

A Code of Conduct for Arab Civil Society
Organizations
2008

Prepared by

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A Code of Conduct for Arab Civil Society Organizations 2008

Definitions

- **A Code of Conduct:** Is standards for the ethical and behavioural patterns governing the activities of civil society organizations. It specifies the ground rules that need to be observed by the board, administration and staff while fulfilling their tasks.
- **Civil Society Organizations:** A legal independent entity established by a number of persons in order to achieve legitimate objectives of interest to the public welfare on non-profit basis, characterized by independence, freedom and voluntarism.
- **Participation:** The participation of all concerned stakeholders, men and women, directly or indirectly, in the decision-making process through legitimate mediating bodies representing their interests.
- **Networking and Coordination:** The principle of networking and coordination is based on common vision of values and common objectives to promote the public welfare and to prevent wasting resources and efforts.
- **Transparency:** It involves providing reliable and up-to-date information on activities, procedures, resolutions and policies. It also involves making information accessible to beneficiaries, the public and other related official bodies and donors..
- **Accountability:** It refers to establishing reporting mechanisms on the use of the institution's resources; holding officials responsible for their decisions and holding them responsible for any failure in achieving the objectives and the vision of CSOs.
- **Equality and Inclusiveness:** This means giving both men and women the opportunity to improve their well-being and/or to maintain their current status. It means treating individuals or groups, beneficiaries and staff members on basis of equality and equal opportunities.
- **Good Governance:** It is a process which ensures that the CSO is efficiently functioning and is properly managed. It is also a process which ensures the CSO's compliance with the laws in force to achieve the objectives set up in its basic bylaws.
- **Conflict of Interest:** Any person or a group who holds powerful and responsible position or holds powers should not use such privileges to achieve personal or family related gains and should not use his relations with other institutions to achieve personal gains.
- **Influence and Effectiveness:** The activities of CSOs should respond to the needs while operations should utilize human and financial resources in the best possible means.

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Introduction

The aim of this Code of Conduct is to respond to the expected roles of CSOs. This role is expected to grow and develop in the future and CSOs are expected to participate in achieving sustainable development efforts, democratic transformation and in enhancing human rights, civil, economic, social and political rights cultures.

This Code is based on the principle of freedom to establish associations upon the free will of founders, a will fully independent from any kind of control by government institutions, with the purpose of serving the interests of the public and in a manner which strengthens and enhances the role of civil society in achieving stability and progress in the different democratic, social and economic fields.

This Code aims at enhancing and developing relations between CSOs and government institutions on the one hand and enhancing CSOs credibility as perceived by the public opinion and by their own constituencies who are directly targeted by CSOs activities on the other.

Given the importance of the creation of CSOs on democratic principles, these CSOs should function according to the following objectives:

First: Enhancing and achieving the democratic transformation and supporting political and intellectual pluralism and participation in public affairs.

Second: Seeking to liberate institutions and CSOs from legal restrictions in order to allow the creation of CSOs in a spirit of freedom and stressing that registration should be based on notification and that all administrative restrictions limiting the activities of CSOs should be lifted.

Third: Enhancing freedom of opinion, expression, peaceful assembly and the right to freedom of association.

Fourth: Enhancing human rights values and principles as stated in the Universal Declaration of Human Rights and other UN international human rights conventions.

Fifth: Committing to the Millennium Development Goals (MDGs), directing efforts toward fighting poverty and enhancing programmes that aim at achieving social justice for the marginalized groups of the society.

Sixth: Commitment to the principle of equality, combating all forms of discrimination, enhancing women's participation and protecting the rights of minorities.

Seventh: Commitment to the principles of transparency and accountability.

To achieve these objectives it is important that:

CSOs shall adopt the principles of good governance and democracy when implementing their activities; utilize financial resources in best possible means; administer the affairs of the institution by those who are responsible in a way that

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provide a model for others with regard to commitment to laws, executive procedures, and professional ethical standards. In this regard, it is important that CSOs set-up rules to prevent any conflict of interests on the administrative and organizational levels. It is also important to develop transparent and clear financial and accounting regulations. Additionally important is to spread knowledge and information on the activities of the institution and to ensure participation and partnership with the local communities as CSOs should first be accountable to these communities in their activities. CSOs should also develop monitoring mechanisms to ensure that the executive and administrative bodies abide to the regulations and do not violate them. Moreover, CSOs should ensure the existence of internal organization mechanism and on the level of the organization.

The success of CSOs depends on their ability to respond to the local communities' needs and their capacity to broaden their participation in decision making.

CSOs who wish to sign this code should rectify their internal structures according to the values, principles and bases listed in the code and based on their willingness to abide to its principles and standards.

This code specifies the aims of CSOs. It is based on the principle of pluralism, democratic principles, participation, the right to associate and on the principle that CSOs are the key actors in achieving the rights of all members of the society.

This code will enable CSOs to respond to the challenges of democratic transformation, the participation process to create an enabling environment which allows self-determination for the society members, individuals and groups.

According to principles listed in this draft, CSOs who will adopt the code will commit to put the national liberation process, social, economic, political, cultural development, and achieving progress and modernization on top of their priorities. They shall also commit to adopt work mechanisms that respond to the needs of the society and that they would respect human values and rights. They shall commit to the principles of transparency in the use of their financial resources. In general, the code stresses the importance of good governance and empowers CSOs to abide to good governance principles and to establish internal monitoring mechanisms that would protect CSOs reputation.

The Principles of the Code of Conduct

The following principles shall form the basis of the code. By adopting the code CSOs declare that they accept the principles listed in it and they accept that an independent institution shall have the authority to ensure commitment to these principles.

1. Commitment to International covenants and laws

CSOs shall commit to abide with the international human rights conventions and particularly:

- The Universal Declarations of Human Rights.

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- The International Covenant on Civil and Political Rights
- The International Covenant on Economic, Social and Cultural Rights
- The Convention Relating to the Status of Refugee
- The Convention on the Rights of the Child
- The Convention on the Elimination of all Forms of Discrimination against Women
- The Convention on the Rights of Persons with Disabilities (or those with special needs)

2. Enhancing good governance

CSOs shall commit to the principles of good governance and democratic practices to ensure efficiency and good management in the general assemblies, the boards of directors and with regard to employees. They specifically commit to the following:

- To maintain the independent decision of CSOs away from any factional, sectarian and partisan affiliation in service providing and in employment policies. They shall also commit not to assign members of security apparatuses in high positions and in other positions.
- To enhance the principle of participatory management in order to develop a sense of ownership among employees and beneficiaries; to encourage the emergence of new leadership and the development of the capacities of the existing ones.
- To allow the staff of CSOs to participate in the strategic planning process.
- To ensure that programmes developed respond to the needs of the society and not restricted to the directives of donors. To ensure that these programmes do not have a negative impact on the local communities, are sustainable and economically feasible.
- To develop and enhance their organizational capacities and to increase their services and their projects and to ensure the existence of institutional building elements within programmes implemented and in requests for grants related to administrative and financial fields and to information systems and human resources.
- To clarify means of communications between governing bodies and employees.
- Critical review of the institution culture and its procedural methods in order to encourage self-responsibility, renewal, and respect for pluralism.
- Setting-up clear performance standards as part of follow-up and assessment methods.
- Encouraging democracy by participation.
- Encouraging the spirit of taking initiatives.
- Creating a code of conduct for the employees.
- Policies related to employees and volunteers should be set-out in writing and within the existing laws.

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- Spreading a spirit of justice between employees by using neutral assessment methods and developing the capacities and the spirit of responsibility.

Additionally CSO shall commit to protect the rights of employees. The board of directors shall ensure that there are clear procedures and instructions regarding all rights of the employees, specifically:

- Establishing a clear salary scale and a clear system of promotion for all positions. The system should be known to all employees.
- Providing employees with work contracts which are in accordance with the Labor Law.
- Establishing a fair evaluation system clear to all employees as well as a clear punitive system.

3. The principle of accountability

This means establishing reporting mechanisms on the use of institution's resources. It also means that responsible persons are held accountable for their decisions and for any success or failure in achieving the objectives and vision of the institution. It means the ability to provide explanations and clarifications related to behavior, performance, and duties of the institution or any member of the institution (the board and the employees). This is specially important for CSOs working for or on behalf of the deprived people and is mobilizing funds on these basis.

CSOs shall commit to provide needed information on any subject or activity related to the institution with maximum level of openness and details. They accept to be accountable to members of the general assembly, beneficiaries from among the society members, and towards donors and those who enter into contracts with these institutions according to conditions set in the contract and the law while maintaining their independence.

CSO shall specifically:

- Establish a system for complaints which any person can use in case of any damage resulting from the programmes and activities of the institution. The institution should respond to these complaints in writing and boards of directors should periodically and systematically review these complaints.
- Use acceptable and authorized accounting and monitoring methods and also measurement methods.
- Use the funds as specified and declared
- Specifying the authority of those who are responsible for the institution's funds according to the different administrative levels and separating responsibilities.

4. The principle of integrity

In all of their activities, specifically those related to communication with the public, CSOs shall respect the values and policies of other institutions, groups and individuals. They shall attempt to prevent any conflict with others; in case a conflict arise, CSOs shall commit to settle it by open and tolerant spirit. CSOs shall also commit to keep records and documentation of decisions, preserve

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information and set-up restrictions regarding the disposal of records. Additionally, they shall commit to the principle of freedom to access information.

CSOs shall oppose and shall not take part in any wrong-doing, corruption, bribery or any incorrect financial acts. They will undertake necessary procedures to combat such acts.

CSOs shall establish an administrative and a financial systems approved by their boards and documented. These systems shall contain:

- Employment policies and procedures.
- A clear transparent employment system should be established to contain employment mechanisms, announcement of job vacancies, requirements for each job with factional, sectarian, familial or gender discrimination other than that of positive discrimination targeting certain segments of the society and according to a declared policy.
- Specifying the minimum wage according to living standards and in way which secures the minimum human conditions.
- Announcing the wage scale and all other benefits, including other honorariums and allowances. No allowances are allowed in return for consultation or trainings conducted by the staff from within the NGO.

5. The principle of influence and effectiveness

CSOs shall ensure the following:

- 1) **The board of directors:** Every board member must fully understand and support the mission of the CSO. He/she should understand his own role and his powers in building the institution and in developing it.
- 2) **Evaluation:** The mission and activities of the organization need to be reviewed at two levels:
 - Regular review of the institution's mission to ensure that it is still relevant. Among the issues that need to be reviewed are:
 - a) Whether the mission has been accomplished by the organization or by any other body. The next step is to determine the advantages of proceeding on with the current structure.
 - b) Investigate whether there is a need to amend the mission according to social developments.
 - c) Look into the possibility of adding new roles that would require a revision of the mission.
 - d) Examining regularly the activities of CSOs to ensure their effectiveness, relevance, the benefits of continuing these programmes or amending them and the extend to which there is a need to introduce new programmes. Among the issues that need to be evaluated in this respect are the following:
 - Whether the activities are in line with the current mission or there is a need to amend or conclude the activities according to developments related to the mission.

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- The level of efficiency and effectiveness in accomplishing the institution's objectives.
- The results obtained by the beneficiaries.
- The cost of the programme measured according to its results.
- Whether there is a need to introduce new services. The evaluation should be an open process conducted with integrity and with the participation of all stakeholders.
- **In harmony with the objectives:** The activities must be in line with the institution's objectives. The mission and vision of the institution should be the basis for strategic planning and for the action plan of the institution's activities. The institution shall focus on ensuring that the objectives have been met or are on their way to be accomplished.
- **Efficiency and effectiveness:** The programme of the institution shall be conducted in an efficient and effective manner to achieve the declared objectives.
- **Feedback:** The institution should seek to obtain regular feedback from its beneficiaries and from all other stakeholders.
- **Professionalism:** The institution should practice its work in a professional manner and should stress the concept of providing services to people.

3. Strengthening good financial management

- CSOs shall assign authorized auditors according to laws in force;
- They should develop strict procedures to prevent any conflict of interest;
- They should develop a plan for the best utilization of human and financial resources;
- They should develop indicators of good practices including financial, administrative, practical, monitoring and evaluation procedures;
- They should make tax clearance and respect their legal and contractual commitments.
- Annual financial and administrative reports should include at least the budget, summary of the auditing results, the name of the auditor, the management letter of the auditor, financial resources from donors and other resources, how these funds were spent, summary of the board and general assemblies meetings (except for the confidential ones);
- Employment procedures, management of purchases through tenders;

6. Ensuring equality and indiscrimination

CSOs shall commit to deal with individuals and groups from among the employees and the beneficiaries on equal terms according to the principle of equal opportunities. They also commit not to discriminate on sectarian, political, familial and geographic basis or on social or disability basis or to practice any kind

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of discrimination with the right of some institutions to practice positive discrimination in favor of less privileged people, women and people with disabilities or in favor of marginalized geographic areas according to a declared and written policy and in a way that does not contradict with the public interest. CSOs shall also commit to develop strict and clear procedures to prevent any kind of discrimination against the employees and in a way which ensures equal opportunities.

CSOs shall also commit to develop clear and decisive procedures to prevent any discrimination based on sex, color, origin, disability, social class, age, religious beliefs and political affiliation, in selecting the beneficiaries, in providing services, in employment, evaluation, promotion, or in applying penalties

7. Preventing conflict of interest

Conflict of interest surfaces when a person or a group becomes in a powerful position or holds high responsibility within an institution which empower him to use his position to promote personal, familial, partisan interests or those of other institutions he has relations with.

To prevent such eventuality, the board of directors should ensure that there are stern procedures are in place. In such cases, these procedures should be implemented (by the staff and Boards) in full transparency.

- All board members should declare all financial or personal interests when discussing any related issue. They should clarify the nature of these interests and should withdraw from any decision-making process where these interests are involved, unless there is a special exception to that.
- Board members shall not work for the institution in return of a salary during their term.
- The board shall not have members who have kinship relations of the first and second degree.
- No privileges shall be obtained in services as a result of board membership. This includes research, training and paid consultations.
- It is prohibited to combine board, general assembly or board of trustees membership and working for the institution for as a general director. The membership of employees shall also be restricted. They shall not participate in the board election or vote on any decisions that might affect their interests such as salaries, privileges and other related issues.
- Any person who has a first and second level of kinship ties or relationship by marriage with the general manager shall not become a member of the board.
- Any person who has first and second levels of kinship ties or relationship by marriage shall not hold any supervising or monitoring position. This includes the position of director general, financial manager and monitoring positions. It is not allowed for any of the directors to be a director or under the direction of one of the relatives, those with whom he has marriage relationship or partners in a private business.
- Exchange of supervisory positions among various CSOs in case there is a potential for conflict of interest shall not be allowed.

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- To ensure abidance with the above rules, every member of the general assembly, the board and every employee must fill up a form "Disclosure Declaration".

8. Conflict resolution

The signatories of this code commit to first resort to mediation and arbitration in resolving any conflict that may arise between CSOs, within a CSO or when there are conflicts related to the work of the CSO.

For this purpose, the signatories participate in electing an arbitration committee with the task of receiving complaints and mediating to resolve conflicts according to a special system to be stipulated for this purpose and which maintains the independency and specificity of each CSO.

9. Enhancing networking and coordination:

CSOs shall commit to apply the principle of participation in order to encourage voluntarism and social participation and to facilitate the exchange of information and expertise between CSOs and the different stakeholder. They shall also commit to hold continuous consultation with stakeholders regarding any changes in policies, methodologies and scope of work.

CSOs shall commit to continuously consult with beneficiaries on issues that affect them in order to create a culture of consultation within the organization and with the stakeholders, the beneficiaries, government institutions, the private sectors and other concerned institutions. CSOs shall also commit to consult with local communities as beneficiaries when designing, monitoring and evaluation the different projects. CSOs consider government as one of the main stakeholders and will undertake to inform government bodies, consult with them when implementing new projects when there is a need for such consultation and will work according to the association's law stipulations.

CSOs commit to encourage and develop communication and contacts between the employees themselves and between them and the beneficiaries and other stakeholders in the framework of a strategy that aims at delivering accurate information on projects and the different activities of the CSO.

CSOs shall seek to develop the coordination and networking process, cooperation and communication, partnerships build on shared vision with stakeholders specially on the sectoral level, integration and avoidance of duplication, the best utilization of resources and assets and partnership in planning and implementation. The concerned parties should be accountable toward each other. They shall commit to conduct necessary consultation with concerned parties and to coordinate stances. When one institution participates in any event, it shall commit to inform concerned parties about the results of its participation.

10. Enhancing the right to access information

The mission of CSOs is the reason for their existence and this mission is what a CSO aims to achieve. For this reason, CSOs should very clearly define their mission. The mission- very clearly defined – shall be the reference and framework for all activities and plans implemented by the CSO. CSOs shall utilize their human and financial resources in an efficient and effective way to achieve their declared aims.

CSOs shall commit to adopt a policy of absolute transparency based on the right of all concerned parties to have access to information, and in a way that ensures

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openness to the general assembly, beneficiaries, donors and government regarding activities, procedures, decisions and policies. CSOs shall work within clear and declared financial and developmental policies and clear policies for access of information by the public. They should abide by professional standards and specific rules related to financial transparency. They shall make the following information accessible through the different audio-visual, printed and electronic means:

- The mission, vision and values of the CSO.
- The administrative and organizational structure of the CSO stating clearly the roles and the different responsibilities.
- Partnerships, coalitions and contract signed with different parties.
- The current and future activities that the CSO is conducting or will be conducting.
- The geographic area covered by the CSO activities.
- Publishing the financial reports of the CSO in a clear and accessible way.
- Adopting systems which ensures effectiveness in the purchase of goods and services and protecting these systems from being misused for personal interests.