

**CODE OF ETHICAL CONDUCT  
OF THE EASTERN PARTNERSHIP CIVIL SOCIETY FORUM**

November 2018

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## **PART ONE: PRELIMINARIES**

### **Background to EaP CSF**

The Civil Society Forum of the Eastern Partnership (EaP CSF) is a community of non-governmental organisations which was established in 2009 and is supported by the European Commission with the aim of pursuing reform programmes in the EaP countries in order to bring these countries closer to EU standards of governance. The EaP CSF is open to bona fide non-governmental organisations from the six partner states as well as to EU member state CSOs which share the aims of the Forum and are willing to work with EaP NGOs to further those aims.

The EaP CSF is governed by the Articles of Association of the Secretariat of the Steering Committee of the Eastern Partnership Civil Society Forum International Non-Profit Association registered in Belgium as well by its internal Statute and Code of Ethical Conduct. Members of the EaP CSF are bound to respect the principles and rules contained in these documents and are required to further the aims of the EaP CSF as defined in its mission statement, as well as to mutually respect the rights of individual organisations, National Platforms, the Steering Committee and the Secretariat.

Members and governing structures of the EaP CSF are expected to apply the principles of consensus, compromise and common sense in decisions taken under the auspices of the Forum. Members are also bound to act in solidarity whenever individual members of the Forum come under attack. They are also required to resist attempts to limit the freedoms of civil society by state actors in partner countries or in the European Union.

### **Background to the EAP CSF Code of Ethical Conduct**

During the formulation of proposals for internal reforms of the EaP CSF over the period 2017-2018, internal stakeholders and consultants recognised the need for a set of minimum standards across all six National Platforms to ensure the fundamental principles and practice of integrity, transparency, accountability. The Internal Reform Proposal prepared by consultants recommended that these minimal standards should be in the form of a unified code of ethical conduct applicable not only to the National Platforms, but to all the Forum's members and bodies. The Steering Committee agreed to this recommendation in the summer of 2018.

### **Purpose of the code**

All EaP CSF members are responsible for abiding by the Forum's rules and regulations as laid out in the Statute. In addition, the Code of Ethical Conduct is designed to provide a set of values or decision-making approaches that enable members to make judgments about the most appropriate behaviour and course of action. More specifically, the Code of Ethical Conduct is designed to ensure:

- The alignment of standards of ethical conduct throughout the EaP CSF;
- Increased legitimacy and trust among external stakeholders;
- The improvement of the quality of performance throughout the EaP CSF by helping all its members and bodies to undertake transparent and efficient decision-making processes;
- The improvement of communication between the Forum's members, organs and stakeholders.

### **Scope of the code**

The EaP CSF Code of Ethical Conduct applies to all Forum actors:

- EaP and EU member CSOs
- Individual members of member CSOs engaged in Forum activities
- The Forum's governing body, the Steering Committee
- The Brussels-based Secretariat
- The governing bodies of the six National Platforms
- The secretariats of the National Platforms
- Individuals with specific responsibilities (e.g. National Platform Coordinators)
- Working Groups and Sub-Working Groups
- The Arbitration Committee
- Ad hoc committees

If any part of the Code conflicts with local laws or regulations in the EaP region, only the sections of this code permitted by applicable laws and regulations will apply.

## **PART TWO: THE EaP CSF CODE OF ETHICAL CONDUCT**

### **1. FUNDAMENTAL VALUES AND PRINCIPLES**

#### **1.1 Fundamental Values**

The Code of Ethical Conduct is based on a foundation of ten fundamental values shared among the Forum's members, bodies and staff. These include the eight Istanbul Principles on development effectiveness approved in Istanbul in 2010.<sup>1</sup>

1. The promotion of human rights and social justice.
2. Respect for the dignity of individuals.
3. The practice of transparency and accountability.
4. The practice of good governance.
5. The promotion of diversity and inclusiveness.
6. The promotion of gender equality and equity.

<sup>1</sup> <https://www.bccic.ca/istanbul-principles/>

7. The promotion of people's empowerment, democratic ownership and participation.
8. The promotion of environmental sustainability.
9. Opposition to corruption and other illegalities or improprieties.
10. Commitment to realising positive sustainable change.

## 1.2 Fundamental Principles

In addition to the fundamental values, there are further fundamental principles which are crucial in guiding EaP CSF members' ethical conduct. These include:

**1.2.1 Public trust.** Trust in the Forum by the public, government agencies, the media, donors, and other external stakeholders is of paramount importance. To develop and maintain trust, members shall exhibit general public accountability and transparency, and be honest in the information that they make available to external stakeholders.

**1.2.2 Loyalty.** Members of the EaP CSF have a duty of loyalty to the organisation. In particular, members of the Steering Committee and other decision-making bodies shall further the interests of the EaP CSF rather than those of their own CSO and/or National Platform.

**1.2.3 Independence.** The Forum and its members shall not be part of, or controlled by, government agencies, ideology or religion. In particular, members may not seek or accept instructions from any government or its sub-divisions or agencies.

**1.2.4 Impartiality.** Members shall exercise impartiality in undertaking Forum-related decisions and activities. They shall not be influenced by past, current or prospective relationships, whether professional, personal or financial, with any government, institution or person. Nor should decisions and activities be affected by any personal opinion (whether positive or negative) members may have of any country, government, institution or person. Members shall refrain from accepting gifts or favours from outside sources that can be seen as affecting their impartiality.

**1.2.5 Discretion.** Members shall not disclose any confidential information they have acquired in connection with EaP CSF activities. Members shall also ensure that any confidential documents or data in their possession are properly safeguarded. Information received by the EaP CSF on the understanding that is only for internal use, or generated in the course of its work but not released by the organisation, is regarded as confidential.

**1.2.6 Non-profit principles.** Fundamental to the very character of a civil society organisation is that it be not-for-profit, non-governmental, independent, self-governing and voluntary. No part of the income of either the Forum or its member organisations is to benefit members except for the provision of reasonable compensation for expenses incurred in providing services to the Forum.

## **2. Ethical conduct within the Forum**

### **2.1 Respect, tact and courtesy**

Members shall conduct themselves with courtesy and respect at all times. They shall refrain from verbal or physical abuse and any form of harassment. In particular, they shall avoid making disparaging remarks on the grounds of nationality, ethnicity, culture, gender and beliefs.

Members shall be aware that statements or actions that are not intended to be offensive may be perceived as such by that person. Members need to be aware of any risk of such perceptions and to refrain from making potentially offensive or intimidating statements.

Members shall respect diversity of thinking and differences among fellow members. They shall be ready to listen and consider new and diverse ideas for achieving the Forum's mission and objectives.

### **2.2 Conflicts of interest**

In participating in Forum decision-making and activities, members shall put the Forum's mission and objectives before their individual organisations and personal goals.

No individual member of the Steering Committee, National Platform boards or other decision-making body shall participate in making a decision on a matter directly impacting that individual (such as re-election to the Steering Committee or National Platform Board).

Each member of the Steering Committee, National Platform boards and other decision-making bodies shall disclose all actual and potential conflicts of interest, including any institutional or organisational affiliation he or she may have that might involve conflict of interest. Such disclosure does not preclude or imply ethical impropriety.

Members of the Steering Committee, National Platform boards and other decision-making bodies shall refrain from using their position to seek to secure special privilege, gain or benefit for themselves.

## **3. External activities**

### **3.1 Political activity**

Representatives of CSOs selected as EaP CSF delegates shall not be affiliated with any political party in an official position. He/she shall not be a candidate in elections representing a political party and/or coalition of political parties, nor an elected member of any political position, nor shall he/she be a member of the leadership or a spokesperson of a political party. If the conditions above are not respected, the CSO will be requested to change its representative in the EaP CSF. However, an individual CSO member may be a regular member of a political party, run for local and municipal elections as a representative of a civil initiative, and

implement his/her civic right. In undertaking activities related to (for example) advocacy, human rights and the democratization process, member CSOs shall be explicitly independent of party politics.

### **3.2 Relationships with government and intergovernmental bodies**

**3.2.1 Forum objectives and independence.** The Forum and its National Platforms shall enter into a partnership agreement with a governmental or intergovernmental body only when it is beneficial to the achievement of the Forum's objectives and does not compromise the independence of either the Forum as a whole or the National Platform.

**3.2.2 Appropriate and mutually beneficial.** The Forum and its National Platforms shall seek to dialogue and cooperate with government and intergovernmental agencies when such cooperation would be both appropriate and mutually beneficial, and could increase the Forum's effectiveness in dealing with issues and priorities on its agenda.

**1.2.1. Mission-led.** The Forum and its National Platforms shall not enter into partnership with a governmental or intergovernmental agency solely to promote the sustainability or competitive advantages of the Forum or National Platform independent of achieving its mission objectives.

### **3.3 Statements and publications**

Members shall refrain from making verbal or written public statements that are incompatible with their obligations to the Forum. Personal positions should not be presented as Forum's positions.

### **3.4 Financial activities and solicitations**

**3.4.1 Unethical funding activity.** The Forum must not tolerate any unethical activities such as double-funding for one project, diversion of dedicated funds to uses other than the project for which funds were approved, or exaggerated statements of achievements.

**3.4.2 Solicitation materials.** The Forum, including its National Platforms, shall be careful to ensure that all solicitation and promotional materials are accurate and clearly and truthfully present the Forum, its mission and projects. Solicitations are to correctly reflect the Forum's planned use of the solicited funds, and fundraising solicitations shall only make claims that the organisation can fulfil. There shall not be any exaggerations of fact or material omissions, nor any communication that would create a false or misleading impression.

**3.4.3 Unethical solicitations.** The Forum and its agents must not use excessive pressure, undue influence or other unethical means in their solicitations.

**3.4.4 Tax benefits.** The Forum shall ensure that donors receive informed, accurate and ethical information regarding tax implications and potential gifts.

**3.4.5 Fundraising principles.** Fundraising shall be solely for the purpose of the Forum's mission, and free of coercion, improper motive, inappropriate conduct, unreasonable reward or personal inurement.

**3.4.6 Grant commitment.** When the Forum, its member or a group of members, a National Platform accepts a grant, it enters into a contract to carry out the program activities in an agreed-upon manner, and has an ethical and legal responsibility to honour that commitment.

#### **4. Reporting misconduct**

Forum members who are witnesses or victims of acts, or suspected acts, of ethical misconduct by other members in the course of their Forum-related activities shall be encouraged to report these to the Arbitration Committee.

Members who report in good faith wrongdoing shall do so without fear of reprisal or retaliation. Any form of retaliation as a result of good-faith reporting of misconduct is itself misconduct and will not be tolerated. Witnesses and victims have the right to remain anonymous when reporting misconduct.

### **PART 3: COMPLIANCE MECHANISMS**

There will be two compliance mechanisms for the implementation of the Code of Ethical Conduct: **annual internal self-assessments** and **periodical third-party assessments**.

**Self-assessments.** Each body of the Forum will take responsibility for conducting an annual self-assessment of compliance to the code based on the provided questionnaire. These include:

- The Steering Committee
- The Brussels-based Secretariat;
- Each of the National Platform boards;
- Each of the Secretariats of the National Platforms;
- The Arbitration Committee;
- The Working Groups;
- Other Forum committees with specific tasks.

While the self-assessment process will lack an independent perspective, it will function as an important exercise in self-reflection.

Self-assessments will be undertaken using a checklist of the implementation of ethical conduct addressed in the Code in consultation with a representative sample of relevant internal stakeholders, including member organisations.

To avoid time-consuming self-assessment narrative reporting, the various bodies will simply send their completed self-assessment templates to the Secretariat who will pass them on to the Steering Committee for review and publication on the Forum's website.



**Third-party assessments.** An external consultant will carry out an assessment of all the Forum's bodies, initially one year after the adoption of the Code of Ethical Conduct, and thereafter on a 3-year basis. The main benefit of an external perspective is independence and a greater insight into the Forum and its bodies on issues which internal stakeholders may not be aware of. The external consultant can also guide stakeholders on appropriate mechanisms for improvement. The consultant will write reports summarising his/her findings and recommendations for each of the bodies, and submit these to the Steering Committee. The external consultant should be familiar with the civil society environment in each country, and aware of the risks imposed by GONGOs and other fake NGOs.