

Mülteci
Hakları
Merkezi

Refugee
Rights
Turkey

Refugee Rights Turkey

Code of Conduct

Ethical Principles and Professional Conduct in Service Provision

Approver: Ethics and Compliance Manager - Deputy Director

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MÜLTECİ HAKLARI MERKEZİ – REFUGEE RIGHTS TURKEY

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1. Introduction

1.1. Why a Code of Conduct?

1.1.1. Refugee Rights Turkey (“RRT”)’s capacity to ensure the assistance services to asylum seekers, refugees, vulnerable migrants, other person of concern (hereafter “persons of concern”) and to all stakeholders RRT interacts in its activities (Partners, donor organizations and their staff) depends on the ability of its staff to uphold and promote the highest standards of ethical and professional conduct. The Code of Conduct must also be understood as a declaration to refugees we serve, donors and the public about the value we place on maintaining our high standards of trust, integrity, and professionalism.

1.1.2. Further, RRT also recognizes that its service provision often puts its staff in positions of unequal power relations towards person of concern. Therefore, it is recognized that well-defined standards of work are necessary for its conduct towards persons of concern.

1.1.3. This Code of Conduct holds the values and rules that RRT and its staff shall act by to uphold and safeguard the necessary standards of conduct and avoid misconduct. Ethics and professionalism are essential to guarantee effective, responsible, and accountable service to beneficiaries served by RRT. They are also critical for building and maintaining RRT’s external reputation of integrity and competence.

1.1.4. This Code should be read in conjunction with the following policies of RRT:

1. Refugee Rights Turkey’s (RRT) statute, laying down its work and activities and workplace internal directives,
2. RRT’s Feedback and Complaints Policy,
3. RRT’s Anti-Corruption and Conflict of Interest Policy,
4. RRT’s Child Safeguarding Policy,
5. RRT’s Prevention of Sexual Exploitation and Abuse Policy,
6. RRT’s Personal Data Protection and Processing Policy,
7. RRT’s Internal Complaints Policy,
8. RRT’s Guideline for the Investigation of Reports of Suspected Misconducts.

1.2. Who is covered?

1.2.1. This Code of Conduct applies to RRT and to all its staff (including RRT’s representatives, staff, volunteers, contractors, and staff members of RRT’s partner organizations).

1.2.2. Managers at all levels have a particular responsibility to uphold these standards, to set a good example, and to create a working environment that supports and empowers staff.

1.3. Status of this Code of Conduct and Interpretation

- 1.3.1. This Code of Conduct is not only a moral code that serves as an illustrative guide for RRT and its staff to make ethical decisions in their professional lives, and at times in their private lives. It is also an integral part of their conditions of employment. This Code of Conduct is therefore an appendix to their individual employment contract.
- 1.3.2. All RRT staff is responsible for encouraging, advocating and promoting the dissemination of the Code of Conduct. They also have a role in implementing, monitoring and enforcing its standard. Managers at all levels have a special responsibility to support and develop systems that maintain this environment.
- 1.3.3. All RRT staff are obliged to report to their managers or to “Ethics and Compliance Manager” concerns or suspicions regarding ethical and professional activities that are in conflict with this Code of Conduct, and which may compromise RRT.
- 1.3.4. All RRT staff members shall contact their supervisors or “Ethics and Compliance Manager” for guidance if they find themselves in a situation of doubt in relation to this Code of conduct and its provisions.

2. Ethics and Professional Principles

Refugee Rights Turkey strictly observes the following rules and principles in the implementation and delivery of our free of charge legal information and assistance services to asylum seekers & other vulnerable migrants:

- 2.1. **We treat everyone who benefits from RRT activities and services, especially refugees, asylum seekers and other vulnerable migrants equally** regardless of any personal differences including race, language, skin color, ethnicity, religious affiliation, political opinion, disability, age, gender, sexual orientation, and gender identity.
- 2.2. In order to secure equal treatment and quality of our services, we observe a **standardized service policy**, which ensures that beneficiaries who present the same type of legal questions and problems receive the same level and content of legal assistance.
- 2.3. We provide **clear, accurate and realistic information & guidance** to beneficiaries regarding both favorable & unfavorable outcomes they may encounter in connection with the migration and asylum procedures they undergo and choices they will have to make; we carefully refrain from creating unrealistic expectations.
- 2.4. We interact and communicate with beneficiaries on the basis of **mutual respect, personal courtesy and professional distance**.
- 2.5. **All services provided by the Refugee Rights Turkey are free of charge**, including our online and in-person capacity building seminars and training activities.
- 2.6. In order to avoid any perceptions to the contrary or misunderstanding, our staff will not accept nor give any gifts, other artefacts of monetary value, any personal favors, honor, remuneration, or bribe to / from any beneficiary; nor to / from any other

source external to RRT. It is, however, allowed to accept food brought to the office for immediate consumption as a token of appreciation provided that it cannot compromise the integrity of the RRT.

- 2.7. Our staff do not engage in any outside occupation or employment without prior written authorization.
- 2.8. **Beneficiaries can directly contact us to present their inquiries or request legal assistance, without the need for any third persons or organizations** to mediate on their behalf. We do not have any links to any third person or organizations which may falsely claim to ‘facilitate’ or ‘put in touch’ beneficiaries with our services in return for fees or other favors. We ask beneficiaries and referral actors to disregard any such ill-intentioned and fraudulent claims and false promises by any third persons or parties.
- 2.9. **We observe diligence in the implementation of tasks and duties required by our legal assistance commitments** to beneficiaries and accept responsibility, and liabilities as relevant, as an organization for any negligence or errors.
- 2.10. **We strictly observe the confidentiality of our beneficiaries and of any information or documents shared with us by beneficiaries** for the purpose of the legal assistance interaction; we will not share beneficiaries’ confidential information or documents with any third persons, parties, or agencies without the express consent of the beneficiary. Disclosure of sensitive or confidential information without authorization may seriously jeopardize the efficiency and credibility of our efforts and our staff and endanger beneficiaries. We shall maintain the utmost discretion towards third parties concerning information acquired during our professional activities and treat such information confidentially. The duty of confidentiality extends to all communications with current and former asylum-seekers and refugees.
- 2.11. We shall not publish any work (including writings, photographs, video footage, etc.) that has been produced in connection with, or that is related to, their assignment and functions without internal approval.
- 2.12. **We strictly observe legal obligations for the protection of personal data of our beneficiaries**, as established and safeguarded under Turkish law and international treaties; our staff will duly provide adequate information and seek beneficiary’s informed consent whenever any personal data considerations apply over the course of our legal assistance interactions.
- 2.13. As a refugee legal assistance organization, we have a commitment to the integrity of the international refugee protection regime and the asylum system in Turkey.
- 2.14. In our role as legal assistance provider and legal representative, **we will never advise our beneficiaries to make false or fraudulent claims or presentations to administrative or judicial authorities or agree to facilitate the submission of such false or fraudulent information or documents knowingly and willingly.**
- 2.15. In our capacity as legal assistance provider, **we do not participate in or facilitate any activities that constitute a crime under Turkish and international law.** To refrain from any involvement in criminal activities, activities that contravene human rights, or activities that compromise the image and interests of RRT; we

neither support nor take part in any form of illegal, exploitative, or abusive activities, including, for example, child labor, and trafficking of human beings and commodities.

- 2.16. We observe the “best interest of the child” principle** in all our legal assistance interactions and interventions involving children and minors. We always seek to care for and protect the rights of children, and act in a manner that ensures that their best interests shall be the paramount consideration. Abuse, neglect, exploitation, and violence against children (persons below 18 years of age) is prohibited. We must ensure that children’s safety and well-being is always protected, and must prevent and respond to child abuse, neglect, exploitation and violence. We shall never ignore or disregard any suspected or disclosed child harm or abuse by a colleague, including those within partner organizations. We shall report such concerns immediately via established reporting mechanisms.
- 2.17. We are strongly committed to providing a safe environment for all our staff and beneficiaries;** we do not tolerate any behavior or activities involving disrespect, violence, abuse, or other forms of exploitation, including based on gender, sexual orientation and gender identity, and other markers of personal difference. RRT and its staff will not tolerate any form of sexual exploitation or abuse and are aware that misconduct is ground for disciplinary measures including summary dismissal.
- 2.18.** Engaging personal, financial or employment-related relationships with employees and current or former beneficiaries is not appropriate; due to the fact that these kinds of relationships are likely to create power inequalities open to abuse, and these relationships may obscure the framework of the professional relationship, hinder the impartiality of the services provided, and also damage the reputation of the RRT. In this context, if our staff have a personal, financial, or employment-related relationship with our current or former beneficiaries to whom we provide support or who come with this request, our staff are obliged to report in writing on the nature and conditions of this relationship to any senior manager or Ethics and Compliance Manager.
- 2.19.** Sexual activity with children (persons under the age of 18) is prohibited. Mistaken belief regarding the age of a child is not a defense.
- 2.20.** Sexual relationships between its staff members and persons of concern are prohibited even though these relations are not exploitative or abusive. Such relationships may undermine the credibility and the integrity of RRT and of the staff members involved.
- 2.21.** RRT and its staff will not tolerate any form of sexual exploitation or abuse and are aware that misconduct is ground for disciplinary measures including summary dismissal.
- 2.22.** RRT workspaces and environments are places where everyone is safe and comfortable at work. The rules that RRT staff must comply with in the workplace are regulated by a separate internal regulation.

3. Violation of the Principles of Ethics and Professionalism

Refugee Rights Turkey undertakes to act in accordance with the Ethics and Professionalism Principles listed above in the conduct of all its activities. In the event that RRT employees or

their representatives violate these principles, our institution's Feedback and Complaint mechanism (FCM) and Internal Complaints Mechanism come into play.

In cases where the responsible party identified for a breach or an infringement of the association's Code of Conduct is a member of the association, relevant provisions of Refugee Rights Turkey's Statute shall apply. If the identified individual is a member of staff, the appropriate sanctions defined under the employment contract and its annexes shall be applicable.

Where a breach or an infringement also constitutes a criminal offense as recognized under Turkish Penal Code, the association is fully committed to cooperate with responsible competent authorities. Moreover, depending on the nature of this breach and upon the written request of the complainant, Refugee Rights Turkey may also provide additional assistance over the course of investigation, and where necessary, prosecution.

4. How to report misconduct?

4.1. Feedback and Complaints Mechanism

All stakeholders engaged in our institution's activities and interactions are encouraged to utilize our **Feedback and Complaints mechanism** if they encounter or witness any situation that contradicts the principles outlined herein. Reports can be submitted through the communication channels specified in **the RRT Feedback Complaints Policy** and will be assessed in accordance with the procedures detailed in the relevant policy document.

RRT ensures confidentiality of the information as well as the inquisition process about all complaints. We also remind that it will not impact the beneficiary's ability to receive or continue to receive services from RRT. We promote reporting of any suspicion or knowledge of corrupt practices, made in good faith and without fear of retaliation, through this channel.

4.2. Reports of the Staff

All staff members are obligated to report any wrongful acts or suspected wrongful acts in alignment with the **RRT Internal Complaints Policy**. To facilitate the reporting process, the communication channels specified in the policy must be utilized for submitting reports. These reports will be diligently assessed and investigated following the procedures outlined in the "RRT Guideline for the Investigation of Reports of Suspected Misconducts" document.

No-one who reports in good faith any facts or activities through these channels will be the target of reprisals nor will they suffer any other adverse consequence as a result. RRT considers knowingly making a false report to constitute a violation of this policy. Doing so will result in disciplinary action up to and including the possibility of termination of employment or termination of the violating party's contract and/or business relationship with RRT.

5. Prevention and Deterrence

RRT's Board and Senior Management Team is committed to creating and maintain a safe environment for both persons of concern and staff and promotes the implementation of this Policy.

RRT believes that encouraging speaking up and speaking out, restoring openness, and facilitating difficult discussions, and demonstrating zero tolerance through consistent and sustained actions are essentials of an environment that promotes prevention.

RRT believes that the Board, the Senior Management Team, and other Senior Managers within organizations have responsibilities to act as role models by upholding the highest standards of conduct, support and develop systems to maintain a safe environment by promoting a culture of open discussion and dialogue among staff. Managers at all levels also have responsibilities to support and develop systems that maintain this environment.

RRT is integrating to formation programs for new hires, to internal seminars information sharing and awareness raising sessions on all forms of discrimination, exploitation, abuse, and corruption.

Regular training and refresher courses on code of conduct are planned and delivered for all staff on a regular basis. This can include but is not limited to

- RRT'S Code of Conduct and other policies,
- Information on Feedback and Complaints Mechanism,
- Information on how to report misconduct.

Safe Recruitment and Selection: Safe Recruitment means using recruitment processes that help keep the persons of concern safe, including robust safety checking. Strict safe recruitment practices apply to all candidates, which include but are not limited to comprehensive background screening thorough interviewing procedures, and robust reference checks. The Code of Conduct and other RRT policies are signed by all staff and is a binding commitment that the employee agrees and is committed to following all safeguarding policies and procedures, both in their professional and personal interactions with persons of concern.

Community Engagement and Awareness Building: The RRT places great emphasis on enhancing community engagement and raising awareness. Key initiatives involve the systematic integration of Code of Conduct and Protection against Sexual Exploitation and Abuse (PSEA) messages into information campaigns and the dissemination of PSEA-related information/ Feedback and Complaints Mechanism through various accessible channels for individuals of different backgrounds, including women, men, girls, and boys. These efforts encompass distributing posters and leaflets within office premises, sharing audio-visual materials on social media platforms, and providing question and answer booklets at service delivery locations.

5.1. The Role of Ethics and Compliance Manager

The responsibilities of Ethics and Compliance Manager include promoting the awareness and application of this Code, developing, and disseminating the procedures developed by it, and assisting anyone who wants to use this mechanism in resolving any doubts in its interpretation. You must cooperate with Compliance and use it to help you apply the Code.

5.2. Review

RRT will review RRT's Code of Conduct annually with respect to legal and regulatory developments and to ensure compliance and best practice. This policy document is reviewed each June of the year by the Ethics and Compliance Manager and approved by RRT Management. Staff are notified of the changes via e-mail. During the meetings held regularly

by the Ethics and Compliance Manager with the staff, information about the policy document is provided and questions about the content are answered. RRT reserves the right to make changes to the document when it deems necessary, without waiting for the annual review.

6. Reference Documents

This policy document is fully in compliance with relevant national legislation as well as key international legislation. RRT was inspired by and benefitted from following key guiding documents, statements, and standards, and make the utmost effort to fully comply with principles set forth. As of the date of review of this policy document, this policy is fully compliant with the following:

- Relevant Turkish laws and policies including Turkish Constitution, Turkish Civil Law (Law No. 4721), Turkish Labor Law (Law No. 4857) and Turkish Penal Code (Law No. 5237).
- SPHERE Humanitarian Standards, available at: <https://spherestandards.org/handbook-2018/>
- The Core Humanitarian Standard on Quality and Accountability, available at: <https://corehumanitarianstandard.org/resources>
- Inter-Agency Standing Committee (IASC) Policy on Protection in Humanitarian Action, available at: <https://interagencystandingcommittee.org/system/files/2020-11/IASC%20Policy%20on%20Protection%20in%20Humanitarian%20Action%2C%202016.pdf>
- The Nairobi Code-Model Rules of Ethics for Legal Advisors in Refugee Cases, available at: <https://www.refworld.org/docid/4700d1572.html>
- Inter-Agency Standing Committee (IASC) Task Team on Accountability to Affected Populations and Protection from Sexual Exploitation and Abuse (AAP/PSEA), 2017 IASC Commitments on Accountability to Affected People and Protection from Sexual Exploitation and Abuse, 11 December 2017, available at: <https://bit.ly/2LKrmXS>
- IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019, available at: <https://interagencystandingcommittee.org/inter-agency-standing-committee/iasc-six-core-principles-relating-sexual-exploitation-and-abuse-2019>
- United Nations Secretary General's Bulletin- Special measures for protection from sexual exploitation and sexual abuse, available at: <https://www.unhcr.org/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>