



# CODE OF CONDUCT

2017

# 1. Introduction

## 1.1. Preamble

- 1.1.1. ERC's mandate to ensure the protection of and assistance to refugees, IDPs and other persons of concern (hereafter "persons of concern") depends on the ability of its staff to uphold and promote the highest standards of ethical and professional conduct.
- 1.1.2. It is recognized that ERC's work often puts its staff in positions of unequal power relations towards its persons of concern.
- 1.1.3. This Code of Conduct holds the values and rules that ERC and its staff shall act by to uphold and safeguard the necessary standards of conduct and to avoid misconduct.

## 1.2. Scope of application

- 1.2.1. This Code of Conduct applies to ERC and to all its staff in relation to national and international activities. All staff, including paid and volunteer staff in Estonia and in international settings are obliged by this Code of Conduct.
- 1.2.2. Managers at all levels have a particular responsibility to uphold these standards, to set a good example, and to create a working environment that supports and empowers staff.

## 1.3. Status of this Code of Conduct

- 1.3.1. This Code of Conduct is not only a moral code that serves as an illustrative guide for ERC and its staff to make ethical decisions in their professional lives, and at times in their private lives. It is also an integral part of their conditions of employment. This Code of Conduct is therefore an appendix to all individual employment contracts.
- 1.3.2. All ERC staff is responsible for encouraging, advocating and promoting the dissemination of the Code of Conduct. They also have a role in implementing, monitoring and enforcing its standard. Staff is also urged to encourage partners to adhere to these standards and to join ERC staff in upholding them. Managers at all levels have a special responsibility to support and develop systems that maintain this

environment.

- 1.3.3. All ERC staff is obliged to report to managers or to HQ concerns or suspicions regarding criminal or ethical activities that are in conflict with this Code of Conduct and which may compromise ERC or any of its programmes.

#### **1.4. Implementation and interpretation**

- 1.4.1. While acknowledging that local laws and customs may differ from one country to another, the Code of Conduct is based on international legal standards. Guidance on appropriate interpretation can be found in the Notes to the UNHCR Code of Conduct, in the UN Secretary-Generals Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13), and in the IASC Report on protection from sexual exploitation and abuse in humanitarian crises (13 June 2002).
- 1.4.2. All ERC staff members shall contact their manager or HQ for guidance if they find themselves in a situation of doubt in relation to this Code of Conduct and its provisions.

## **2. Core values and guiding principles**

### **ERC and its staff are committed to the following fundamental values and principles:**

- 2.1. The values enshrined in the Charter of the United Nations: respect for fundamental human rights, social justice and human dignity, and respect for the equal rights of men and women. ERC and its staff shall actively promote adherence to the principles of international refugee law, international human rights law and international humanitarian law.
- 2.2. It is ERC's and its staff's primary commitment to ensure the protection of and assistance to its persons of concern, in accordance with ERC's mandate. ERC and its staff are committed to supporting the fullest possible participation of persons of concern – as individuals, families and communities – in decisions that affect their lives.
- 2.3. ERC and its staff will respect the dignity and worth of every individual, will promote and practice understanding, respect, compassion and tolerance, and will demonstrate discretion and maintain confidentiality as required. ERC and its staff will aim to build constructive and respectful working relations

with humanitarian partners, will continuously seek to improve performance, and will foster a climate that encourages learning, supports positive change, and applies the lessons learned from experience.

- 2.4. ERC and its staff will show respect for all persons equally without distinction whatsoever of race, gender, religion, color, national or ethnic origin, language, marital status, sexual orientation, age, socio-economic status, disability, political conviction, or any other distinguishing feature. ERC and its staff will strive to remove all barriers to equality.
- 2.5. ERC and its staff will respect cultures, customs and traditions of all peoples, and will strive to avoid behaving in ways that are not acceptable in a particular cultural context. However, when the tradition or practice is considered to be directly contrary to an international human rights instrument or standard, ERC and its staff will be guided by the applicable human rights instrument or standard.
- 2.6. ERC and its staff will not tolerate any form of sexual exploitation or abuse and are aware that misconduct is ground for disciplinary measures including summary dismissal.

### **3. Staff member commitments**

#### **3.1. To treat all persons of concern fairly, and with respect and dignity**

- 3.1.1. I will always seek to understand the difficult experiences that persons of concern to ERC have faced and survived, as well as the disadvantaged position in which they – particularly on the basis of gender, age or disability – may find themselves in relation to those who hold power or influence over aspects of their lives.
- 3.1.2. I will always seek to care for and protect the rights of children, and act in a manner that ensures that their best interests shall be the paramount consideration.
- 3.1.3. If my job involves direct work with persons of concern, I will meet with them regularly, in order to fully understand their experiences and needs, and to explain the role of ERC and the scope of its work.
- 3.1.4. I will keep myself informed about ERC's policies, objectives and activities and about refugee concerns, and will do my utmost to support the ERC's protection and assistance work.

**3.2. To uphold the integrity of ERC by ensuring that my personal and professional conduct is, and is seen to be, of the highest standard.**

- 3.2.1. I will demonstrate integrity, truthfulness, dedication and honesty in my actions.
- 3.2.2. I will be patient, respectful and courteous to all persons with whom I deal in an official capacity, including persons of concern, representatives of operational and implementing partners, governments and donors.
- 3.2.3. I will observe local laws, will meet all my private legal and financial obligations, and will not seek to take personal advantage of any privileges that have been conferred on me in the interest of ERC.
- 3.2.4. I will do my utmost to ensure that the conduct of members of my household does not reflect unfavorably on the integrity of ERC.

**3.3. To perform my official duties and conduct my private affairs in a manner that avoids conflict of interests, thereby preserving and enhancing public confidence in ERC.**

- 3.3.1. My actions will be free of any consideration of personal gain, and I will resist any undue political pressure in decision-making.
- 3.3.2. I will neither seek nor accept instructions regarding the performance of my duties from any government, including by national authorities, or from any authority external to ERC.
- 3.3.3. I will neither give nor accept any honor, decoration, favor gift, remuneration, or bribe, to/from any government; nor will I give nor accept such to/from any other source external to ERC without prior authorization. It is, however, allowed to give or accept small tokens of appreciation that are exchanged in accordance with local practice provided that it cannot compromise the integrity of ERC.
- 3.3.4. I will not engage in any outside occupation or employment without prior authorization.
- 3.3.5. I will not accept supplementary payments or subsidies from a government or any other source, or participate in certain political activities such as standing for or holding public office without prior authorization.

3.3.6. I will avoid assisting private persons or companies in their undertakings with ERC where this might lead to actual or perceived preferential treatment.

3.3.7. I will never participate in activities related to procurement of goods or services, or in human resource activities, where a conflict of interests may arise.

**3.4. To contribute to building a harmonious workplace based on team spirit, mutual respect and understanding.**

3.4.1. I will show respect to all colleagues, regardless of status or position, and will allow all colleagues the opportunity to have their views heard, and to contribute from their knowledge and experience to team efforts.

3.4.2. I will communicate openly and share relevant information (subject to confidentiality requirements) with other colleagues, and will endeavor to respond in a timely manner to queries.

3.4.3. I will respect my colleagues' privacy, and avoid misinformation.

3.4.4. I will seek to resolve differences and solve problems when they arise, and will contribute to building constructive dialogue, guided by mutual respect and an open, positive approach, between management and staff representatives.

3.4.5. As a manager, I will be open to the views of all team members. I will provide timely feedback on the performance of each team member through guidance, motivation and full recognition of their merits.

**3.5. To promote the safety, health and welfare of all ERC staff as a necessary condition for effective and consistent performance.**

3.5.1. I will remain aware of and comply with all instructions designed to protect my health, welfare and safety.

3.5.2. I will always consider the safety of staff in operational decisions.

3.5.3. If I have doubts regarding an instruction that I consider threatening to my safety or the safety of other persons, I will bring this immediately to the attention of my manager.

3.5.4. As a manager, I will endeavor to ensure that the health and well-being of staff and their families are not subjected to undue risk. I will promote

a healthy work-life balance for staff, and will respect staff entitlements.

**3.6. To safeguard and make responsible use of the information and resources to which I have access by reason of my employment with ERC.**

3.6.1. I will exercise due care in all matters of official business, and not divulge any confidential information about persons of concern, colleagues and other work-related matters in accordance with the terms of employment and current guidelines.

3.6.2. I will protect, manage and utilize ERC's human, financial and material resources efficiently and effectively, bearing in mind that these resources have been placed at ERC's disposal for the benefit of the persons of concern.

**3.7. To prevent, oppose and combat all exploitation and abuse of persons of concern**

3.7.1. I undertake not to abuse the power and influence that I have by virtue of my position over the lives and well-being of persons of concern.

3.7.2. I will never request any service or favor from persons of concern in return for protection or assistance.

3.7.3. I will never engage in any exploitative relationships, emotional, financial or employment-related with persons of concern. I will act responsibly when hiring or otherwise engaging persons of concern for private services. I will report in writing on the nature and conditions of this employment to my manager.

3.7.4. I will not engage in sexual activity with children under the age of 18. Mistaken belief in the age of the child does not constitute a defense.

3.7.5. I will not engage in sexual exploitation or abuse of persons of concern, and I have a particular duty of care towards women and children.

3.7.6. I will neither solicit nor engage in commercial exchange of sexual services as such relationships may undermine the credibility and the image of the Humanitarian Sector and of ERC.

3.7.7. I am aware that ERC strongly discourages sexual relationships between its staff members and persons of concern, although these relations are not exploitative or abusive. Such relationships may undermine the credibility and the integrity of ERC and of the staff members involved.

Should I find myself in such a relationship with a person of concern that I consider non-exploitative and consensual, I will report this to my manager for appropriate guidance in the knowledge that this matter will be treated with due discretion.

**3.8. To refrain from any involvement in criminal or unethical activities, activities that contravene human rights, or activities that compromise the image and interests of ERC.**

3.8.1. I will neither support nor take part in any form of illegal, exploitative or abusive activities, including, for example, child labor, and trafficking of human beings and commodities.

**3.9. To refrain from any form of harassment, discrimination, physical or verbal abuse, intimidation or favoritism in the workplace.**

3.9.1. I will not engage in or tolerate any form of harassment in the workplace, including sexual harassment and abuse of power.

3.9.2. As a manager, I will not solicit favors, loans or gifts from staff, nor will I accept unsolicited ones that are of more than token value.

3.9.3. I recognize that there is an inherent conflict of interest and potential abuse of power in having intimate and sexual relations with staff under my supervision. I am aware that ERC strongly discourages such relations. Should I find myself in such a relationship, I will resolve this conflict of interest without delay.