

CODES OF CONDUCT AND ZERO TOLERANCE POLICIES IN CONFLICT AND CRISIS SITUATIONS



UNHCR ETHICS OFFICE
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It all starts with the UN Oath of Office

I solemnly declare and promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other source external to the Organization.



An ethical culture starts with the right framework



In integrity based cultures,

- ☐ Values are explicit
- ☐ Rules, roles and expectations are clear
- ☐ Speaking up is OK
- ☐ Key messages on ethics are reinforced
- ☐ Moral judgment is respected
- ☐ Rewards are aligned with right conduct
- ☐ Rules stay same in good and bad times
- ☐ Rules are enforced and consequences understood by all

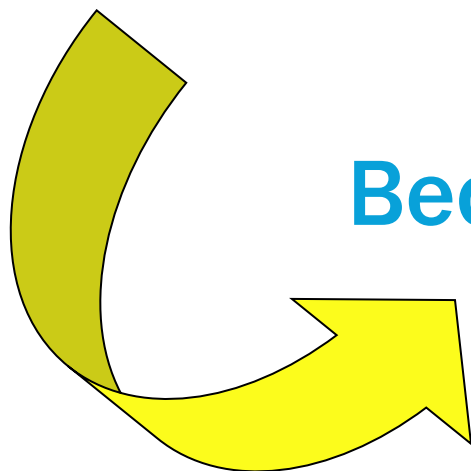
ethical reputations are preserved.





Five Mandates from the GA ...

- Provide confidential ethics advice
- Provide outreach, communication, education and training on ethics
- Administer policy on protection against retaliation
- Manage the financial disclosure programme
- Coherence in ethics across the UN system



Become Five Lines of Service

1. Ethics Advice
2. Protection Against Retaliation
3. Outreach, Communication & Training
4. Financial Disclosure
5. Coherence

Code of Conduct

9 principles

As a staff member of UNHCR, I commit myself to :



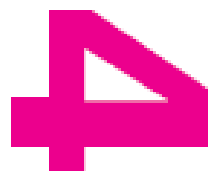
treat all refugees and other persons of concern fairly, and with respect and dignity



uphold the integrity of UNHCR, by ensuring that my personal and professional conduct is, and is seen to be, of the highest standard



perform my official duties and conduct my private affairs in a manner that avoids conflicts of interest, thereby preserving and enhancing public confidence in UNHCR



contribute to building a harmonious workplace based on team spirit, mutual respect and understanding



promote the safety, health and welfare of all UNHCR staff as a necessary condition for effective and consistent performance



safeguard and make responsible use of the information and resources to which I have access by reason of my employment with UNHCR



prevent, oppose and combat all exploitation and abuse of refugees and other persons of concern



refrain from any involvement in criminal or unethical activities, activities that contravene human rights, or activities that compromise the image and interests of UNHCR



refrain from any form of harassment, discrimination, physical or verbal abuse, intimidation or favouritism in the workplace

EVENTS LEADING TO THE UNHCR CODE OF CONDUCT AND PSEA (1/2)

Date	Event
1994	Draft U.N. report leaked detailing how peacekeepers in Morocco, Pakistan, Uruguay, Tunis, South Africa and Nepal were involved in 68 cases of rape, prostitution and paedophilia.
1995	Bosnia Sex trafficking scandal of Bosnian women involving members of the UN and local authorities.
2002	West Africa scandal Although SEA is not a new phenomenon, it was brought to the forefront of public attention in 2002 following allegations of widespread SEA in West Africa. In 2001, UNHCR and Save the Children UK conducted interviews with 1,500 children and adults in Liberia, Guinea, and Sierra Leone to determine the scope of SEA of children



EVENTS LEADING TO THE UNHCR CODE OF CONDUCT AND PSEA (2/2)



Date	Event
2004	Appointment of senior level SEA Focal Points and alternates in all UNHCR operations.
2006	Reports that peacekeepers in Haiti and Liberia were involved in sexual exploitation of refugees.
2007	Leaked reports indicating 200 peacekeepers caught for sex offenses since 2004, ranging from rape to assault on minors.
2008	Creation of UNHCR Ethics Office
2009	Director of the Ethics Office assumes functions as SEA Focal Point for the Office, and acts as UNHCR's senior Representative on the IASC AAP/PSEA Task Team.
2013	Community-Based Complaints Mechanism (CBCM) pilot project established in Ethiopia, led by UNHCR under the IASC Task Team

UNHCR CODE OF CONDUCT

The UNHCR Code of Conduct is a moral code

The UNHCR Code of Conduct applies in all operations and to UNHCR implementing partners (IP) and affiliate workforce staff.



PSEA (PROTECTION FROM SEXUAL EXPLOITATION AND SEXUAL ABUSE)

Zero tolerance for sexual exploitation and sexual abuse.

ST/SGB/2003/13: Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse



WHAT IS SEXUAL EXPLOITATION?

‘Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to profiting monetarily, socially, or politically from the sexual exploitation of another.’



WHAT IS SEXUAL ABUSE?



The actual or threatened physical intrusion of a sexual nature, which can occur by force, under unequal conditions, or under coercive conditions.

CORE PRINCIPLES OF THE SGB ON PSEA (1/4)

(a) Sexual exploitation and sexual abuse constitute acts of **serious misconduct** and are therefore **grounds for disciplinary measures**, including summary dismissal;

(b) Sexual activity with children (persons **under the age of 18**) is prohibited **regardless of the age of majority or age of consent locally**. **Mistaken belief in the age of a child is not a defence**;

CORE PRINCIPLES OF THE SGB ON PSEA (2/4)

(c) Exchange of **money, employment, goods or services** for sex, including **sexual favours** or other forms of **humiliating, degrading or exploitative** behaviour, is prohibited. This includes any exchange of **assistance that is due** to beneficiaries;

- Employment
- Additional assistance
- Money, goods, services
- Assistance that is due

CORE PRINCIPLES OF THE SGB ON PSEA (3/4)

(d) Sexual relationships **between staff and beneficiaries** of assistance, since they are based on **inherently unequal power dynamics**, undermine the credibility and integrity of the work of the United Nations and are **strongly discouraged**;

- Strong potential for abuse
- Good judgment
- Persons of concern, and local populations

CORE PRINCIPLES OF THE SGB ON PSEA (4/4)

(e) Where a United Nations staff member develops **concerns or suspicions** regarding sexual exploitation or sexual abuse by a fellow worker, **whether in the same agency or not** and whether or not within the United Nations system, **he or she must report** such concerns via established reporting mechanisms;

- Obligation
- Protection from Retaliation

EXISTING CHALLENGES (1/2)

UNHCR is a multi-national, multi-cultural organization.

The UNHCR Ethics Office relies on individual offices to introduce new staff to the Code of Conduct and the principles held within.

Perception of the Code of Conduct varies widely.



EXISTING CHALLENGES (2/2)

Sexual Exploitation and Abuse (SEA) can be difficult to identify and prove.

Induction of Implementing Partners (IP) to the Code of Conduct and PSEA can be difficult.

In Emergency situations, it can be difficult to ensure that all new staff are being adequately introduced to the Code of Conduct and PSEA.



GOOD PRACTICES

- All staff are required to have read and signed the Code of Conduct.
- Annual Code of Conduct “Refresher Sessions” in all offices.
- Introduction of beneficiaries and persons of concern to PSEA and Code of Conduct.
- Creation of Community-Based Complaint Mechanisms (CBCM) to ensure easy, safe reporting of SEA.
- Education of Implementing Partner staff of expected behavior, as outlined by the Code of Conduct and PSEA.
- Yearly questionnaire-based assessments of the practices in individual offices.



THE WAY FORWARD

- Creation of materials directly targeting staff in emergency operations, creating easy mechanisms which may be used by all staff to raise awareness on the issue of trafficking and sexual exploitation.
- Further development of Community-Based Complaint Mechanisms (CBCM).
- Strengthen interagency networking.
- Reinforcement of livelihood programmes.
- Monitoring, evaluation and deep field missions.
- Working with beneficiaries and PoCs to create effective prevention and response mechanisms.



THANK YOU FOR YOUR ATTENTION



ANY QUESTIONS?