

LAW SCHOOL AT YURIY FEDKOVYCH CHERNIVTSI NATIONAL UNIVERSITY

MORAL AND ETHICAL MINIMUM



It makes no sense to draw up the moral and ethical rules of community wherein the principle that these rules must be followed is not cultivated.

Popular wisdom

"The Minimum of honest citizen..."

Gregory Skovoroda

**MORAL AND ETHICAL
MINIMUM
OF THE ACADEMIC AND TEACHING
STAFF, STUDENTS, SUPPORT STAFF AND
ADMINISTRATION OF THE
LAW SCHOOL AT YURIY FEDKOVYCH
CHERNIVTSI NATIONAL UNIVERSITY**

**Adopted unanimously by the General Staff Meeting of the Law School
on 24 December 2015**

Preamble

Based on the fact that moral and ethical components are an integral part of the professional skills of the academic and teaching staff, students, support staff and administration of Law School,
pursuing the aim of forming the national intellectual elite in the spirit of the highest ideals of honesty, integrity and devoted service to the people of Ukraine,
being faithful to European and universal human values,
consistently caring about proper conduct, relationships and image of the Law School and the University in general in the domestic society and outside Ukraine,
confirming the humanistic anticorruption culture of the members of the faculty community,
augmenting the ideals of the Ukrainian Revolution of Human Dignity,
consistently **respecting** the moral and ethical principle that "compromise between good and evil is an evil" (the end does not justify all means);
seeking as much as possible to clearly define the social space of positive morality and ethics and the social space of negative morality and ethics;
taking into account that the quintessence of the paradigm of human conduct is the maxim "*Everything is allowed that is not forbidden*"
the General Staff Meeting of the Law School have adopted this "Moral and ethical minimum of the academic and teaching staff, students, support and administration staff of the Law School at Yuriy Fedkovych Chernivtsi National University" (hereinafter - "Moral and Ethical Minimum ...").

I. General Principles

1. "Moral and Ethical Minimum..." is the quintessence of the moral and ethical standards of the Ukrainian people, European and international university and universal values.
2. "Moral and Ethical Minimum..." is drafted on the basis of the experience of Law Schools of the best Universities in Europe and the world.
3. The fundamental principles of "Moral and Ethical Canons..." are:
 - Immanuel Kant's categorical imperative;
 - principle of justice;
 - principle of honesty and decency;
 - principle of mutual trust;
 - principle of responsibility;
 - principle of partnership and mutual assistance;
 - principle of mutual respect;
 - principle of transparency;
 - principle of competence and professionalism;
 - principle of intolerance of immoral and unethical conduct.
4. "Moral and Ethical Minimum..." is obligatory for each member of the faculty community and should guide our conduct and decisions on a daily basis.

II. Moral and Ethical Policy of the Law School

1. The Law School considers moral and ethical qualities of its Community members as inherent component of their professional qualities and individual culture in whole.
2. The Law School carries out its activities on the basis of consistent adherence to universal human values, ethics and morality.
3. The Law School does not tolerate a single case of infringement against universal human values or violations of ethics, morality and the provisions of "Moral and Ethical Minimum..." committed by members of its Community and makes the principal evaluation of their wrongful or inappropriate conduct. Every member of the Law School Community shall have the right, and the Moral and Ethical Committee of the Law School shall have the duty to initiate consideration of the immoral and unethical acts or omissions of a member of the Law School Community.

4. Persons suspected of committing immoral actions or unethical deeds have the right to use all lawful means to defend their own dignity and professional reputation.

5. The Law School finds it unacceptable for any person, who was held responsible for violating the "Moral and Ethical Canons..." or have committed violations defined by it, to be appointed to the post or to hold the position of managers or administrators of the Law School as well as its departments, public organizations and other self-governing institutions.

6. Immoral and unethical acts of the Community members should not be concealed or suppressed.

7. "Moral and Ethical Minimum..." is an integral part of the Contract of every student, member of the academic, teaching or support staff, and administration of the Law School.

8. Students become acquainted with "Moral and Ethical Minimum..." while learning the Rules of admission to the University.

III. Moral and ethical actions and inactions, which are incompatible to the rank of the member of the Law School Community

Incompatible actions with the rank of the member of the Law School Community are:

- **bribery or any form of corruption;**
- **fraud;**
- **bribery of voters or assisting in it;**
- **hooliganism;**
- **sexual harassment;**
- **other criminal and punishable acts or omissions;**
- **passage of the knowledge checking procedures by straw persons instead of appropriate individual;**
- **deliberate violation of Ukrainian laws;**
- **cultivation of negative attitude to the legislation of Ukraine;**
- **plagiarism;**
- **cheating** (replication) during the process of taking any kind of current or final academic tests and examinations;

IV. Moral and ethical acts or omissions which require principled public condemnation and prompt adoption of appropriate response from the Law School

- any cases of abasement of human dignity and honor of man;
- obviously immoral and unethical acts of administration staff of all levels (protectionist attitude towards certain employees or groups of them and biased treatment of others, persecution for criticism, conscious and willful disregard for the rights and legitimate interests of the employees, manipulating the collision of interests to their own advantage and the like actions);
- lobbying by anybody for overvaluation or undervaluation of students' works in comparison to the applicable criteria;
- clearly non-pedagogical acts (intentional overvaluation or undervaluation of students' works in comparison to the applicable criteria, reading lectures, conducting seminars, implementation of other educational exercises in explicit non-compliance with the relevant state and university educational standards or universally recognized principles of academic freedoms, biased or protectionist attitude towards certain students on academic, teaching or administration staff's part, etc.);
- abuse of authority during labor, educational or research activities;
- offering or receiving illegal benefit in evaluating students' performance, and fulfillment of learning or research tasks or assisting in such immoral or unethical acts;

- inclusion in the list of authors of articles, monographs, textbooks, etc. persons who did not participate in obtaining corresponding scientific results;
- rendering assistance in an act of academic dishonesty;
- using family ties or official connections in order to get a positive or higher mark than legitimately earned while passing any kind of final test or to get advantage in the work process;
- using during the testing procedures any kinds of non-authorized auxiliary materials or technologies (such as cribs or other prepared written notes, earphones, cell phones, tablets e.g.);
- making references to sources which have never used in the research work;
- making attempts (or encouraging to them) to get some advantage or to influence the change of academic mark by using improper or dishonorable methods;
- failure to comply with the rules of communal life in the university territory and in hostels (campus), which disturbs other people, as well as unbecoming or dishonourable behavior in other public places;
- dissemination or provocation to the dissemination of false and discrediting information about members of the University community, people in general;
- intriguing in a variety of forms;
- causing damage to material and technical assets and facilities of the Law School and University;
- failure to provide emergency assistance to a person (persons) who is under exigent circumstances and who, in accordance with the universal moral law, has sufficient reason and need to expect to be helped by one or another member of the University Community.

V. The Moral and Ethical Committee of the Law School

1. The Moral and Ethical Committee of the Law School is governed in its activity by European and universal moral and ethical values and human ideals, moral and ethical traditions of the Ukrainian nation and by this "Moral and Ethical Minimum...".
2. The Moral and Ethical Committee of the Law School is composed of members elected by departments of the School. Each department elects one member of the Committee.
3. The administration of the Law School delegates to the Moral and Ethical Committee the vice-dean on educational work who is an ex-officio member of the Committee.
4. The Academic Council of the Law School delegates its eldest member to the Moral and Ethical Committee who is the Head of this Committee. When it is impossible for him/her to carry out his/her duties of the Head of Moral and Ethical Committee these duties shall be fulfilled by the vice-dean on educational work.
5. Students of the Law School delegate to the Moral and Ethical Committee two representatives from Student Parliament and two representatives from Student Trade Union.
6. The Moral and Ethical Committee of the Law School only at the request of other persons investigates every violation of the provisions of the "Moral and Ethical Minimum..." and resolve a case in the form of Committee decision. The Moral and Ethical Committee takes submitted cases for consideration at its own discretion.
7. Competence of the Moral and Ethical Committee of the Law School consists in the confirmation or denial of violation of the "Moral and Ethical Minimum ..." by a member of the School Community.
8. The Moral and Ethical Committee of the Law School usually works in public sittings which are conducted when necessary.
9. The Moral and Ethical Committee is competent on the condition that no less than two-thirds of its members take part in the sitting.
10. At the Committee's sittings the attendance of the member of the Law School Community whose moral and ethical acts are considered by the Committee is desired. In the case of repeated failure to appear at the Committee's hearing without good cause by the same person the Committee takes decision in the absence of the person concerned.
11. The decisions of the Committee are passed by ordinary majority. In the case of equality of votes, the Head of the Committee has a casting vote. During one month after the decision has been passed by

the Moral and Ethical Committee of the Law School, it can be appealed by person found guilty in breach of the "Moral and Ethical Minimum..." or his/her legitimate representative to the Moral and Ethical Committee of the University or to the court in the period provided by the legislation in force.

12. The decision of The Moral and Ethical Committee of the Law School is to be immediately and personally served on the person affected by the decision and the administration of the School to take the necessary measures and shall be posted on the web-site of the School. If it is impossible to present the decision to the person concerned on the day of its rendering by the Moral and Ethical Committee it shall be published on the web-site of the Law School after five working days.

VI. Concluding provisions

1. "The Moral and Ethical Minimum ..." enters into effect upon its approval by the majority of participants of the General Staff Meeting of the Law School and after its publication on the web-site of the Law School.

2. Amendments and additions to the "Moral and Ethical Minimum ..." shall be made in the same procedure in which its adoption has been done.