged in illegal activities, unless it is required for the performance of own duties. He/she shall avoid being in an improper condition for a police officer.

2.16. Police officer, when off duty, shall also voluntarily provide assistance to people in danger and take measures to prevent an offense. When off duty, in response to a query (request, question, etc.), a police officer shall demonstrate politeness and provide assistance to the extent possible.

2.17. The relationships between police officers are based on the determined hierarchical order, discipline, principles of subordination and collegiality.

2.18. The collection, storage and use of personal data by the police should be carried out in accordance with international data protection principles.

### **Chapter 3. Relationship with the Society**

3.1. Activities of a police officer not only include preventing and solving offenses, but also - providing assistance to the public, even when off duty.

3.2. While performing own duties and interacting with the members of the society, a police officer shall consider the differences in their traditions, customs and the lifestyle.

3.3. Police officer, regardless of own rank and position, is obliged to be tactful, polite and benevolent during interactions with the members of the society. His/her remarks and requests to the citizens shall be expressed in a calm, polite and persuasive manner. Police officer shall give a citizen the opportunity to express own opinion. Addressing people with arrogance, irony, threat, slangs in a familiar manner is

unacceptable for a police officer. In interacting with any person in any situation on and off duty it is essential to comply with the ethical norms of conduct.

3.4. Police officer shall be polite and not demonstrate rudeness and violence towards the members of the society. He/she shall refrain from offensive behavior and maintain the objective attitude regardless of provocation. The police officer shall follow the above mentioned standards regardless of the social status and physical condition (under alcohol or drug influence) of the respondent.

3.5. While communicating with a citizen, police officer is prohibited from smoking, chewing a gum, talking on the phone or from the car, wearing sunglasses, and being untidy.

3.6. In case of inability to provide proper assistance to a citizen due to the objective circumstances, a police officer shall give a clear explanation of the reasons thereof.

3.7. Police officer, along with other capabilities, shall possess persuasion, negotiation, mediation skills that are vital in minimizing the use of force in critical situations.

## **Chapter 4. Relationship with Colleagues**

4.1. Exercising correct relationships with colleagues is vital for maintaining the reputation of a police officer. Expressing personal attitude at the job in an unacceptable manner is prohibited.

4.2. While at work, police officers shall refrain from familiar relationships.

4.3. Police officer shall support and protect the colleague who was injured when performing his duties or became an object of unfair and unjustified accusations.

4.4. Police officer shall honestly provide colleagues with the necessary professional information and assistance. At the same time, he/she shall be intolerant towards misconducts of the latter.

## **Chapter 5. Use of Force and Firearms**

5.1. Police officer and all police operations must respect everyone's right to life. While performing own duties, a police officer to the extent possible shall refer to non-forceful methods and not resort to excessive force and/or firearms to suppress an offence. Police officer shall not use force and/or firearms,

unless achieving legitimate goal otherwise is impossible. Police officer shall cease the use of force and/or firearms immediately, when the necessity for their use no longer exists.

5.2. The direct aim of using force and/or firearms shall not be to inflict an injury or take the life.

5.3. Police officer is authorized to use the force and/or firearms to protect own or other person`s health and life and not for taking the latter, including the life of the perpetrator.

5.4. Police officer shall not intentionally delay the reaction, if he/she realizes that such a delay will cause the use of more intensive/damaging force.

5.5. Police officer is obliged to plan and control operations in a manner to minimize the use of force, especially a lethal means that can cause the loss of human life.

## **Chapter 6. Investigation**

6.1. The police officer shall be fair and impartial at all stages of the investigation. Police officer should take in consideration the interests of those persons who require special treatment (juveniles, women, minorities and vulnerable persons).

6.2. Police officer is obliged to consider presumption of innocence and freedom, treat an alleged offender as innocent. Presumption of innocence should be especially protected when interacting with the Media.

6.3. Police officer shall respect the role and functions of the lawyer during investigation stage as well as trial proceedings.

6.4. Police officer is obliged to respect the honor and dignity of the persons to be interviewed and consider their age, sex, physical and mental condition, cultural, ethnic and religious belonging.

6.5. Police officer should take in consideration special condition of witnesses and at any stage of the investigation provide the latter with all necessary needs when there is a risk for a witness to be harmed or intimidated.

6.6. Police officer shall demonstrate delicacy when informing a citizen of the serious damage inflicted on his/her relative`s life, health and property (fire, theft, etc.).

6.7. Police officer is prohibited from committing acts that offend corpse`s dignity while undertaking procedures prescribed by the law at a crime scene.



6.8. Taking into consideration various circumstances a police officer shall not leave victims with their problems alone after questioning. He/she shall provide a victim with useful advices, the assistance to contact relatives and reach home when necessary, and help contact respective agencies in charge of providing appropriate assistance to the victims.

6.9. Police officer is obliged to help a victim of a crime with own efforts, treat him/her kindly and correctly, respect his/her dignity, consider his/her interests to the extent possible, express compassion, and ensure that he/she feels comfortable and safe.

## **Chapter 7. Treatment of Detainees**

7.1. A police officer shall not deprive a person of his/her liberty except when it is lawful to do so under the law of Georgia.

7.2. A police officer shall inform everyone who is deprived of their liberty, of reasons for their deprivation of liberty and any charges against them, in a language they understand.

7.3. A police officer is obliged to inform a detainee of their rights prescribed by the Georgian legislation, and to inform third party of the detainee`s choice of fact of the detention.

7.4. A police officer shall ensure a detainee to be provided with legal assistance and any immediately necessary medical assistance and examination.

7.5. Audio-video surveillance must be carried out in temporary detention isolators and records should be kept.

7.6. No detainee may be subjected to torture or inhuman or degrading treatment or punishment.

7.7. Every detainee is entitled to human treatment. A police officer shall ensure the safety, health, hygiene and appropriate nourishment of a detainee.

7.8. A police officer shall not use force against any detainee except when it is strictly necessary for the maintenance of security and order in the place of detention, or when personal safety is threatened.

## **Chapter 8. Accountability for Violating the Code of Ethics**

Violation of the provisions of the Code of ethics, leads to disciplinary responsibility in accordance with decrees of the Minister of Internal Affairs of Georgia.