

# Code of Conduct for Employees of NHC



*Building and securing  
justice across Europe*

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# Code of Conduct for Employees of NHC

## Scope and intention of the Code of Conduct

NHC endorses the Partos Code of Conduct and therefore the values that must be regarded as commonplace within the sector. Where the Partos Code of Conduct sets the framework, this Code of Conduct is a practical tool, and intended to guide and protect the employees under a number of important circumstances of which they must be well aware in advance.

The Code of Conduct of NHC is part of the individual employment contract between the Stichting Nederlands Helsinki Comité (NHC) (Dutch Helsinki Committee Foundation) and its employees. The Code of Conduct applies to all employees in a broad sense (including experts, volunteers, trainees and members of the Supervisory Board and Committee), regardless of their place of employment. Where employees are referred to in this document, this concerns the aforementioned group of people.

## Basic principles

NHC wants to be an organization that has no room for aggression, (sexual) intimidation and discrimination. We do everything we can to prevent and combat these forms of behaviour. In order to achieve this, discussions relating to this shall not be avoided.

Employees are expected to express their respect for NHC and its collaborative relationships.

NHC rejects all forms of (sexual) intimidation, aggression and discrimination based on race, age, philosophy of life, religion, political affiliation, gender, sexual orientation, marital status and disability. Discrimination based on gender also includes discrimination based on pregnancy, childbirth and motherhood. Employees are expected to perform and execute their activities and functions in a neutral, impartial and non-discriminatory manner. Human rights as laid down in the Universal Declaration of Human Rights and the United Nations Convention on the Rights of the Child are to be respected.

## Leisure time and participation in local community life during business trips or events where the employee represents the organization

NHC does not want to limit the private life of its employees. However, it should not be forgotten that during a business trip, even in leisure time, you are seen as a representative of our organization. Therefore, NHC asks employees to be well aware of this and to behave professionally at all times. Furthermore, NHC employees must always comply with local laws and regulations during a business trip.

- ➔ Employees are asked to take possible risks into account if they become involved in local political movements or social activities that could harm or compromise the objectives of NHC in the country.
- ➔ Employees must handle religious or religiously inspired activities with the greatest possible care. Although NHC defends freedom of religion, we expect our employees and their relatives to take local sensitivities regarding religious practices into account.
- ➔ The use of alcohol and drugs is always prohibited during work. Outside working hours, alcohol should - if allowed under national law - only be consumed in moderation.
- ➔ Photography is normally allowed, but please verify this with local partners and/ or the person concerned before taking photos. Ask explicitly for permission if the photos are intended for publication.

## Specific forms of conduct, subject to disciplinary measures

### *Abuse of power*

Engaging in human rights activities is a privilege and NHC continues to enjoy respect within its network, partly due to the high standards and strict criteria employees apply.

- ➔ Employees are not permitted to use the influence that comes with their position for their own benefit, nor for the benefit of relatives or friends.
- ➔ Employees are under no circumstances allowed to accept a bribe or personally enrich themselves in any other way.
- ➔ A gift may never be accepted if a favour is expected in return and the independence of the employee could be compromised. An assessment must be made based on the following criteria:
  - At which moment is something offered (before or after the end of a contract)?;
  - Is the gift or service in proportion to the service actually provided?;
  - Is there any risk that something must be done in return?;
  - Is it an incidental case or does the person in question (semi)regularly receive something from the same contact person?; and
  - What is the value of the gift or service?
- ➔ Gifts may never be received at the home address.
- ➔ Gifts or invitations are always discussed with the manager.
- ➔ If contracts for services to NHC are established through the involvement of its own employees, these must be fair, drawn up in writing and signed by all parties involved.

### *Conflict of interest*

- ➔ Sometimes situations arise in which personal and professional interests conflict with each other. NHC has a non-performance policy for this (see separate NHC non-performance policy).
- ➔ Employees are not permitted to mediate and maintain business relationships between their relatives and NHC.
- ➔ Employees with their own company or with financial interests in certain companies may under no circumstances sign contracts between NHC and these companies.
- ➔ As soon as an employee suspects that a conflict of interest may arise, he or she should immediately discuss this with his or her manager. NHC strives for fairness and impartiality to do everything possible to prevent employees from being disadvantaged.
- ➔ The employee first assesses whether an ancillary activity (paid or unpaid) must be reported or not. The employee is responsible (and also held responsible afterwards) for a correct assessment of whether or not to report ancillary activities. If an employee has any doubts, it is advisable to report the ancillary activities. The following points serve as guidelines in the context of the consideration for both employees and management:
  - The nature of the work;
  - The position of the employee in the organization;
  - The area in which the ancillary activities are performed;
  - Whether there is an interdependence with the main function;

- Whether the reliability and integrity of the employee are at stake;
- The reputation of the organization, the company or the branch in which the ancillary activities are performed;
- Whether, to a significant extent, effects can occur in relation to acceptable ancillary activities that could be assessed as negative by the outside world; and
- The scope or severity of the work.

#### *Fraud and breach of contract*

NHC has a non-performance policy that describes when and how to identify non-performance, and how to act if fraud/ non-performance is suspected. Every employee has taken note of this policy and knows how to act accordingly. NHC distinguishes 3 forms of non-performance:

- a) Malversation: the use of funds entrusted that intentionally deviate from the intentions of NHC;
- b) Corruption: misuse for one's own benefit of the position and/ or information derived from the relationship with NHC;
- c) Fraud: wilful negligence or lack of veracity regarding the mandatory information to be provided to NHC.

Non-performance can occur by external parties, such as partner organizations and experts, but also internally by our own employees. Every employee is responsible for the timely signalling of symptoms of non-performance. If there is a need to report potential abuse anonymously, you can do so via the Integrity Officer or by applying the whistleblower policy.

#### *Use of ownership and knowledge of NHC*

NHC invests in its employees and encourages them in their personal growth. The NHC also provides material for the performance of tasks and responsibilities.

- ➔ Employees should make use of NHC computers, material and equipment as much as possible. The employee must handle the material with care and only use it when carrying out the assignments/ activities indicated.
- ➔ Employees must follow the applicable procedures and agreements regarding security and privacy or other legislation.
- ➔ The use of institutional knowledge for personal purposes is prohibited.
- ➔ It is not permitted to use the email and internet system of NHC for messages with a pornographic, racist, discriminatory, abusive, offensive or (sexually) intimidating content.

#### *Relationships with other employees*

NHC encourages its employees to interact openly and professionally and to respect cultural, religious and political differences.

- ➔ Although friendships can be expected among staff, these friendships should not stand in the way of the goals of programs.

- Managers and supervisors are not permitted to enter into marriage or a similar relationship with an employee they manage.
- If the hierarchical relationships cannot be changed, it is necessary to terminate the employment contract.

## **Weapons**

- NHC employees are not permitted to own, carry or otherwise dispose of weapons.

## **Drugs**

- Employees are not permitted, under any circumstance, to work under the influence of any drug, legal or illegal, that may impair the ability to perform the work properly.
- Drugs are not permitted at the office of NHC.
- Working under the influence of alcohol is not permitted.

## **Integrity**

NHC asks its employees to take the utmost decency into account when it comes to entering into sexual relationships; as an organization we want to do everything we can to prevent inappropriate sexual behaviour. The Partos members and the Ministry of Foreign Affairs have drawn up a joint Integrity action plan. We use the following guidelines for this:

- Employees must comply with local legal provisions and prohibitions.
- Regardless of local law or the lack of such law, NHC prohibits any sexual contact or sexual relationship with persons under the age of 18, or those who do not appreciate it. A wrong estimate of age is not an acceptable defence in this.
- (Sexual) relationships with beneficiaries of the program or their relatives, or with persons employed by organizations or companies that have a contractual relationship with NHC, are prohibited under all circumstances.
- NHC has set the goal of overcoming inequalities in power and wealth. Therefore, employees may not receive sexual services in return for money or other means.

## **Compliance with the Code of Conduct**

For NHC employees, this Code of Conduct is part of the employment contract, consultant contract, or intern or volunteer agreement. The director or client has the responsibility to carefully read the Code of Conduct with the employee. The director or client must ensure that the employee fully understands the Code of Conduct, is well aware of the consequences of not complying with it, as well as the measures and procedures that follow in the event of a violation of the Code of Conduct.

The Right Positional Rule of NHC describes the complaints and whistle-blower procedures. Employees who do not comply with the Code of Conduct will be subject to disciplinary measures that may lead to dismissal. The nature and degree of the measures to be taken are determined by the director in consultation with the Supervisory Board. If the employee believes that this decision conflicts with the terms and conditions of the employment or the contract, or the application of this Code of Conduct, he or she can turn to the confidant who requests the director to set up a Disputes Committee.

Employees can, at any time, contact the internal Integrity Officer or the external confidant appointed by NHC.

If the employee has violated the laws of the country in question, he or she can be prosecuted under criminal or civil law. Only in the latter case, the director of NHC will engage a legal adviser.



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