

# Code of Conduct

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Version: **2.0**  
Date: 04.11.2020  
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Classification: **Confidential**  
Status: **Final**

## Change history

Version	Date	Author(s)	Remarks
1.0	16.04.2018	R Stäheli	Definitive version
2.0	30.05.2019	C Abegglen	Major revision
	04.11.2020	C Abegglen	Adjustment of extended reference documents

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## 1 Introduction

FAIRMED is an international non-governmental organisation that is active in the area of development cooperation. In its actions and behaviour, it is characterised by humanity, independence, neutrality and impartiality.<sup>1</sup>

On the basis of our mission statement, FAIRMED wants ALL people to have equal access to prevention alongside adequate as well as affordable medical treatment, and for ALL people to be able to live in a healthy environment that is characterised by equity. To break the vicious circle of poverty and disease, FAIRMED promotes fair health opportunities for the very poorest in Africa and on the Indian subcontinent. Thereby, FAIRMED helps to reduce the burden of poverty-related diseases, above all the neglected tropical diseases. FAIRMED also reinforces global awareness that health inequalities are not inevitable. The people that suffer from neglected tropical diseases (NTDs) and other poverty-related diseases are at the absolute centre of the interventions pursued by FAIRMED. These diseases are an indicator of poverty and deprivation, and serve to define the scope of intervention.

All of our staff are expected to act in accordance to this Code of Conduct and to be advocates and champions of vulnerable people everywhere, in keeping with the ethical principles, attitudes and behaviours that FAIRMED stands for.

FAIRMED operates in an intercultural environment in which unethical behaviour can have particularly far-reaching and negative impacts. The correct behaviour by every individual promotes trust in the people that make up our organisation, be it on the side of beneficiaries, donors, institutions, governments, partner organisations or, last but not least, the committed employees of FAIRMED.

When in doubt about the conformity of any act with this Code of Conduct or about its ethical implications, staff should seek advice from their direct supervisor or human resources manager before taking any further action.

## 2 Scope and application

The Code of Conduct defines the ethical principles, attitudes and practices that are binding for all FAIRMED employees worldwide, regardless of the contractual relationship (interns, volunteers, Members of the Honorary Foundation Board, consultants as well as persons working under the name and legal status of FAIRMED) throughout the duration of the contract. Employees are also expected to behave according to these principles even outside working hours and beyond their place of work.

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<sup>1</sup> *Humanity*: The right to receive and provide basic support; *Impartiality*: Support is provided on a needs basis, regardless of religion, ethnicity, race, gender, class, political opinion etc.; *Neutrality*: FAIRMED is neutral towards controversies of a political, racist, religious or ideological nature; *Independence*: This is subject to the governments and laws of the countries in which FAIRMED is active.

This Code, whether signed or not, shall automatically form an integral part of all FAIRMED contracts of employment and conditions of service for all employees.

The Code of Conduct is based on Swiss law and the international obligations of NGOs. Likewise, compliance with the law is mandatory in all countries in which FAIRMED is active, provided that these laws are not in contradiction with universal human rights. The global activities pursued by FAIRMED require us to meet people with very different cultural backgrounds and beliefs. FAIRMED expects employees to respect and adapt to this cultural diversity, provided that there is no conflict with Swiss law or universal human rights.

The employees in Bern and the country coordinators are responsible for ensuring that this Code is read, understood and abided by any accompanying person(s) covered under the legal status of FAIRMED. In the case of any violation by any accompanying person(s), the respective employee may be held accountable and FAIRMED may take all appropriate measures to protect the organisation, including repatriation of the accompanying person(s).

Violations of this Code are subject to disciplinary measures. They constitute a breach of the regulations that may jeopardise the work of FAIRMED. In addition, FAIRMED reserves the right to recover all expenses incurred by FAIRMED from employees as a result of any violation of this Code by them or their accompanying person(s).

FAIRMED is committed to ensuring that all organisations and individuals with whom it works closely together reflect and comply with FAIRMED's own values. This applies in particular to individuals such as employees of partner organisations, employees of security companies or employees of construction firms, etc. that are contracted by FAIRMED. FAIRMED will take necessary and appropriate measures to terminate the relationship with organisations or individuals whose actions are considered by our own employees to be a serious violation of this Code.

## 3 Implementation

### 3.1 Responsibility of employees

All employees are responsible for ensuring that they have read and understood the Code of Conduct<sup>2</sup>. A copy of the Code of Conduct must be submitted to the human resources manager after being signed by the employee.

All employees have a duty to report any breach of this Code to the appropriate person (immediate supervisor). On sensitive matters, employees have the right to consult an ombudsperson (human resources staff, immediate supervisor, senior management or President of the Honorary Foundation Board). Employees can rely on support. All reports and concerns that are raised will be properly considered and treated with confidentiality and discretion. The organisation will take all necessary steps against any form of retaliation that could be suffered by employees that report possible breaches of this Code.

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<sup>2</sup> The Code of Conduct is an important aspect in the induction of new employees.

### **3.2 Responsibility of management**

Direct supervisors must lead by example and are responsible for creating a culture of compliance with the Code of Conduct within their areas of authority. They must notify their regional manager of any reports or concerns on the side of employees about violations of this Code. In turn, the regional managers must ensure that the management and senior management are informed forthwith.

Management/employee relations shall be guided by mutual respect and understanding, for which continuous dialogue is indispensable. Management shall make themselves available to employees who wish to raise concerns in confidence, and shall deal with such requests in an impartial and sensitive manner.

Management personnel are responsible for drawing the attention of organisations and individuals with whom FAIRMED has concluded contracts to FAIRMED's values and to the specific conduct that it considers unacceptable and inconsistent with these values. Management personnel are responsible for taking appropriate action if the acts of any organisation or individual with whom FAIRMED is associated could be considered serious breaches of this Code.

### **3.3 Institutional responsibility**

The management personnel are responsible for putting in place effective mechanisms to ensure the highest standards of conduct in the course of FAIRMED's service to the most vulnerable, and in its internal as well as external professional relations.

## **4 Extended reference documents**

More detailed information about the personal behaviour that is expected of employees in this Code of Conduct can be found in the corresponding FAIRMED policies, guidelines and documentation. These are available to all employees on the web portal (will be online soon) in German, English and French, including in particular:

- Policy for gender equality and social justice
- Regulations on Sexual Harassment in the workplace
- Regulations on Prevention of sexual Exploitation, Abuse and Harassment (PSEAH)
- Anti-Corruption Guidelines
- Security Policies and Procedures (in progress)

This list is not complete and will be updated on an ongoing basis. It is expected that all FAIRMED regulations, policies and procedures are respected and followed.

## 5 FAIRMED Code of Conduct

As a representative of FAIRMED, I undertake to carry out all activities for FAIRMED in accordance with the following principles and standards:

### 5.1 FAIRMED Conditions of Employment (CoE) and applicable laws

- 1) Comply with the Employee CoE and all mandatory rules, policies, regulations and procedures, and with the terms of your employment contracts.
- 2) Comply with the applicable laws of the country in which you are present, including FAIRMED's applicable Articles of Association or headquarters agreements in the case of violation of any applicable law, FAIRMED may not provide any legal assistance to the individual.

### 5.2 Respect for persons

- 3) Treat all persons with equal respect and without distinction or discrimination on grounds of nationality, race, gender, religious beliefs, class or political opinion. Act at all times in accordance with the values of FAIRMED: Respect the diversity, cultures, traditions and customs of communities; demonstrate solidarity, integrity and responsibility towards the communities, as well as mutual understanding and non-discrimination. Respect all fundamental values that protect human dignity.
- 4) Respect and take into account customs, habits, and religious beliefs, and avoid any behaviour that is not appropriate in a particular cultural context.
- 5) Ensure that the portrayal of individuals and their circumstances is fairly represented in terms of their capacities and vulnerabilities. All efforts must be made to explain how photos and stories will be used and to obtain permission from the respective individuals for the use of their photos and stories.
- 6) Abstain from all acts that could be considered harassment<sup>3</sup>, abuse, discrimination or exploitation. This applies to all people of all ages and in particular to children and to people exposed to any type of discriminatory stigmatisation.

### 5.3 Independence

- 7) Carry out your responsibilities to the best of your abilities and act only in the best interests of FAIRMED.
- 8) Neither seek nor accept instructions from any government, other national society or any authority other than your direct supervisor (or his/her designate) in connection with their official functions. Exception: specified security regulations.

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<sup>3</sup> Harassment also refers to inappropriate and unwanted behaviour that is perceived by others to be offensive or shameful. Words, gestures or actions may be perceived by others to be harassing if they have a disturbing, alarming, insulting, demeaning, intimidating or degrading effect on others, or if they are shameful or a direct humiliation for those affected, or if this results in an intimidating, hostile or discriminatory working environment.

## 5.4 Integrity

- 9) Conduct all official duties with integrity, free from any taint of dishonesty or corruption, including refraining from engaging in any act of favouritism, nepotism, cronyism or bribery<sup>4</sup>. This includes not accepting from any external source (including national societies, governments, corporations or others) without authorisation, any honour, decoration, gift, remuneration, favour or economic benefit which is more than a "token gift". Examples of token gifts include cheap pens, desk diaries, trinkets etc.
- 10) Do not benefit improperly or allow a third party to benefit improperly (whether directly or indirectly) from association with an enterprise that engages in any business or transaction with FAIRMED (including association with the senior management or the holding of a financial interest). Any potential conflict of interest with a supplier, service provider or business partner (such as family relations or shareholdings) must be disclosed from the beginning.
- 11) Do not intentionally misrepresent your official function or title to any natural or legal persons.
- 12) Do not act in any way that could bring FAIRMED into disrepute.

## 5.5 Neutrality

- 13) Use caution when expressing opinions on personal social media channels (such as Twitter, Facebook, Instagram, etc.) and blogs. Personal social media presences can reflect upon FAIRMED and its reputation. Please indicate that you are voicing your own personal opinions and that your views do not necessarily represent the views of FAIRMED (for example, add the disclaimer "Tweets & opinions = my own; RT does not indicate support or endorsement" to your individual Twitter/Facebook/Instagram profile). You should not post confidential information without speaking to your direct supervisor. If you are unsure about whether information is public or not, please refer to your direct supervisor before you post it to a social media channel, blog or similar. Refrain from posting content that could potentially be considered discriminatory or punishable.
- 14) Without the prior agreement of the direct supervisor, do not accept or exercise any public appointment, outside employment, or activity that could be regarded as inconsistent with, or reflecting adversely upon, your impartiality, neutrality or independence, or that would result in a conflict of interest.
- 15) Dress in a manner that is commensurate with your function, whilst respecting religious contexts and being careful to avoid giving the impression of having any military affiliation or status.

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<sup>4</sup> The terms "favouritism", "nepotism" and "bribery" refer to the discrimination of other persons or groups as a result of the acquisition of benefits and/or preference from acquaintances and relatives (especially in the granting of positions), combined with an expectation or assumption of an undue personal benefit. More detailed information on corruption can be found in the Anti-Corruption Guidelines.

## 5.6 Sexual exploitation and abuse

- 16) Do not commit any act of sexual exploitation, sexual abuse or sexual violence.<sup>5</sup> This prohibition extends to all forms of sexual abuse or exploitation and includes the failure to report concerns or suspicions regarding any violation by a co-worker (whether an employee of FAIRMED or of a partner organisation).
- 17) Do not engage in any sexual activity with persons (adult or child) that look to or benefit from FAIRMED's protection or assistance, regardless of the local age of majority or consent (mistaken belief in the age of a child is not a valid defence). Sexual activity includes all forms of activity and abuse of a sexual nature, with or without physical contact, and whether or not either party is aware of such abuse.
- 18) Do not exchange money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour.
- 19) Do not produce, procure, distribute or use pornographic material<sup>6</sup> in FAIRMED offices or on FAIRMED equipment, including reading/surfing pornographic websites or message boards, or sending pornographic emails.

## 5.7 Protection of information

- 20) Exercise the utmost discretion in regard to all matters of official business, and handle all confidential and sensitive information with the greatest care.
- 21) Do not disclose sensitive information about the individuals that we serve where there is a risk of adverse consequences to the individuals if their identities are revealed. All efforts must be made to protect the identities of beneficiaries, including their names, faces and geographical locations. Disclosure may only occur if, by remaining silent, individuals or people we support or employees are endangered.

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<sup>5</sup> The terms "sexual abuse", "sexual exploitation" and "sexual violence" are defined as follows:

- *Sexual abuse* refers to sexual acts or the threat of such by the exercise of power or through the exploitation of unequal power relations.
- *Sexual exploitation* refers to perpetrated or attempted abuse with sexual intent through a personal power advantage or through exploitation of the vulnerability or trust of an individual, including but not limited to benefiting from the sexual exploitation of others in monetary, social or political terms.
- *Sexual violence* includes any sexual act, attempt to engage in a sexual act, unwanted sexual remarks or approaches, as well as acts designed to control a person's sexuality through the use of coercion, threat or physical violence, regardless of the setting, the relationship of the victim to the perpetrator, and including but not limited to home or work. Sexual violence can take many forms, including rape, sexual slavery and/or trafficking, forced pregnancy, sexual harassment, sexual exploitation and/or abuse, and forced abortion.

Detailed information on sexual harassment in the workplace is included in the regulations on sexual harassment.

<sup>6</sup> *Pornographic material* includes all material with clearly sexual content for the purpose of sexual arousal, including images, moving images and lyrics. Employees must comply with local laws if they stipulate a stricter definition of pornography than is described here.

In such a case, the source of information must be informed in advance and their identity protected as far as possible.

- 22) Protect the confidentiality of FAIRMED's internal information, and do not communicate to any person any internal correspondence or information known to you by reason of your official position which has not been made public, except in the course of your official duties or with the authorisation of the direct supervisor. Employees shall not at any time use FAIRMED's internal information to private advantage.
- 23) Immediately inform the direct supervisor and follow their instructions in the event that they are called upon by authority of law to provide evidence or information that is known to them by reason of their official position.
- 24) Do not publish any work (including writings, photographs, video footage etc.) that has been produced in connection with or that is related to your tasks and functions with FAIRMED without the prior approval of the country coordinator and/or the senior management (country coordinator for country-based employees, and senior management for HQ employees and country coordinators). Employees hereby transfer to FAIRMED all intellectual property rights for any work published in violation of this obligation as well as any income derived from such a publication.

## **5.8 Security**

- 25) Comply with the minimum security requirements and the security regulations<sup>7</sup> for the country in which you are present, as well as any other security procedures or instructions that may be issued.
- 26) Employees are prohibited from driving FAIRMED vehicles under the influence of any alcohol or mind-altering substance (proportionate disciplinary measures will be taken for any violation).
- 27) Comply with local traffic laws and regulations at all times, including drinking and driving laws, whether driving FAIRMED vehicles or private vehicles. Employees facing penalties or criminal charges for drunk driving should not expect any legal assistance from FAIRMED or to be covered by any immunities.
- 28) At no time should you use or have in your possession any drugs prohibited under local law.
- 29) Ensure that no firearms or ammunition of any kind are brought to or kept in FAIRMED vehicles, offices or premises (including residences provided by FAIRMED).

## **5.9 FAIRMED property**

- 30) Administer the funds and supplies entrusted to you with the utmost care, and be accountable for their utilization. Employees are prohibited from stealing, misappropriating or misusing FAIRMED funds or property.

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<sup>7</sup> Detailed regulations on the protection and safety of FAIRMED employees, including specific information about the individual country offices, are described on a per country basis in the Security Guidelines and emergency management plans.

- 31) Do not commit FAIRMED to any financial obligation unless officially authorised to do so.
- 32) Return all property issued to you by FAIRMED upon the end of your employment or service.

STATEMENT OF RECEIPT

I....., confirm that I have received, read and understood the Code of Conduct for all FAIRMED employees. I accept that this Code is an integral part of my contract of employment or the service conditions or Conditions of Employment of FAIRMED, and I agree with the terms contained therein.

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Signature

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Place and date