



International Catholic Migration Commission

CODE OF CONDUCT

Effective: 18 April 2019

Revised and approved by the ICMC Governing Committee on 8 April 2019

INTRODUCTION

As a Catholic-inspired organization working with and on behalf of uprooted and migrant populations, including refugees, asylum seekers, internally displaced people, victims of human trafficking, and migrants, the International Catholic Migration Commission (ICMC) is committed to hold itself accountable to people and families it assists and specifically aims to prevent misconduct and to safeguard vulnerable populations. ICMC staff (defined, but not limited to, for purposes of this policy, as all permanent and temporary employees, consultants, persons related to governance bodies and/or related to ICMC affiliated offices, subsidiaries and branches, interns, volunteers, and all individuals working for or representing ICMC) are personally and collectively responsible for upholding and promoting the highest ethical and professional standards possible. As such, ICMC staff shall serve humbly and professionally, striving for excellence and working with integrity, dignity, honesty, impartiality, transparency and incorruptibility, and are expected to demonstrate loyalty and commitment to the organization, its reputation and its welfare. They also should be engaged in promoting justice, solidarity, and integral human development in the world and in contributing to a supportive, harmonious workplace. In such a work environment, the unique dignity, equality and universally recognized human rights, strengths and skills of each individual are recognized and utilized to create positive change for the people we serve.

ICMC management and senior leadership will make all necessary and possible efforts to ensure that all staff understand that they are personally and collectively responsible for respecting and upholding the standards and values expressed in this Code of Conduct. The ICMC Management will disseminate this Code of Conduct and will ensure that sufficient resources are committed for staff to be informed of and trained and understand the Code of Conduct.

This Code of Conduct defines required staff behavior, applies on and off duty and to all ICMC staff as defined above.

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DEFINITIONS

Abuse: involves a sustained pattern of verbal, physical, emotional mistreatment that results in damage to a person's health and/or psychological well-being. It can take the form of threatening, ridiculing, ignoring or isolating a person.

Abuse of Power: is defined as the abuse or misuse of a position or influence; or failure to use proper discretion for personal benefit or to benefit another person. Abuse of power includes but is not limited to favoritism, nepotism, bribery, corruption, fraud and all forms of exploitation and abuse including sexual.

Child or minor: a person under the age of 18 (regardless of the legal age of majority or the age of consent under national legislation).

Conflict of interest: a situation in which an ICMC staff member has private interests that could improperly influence the performance of his or her official duties and responsibilities or in which the staff member uses his or her position for personal gain. This includes a real, perceived or potential conflict of interest situation. A conflict of interest situation can arise in any area of activity that could impact the perceived objectivity of ICMC staff.

Corruption: abuse of trust, power or position for improper gain. Actions taken to instigate, aid, abet, attempt, conspire or cooperate in a corrupt act, also constitute corruption.

Data protection: provides rules for the protection of personal data of staff, beneficiaries and other stakeholders in all of ICMC's activities worldwide.

DEFINITIONS

ICMC staff shall serve humbly and professionally, striving for excellence and working with integrity

Discrimination: exclusion of, treatment of, or action against an individual based on social status, ethnicity, race, religion, sex, age, marital status, national origin, political affiliation or disability.

Exploitation: Using inappropriately one's position of authority, influence or control over people and resources, to pressure, force or manipulate someone by means of threat or coercion, such as withholding aid or unduly threatening people with negative repercussions.

Fraud: an intentional distortion, deceit, trickery and misrepresentation of the truth or breach of confidence, to deceive someone in order to gain an unfair or illegal advantage (financial, or otherwise). Actions taken to instigate, aid, abet, attempt, conspire or cooperate in a fraudulent act, also constitute fraud.

Gift: any gratuity, favor, discount, entertainment, hospitality, loan, or other items having monetary value.

Human Rights Law: basic rights and freedoms to which all human beings are entitled, and which apply without discrimination, to nationals, migrants, refugees and displaced persons – women and men, boys and girls.

International Humanitarian Law (IHL): the law that regulates the conduct of war (*jus in bello*). It seeks to limit the effects of armed conflict by protecting persons who are not participating in hostilities, and by restricting and regulating the means and methods of warfare available to combatants. IHL is inspired by considerations of humanity and the mitigation of human suffering.

Misconduct: contraventions of ICMC's internal rules or policies including this policy, regulations or other instructions issued by the relevant manager or authority including contextualized security provisions and sexual harassment.

Sexual abuse: the actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions (United Nations Secretary General's Bulletin 2003/13).

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, sexually or politically for the sexual exploitation of another. This includes any exchange of money, goods or services in return for sexual activities and favors (United Nations Secretary General's Bulletin 2003/13).

Sexual harassment: any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual, including co-workers and managers. This definition includes sexual harassment that is directed at members of the same or opposite sex, harassment based on sexual orientation and sexual advances becoming a term or condition of employment or a basis for employment decisions.

Social media: Interactive computer-mediated technologies that facilitate the creation and sharing of information, ideas, career interests and other forms of expression via virtual communities and networks. Examples of social media and networking sites include: Facebook, Twitter, Web Blogs, Instagram, Flickr LinkedIn, etc. This list is not exhaustive.

Staff: Defined, for purposes of this policy, as all permanent and temporary employees, consultants, persons related to governance bodies and/or related to ICMC affiliated offices, subsidiaries and branches, interns, volunteers and all individuals working for or representing ICMC.

OBLIGATIONS



PRINCIPLES OF HUMAN DIGNITY AND HUMAN RIGHTS

I will

- 1) Recognize and respect the inherent dignity of each individual (program participants and beneficiaries, fellow staff members, donors, inter-agency colleagues, and host community members).
- 2) Respect the cultures, customs, and traditions of all people and display cultural sensitivity and openness to host communities and countries where I work.
- 3) Comply with and adhere to the principles of human rights law and international humanitarian law.
- 4) Contribute to creating and maintaining an environment which prevents sexual exploitation and abuse and which promotes the implementation of the Code of Conduct.
- 5) Abstain, both on and off duty and in my private life, from any conduct that I know or should know to be prohibited or appears to be prohibited by this Code of Conduct or any other applicable ICMC policies, particularly in the specific context and culture in which I presently find myself.
- 6) Understand and respect the values that motivate the mission and work of ICMC as a Catholic-inspired organization, including working for justice and the common good, promoting integral human development, compassion, preferential option for the poor and vulnerable, respect, and solidarity.

I will not

- 7) Discriminate in employment, programs or services on grounds of religion, race, national or ethnic origin, language, marital status, birth, sex, age, disability or political conviction.



REPRESENTATION

I will

- 8) Uphold ICMC's reputation under all circumstances and do my utmost to support ICMC's values and mission.
- 9) Be professional, respectful and courteous when representing ICMC externally, including to donors, partner organizations, host communities and beneficiaries.
- 10) Seek and secure specific approval from the relevant ICMC authority before responding to requests for information, interviews or written documents by the government, media, international or other external bodies.
- 11) Ensure that the principles of human dignity and human rights set out above, as well as basic principles with regard to privacy are respected and upheld in relation to my personal social media activities and on-line behavior.

I will not

- 12) Bring, store or consume any illegal narcotics and non-prescribed drugs or alcoholic beverages on ICMC premises and be at work or come to work under influence of such substances.
- 13) Bring or carry weapons into an ICMC office (except if I am authorized to carry a weapon as part of my specific work responsibilities as indicated in my employment engagement agreement).

NOTE: Moderate consumption of alcoholic beverages is permitted during official workplace or social events, when and where culturally acceptable.

OBLIGATIONS



PRIVACY AND CONFIDENTIALITY

- I will**
- 14) Take appropriate precautions to ensure the safety of program beneficiaries, communities, any other stakeholder including myself and colleagues, premises, program vehicles, office networks and office equipment including IT and other electronic equipment and software. This includes safety of all program files and documents including electronic data, and as per applicable data protection laws and ICMC policies.
- I will not**
- 15) Disclose confidential information or other sensitive information concerning program beneficiaries, staff members, communities, any other stakeholders or our operations without specific approval of my senior manager or per applicable data protection and confidentiality policies.



SAFETY AND HEALTH

- I will**
- 16) Remain aware and comply with all safety and security regulations and procedures to which I am subjected, which are designed to protect my health and safety. I agree to demonstrate self-restraint and discipline, at all times, and as the circumstances require.
 - 17) Always consider the safety of staff, program beneficiaries, local communities and partner organizations in my decisions and behave in such a way as to avoid any unnecessary risk to the safety, health and welfare of myself and others.



CONFLICT OF INTEREST, FRAUD AND CORRUPTION

- I will**
- 18) Declare any actual, perceived, or potential conflict of interest in any matters which may impact on the work of ICMC and ensure my actions will be free of any consideration of personal gain.
 - 19) Undertake to not abuse the power and influence that I may have by virtue of my position with ICMC over the lives and well-being of beneficiaries and local communities, staff, and other persons.
 - 20) Sign and adhere to ICMC's procurement guidelines and any related forms when involved in a procurement process on behalf of ICMC.
 - 21) Always follow transparent, accountable and honest practices when dealing with donations from public and private sources.
 - 22) Make use of resources (human, financial, natural) in a diligent and responsible manner. This includes the use of any equipment, assets or other ICMC property.
 - 23) Immediately report any suspicion of fraud, bribery or corruption to ICMC through the appropriate channels.
- I will not**
- 24) Utilize, prepare, or otherwise contribute to false reports, forged or falsified receipts or any other erroneous or anonymous documents to make false appeals or to gain funds illegally.
 - 25) Offer or accept any privileges, services, payments, loans, bribes, gifts or other favors, including sexual, that may influence the performance of my functions or duties from a person or entity that has reason to gain from ICMC programs or its position of influence, in accordance with applicable policies and guidelines at all levels of the organization.

NOTE: Minor tokens and gifts can be accepted on behalf of ICMC, such as pens, calendars, desk diaries, drawings, etc. They should be declared to the appropriate ICMC Office.

OBLIGATIONS



PREVENTION OF SEXUAL EXPLOITATION, HARASSMENT AND ABUSE

ICMC applies a **zero-tolerance policy** with regard to sexual exploitation and abuse, harassment, abuse of power, fraud and corruption in all of its activities and responsibilities, at the organizational or program levels. ICMC staff are expected to act professionally and to provide a positive public image for ICMC as we work to improve the lives of people we serve. Any form of harassment, including emotional, verbal, physical and/or sexual, as well as exploitation and abuse, including sexual, is strictly prohibited.

I will

- 26) Uphold the highest professional standards when dealing with all persons and stakeholders especially vulnerable populations, and contribute to actively prevent any (sexual) exploitation, harassment and abuse.
- 27) Immediately report any knowledge, concerns and substantive suspicions of breaches to the following standards or any act I have knowledge of and which is a criminal offense through the appropriate channel (Program Manager, Country or Regional Director, ICMC Director of Operations, ICMC Secretary General).
- 28) Avoid any actions or behavior, when working with children or vulnerable populations which may constitute unprofessional practice or may risk harming or undermining the dignity of the children.

I will never

- 29) Use ICMC equipment to access or transmit material which is harassing, abusive, pornographic, ethnically or religiously offensive, sexually explicit or libelous.
- 30) Act in ways that may place a child at risk of exploitation or abuse including any kind of sexual activity with a child. Mistaken belief regarding the age of a child is not a defense.
- 31) Seek or engage in sexual activities with beneficiaries, refugees, volunteers, and/or local community members, where ICMC services are being provided, and regardless of consent. This prohibition includes the exchange of money, employment, goods and services for sexual activities and sexual favors.
- 32) Use, produce, possess, distribute or consume child pornography.
- 33) Be involved in, or provide any support to, acts which are criminal.
- 34) Behave or communicate in a manner, either verbally or in writing, that may be harmful, threatening, harassing, abusive, ethnically offensive, vulgar, sexually explicit, obscene, defamatory, objectionable or libelous.

ICMC applies a zero-tolerance policy with regard to sexual exploitation and abuse, harassment, abuse of power, fraud and corruption

REPORTING PROCEDURE AND DISCIPLINARY ACTION

All Managers and supervisors should make their best efforts to ensure that staff under their supervision are aware of and comply with ICMC regulations



REPORTING OBLIGATIONS

All suspicions of any violation of this Code of Conduct must be reported, following the appropriate procedure and using established reporting channels. Any breach in relation to sexual exploitation and abuse (points 26–34) must also be reported to the appropriate and responsible senior staff manager in ICMC Headquarters (Secretary General, and/or Directors of Operations, Policy, Finance and Administration, or Communications).

Staff who feel unable to report through these channels must report any suspected breaches following ICMC's Whistleblowing Policy and Procedure.



NON-RETALIATION AND CONFIDENTIALITY

Staff and third parties must be able to raise their concerns without fear of reprisal or unfair consequences. The organization will make its best efforts to ensure that complaints are handled confidentially and will take all necessary steps against any form of retaliation which may be suffered by staff or others genuinely reporting possible breaches of this Code of Conduct.



DISCIPLINARY ACTION AND ZERO TOLERANCE

Any breach of any of the rules of this Code of Conduct, both while on duty and off duty, is considered misconduct, and, if substantiated, will lead to disciplinary measures including termination of employment and/or legal action if required and appropriate.

In accordance with ICMC's zero tolerance policy, incidents of sexual exploitation and abuse, harassment, abuse of power, fraud and corruption are considered gross misconduct and will lead to termination of employment.



AWARENESS-RAISING

All Managers and supervisors should make their best efforts to ensure that staff under their supervision are aware of and comply with ICMC regulations.

ICMC Managers, Country/Regional Directors and others in a position of authority, have a specific responsibility to diligently monitor compliance with this Code of Conduct and take appropriate action once breaches are reported or identified.

ACKNOWLEDGEMENT AND SIGNATURES

This Code of Conduct reflects internal ICMC values and standards. Employment and any other formal association with ICMC are contingent upon agreeing to, and abiding by, this Code of Conduct. The Code reflects internal ICMC values and standards, as specified above, which, at times, may be more stringent than local, national or international legislation or practice, in which case the ICMC Code of Conduct must be observed as a condition for continued association and / or employment with the organization.

THE SIGNATORY BELOW HAS READ, UNDERSTOOD, AND IS IN AGREEMENT WITH THE CONTENTS OF THIS CODE OF CONDUCT.

THE SIGNATORY ACCEPTS THAT ANY BREACH OF THIS CODE OF CONDUCT WILL RESULT IN A POSSIBLE DISCIPLINARY ACTION IN ACCORDANCE WITH THE RESPECTIVE LAWS, LABOR CUSTOMS, ICMC TERMS OF EMPLOYMENT, CONDITIONS AND GUIDELINES.

Place and date _____

Signature staff member _____

Name of staff member _____

Signature Supervisor
or responsible Human
Resources person* _____

*Not applicable to members
of Governance bodies

Name of Supervisor _____