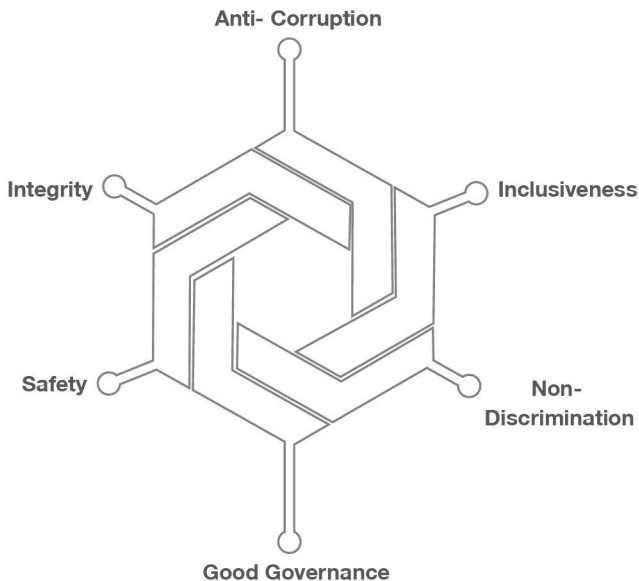


Code of Conduct

Jerusalem Legal Aid &
Human Rights Center



JERUSALEM LEGAL AID AND HUMAN RIGHTS CENTER



JERUSALEM LEGAL AID AND HUMAN RIGHTS CENTER

Jerusalem Legal Aid and Human Rights Center's

Code of Conduct

**November
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Purpose of this Code of Conduct

Public opinion expects from civil society institutions to practice a higher level of accountability and commitment, given that one of its roles is to exercise oversight and accountability over other sectors. It is to embody ethical models and standards to inspire hope and the ability to effectuate change. Such is not only achieved by adhering to laws, but more importantly through applying best practices and preventive measures.

This Code of Conduct (CoC) is not a substitute for JLAC's bylaws, nor applicable laws in effect. Rather; it is an additional obligation which clarifies the ambiguity and misinterpretation of legal texts. Moreover, it is considered as an awareness tool and a forewarning of certain aspects that may be unclear and subject to interpretation/ misunderstanding.

This CoC is not an alternative for the existing governing rules and values, however, it will form an integral part of them. Among the purposes of this CoC is to confront accusations and smear campaigns against civil society organizations by reinforcing transparency and internal accountability measures. This CoC serves to enshrine the high values which are expected from civil work.

Amin Inabi

Chairman of the Board of Directors

The Jerusalem Legal Aid & Human Rights Center- JLAC

Chapter One

JLAC's Mission, Values and Legal References



JLAC's Mission

JLAC is a Palestinian human rights organization providing legal representation to victims of human rights violations resulting from the Occupation's expansionist policies, enabling them to protect and defend their rights as per international humanitarian law and international human rights law. Our use of available legal mechanisms, mobilization and advocacy tools seek to activate accountability on a local and international level. Of particular focus are crimes of by the Occupation pertaining to forced displacement and the status and treatment of Protected Persons (i.e. provision of basic services.). Efforts also involve spreading a culture of human rights enhancing legal knowledge pertaining to the Palestinian legal jurisdiction and monitoring policies, and legislation and practices therein towards ensuring their consistency with international standards and

agreements (to which the State of Palestine has ascribed since 2014). Collectively, our efforts seek to maintain the dignity of the Palestinian people and strengthen their steadfastness.

Values

Values and principles guiding JLAC's operations include:

- ▶ Adherence to the principle of the inalienable rights of the Palestinian people, including the right to self-determination, the right to establish an independent state, and the right of return for refugees.
- ▶ Upholding the human right to live in dignity in accordance with what is guaranteed by international charters and treaties, and in line with national legislation and laws.
- ▶ The conviction that the public's interest is achieved through a balanced response to the interests of all social groups, in a way that balances existing imbalance against the interests of the more vulnerable groups.
- ▶ Building all of JLAC's activities upon the basis of human dignity.
- ▶ Respect and guarantee of the freedom of others and their non-discrimination.

- ▶ Full commitment to the participation of concerned parties, without exclusion, in accordance with a clear distribution of roles and on the rubrics of: inclusion, integrity, transparency, accountability and bearing responsibility.
- ▶ Effective partnership and participation with relevant institutions and associations.
- ▶ Full affirmation of equality between women and men and reducing the gender gap.
- ▶ The Center's governance bodies and executive teams work in accords to team spirit and partnership in directing policies and decision-making, as per approved structures and hierarchies.
- ▶ The efficient use of JLAC's resources in a way that serves the interests of those groups it seeks to defend.
- ▶ Planning and evaluation of JLAC's programs on the basis of results-based approaches.

Legal Terms of Reference

JLAC, as a human rights institution, values rule of law and the legal references utilized by its staff and those they are governed by (from the Palestinian Amended Basic Law and its associated legal systems to international

humanitarian law and international human rights law), most notably:

- ▶ The Palestinian Declaration of Independence issued by the Palestinian National Council on 11/15/1988.
- ▶ The Palestinian Amended Basic Law of 2003.
- ▶ The Jordanian Penal Code No.16 for the year 1960 and its amendments (applicable in Palestine).
- ▶ Palestinian Labor Law No. (7) of 2000.
- ▶ The Law of Charitable Associations and Community Organizations No. (1) 2000.
- ▶ JLAC's internal administrative and financial systems.
- ▶ The Code of Conduct for Palestinian NGOs issued by the National Coalition for the Code of Conduct in 2008.

International references

- ▶ Universal Declaration of Human Rights.
- ▶ International Covenant on Economic, Social and Cultural Rights.
- ▶ International Convention on the Elimination of All Forms of Racial Discrimination.
- ▶ The Convention on the Elimination of All Forms of Discrimination against Women- CEDAW.
- ▶ Convention on the Rights of Persons with Disabilities.

Chapter Two

Governing Framework for JLAC's Stakeholders



- ▶ JLAC's representatives are obligated to; deal respectfully with the public, partners and beneficiaries of services, and to exert utmost care in that regard.
- ▶ Maintain professional confidentiality of the information entrusted by clients, protecting their privacy, and concealing identities in reports and materials published without consent otherwise.
- ▶ Refrain from using images of persons that may be considered demining or inappropriate.

- ▶ Refrain from taking pictures of children without the presence and approval of their parents or those tasked with their care (while in school or public places), and acquire consent for intended publication.
- ▶ Staffers discontinuing work with JLAC (regardless of the reason) are obligated to relinquish and not maintain copies of records, materials, correspondence, and information (unless personal); their use (or use in part) will be deemed a legal violation. Such includes any materials produced by them for the benefit of JLAC, as the intellectual property belongs to JLAC.

Chapter Three

Appropriate Use of Resources & Communication Technologies



JLAC's representatives are obligated to protect and preserve the Center's resources as stipulated in the administrative system, with any criminal or illegal use of resources (i.e headquarters, electronic and office equipment, vehicles, etc.) prohibited, with violators subject to administrative and legal consequences (up to prosecution). JLAC is not responsible for any illegal use of its resources by its representatives, which include but are not limited to:

- ▶ Electronic devices, even those that are kept with individuals, are the property of JLAC along with the stored information. JLAC assigns authorized persons to know passwords and locations of the stored information. Privacy does not apply to any materials stored on JLAC devices.
- ▶ Staffers discontinuing work for JLAC are obligated to preserve any information produced for JLAC and any correspondences related to their work on JLAC devices. Its destruction is considered a criminal offense, subject to penalty.
- ▶ It is not permissible for staffers to maintain/keep any information related to beneficiaries and/or to JLAC's work in their possession for any purpose upon the termination of their post, or will be subject to penalty.
- ▶ JLAC seeks to protect its database, and stored information related to its activities, beneficiaries, and development of cases before the courts. To this effect, JLAC has developed protection systems for the internal network, and thus it is prohibited

to download programs or files from memory sticks to JLAC devices without obtaining the consent of those tasked with information maintenance at JLAC. Employees bear full responsibility for viruses spreading over the network from their devices.

- ▶ It is prohibited to use JLAC devices to browse pornographic sites, or to register at such sites through the center's devices or official e-mail of the staffer.
- ▶ It is prohibited to use JLAC devices for any act that is considered in violation of relevant Palestinian laws, such as browsing prohibited sites, sending inciting or threatening messages, etc.
- ▶ JLAC has the right to examine its devices and to examine search history when a specific decision has been made by JLAC's Director (and approved by the Chairman or Secretary of the Board of Directors) to do so.
- ▶ JLAC staffers' personal identification cards, utilized to stamp in/out of work, is the personal responsibility of each employee. It is prohibited to give one's card

to colleagues for stamping on their behalf; such would be a violation and unprofessional.

- ▶ Staff members are obligated to wear their personal identification cards when receiving clients/beneficiaries or when carrying out workshops.
- ▶ Staffers are prohibited from using social networking sites during working hours, except those whose work requires the use of these sites.

Chapter Four

Freedom of Opinion and Expression



Freedom of opinion and expression is considered a sensitive subject for human rights institutions, as their discourse and positions are subject to public scrutiny. Whereby it is expected that rhetoric used be based in law and human rights references and not be partisan/politically influenced. The public cannot distinguish between an opinion being that of a JLAC representative or that of the organization that he/she may represent. With the various means of communication available, human rights workers are expected to model the values they advocate for. To this effect, JLAC and its representatives are to always consider the best interest of the individuals and groups they defend when engaging with/utilizing media. Such involves ensuring beneficiaries' privacy and mitigating any negative backlash to their cases

(do no harm). Gaining publicity through the use of social media shouldn't be done at the expense of victims of human rights violations. While JLAC respects the freedom of its representatives to express their opinions, as communicated in internal JLAC meetings or through various other means of communication (including social media), such should be done so while maintaining implemented laws and in a manner that does not slander or defame. The following does not fall within freedom of expression:

- ▶ Hate speech, religious or ethnic discrimination, and racist expressions.
- ▶ Sexism or condoning the abuse/discrimination of women.
- ▶ Expressions offensive to persons with disabilities or mocking of others (i.e. for their appearance, dress, financial, physical and health conditions).
- ▶ Advocating against rule of law and promoting violence and coercion.

JLAC representatives having opinions and beliefs in contradiction to this CoC are asked to keep them to themselves and not publicize them through social media (either on public or personal accounts).

Chapter Five

Anti-corruption Measures



Corruption is a crime, violating laws, the rights of others, and human rights principles. It is expected of civil society institutions a higher level of anti-corruption measures and combating breaches therein. Consequently, JLAC throughout its tiers of operations, is committed to combating, preventing and raising awareness of the crime of corruption, in addition to abiding by the provisions of the Anti-Corruption Law (Amendment No. 1) of 2005 and the Penal Code. Accordingly, JLAC stresses:

- ▶ Refraining from engaging in situations of potential conflict of interest, by declining participation in committees (as a decision-maker) or taking on

case where he/she has an interest (and informing relevant bodies to this effect). This relates to bids, recruitments, partnership agreements and cooperation with other organizations.

- ▶ Adopting best practices in the management of public funds, integrity, and transparency.
- ▶ Ensuring equal opportunity in employment, promotion, professional development and service provision.
- ▶ Exercising optimal transparency in recruitment, procurement, and provided service and reasons for selection and rejection therein.
- ▶ Receiving/giving bribes is prohibited, whether in facilitating a personal interest or an interest of JLAC's.
- ▶ JLAC does not interfere with the political and intellectual inclinations of its representatives (as long as it does not affect their decisions) and prohibits discrimination on the basis of political affiliation in recruitment and service provision. Discrimination based on political affiliation is among the most

prevalent forms of discrimination in Palestinian civic/civil life in violation of citizens' rights to equal opportunity employment and access to livelihood resources.

- ▶ JLAC's team (along its various tiers) are obliged to report suspicions of corruption in their field of work or among their colleagues, in accordance with JLAC's complaints system.
- ▶ JLAC considers tax evasion a crime that is inconsistent with the principle of good citizenship. Any tax evasion is thus prohibited, as well as concealing/ encouraging such.

Chapter Six

Sexual Harassment, Abuse, and Exploitation



JLAC is committed to preventing sexual harassment, abuse, and exploitation as exposed to or practiced by its representatives (against colleagues, beneficiaries or other groups vulnerable to abuse) as a result of their actions or activities as representatives of JLAC. JLAC completely prohibits such acts and is committed to providing both a safe environment for its staff and to safeguard its beneficiaries (as they are among the more vulnerable, marginalized and impoverished groups of society); and therefore, JLAC has formulated this chapter for integration into the CoC:

- ▶ This CoC serves as a mechanism of raising representatives' awareness of sexual harassment, abuse, and exploitation as defined by United Nations High Commissioner for Refugees (definitions and more information can be found at: <https://www.unhcr.org/ar/5b6019c44.html>).

- ▶ JLAC' complaints system will be the mechanism utilized for reporting incidents of sexual harrassment, abuse, and exploitation by victims as it allows a sense of security and justice and eliminates any professional or personal considerations or any other concerns that may cause hesitation in reporting an incident. Mechanisms include reporting face to face, through phone / e-mails, etc., directly to one's manager, or General Director, member of the Board of Directors, or to the committee concerned with following up such complaints (as formulated by the Board). Complaints will be handled confidentially and with the provision of needed protection.

- ▶ JLAC assures that submitted complaints will be dealt with objectively, and in a manner that ensures procedural integrity and transparency, through the formation of a committee (headed by the Chairman of the Board of Directors, another member of the Board of Directors, and a member of the General Assembly; considering social diversity and diversity of experience). The committee will conduct necessary investigation; while maintaining the privacy, confidentiality, and the best interest of the harmed party. If the allegations are proven, the committee will take disciplinary measures (amounting to dismissal and prosecution).

Basic principles related to sexual harassment, abuse and exploitation:

1. Any behavior by JLAC's representatives classified under sexual harassment, abuse, and exploitation (as defined in this CoC) is considered deplorable and dishonorable and perpetrators will be held accountable, as per the disciplinary measures determined by the concerned committee.
2. Representatives are prohibited from engaging in any sexual activities with children (i.e. those under the age of 18), regardless of their relationship to JLAC. Pleading ignorance as to knowing the victim's age is not an adequate excuse for exemption from liability.
3. Understanding the power differentials between representatives of JLAC and both beneficiaries (including children and vulnerable adults in communities who are not direct beneficiaries but may be vulnerable to abuse) and the potential for this power to be abused; JLAC representatives are prohibited from bartering services or assistance provided by JLAC to beneficiaries in exchange for sexual favors or any form of humiliating exploitative acts. There is zero tolerance for such behavior.

4. In the case that a JLAC representative has suspicions or concerns that sexual harassment, abuse and exploitation is being conducted by/ against another colleague, stakeholder, decision maker, consultant, volunteer/intern or beneficiary, they must immediately report concerns through JLAC's reporting systems.
5. JLAC is committed to creating an environment that prevents all forms of sexual harassment, abuse, and exploitation in its various offices. Department managers have a special responsibility at all levels for disseminating this CoC and for supporting and developing systems that preserve this environment.
6. JLAC is keen to protect its representatives, especially women, from harassment that may emanate from any of our partners or beneficiaries (or their representatives); with JLAC discontinuing service provision to/ cooperation with those whom violate our representatives.

Endorsement

JLAC's Board of Directors endorsed the Coc (in their meeting held in Ramallah on November 23, 2020) and stressed the importance of it being explained to and signed by JLAC's representatives, in so doing enforcing it as a binding work regulation in the like of other bi-laws/ laws in affect, as follows:

I, the undersigned (name stated below), acknowledge that I have read the Jerusalem Legal Aid and Human Rights Center- JLAC's Code of Conduct, and pledge to abide by the values and rules enshrined in this Code. I also acknowledge that I am fully aware of my rights and duties under this Code; that breaching any of the provisions it contains subjects me to legal accountability, of my rights in the event that I am the one violated, and of JLAC's right to take disciplinary measures against violator(s) as stated in this CoC.

Name/ Signature/ Date

In the event that a JLAC representative violates any of the above-mentioned provisions, a committee will be formed by the Board of Directors to investigate the matter (hearing from all involved parties) before taking the necessary measures.

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