



# Ethical guidelines

# JOIN good forces

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– carriers of hope

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# INDEX ---

<b>A. Code of Conduct .....</b>	<b>2</b>
<b>B. Anti-Corruption Policy .....</b>	<b>6</b>
<b>C. Gender Policy .....</b>	<b>17</b>
<b>D. Do No Harm - Policy .....</b>	<b>19</b>

# A. Code of Conduct

## Code of Conduct, JOIN good forces

### 1. Preamble

These Code of Conduct are based on universal values such as respect, justice, loyalty, reliability, truthfulness, the notion that one should treat others as oneself would like to be treated, and the core values of the organisation. Among these are

- Respect for human rights, e.g. that work should be carried out without discrimination based on race, gender, social status, sexual orientation, disability, and religious or political affiliation;
- Respect for the host country's laws, culture and religion, insofar as there are not in conflict with international human rights standards.
- Zero tolerance for sexual abuse, sexual exploitation and harassment.

### 2. Purpose

JOIN is handling both public and private funds, and in accordance with guidelines for Norad's grant recipients, the purpose of these ethical standards is to counteract abuse of power, and prevent people in vulnerable situations from being exploited by persons linked to JOIN. Further, it is to ensure necessary follow-up procedures when abuse of power occurs, with the aim of justice for the victim, and to restore confidence in the organisation. Finally, it is to contribute to public trust in the management of Norwegian development assistance, support the integrity and credibility of development assistance in general, and protect the reputation of Norad, JOIN and our partner in DR Congo, Hope in Action.

### 3. Principles

The key values this code of conduct is based upon, are dignity, integrity, transparency and accountability. The party or parties that have signed this code of conduct have accepted to be bound by these principles and the control mechanisms given in the code of conduct.

#### 3.1 Respect for human dignity

JOIN acknowledges the right of every man, every woman and every child, to be protected against corrupt practices and unacceptable working conditions. Children are especially vulnerable and need protection against misuse of power by adults.

#### 3.2 Promotion and protection of moral integrity

JOIN acknowledges that all employees have the right and duty to resist corruption and to report on any corrupt act that he/she has witnessed or is a victim of; if threatened, he/she should be backed by the signatories to this code of conduct. The notion of moral integrity also includes to abstain from any form of sexual abuse, exploitation or harassment, and from possession and use of illegal drugs or excessive use of alcohol. Use of drugs or alcohol while driving is strictly prohibited.

### 3.3 Promotion of transparency

JOIN acknowledges that the principle of transparency should be adopted in all major decision-making processes and that activities and financial transactions should be documented. Such documentation should be made available to all relevant parties either unsolicited or upon request. This principle shall be restricted only if there is a valid reason. We will undertake to promote this principle in its relationship with different public and private sector partners.

### 3.4 Promotion of accountability

JOIN acknowledges that the principle of accountability should be adopted in all financial transactions and major decision-making processes. We will actively promote this principle in our relationship with our partners.

## 4. JOIN's approach to combat corruption

JOIN understands corruption and other misuse of funds as ways of providing oneself, one's organisation or a third party an undue advantage, e.g. by giving or receiving gifts, travels, discounts, bonuses or other benefits that could potentially influence one's own or the recipient's action in service. JOIN condemns every corrupt act, such as bribes, embezzlement, fraud, extortion, favouritism and nepotism, and we will ascertain that this is understood among its employees. This means:

- 1 Board members and employees shall not take advantage of his/her position when interacting with other employees or partners or other parties.
- 2 In their organisational capacity, no person shall accept gifts from colleagues, partners or others, except for token items of appreciation.
- 3 Neither shall bribes be received, nor provided.
- 4 In their organisational capacity, no person shall take part in activities that generate personal profit (e.g. buying, selling, bartering).
- 5 Board members and employees shall not commit us, either financially or in any other way, unless officially authorised to do so.
- 6 Employees shall administer with exactness and care the funds and material supplies entrusted to him/her, and be prepared throughout the assignment to render an account of the use of such funds and supplies.

## 5. Implementation of the code

### 5.1 Structure

We shall adapt the structures and procedures of the present code, especially to the following areas:

- 1 Separation of different organisational bodies to enhance accountability (governance, management and control), transparency in financial management (for example double signature, publication of accounts, adoption of procedural codes), external independent auditing of accounts.
- 2 Recruiting of members and personnel in a transparent manner.
- 3 Documentation of the measures implemented to ensure accountability through organisation charts and procedures manuals.
- 4 Publication of progress and financial reports including balance sheets.
- 5 Self-evaluation of JOIN's and partner organisations' activities and openness to external evaluations if considered pertinent by any of its stakeholders.
- 6 Guidelines of good conduct during field visits and travels.

## 5.2 Reporting on violation of the code

Employees shall be encouraged to notify their leaders if the principles of the code are violated. If no action is taken, violations of the code should be communicated to other signatories to the code. Employees reporting such violations, shall be protected against any reprisals by the organ that is signatory to the code.

## 5.3 Internal sanctions

Any partner organisation or employee(s) who violate the code, especially the principle of rejecting corruption, is liable to sanctions from the organisation.

## 5.4 Legal measures

The organisation shall take matters to court if sanctions are ineffective or laws are violated. According to its means, the organisation shall undertake to promote the independence of the judicial system if it has doubts on its independence.

## 5.5 Follow-up and evaluation of the code

The organisation shall regularly follow up the implementation of this code.

The code may be revised by the signatory parties based on the experience acquired during its implementation.

The code shall be ratified by the Board of Directors.

Date and signatures of JOIN Board:

Date and signature of JOIN Director

Date and signatures of staff:

Date and signatures of Partner organisation representatives

# B. Anti-Corruption Policy

## JOIN good forces' Anti-Corruption Policy

This policy is under implementation and it is based on the policy made by the Norwegian Church Aid. JOIN has always had a zero tolerance towards corruption, and want to secure and improve the work further by having a thorough written policy. The policy will be followed up by training of all staff and partners.

### 1. Anti-Corruption Policy

JOIN good forces (JOIN) takes an active stance against of all forms of corruption with a zero-tolerance position. This entails that JOIN will work actively with the prevention and detection of corruption.

JOIN expects all employees to strictly adhere to JOIN's Anti-Corruption Policy (ACP) and established procedures, and expects all local partners, to make the ACP known among employees and to ensure that the policy and its tools are implemented. JOIN expects all employees to acknowledge that it is a corrupt act not to report suspicions of corruption, and all managers to acknowledge that it is a corrupt act not to act with sufficient measures upon such incidents.

#### 1.1 Definitions

To be able to detect and react adequately to all possible cases of corrupt practices, it is necessary to establish clear definitions of corruption. A broad and simplified definition of corruption is; "Misuse of entrusted power or funds for one's own private benefit or for the benefit of family or friends."

Corruption occurs in many forms, for example:

- Bribery: The offering, promising, giving, accepting or soliciting of money, gifts or other advantage as an inducement to do something that is illegal or a breach of trust in carrying out an organization's activities.
- Kickback: A form of bribery, where someone involved in a purchasing process is getting a reward from the supplier for placing an order of goods or services.
- Embezzlement: Theft of resources for personal benefit.
- Extortion: The act of obtaining something by force, threats or undue demands.
- Favouritism: The unfair favouring of one person or a group at the expense of others, includes nepotism which is favouritism shown to relatives.
- Fraud: The deceit or breach of confidence, perpetrated for profit or to gain some unfair or dishonest advantage.
- Maladministration: Mismanagement or financial misconduct in handling or reporting of money, financial transactions or other assets.

- Trading in influence (influence peddling): A form of bribery, when a person promises to exert an improper influence over a decision-making process in return for an undue advantage, 'influence' traded for money or an undue advantage.

Perceptions of what constitutes corruption may vary within and across cultural boundaries, and are often limited to financial mismanagement and fraud. Other 'non-financial corruption', such as nepotism, beneficiary favouritism, sexual exploitation and the diversion of aid resources to non-target groups, are less often understood as corrupt practices in some cultures. General poverty amongst the members of the community wherein JOIN works could create a situation where JOIN's local employees are vulnerable to undue pressure from people outside JOIN, to obtain confidential information, e.g. about tender procedures or applications for funds. Partner organizations could also be a target for undue influence from JOIN employees misusing their power as managers of funds. Such incidents are not always seen as corrupt practices, neither by the exploiter nor by the victims. According to this policy and its tools and guidelines, within JOIN's organization and in our cooperation with partner organizations, the misuse of power to gain non-financial benefits will always constitute a corrupt act, and should be reacted on.

With the definition and examples above in mind, JOIN acknowledge that there are situations and contexts where it is hard to determine whether the suspected incident or practice is a result of lack of capacity and/or competence, or if it is deliberate misuse of power and/or funds. This policy and its guidelines, with procedures for reporting, investigating and reacting should when appropriate be used in a capacity building manner, rather than as a reaction to reported incidents only.

## 1.2 Zero-tolerance

Respecting the principles of the zero-tolerance mandate, JOIN will aim at planning responses to corruption, keeping in mind its broader development objectives and the context of the societies in which JOIN operates. All detected incidents, or suspicions of incidents will be reacted upon, and the action taken will be in accordance with our policy and regulations, local legislation, and the context and nature of the incident.

## 1.3 Risk management and sharing of responsibility

JOIN believes that when working in cooperation with partners in developing countries and post conflict areas, the costs of proper corruption risk management, as well as the costs of handling corruption incidents, should be shared among stakeholders in a way that would not harm the recipient community. When operating in challenging and complex contexts with high levels of corruption and weak judicial and law enforcement capacity, leaving the responsibilities and the costs of corruption risks management to the partner and/or recipient would be demotivating for any actor engaging in a corruption-prone context. JOIN believes the sharing of responsibilities among the stakeholders, from donor to implementing actor, would give better access to such difficult contexts and, furthermore, encourage innovative anticorruption practice.

## 1.4 Anti-Corruption Policy tools

JOIN's Anti-Corruption Policy entails three tools:

1. Corruption Risk Management System (CRMS)-tools for preventing corruption
2. Alert raising procedure
3. Handling cases of corruption

The CRMS describes necessary procedures and list documents, that are part of JOIN's system for administration and project managements, and how these systems entail measures to reduce corruption risk, and subsequently incidents.

The Alert raising procedure comes to work when someone suspects corruption, with forms for reporting, addresses to use, guidelines for reporting etc.

Finally, when an incident has occurred, the Guidelines for handling corruption take you through the whole process from detecting an incident until the case is closed.

Below are the JOIN Anti-Corruption tools.

## 2. Corruption Risk Management System

A Corruption Risk Management System (CRMS) consists of the organisation's guidelines, procedures and recommendations on corruption risk management measures, and the measures required to implement them efficiently.

JOIN acknowledges that both preventative mechanisms and sanctions are required in the fight against corruption. On the preventative stage, our collaborating partners play a major part with analysis of prevalence and perceptions, as well as with implementation of procedures and routines within administration and program management.

Corruption risk should not solely be addressed through project management measures, but also through a (corruption-)focused understanding and analysis of the environment in which JOIN operates; from the broad country context to the sectors of engagement/operations, to the partners' records and practice, as well as within JOIN's own management, in Norway and internationally.

JOIN Head Office (HO) is responsible for maintaining up-to-date guidelines on how to handle and react upon corruption. This includes detecting and reporting, and possible sanctions. It is the responsibility of all staff to adhere to these. Below are the JOIN tools for corruption risk management

### 2.1 Measures that identify corruption risks

An important step in combating corruption is awareness of where and how it may occur. JOIN shall make risk assessments prior to launching new activities or partnerships. Likewise, before entering a new country, a thorough analysis of the risks must be completed. Management and support functions, such as accounting and finance; logistics and procurement; and administration, should be aware of the settings and areas where corruption is more likely to occur.

A thorough qualitative analysis of the specific corruption situation is necessary, particularly if JOIN contemplates a longer-term engagement. This should give the JOIN Manager a clear idea of the level of practice and acceptance of corruption in the country of operation; rather than a management tool it should be an awareness tool. Individuals performing such assessments are encouraged to use available external resources, such as Transparency International's Corruption Perception Index and the World Bank Worldwide Governance Indicators, to begin building a corruption risk profile that could inform a range of in-country activities.

**Partner Analysis** – The selection of reliable and reputable partners is recognised as one of the most important processes in achieving programme impact. JOIN's Partner Analysis tool has sections especially addressing corruption risks and assessment of opportunities for corruption, mainly concerning the local organisation's administrative structure. The aim is to make the JOIN manager able to identify, monitor, and intervene on vulnerable points.

## 2.2 Measures that reduce the corruption risks (opportunities for corruption)

JOIN have guidelines in place to deter employees and partners from engaging in unethical behaviour.

**Recruitment procedures:** JOIN's policy on Recruitment, hiring and contractual relation states that all vacancies, permanent or temporarily. Only qualified candidates should be called in for an interview. The panel sitting through the interview should between them decide who will be offered the job, but no job offer must be made until the process is concluded. See full guidelines in the QMS Personnel Handbook.

**Contracts:** JOIN's Procedure on Quality Control of Legal Aspect of Contracts states that it is "extremely important to put points of agreement in writing before, during and after the negotiation and implementation of the agreement." (...) "Equal importance should be given to the follow-up of a contract implementation as the amount of resource is utilized during the negotiation of a contract".

**Project documents:** Programme/project plans and proposals should always outline JOIN's corruption risk mitigation efforts as part of the description of risks and assumptions for the achievement of the programme/project objectives.

**Programme monitoring routines:** During regular programme follow-up visits to projects and programmes, JOIN Head Office representatives should discuss corruption risk mitigation. This should be included in the Terms of Reference for visits, and progress meeting agendas. Corruption risk may also be part of more targeted formal monitoring missions. Discussions, status, and agreed action points should be outlined in the travel-/monitoring-/progress-report.

**Regular Audits and Special Audits:** All entities in JOIN should make proper preparations for audits according to Audit instructions and donor requirements.

**Sanctions:** As stated in JOIN Guidelines for handling corruption, paragraph 4.5.1 (below), any JOIN employee suspected of corruption should be suspended with all authorities and accesses. If the allegations are directed at a JOIN partner immediate reaction will imply freezing of funds while the investigation takes place. JOIN will also report corrupt practice to relevant judiciary body.

**Anti-corruption training to partners and staff:** All JOIN employees must receive anti-corruption awareness training as part of their introduction, and refresher courses, preferably annually. JOIN should also offer our partners similar training.

## 2.3 Measures to detect corruption

**Reporting and whistle-blowers:** All JOIN employees are obliged to report any unethical behaviour they may come across in relations to the programme, including incidents of corruption. It is a corrupt act not to report suspicions of corruption, and for managers it is a corrupt act not to act upon such reports. JOIN also encourages partners and other members of the public to report incidents of corruption. JOIN staff should report incidents. Partners and members of the public may also report to a relevant JOIN manager or directly to the Head Office.

JOIN should not disclose the identity of any whistle-blower, whether the person has made the allegation anonymously or the identity is known to JOIN, unless the organisation obtains the whistle-blower's consent. Monitoring and evaluations may, as well as being a method in reducing corruption risk, be a tool in uncovering it. As outlined above, all JOIN programmes should undertake regular monitoring and evaluations, and JOIN's tools and templates are developed to include measures for detecting corruption risks in projects.

Areas of concern: See point 2.5 for list of situations that could give reasons for alert.

## 2.4 Implementation

All JOIN staff should receive an anti-corruption briefing as part of their introduction. To get the best effect of the implementation of the CRMS, training should focus on the areas relevant to the participants, and the documents and procedures used in their work. Corruption risks and opportunities differ between programmes and work settings, and it is important to tailor the trainings accordingly.

JOIN will have an open and innovative approach to corruption risk management and anti-corruption work. Detected cases of corruption and irregularities will be disclosed to the public. JOIN's annual result report will report on all detected incidents, as well as general efforts to fight corruption.

## 2.5 Potential reasons for alert

### 2.5.1 Accounting/ Procurement

- Long-lasting problems of keeping financial records up to date
- Bank or cash accounts reconciliations have out-dated open **postings**
- Bank or cash reconciliations missing supporting documents or signatures from management
- Bidding procedure not followed
- Vouchers look suspicious
- Payments lack supporting documents
- Suppliers terms seem over-priced
- Payments to agents or other indirect payments made
- Costs are out of proportion
- Suppliers not willing to sign procurement contracts with anti-corruption clauses
- Payments through companies in tax havens
- Large cash payments
- Suspicious requests from suppliers, e.g. backdating of vouchers, use of foreign bank accounts.

### 2.5.2 Payroll, allowances and benefits

- Extended use of travels and per diems, e.g. for training
- Payments of medical costs out of proportions
- Frequent use of salary advances
- Pension schemes paid through nominees or according to "home-made" systems
- Mix of different currencies in the payroll system

### 2.5.3 Partner cooperation

- Agreed reports and meetings are not being followed
- Reports received are not adequate and lack necessary documentation
- Audit reports and/or management letters from auditors shows reasons for concern
- Lack of progress of project activities
- Occurrences in the project accounts that are hard to explain
- Change of auditor without explanation
- Dubious management system, lack of internal control routines
- Lack of segregation of duties
- Individual dispositions/access rights of accounts
- Lack of separate project accounts for easy identification of grants
- Bank reconciliations do not match the accounts

- Annual statement and audited statement differs
- Actual salaries differ from budget, specifically when concerning managers
- Lack of signatories on the annual statements of accounts

#### 2.5.4 Other areas that should trigger alert

- Anonymous reports – whistle-blowers
- Articles in the press indicating corruption
- Employees who never take holiday
- Engagements and contracts given to close contacts or family members or friends
- Employees show sudden changes in lifestyle, i.e. new car, expensive clothes, travels, etc.

### 3. Whistle blowing

*React and report* – JOIN encourages all employees and partners to react to and report corrupt practises. To be able to do so it is of vital importance to have an easy accessible procedure to follow upon suspicion, or detection of possible misuse of power or funds, or irregularities.

#### 3.1 Filing a report

Any person, whether employed by JOIN or not, may report allegations of corruption. Allegations may be reported anonymously.

Employees are encouraged to report through the line manager, unless the supervisor is involved, in which case one should report to the next in line. However, one may report directly to JOIN Head Office management, if preferred. Persons not employed by JOIN may report to the supervisor they regard suitable, or directly to JOIN HO, Internal Auditor or Secretary General.

Anyone filing a report should include as much relevant information as possible that may help shed light on the allegations. However, the whistle-blower is not the investigator and should not attempt to gather evidence that are not easily at hand, nor, under any circumstances, break the law to obtain such evidence. It is encouraged that reports are made in writing, but they may be made orally.

#### 3.2 Protection of whistle-blowers

A whistle-blower is any person who reports allegations of corruption or other misuse of power or funds. A whistle-blower may make their own identity known to JOIN when filing the report, or report anonymously. JOIN should not disclose the identity of any whistle-blower, whether the person has made the allegation anonymously or the identity is known to JOIN, unless the organisation obtains the whistle-blower's permission to do so. Harassment for reporting allegations of corruption will not be tolerated. JOIN's zero tolerance to corruption implies reaction to corruption, but also to limit the impact to those directly involved, and to avoid unnecessary damage to innocent parties.

Still, the risk that projects could close is inevitable, and a potential whistle-blower might be reluctant to report due to the risk of losing his/her employment. JOIN reiterate the importance of detecting irregularities early, to be able to rectify before major damage is done, and thus reducing the risk of closing of programmes and projects.

JOIN will assess the allegation and consider whether to launch an investigation. A whistle-blower should be told within two weeks of reporting an incident whether an investigation will be launched. The identity of the subject who is the focus of the investigation should be confidential. He or she does, however, have the right to be informed about the allegations.

Anyone called in to give evidence in the investigations must cooperate. They should refrain from disclosing the investigation or their testimony to anyone not connected to the investigation.

### 3.3 False reports

Anyone reporting an allegation of corruption should do so in good faith. If an allegation is found to have been made with malicious intent, JOIN may report the incident to the relevant judiciary body.

## 4. Handling cases of corruption

The guidelines follow a six-step procedure for handling detected cases of corruption:

- 1) Detecting corruption
- 2) Information and communication about the incident
- 3) Reporting the incident
- 4) Investigating the incident
- 5) React appropriately
- 6) Closing the case

### 4.1 Detecting

Corruption can be detected within any area of JOIN's operation – in the field or in Head Office (HO) management. Point 2.5 above lists situations that could give reasons for alert. The list is not exhaustive, but gives some indications of areas where corruption is more likely to emerge. When someone in JOIN, at HO or at an External Office (EO) suspects corrupt practice, or receives a report of a suspected irregularity, the suspicion must be reported to JOIN management. According to the Anti-Corruption Policy, and JOIN's ethical guidelines/The Rules of conduct signed by all JOIN employees, it is acknowledged that it is in fact a corrupt act not to report suspicions, and all managers acknowledge that it is a corrupt act not to act upon such reports or allegations. Detecting consists of finding out the severity of the matter, and plan for further reporting, or closing. If it is evident that the allegations do not hold substance, there is no need for further investigation. Nevertheless, it is still important to be aware of who has received information, who is involved, what damage could have been made, and how to act accordingly. A note to file should always be made.

If the reported case is considered to hold substance, further action should be taken immediately.

First, before involving others, within JOIN or externally, it is important to limit information to the 'need to know', and avoid the 'nice to know', both concerning actual information about the specific case and number of persons to involve.

Secondly, the receiver of the report should determine which donors are possibly involved. This is important to decide who to report to next. When it is determined if donor funds are affected it is possible to identify the applicable provisions and requirements that will have to be followed in the following phases.

Finally, all information and actions taken should be properly logged.

### 4.2 Information and communication

Head of Communications, or her/his representative, must be notified instantly when an allegation of corruption or other incidents of misuse of trust has been received by JOIN. JOIN staff should be informed about the incident prior to public disclosure, preferably once an investigation has been launched. It is vital that the employees feel included and informed about their workplace.

The preferred strategy for communication is public disclosure of the incidents at JOIN's own initiative as soon as the case is concluded. Having a corruption case independently "discovered" by the media creates impression of concealment and dishonesty, which ultimately cause far more harm in the long term. There will be incidents where public disclosure is not preferred, but this will be considered by the Communications Department in each case.

### 4.3 Reporting

It is important to distinguish between "Detecting" and "Reporting" in this context, the latter being reporting the matter to JOIN management and subsequently to donor(s). This is the action taken after "Detecting", the action taken by the supervisor or manager receiving the alert from an employee or a partner.

If relevant donors involved are not identified already, this should be done now, and the correct way to report the matter, according to relevant donor requirements, should be established. Norwegian Ministry of Foreign Affairs (MFA) and Norad, requires that any suspicion of corrupt practise is reported without undue delay. This means that any suspicion found to be worth following up should be reported immediately. Other donors' requirements are not always similarly specific. How and when to report must be decided in each case, based on the requirements in the relevant agreement. Some donors (e.g. Norad and MFA), have special forms to fill in when reporting corruption.

Reporting to donors should always be done by the HO management, preferably by the Chief Financial Officer (Head of Finance Dep.) or the Internal Auditor, or by the Head of department involved. Desk officers, Programme Department Managers or Country Directors shall not report suspected corruption to donors. The formal reporting should always be done by JOIN HO in Oslo. Some donors (e.g. MFA) have special report formats to be used. All information, notes on action taken, reports, correspondence and minutes from meetings should be properly logged.

### 4.4 Investigating

It is recommended that a task force or work group to investigate the matter be established, but this depends on the capacity of the office involved. Some country offices have such mechanisms in place, with established members. The group should be small and be able to work fast. If a set-up with fixed members is established, it is important to make sure solutions for substitutes are in place, to avoid delays of action due to absence of members. Anti-corruption groups would usually consist of three to four members. At least one member should be from management and/or finance, and both local and expat staff should be represented if possible. In some complex cases, the Head Office could assist an External Office and if necessary provide a team of experienced staff to conduct the investigation.

When the group is established, being an established function or an ad-hoc work group, it is important to first confirm or disprove the suspicion/accusation. The investigation should be carried out in a way minimising the risk of compromising evidence. In some cases, it is necessary to make sure not to pass/fail deadlines for reporting incidents to the police or other authorities. If relevant, cooperation with other affected donors or NGOs should be considered. When the group has an informed opinion on what has taken place, hiring of an external firm to do the investigation, or parts of it, should be decided. Often a forensic audit will be necessary. If possible, sharing of costs of the investigation/audit

with other NGO's and/or donors involved, should be considered and tried out before entering into an agreement with an audit firm or other investigating firm.

When relevant the Terms of References (ToRs) for the report from the investigation should include provisions for recommendations to appropriate reactions. However, some audit firms might think this is out of their scope of work, and it will be necessary to seek additional advice from a law firm or other qualified entities, such as anti-corruption bureaus/commissions, or consultants. Hiring of an audit firm or consultant to do the investigation should follow JOIN's procurement policy. The ToRs should be developed. If it is decided not to conduct an external forensic audit, an internal audit should be done. In such situations, it is possible to involve our contracted auditor to take part and give advice.

The investigation, external or internal, should be initiated immediately, with a tight time frame, not compromising the quality. It should always conclude with a written report with recommendations. In addition to the formal report it is important that all minutes, correspondence and negotiations and any documentation of findings, are properly logged.

#### 4.5 Reacting and acting

When detecting a matter certain reaction will take place at once. Depending on who the suspect is, the initial reactions will differ.

##### 4.5.1 Immediate reactions

**JOIN Employees.** A JOIN employee suspected of corruption should be suspended with all authorities and accesses withdrawn immediately. This includes access to offices (keys, alarm codes), JOIN computers/laptops, passwords to IT-systems, work phones/cell phones.

**JOIN Partner organisation.** An immediate reaction towards a partner organisation will imply the freezing of funds while the investigation takes place. Freezing of funds should not necessarily take place if the irregularity concerns only one or a few identified employees within the organisation, and when the partner's management takes responsibility to suspend the involved persons immediately. Furthermore, if it is evident that freezing of funds would affect payment of salaries to innocent employees and seriously harm their families, or if distribution of emergency items, such as food or pharmaceuticals, would be affected, or other serious consequences of freezing of funds are evident, then other solutions should be elaborated. In such cases it is necessary to look to the management structure as well as statutes, by-laws or other strategic documents of the partner organisation, to identify who to approach. This could be a chair person or the board of directors. The aim is to find the best way to react without harming the organisation or its employees and/or the project objectives more than necessary. At the initial phase, the most important is to make sure evidence is not lost, and that further irregularities will not take place.

##### 4.5.2 Reactions based on documentation/ investigation

A formal complaint to the police or an anti-corruption authority would usually not take place until after the investigation. The investigation will document the facts, and give recommendations on how to react, or indicate an appropriate reaction. A decision to report incidents to the police should always take the present country context into consideration. The general guideline is to report documented corruption to the police. Still, some of the countries where JOIN works have weak or even corrupted legal systems, and where fair and transparent prosecutions and trials are not likely to take place. In such contexts reporting incidents to the police may not be advisable, and other measures should be sought. If in doubt advice should be sought from HO. Reactions should be proportional to the severity of the incident. An element of claims for pay-back is usually part of the reaction. Pay-back arrangements should be made in accordance with national legislation, and take the ability to re-pay

and other social and economic factors into consideration. Below are different ways of action to be considered.

#### 4.5.3 Reimbursement

A claim for reimbursement should be made if misuse of funds is documented, regardless of the reason for misuse. In most cases funds are to be reimbursed back to the donor. The documentation has to show clearly that there is a misuse of funds, in one of the following ways:

- A criminal case is established
- A civil action case is established
- There is an unconditional right to claim reimbursement in a contract or agreement with the counterpart / partner
- The incident is admitted by the responsible part
- The misuse is considered highly probable and well documented in the investigation

If the other party contests JOIN's right to claim reimbursement, taking legal steps to recover the funds should be considered. The decision to take legal steps shall be consulted with HO. Legal actions must be considered based on the specific case, the type of non-compliance, the amount involved, the wording of the agreement, the likelihood of recovering the funds. Claims for reimbursements must be put forward within a reasonable period. Remember to adhere to local legislation and rules on limitation periods.

#### 4.5.4 Civil action

Civil proceedings to claim reimbursement and, if appropriate, compensation could be instituted when the partner concerned refuses to settle. The steps to be taken must be considered on a case-to-case basis, depending on the type of non-compliance, the amount involved, the wording of the agreement and the likelihood of recovering the funds. The decision to proceed with a civil action should always be done in agreement with HO.

#### 4.5.5 Cancellation of claims

If there are not sufficient funds available to reimburse the misused amount, the claim could be cancelled. Still, the back donor will usually claim reimbursement from JOIN. For instance, in Norwegian MFA the threshold for cancelling claims is very high. Therefore, if cancelling claims JOIN should be prepared to bear the costs with own funds.

#### 4.5.6 Compensation claims

There are various factors that may give rise to a compensation claim. The agreement may provide grounds for a claim, or this may follow from the general non-statutory rules on compensation outside contracts, and an assessment must be made on a case-to-case basis. In some cases, it may also be appropriate to claim compensation for expenses incurred in documenting financial irregularities. In cases where it can be established that JOIN has suffered a loss, a claim for compensation should be filed against the partner or counterparty. A compensation claim may be filed in addition to a claim for reimbursement of misused funds. The decision to file a compensation claim should always be consulted with HO.

#### 4.5.7 Criminal proceedings

Once the occurrence of financial irregularities has been documented with a sufficient degree of probability, JOIN should consider reporting the case to the relevant prosecuting authority. The relevant prosecuting authority (police, anti-corruption bureau, or other relevant entities/ ministries), and the country in which the matter should be reported must be considered in each individual case. In deciding

whether to initiate a prosecution a close assessment of the legal system in the country where the judicial proceedings would take place must always be made, to determine whether or not the legal system functions in accordance with fundamental principles of due process. It is important to assess whether judicial proceedings could lead to forms of punishment not accepted in Norway (torture, death penalty), how long the process could take, and the costs involved in such a process.

#### 4.5.8 JOIN Employees

For JOIN employees, disciplinary measures may be called for. All employees sign the JOIN Rule of Conduct, and its provisions clearly states that disregard of its provisions may have contractual consequences and dismissal. Furthermore, all JOIN employees are liable for any losses caused by their mismanagement of JOIN's properties, and JOIN shall have access to legal redress in the event of contravention of the code of conduct.

#### 4.5.9 JOIN Partner organisations

Cooperation with partner organisations must be terminated if it has been confirmed that the partner has failed to comply with the terms of the agreement and to show the necessary willingness and ability to rectify the matter. If it is clearly documented that there has been a fundamental change in the partner's attitude and practices with regard to financial irregularities and that the necessary control systems are now in place, resuming cooperation could be considered.

In many cases, the activity that has generated suspicion will concern only part of a partner organisation, and JOIN should assess the causes of what went wrong before deciding whether or not to continue the partner cooperation. Before resuming full cooperation, JOIN should make sure that everything possible has been done to rectify the reasons why there were financial irregularities and ensure that they will not occur again. Rectifying corruption risks should take precedence over the need to continue the activity.

#### 4.5.10 Non-financial irregularities

Corruption will not always imply financial irregularities. Misuse of trusted power, such as nepotism or patronage, could have financial aspects, but the actual amount involved is not easy to determine. In such cases the reaction will not entail pay-back, but could include claim to cover damages. However, it is not recommended to enter into arrangements to cover such damages.

## 4.6 Closing

All documents relevant to the case should be filed in accordance with the JOIN archive procedures. This includes documents with proper logging of all actions and decisions throughout the process, from detecting an incident to closing the case. Records should usually be maintained both at the country office and JOIN HO. There are cases where filing only at JOIN Head Office is advisable, e.g. if the contents of the file could imply a security risk to staff or partners.

All files should be handled as confidential. JOIN's principle of openness about corruption should not jeopardise people's right to privacy or expose information that could lead to threatening situations, harassment or stalking. Following the closing of a case the relevant JOIN management and administrative procedures should be reviewed for possible amendments with the aim of minimising the risk of future incidents, drawing on the lessons learned from a specific incident. Through JOIN's cooperation with the Norwegian Ministry of Foreign Affairs and Norad, we are obligated to report all cases of corruption and irregularities to MFA annually. The list will be included in MFA's global list of all reported.

# C. Gender Policy

## Gender Policy JOIN good forces

The work of JOIN, both domestically and internationally, shall be characterized by our dedication to promote the rights of women and equality between the genders. This fundamental equality approach is deduced from the biblical record of creation (Genesis 1:27) where it is written: “So God created man in his own image, in the image of God he created him, male and female he created them”.

The work of JOIN shall contribute to increased knowledge of injustice based on gender and to better understanding of the power balance that affect the different roles of women and men, their positions and influences in family life, the local community, the nation and religious, political or other organizations. Equality involves changes in the power balance between the genders and a redistribution of resources and responsibilities. Women and men are both holders of certain rights that should be fulfilled regardless of sex. Special challenge is that the persons and institutions holding the juridical and moral responsibility to meet these rights are usually men or being dominated by men.

Change of priorities of men, their ways of thinking and practice, including a positive mobilization of their resources, is essential to equality. This is a specific challenge within church or faith based contexts, where patriarchal thinking and practice is predominant. Men should be challenged to work creatively with masculinity and their own roles.

Gender-based violence can be justified by harmful customs and traditions. It is important to strengthen local initiatives that combat such practice. War and conflict often lead to increased violence against women and girls and increase their need for protection. Gender-based violence is severe violation of the human rights and challenges all humanitarian aid, including projects where JOIN carries the responsibility.

The discrimination of girls and women is a hinder to peace and development. The exclusion of women from peace processes and conflict solving, weakens the legitimacy and relevance of the work. JOIN will promote women’s rightful representation and participation, in projects, staffing and networking. The work of JOIN shall include targeted measures to promote the participation of girls and women in the decision making of society to ensure increased control of their own lives.

### JOIN will:

- Review all project/program plans using Gender Equality Analysis (GEA) and minimizing negative effects of interventions on women/girls.
- JOIN will use gender disaggregated data.
- Promote inclusive fatherhood.
- Give priority to women and children when dealing with victims.
- Ensure that leadership positions are not dominated by one gender, including JOIN board and administration. JOIN will require gender balance also within partners, project leadership and as far as possible community contacts.
- Adhere to the UN Security Council Resolution 1325 on Women, Peace and Security and the follow-up resolutions (1820, 1888, 1889, 1960, 2106, 2122, 2242).

- Ensure that all staff members, including partners, give women equal treatment, and that they are met with respect.

JOIN will focus its gender related activities and programs within the following areas

## 1. Gender–Based Violence (GBV)

JOIN will:

- Support interventions that give victims of GBV dignity, security, physical/medical support, psycho-social rehabilitation and a successful return to family and community. The interventions will include providing the victims with relevant and economically useful skills and access to a women’s network that can give long-term social support and inclusion.
- Advocate for a better understanding for the extensive consequences of GBV on human security, social cohesion, and the rights of protection and participation.
- Use GBV as a platform for open discussions on men’s violence against women and girls with the aim of violence reduction
- Be specific in the analysis of GVB to identify the connection to women’s social, economic and political discrimination in society, especially in conflict countries

## 2. Women and girls’ education

JOIN will:

- Fight cultural and social conditions that hinder girls in entering and completing primary and secondary education.
- Support interventions that specifically aim at providing quality primary and secondary education to girls.
- Support interventions that include vocational training of girls/women to increase skills that provide income .

## 3. Child soldiers

JOIN will:

- Give priority to women/girls
- A special follow up service to girls

# D. Do No Harm – Policy

## Introduction JOIN good forces Do No Harm Policy

Do No Harm is an internationally acknowledged framework for analysing the impact of assistance on conflict. This framework describes *seven steps* whereby any given organization can identify the categories of information that have been found through experience to be important for understanding how assistance affects conflict. The framework also organizes these categories in a visual lay-out that highlights their actual and potential relationships and helps us predict the impacts of different programming decisions.

## Policy

JOIN will in general integrate and use the Do No Harm analytical framework into all planning, implementation and evaluation of projects and interventions in the field.

### JOIN will:

- Conduct a Do No Harm analysis of all running projects every third year, or when the changes in the level of conflict require such analysis.
- Conduct a review of the Do No Harm “Indications for assessing assistance’s impacts on conflict” when new types of projects are planned and annually on all running projects. See attached questionnaire. If the summary of the questionnaire indicates a clear negative impact, JOIN will conduct a Do No Harm analysis on the new project.

### Do No Harm – “Indications questionnaire”

JOIN Project no	Project title
Date of review	Reviewed by
Review approved by	

QUESTION	ANSWER
Are assistance goods stolen, especially by those connected directly to a warring side?	
What are the market impacts of assistance in the given area? Specifically: Are the prices of goods connected to the war economy rising? Are incentives for engaging in the war economy rising? Are prices of goods connected to the peacetime economy falling? Are incentives for engaging in peacetime economic activities falling?	

Is assistance provided in ways that benefit one sub-group over others? Does the assistance agency employ people more from one group than others?	
Is assistance providing a sufficiently significant amount of material to meet civilian needs that: More local goods are freed up to be used in warfare/by armies? Local leaders take little or no responsibility for civilian welfare?	
Is assistance being given in ways that “legitimize” war related individuals (giving them more power, prestige or access to international attention or wealth?) Is assistance being given in ways that legitimize actions of war (for e.g. reinforcing patterns of population movements that warriors are causing; linking to divisions in society thus reinforcing them)? Is assistance being given in ways that legitimize war supporting attitudes (for e.g. rewarding those who are most violent; being given separately to all groups in assumption that they cannot work together)?	
Does the assistance agency rely on arms to protect its goods and/or workers?	
Does the assistance agency refuse to cooperate or share information and planning functions with other assistance agencies, local government or local NGO’s. Does it openly criticize the ways that others provide assistance and encourage local people to avoid working with other agencies?	
Does field staff separate themselves from local people with whom they are working and do they frequently use assistance goods, or the power they derive from them, for their personal benefit or pleasure?	
Does the assistance agency apportion its institutional benefits (salaries or per diem scales; equipment such as cars, phones, offices; expectations of time commitments to the job; rewards for work done; vacation, R&R, evacuation plans) in ways that favour one identifiable group of workers more than others?	
Do the assistance staff express discouragement and powerlessness in relation to their staff superiors, home offices or donors? Do they express disrespect for these people but often cite them as the reason why something is “impossible”?	
Are assistance staff frightened and tense? Do they express hatred, mistrust, or suspicion for local people? Do they frequently engage their local staff counterparts in conversation about violence, war experiences, the terrible things they have experienced (thus reinforcing the sense that these are the things that matter)? Does the agency promote or in other ways exceptionally reward staff members who have served in more violent places/situations?	
Does the assistance agency’s publicity and/or fundraising approach demonize on one side of the war? Does it treat one group as always “victimized” by the other?	

**SUMMARY:** Are the answers to these questions consistently “no”? \_\_\_\_\_

If several of the questions are answered by “yes”, and this impact directly relate to events that are effected or caused by assistance, the agency should consider to conduct a Do No Harm analysis.