

CODE OF CONDUCT FOR ECHO TECHNICAL ASSISTANTS
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I. INTRODUCTION AND SCOPE OF APPLICATION

Pursuant to article 2 of the contract of employment, this code of conduct (hereafter "code") is part of the contract and binding for technical assistants (hereafter referred to as "staff" or "staff members") employed by the European Commission's Directorate-General for Humanitarian Aid and Civil Protection ("ECHO"). This code applies both to their professional as their private life.

The clauses of this code are complemented by the relevant articles of the general rules governing the employment contracts of technical assistants working in European Union humanitarian-aid operations in non-member countries (hereafter "general rules").

Staff members shall contact the head of office, the (functional) head of unit or the headquarters focal point ("HQ focal point") for guidance if they find themselves in a situation of doubt in relation to the provisions of this code of conduct.

II. PRINCIPLES OF STAFF ETHICS AND CONDUCT**1. Respect and dignity**

1.1 Staff members shall refrain from any action or behaviour which might reflect adversely upon their position. This obligation is intended to preserve the integrity and reputation of the European Commission ("Commission") and its staff. It therefore goes beyond the actual exercise of his function and extends to conduct in his private life, including events occurring before recruitment by the Commission.

The Commission is entitled to expect nothing less than irreproachable conduct from its staff. This particularly high level of conduct demanded of staff justifies the sanctioning of behaviour likely to be perceived, both inside and outside the Commission, to be inappropriate on the part of staff of the Commission.

1.2 Staff members shall respect the needs, rights and dignity of all individuals and shall treat every individual equally and respectfully. They will commit to protect the most vulnerable, including women and children, and will abstain from committing direct or indirect discrimination based on nationality, race, skin colour, ethnic origin, gender, political, philosophical or religious opinions, sexual orientation, civil status, age, state of health, wealth, language, disability or other grounds.

1.3 Staff members must take into account the particular customs, habits, and religious beliefs

of individuals and avoid any behaviour that is not appropriate in a particular cultural context, without prejudice to international laws and human rights frameworks.

2. Loyalty and impartiality

2.1 Staff members have the right to freedom of opinion and freedom of expression. However, they should respect at all times the principles of loyalty and impartiality.

The duty of loyalty includes the obligation to refrain from conduct detrimental to the dignity of the function and respect due to the Commission. The staff member must hence conduct himself in a manner that is above suspicion so that the relationship of trust between the Commission and staff is at all times maintained.

Staff members must be impartial, which means that they must weigh opinions in a balanced manner and avoid taking any positions not in line with their contractual obligations. This means that their approach should be unbiased.

3. Independence

3.1 Staff members shall fulfil their obligations completely independently of third parties and in particular of private companies and other organisations with which they may be required to deal in the performance of their duties, as determined in article 12 of the general rules.

3.2 Staff conduct and decision-making should be determined by the need to serve the common good and the public interest to the exclusion of every other interest.

3.3 Staff members shall in all circumstances respect the humanitarian nature of ECHO's mandate. This must be reflected in their everyday conduct. They must fulfil all official duties with integrity, abstain from dishonesty and corruption and refuse to engage in any act of favouritism, nepotism or bribery.

III. BEHAVIOUR AT WORK

1. Equipment, information and confidentiality

1.1 Staff members must treat all property and documents of the Commission with care and attention, including telecommunications and audio-visual equipment used by them, as defined in article 15 of the general rules.

1.2 The Commission's computer equipment, email, internet access, telephones, mobile phones and fax equipment (ICT) are intended for professional use. Private use of this equipment is allowed under the conditions previously established by ECHO. The Commission's ICT services may not be used for illegal or irregular purposes, nor may they be used in a way that might disrupt the functioning of the service itself, or in a manner contrary to the interests of the European Union.

On termination of the employment contract, all equipment, material and documents, including the reports drafted by the staff member, must be returned to the Commission.

1.3 Staff members are responsible for maintaining electronic files and archives in a responsible manner. Information that might be considered illegal, offensive or inappropriate must under no circumstances be processed, downloaded, stored or disseminated. In particular, staff members will not produce, procure, distribute or use pornographic material in ECHO offices or on Commission equipment, including reading or surfing to pornographic websites or message boards or sending emails with pornographic content.

1.4 Staff members must exercise maximum discretion with regard to all the facts and information made known to them during or concerning the performance of their functions. This obligation to exercise discretion remains after termination of their activity. They may under no circumstances disclose or use for their personal benefit information in their possession following their employment by the Commission.

In particular, staff members will not unduly release any confidential information related to their work (e.g. sensitive information, such as reports from survivors of gender-based violence).

1.5 Staff members will ensure that the portrayal of beneficiaries of ECHO-funded actions 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 beneficiaries for the use of their photos and stories.

1.6 Staff members will exercise necessary caution and discretion with regard to political or military matters in official or private communications, including telephone calls, radio messages, e-mails and letters.

2. Harassment, sexual exploitation and sexual abuse

2.1 Staff members shall refrain from any form of psychological or sexual harassment.

"Psychological harassment" means any improper conduct that takes place over a period, is repetitive or systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity, physical or psychological integrity of any person.

"Sexual harassment" means conduct relating to sex which is unwanted by the person to whom it is directed and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment.

2.2 Sexual exploitation and sexual abuse violate universally recognised international human rights standards, are a criminal offence in many countries and are unacceptable behaviour for Commission staff. ECHO applies zero tolerance on sexual abuse.

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

"Sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions."¹

2.3 Staff members will not commit any act of sexual exploitation or sexual abuse. This prohibition extends to all forms of sexual exploitation and sexual abuse, in line with the IASC Six Core Principles Relating to Sexual Exploitation and Abuse:

- Sexual exploitation and abuse by staff members constitute acts of gross misconduct and are therefore grounds for termination of employment.
- Sexual activity with individuals under the age of 18 or under the local age of consent is prohibited. Mistaken belief regarding the age of an individual is not a defence.
- Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited.
- Where a staff member develops concerns or suspicions regarding sexual abuse or exploitation by a fellow staff member, he or she must report such concerns via established reporting mechanisms.
- Staff members are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of this code. Head of offices have particular responsibilities to support and maintain this environment.

2.4 The above-mentioned standards are not intended to be an exhaustive list. The related prohibitions cover the use of sex trade workers and child pornography. Other actions not explicitly mentioned can constitute grounds for disciplinary action, provided that they consist of an act of sexual exploitation and abuse.

3. Work environment and security

3.1 Staff members must act with caution not to endanger their own safety or that of their colleagues or third parties.

3.2 Staff members must comply with the ECHO handbook on safety and security in the field, as well as with any other security procedures or instructions that may be issued.

3.3 Staff members will exercise care with alcohol and must avoid using other intoxicating substances.

¹ UN Secretary-General's Bulletin on protection from sexual exploitation and abuse (PSEA) ([ST/SGB/2003/13](#))

Staff members shall at no time use or have in their possession any intoxicants prohibited under local law.

Staff members will under no circumstances drive a vehicle under the influence of alcohol or any intoxicants.

IV. INDIVIDUAL OBLIGATIONS

1. Avoidance of conflict of interest

1.1 Staff members must take all the necessary precautions to avoid possible conflicts of interest or even the appearance of a conflict of interest. A conflict of interest arises when the impartial and objective exercise of an individual's functions is compromised by economic interests, political or national associations, family or emotional ties, or any other interest shared with another party.

1.2 Staff members may not engage in a private professional activity of any kind. This general prohibition on dual jobholding applies to all staff members, regardless of their work schedule. In exceptional cases and only with prior formal authorisation, staff members may engage in professional activity outside the workplace during their private time, under the conditions laid down in article 14 of the general rules.

1.3 Staff members will not accept any honours, decorations, favours, gifts or payments from any government or any other source outside ECHO without prior authorization, except for minor items of appreciation with a value up to EUR 50. However, any sum of money must always be refused.

1.4 Should any potential conflict of interest arise in the execution of their duties, staff members will refrain immediately from dealing with the relevant files or source of the conflict of interest and must inform the head of office, the (functional) head of unit and the HQ focal point.

2. Respect for laws and practices

Staff members will respect any law and practice applicable to them, without prejudice to international laws and human rights frameworks. Staff members are responsible for ensuring that they are well informed about regulations, in particular immigration, residence, employment, customs, taxation and monetary regulations, as stated in article 13 of the general rules.

3. Obligation after leaving the service

Even after leaving the service, staff members must behave with integrity and discretion. Former staff members should not accept any duties or professional activities after leaving the service that would be incompatible with the interests of the European Union. If a staff

member is intending to engage in an occupational activity within the remit of ECHO's mandate, whether paid or unpaid, within two years of leaving the service, he or she must inform the Commission.

V. REPORTING

1.1 Staff members have the duty to inform stakeholders with whom ECHO works of the code of conduct, including how and to whom they can report any misconduct or failure committed by ECHO staff.

1.2 Staff members will report any known or suspected cases of misconduct to one of the following actors: their head of office, (functional) head of unit, ECHO/C2, the Director-General of ECHO, or the HQ focal point for this code of conduct. In any case, if staff members consider it to be safer to bypass the normal chain of hierarchical command, they are able to do so. In case of serious professional wrongdoings, and particularly those that may be detrimental to the financial interests of the European Union staff members may choose to inform the Secretary-General of the Commission or OLAF directly.

Any of the above contact persons will ensure that the complaint is properly investigated and appropriate action is taken. When heads of office, heads of unit, ECHO/C2, or the Director-General of ECHO are contacted, they are responsible for informing the HQ focal point.

1.3 If staff suspects of sexual exploitation and abuse committed by partners, other donors, contractors or consultants, whether committed in or outside an ECHO project, these should also be reported internally as well as to any inter-agency mechanism possibly available in the location of the incident.

1.4 A staff member shall not suffer any prejudicial effects or retaliation as a result of having communicated such information mentioned in 1.2 and 1.3, provided that he or she acted reasonably and honestly. Whistle-blowers will be protected and their identity will remain confidential if they so desire.

Malicious or frivolous denunciations will not be tolerated.

All complaints shall be dealt with in a confidential manner in order to protect the rights of those involved. The rights of defence of any person implicated by the reported incidents will be respected.

The HQ focal point and a back-up will be trained to be able to adequately deal with the issues covered by this code, in particular complex issues such as sexual exploitation and abuse.

VI. PROCEDURE AND SANCTIONS

Any failure to comply with this code, whether intentionally or through negligence, shall make a staff member liable to disciplinary action in accordance with their employment contract.

Breaches of this code can in like manner be considered as serious misconduct, leading to dismissal.

Breaches of this code might furthermore lead to legal action.

Intentionally false accusations and reports are seen as a breach of the code of conduct and might be subject to disciplinary action.

For further details about the procedure and sanctions, please refer to article 19 of the general rules.

Acknowledgement

I _____ , confirm that I have read and understood this code of conduct, and I agree to abide by its terms.

Place

Date

Signature