

Code of Conduct for Lebanese Civil Society Organizations

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Definitions

- **Code of conduct:** Standards for ethical 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:** Legal independent entities established by a number of individuals in order to achieve legitimate objectives in the interest of 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:** This principle is based on a common vision of values and common objectives to promote the public welfare and prevent wasting resources and efforts.
- **Transparency:** 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:** Refers to establishing reporting mechanisms on the use of the institution's resources; holding officials responsible for their decisions and for failure to achieve the objectives and the vision of CSOs.
- **Equality and inclusiveness:** Means giving both men and women the opportunity to improve their wellbeing and/or to maintain their current status. It means treating individuals or groups, beneficiaries and staff members on the basis of equality and equal opportunities.
- **Good governance:** 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 in its endeavor to achieve the objectives set up in its basic bylaws.
- **Conflict of interest:** Persons or groups that hold powerful and responsible position or powers should not use such privileges to achieve personal or family related gains, and should not use relations with other institutions to achieve personal gains.
- **Influence and effectiveness:** The CSOs' activities should respond to the needs while operations should utilize human and financial resources in the best possible manner.

Introduction

The aim of this Code of Conduct is to govern the roles of CSOs that are expected to grow and develop in the future, participate in achieving sustainable development, contribute to the democratic transformation as well as promote the culture of human civil, economic, social, political and cultural rights.

The code is based on the principle of freedom to establish associations upon the free will of founders, independent from any kind of control by government institutions, with the purpose of serving the interests of the public in a manner

that strengthens and enhances the role of civil society in achieving stability and progress in the democratic, social and economic fields.

The code aims at enhancing and developing relations between CSOs and government institutions, and at enhancing CSOs' credibility among the public and their own constituencies, which are directly targeted by CSOs' activities.

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

- One:** Enhancing and achieving democratic transformation and supporting political and intellectual pluralism and participation in public affairs.
- Two:** Working on the base of notification and not prior registration and liberating CSOs from legal constraints that hinder their activities
- Three:** Enhancing freedom of opinion, expression, peaceful assembly and of association.
- Four:** Enhancing human rights values and principles as stated in the Universal Declaration of Human Rights and other UN international human rights conventions.
- Five:** 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.
- Six:** Commitment to the principle of equality, combating all forms of discrimination, enhancing women's participation and protecting the rights of minorities.
- Seven:** Commitment to the principles of transparency and accountability.

To achieve these objectives it is important that:

CSOs adopt the principles of good governance and democracy when implementing their activities; utilize financial resources in the best possible manner; administer the affairs of the institution with a commitment to laws, executive procedures and professional ethical standards that is a model for others. In this regard, it is important that CSOs set up rules to prevent any conflict of interests at administrative and regulatory levels. It is also important to develop transparent and healthy financial and accounting regulations. Equally important is the need to spread knowledge and information on the activities of the institution and to ensure participation and partnership with 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 by regulations. Moreover, CSOs should ensure their commitment to develop such mechanisms.

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 and to be a model in areas of good governance and civil and legal accountability.

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

This code specifies the aims of CSOs. It is based on pluralism, democratic principles, participation, the right to associate and on the principle that CSOs are 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 and to participate in creating an enabling environment which allows society members and groups to express themselves, their interests and freedom of choice. According to the principles listed in this draft, CSOs that willingly adopt the code will commit to have the national liberation process (in Arab countries where this process hasn't been done yet) as well as social, economic, political and cultural development. They should also commit to the vision of democratic transformation, diversity, pluralism and the process of catching up with civil development and progress. Moreover, they shall commit to adopt work mechanisms that respond to the needs of the society and to respect human values and rights. They shall also commit to the principles of transparency in their work and accountability in their use of financial resources. In general, the code stresses the importance of good governance and compels CSOs to abide by the principle of good governance and to establish internal monitoring mechanisms that protect their independence and integrity.

Chapter Two: Principles of the Code of Conduct

The following principles shall be at the basis of the code. By adopting the code, CSOs declare that they accept the principles listed in it and the fact 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 by, but not limited to the following international human rights conventions :

- The Universal Declarations of Human Rights
- The International Covenant on Civil and Political Rights
- The International Covenant on Economic, Social and Cultural Rights
- 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
- UNCAC

2. Enhancing good governance

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

- To maintain the independent decision of CSOs, away from factional, sectarian and partisan affiliations, when providing services and in employment policies. They shall also commit not to assign members of security apparatuses in any position (only for the duration of their work in these bodies).
- 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 leaderships and the development of the capacities of the existing ones.
- To allow the staff to participate in the strategic planning process.
- To ensure that programmes developed respond to the needs of the society and are not restricted to the donor directives. 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, increase their services and projects, and ensure the existence of institution-building elements in the programmes implemented and in requests for grants related to administrative and financial fields and to information systems and human resources.
- To make clear the means of communications between governing bodies and employees.
- To undertake a critical review of the institution's culture and its procedural methods in order to encourage responsibility, renewal and respect for pluralism.
- To set up clear performance standards as part of the follow-up and assessment methods.
- To encourage democracy through participation.
- To encourage initiative taking.
- To create a code of conduct for employees.
- To work on job descriptions
- To set-out in writing, and within the existing laws, the policies related to employees and volunteers.
- To instill the spirit of justice among employees by using neutral assessment methods and by developing capacities and encouraging responsibility.

CSO shall commit to protect the rights of employees. Administrative bodies shall ensure that there are clear procedures and instructions regarding the rights of the employees, specifically by:

- Establishing a clear salary scale and a clear system of promotion for all positions, made known to all employees.
- Providing employees with work contracts, in accordance with the Labor Law.
- Establishing a fair assessment system and a clear punitive system that all employees know about.

2-1. The principle of accountability

Means establishing reporting mechanisms on the use of the institution's resources. It also means that those responsible 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 explanation and clarifications related to behavior, performance and duties of the institution or any member of the institution (the board and the employees). This is especially important for CSOs working for or on behalf of the deprived people and mobilizing funds on this 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, donors and to those who enter into contracts with these institutions, as per the conditions set in the contract and the law.

CSO shall specifically:

- Establish a complaints system that can be used by anybody in case of 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, as well as assessment methods.
- Use the funds as specified and declared.
- Specify the authority of those responsible for the institution's funds at different administrative levels, separating responsibilities.

2-2. The principle of integrity

In all 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 avoid any conflict with others; in case a conflict arises, CSOs shall commit to settle it in an open and tolerant spirit. CSOs shall also commit to keep records and documentation of decisions, preserve 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 wrongdoing, corruption, bribery or incorrect financial acts. They will undertake the necessary procedures to combat such acts.

1. CSOs shall establish administrative and financial systems approved and documented by their boards. These systems shall contain:
 - a. Employment policies and procedures
 1. Clear, transparent employment system that contains employment mechanisms, announcement of job vacancies, job requirements without factional, sectarian, familial or gender discrimination;
 2. The wage scale and all other benefits, including honorariums and allowances. No allowances are allowed in return for consultation or training conducted by the NGO staff.

2-3. The principle of influence and effectiveness

CSOs shall make sure that the following are observed:

- 1) Management of the enterprise is committed to its vision and works to achieve its strategies as approved by the governing body before the Board and other authoritative bodies.
- 2) **The assessment of the institution is done in accordance with the following principles: 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. Determine the advantages of continuing the current structure.
 - b) Whether there is need to amend the mission, according to social developments.
 - c) The possibility of adding new roles that would require a revision of the mission.

The activities of CSOs, which need to be examined regularly to ensure their effectiveness, relevance, the benefits of continuing these programmes or amending them and the extent to which there is need to introduce new

programmes. Among the issues that need to be evaluated in this respect are the following:

- a) 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.
 - b) The level of effectiveness in accomplishing the institution's objectives.
 - c) The advantages accrued by the beneficiaries.
 - d) The cost of the programme measured by its results.
 - e) Whether there is need to introduce new services. The evaluation should be an open process conducted with integrity and with the participation of all stakeholders.
- 3) **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 the strategic planning and for the action plan of the institution's activities. The institution shall focus on ensuring that the objectives are met or are being accomplished.
- 4) **Efficiency and effectiveness:** The programme of the institution shall be conducted in an efficient and effective manner to achieve the declared objectives.
- 5) **Feedback:** The institution should seek to obtain regular feedback from its beneficiaries and from all other stakeholders.
- 6) **Professionalism:** The institution should work in a professional manner, stressing the idea that it provides services to people.

3. Strengthening good financial management

CSOs shall:

- Assign authorized auditors according to the laws in force.
- Develop strict procedures to prevent any conflict of interests.
- Develop a plan for the best utilization of human and financial resources.
- Develop good practice indicators, including financial, administrative, practical, monitoring and evaluation procedures.
- Pay taxes and respect their legal and contractual commitments.
- Include, in their annual financial and administrative reports, at least the budget, a summary of the auditing results, the name of the auditor, the management letter of the auditor, financial resources from donors and other resources, how the funds were spent, a summary of the board and general assembly meetings (except for the confidential ones).
- Make clear employment procedures and management of purchases through tenders.

4. Ensuring equality and indiscrimination

CSOs shall commit to deal with individuals and groups, both of employees and of beneficiaries, on equal terms, applying the principle of equal opportunity. They shall also commit not to discriminate on sectarian, political, familial and geographic basis, or on social or disability basis, with the right of some institutions to practise positive discrimination, in favor of the less privileged, of women, of people with disabilities or of marginalized geographic areas.

5. Preventing conflict of interest

Conflict of interest surfaces when a person or a group comes to a powerful position or holds high responsibility within an institution, which empowers 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 Administrative Bodies shall ensure that there are strict procedures in place, which shall be implemented (by the staff and boards) with full transparency.

All Administrative Body members shall declare all financial or personal interests. They should refrain from the decision-making process involving these interests, unless there is an exception to that.

1. Administrative body members shall not combine membership to the Board of Trustees with working for the institution in return for a salary.
2. The board shall not have members who have kinship of the first and second degree.
3. The auditor shall not be related to anyone from the CSO.
4. No privileges shall be obtained from serving as a board member. This includes research, training and paid consultations.
5. It is prohibited to combine board, general assembly or board of trustees membership and working for the institution as director general. Employees shall not participate in the board election or vote on any decision that might affect their interests, such as salaries, privileges and other related issues.
6. No person who has first and second level of kinship, or marriage relationship, with the general manager shall become a member of the board.
7. No person who has first and second level of kinship, or marriage relationship, shall serve as a manager, financial manager and monitoring positions. It is not allowed for any of the managers to be the director of; or under the direction of a relative, or those with whom he has a marriage relationship.
8. No exchange of supervisory positions among various CSOs is allowed in case there is a potential for a conflict of interests.
9. Every member of the general assembly and the board, and every employee must fill up the form "Disclosure Declaration" to ensure abidance by the above rules.

6. Conflict resolution

The resolution of differences among various civil institutions, within a single institution, or at the level of business problems is done through mediation and first instance arbitration.

7. 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 stakeholders. They shall also commit to hold continuous consultations with stakeholders regarding any changes in policies, methodology 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 evaluating the different projects. CSOs consider the government as one of the main stakeholders and will undertake to inform government bodies and consult with them when implementing new projects when there is need for such consultation; they will work according to the stipulations of the association's law.

CSOs commit to encourage and develop communication and contacts among the employees, and between them and the beneficiaries and other stakeholders, within 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, especially at 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 to each other. They shall commit to conduct necessary consultations with concerned parties and to coordinate stances. When one institution participates in an event, it shall commit to inform the concerned parties about the results of its participation.

8. Enhancing the right to access information

The mission of CSOs is the reason for their existence, and it is its mission that a CSO aims to achieve. For this reason, CSOs should clearly define their mission, which shall be the point of reference and the 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, in a way that ensures openness to the general assembly, beneficiaries, donors and government regarding activities, procedures, decisions and policies. CSOs shall work with clear and declared financial and developmental policies, and with clear policies concerning the public's access to information. They should abide by professional standards and specific rules related to financial transparency. CSOs shall make the following information accessible through the different audio-visual, printed and electronic means:

- Their mission, principles, vision and values.
- Their administrative and organizational structure, stating clearly the roles and the different responsibilities.
- Partnerships, coalitions and contract signed with different parties.
- The current and future activities.
- The geographic area covered by their activities.
- Financial reports, published in a clear and accessible way.
- Systems which ensure effectiveness in the purchase of goods and services, protecting them from being misused for personal interests.