

CHAPTER 2

THE DANISH REFUGEE COUNCIL

2.1 The Vision and Mission

2.1.1 The Vision

The DRC Vision was revised in early 2008 and goes as follows:

“No displaced person must be without help when it comes to finding protection and durable solutions.”

“We want to be the very best at solving problems associated with displacement – both internationally and nationally.”¹

2.1.2 The Mission

DRC strives to secure the protection of refugees and Internally Displaced Person (IDPs) and further to promote long-term solutions to the problems created by forced displacement.

DRC is as private, independent and non-profit organisation which functions on the basis of humanitarian principles and human rights.

DRC works in the context of conflict-induced displacement of populations and in return and reintegration situations. The aim of the organisation is to protect refugees and IDPs against persecution and to promote durable solutions.

DRC fulfils its mission through:

- providing assistance to conflict-affected populations – refugees, IDPs and host communities in conflict areas of the world;
- assisting refugees and asylum seekers in Denmark; and
- speaking the cause of conflict-affected people internationally and in Denmark.

Within Denmark, DRC assists refugees in all aspects of integration as well as asylum procedures. Internationally, DRC participates actively in the general efforts of the international community to promote solutions for conflict-affected populations. DRC is the only organisation of its kind in Europe, covering all aspects of the refugee and displacement cause.

Some Basic Definitions

Refugee: refers to a person who, “owing to a well-founded fear of being persecut-

ed for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.²⁹ .

IDP: refers to” Persons or groups of persons who have been forced or obliged to flee or leave their homes of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border.³⁹

Asylum seeker: refers to “a person whose request or application for asylum has not been finally decided on by a prospective country of refuge.⁴⁹

Host Community: refers to communities hosting refugees, IDPs or other conflict-affected populations.

2.2 The Organisational Structure

DRC is an umbrella organisation consisting of more than 30 members broadly representing civil society organisations in Denmark committed to the refugee cause. Some of the member organisations are operational in international emergency and development work, while others are not.

» Refer to Organisational Chart of DRC in annex 2A.

The DRC has approximately 8,750 employees, with the majority being local staff in international programmes and volunteers in Denmark.⁵

The various organisational entities of DRC are described below.

2.2.1 The Council

The supreme authority of DRC is the Council, which consists of up to three representatives of each member organisation and a total of six representatives of the voluntary groups for refugees that have concluded a co-operation agreement with DRC. The ordinary Council meeting is held once every year before the end of the second quarter.

2.2.2 The Executive Committee

DRC is headed by an Executive Committee consisting of one Chair and five members elected by the Council, under which is the International Committee. The International Committee discusses topics proposed by the International Department and the member organisations and makes recommendations as to the development of DRC’s international programmes. Similarly, under the Executive Commit-

tee are additional committees attached to some of the other departments of DRC.

2.2.3 The Secretary General

The Secretary General leads the organisational and strategic development of DRC and represents the organisation with key donors and partners, as well as in relevant fora of importance. The Secretary General manages and oversees the work of the entire organisation and ensures that the organisation is held accountable to beneficiaries and donors.

2.2.4 The International Department

The International Department (DRC International) is comprised of two geographical programme sections (Europe-Asia and Africa-Middle East), the Danish Demining Group (DDG), the Policy and Programme Support Unit (PPSU) and the Stand-by Roster.

» Refer to annex 2B Organisational Chart of the International Department.

The geographic programme sections cover programmes in support of relief, reconstruction and recovery in conflict-affected communities in more than 25 countries worldwide.

The DDG works with the specific mandate of re-establishing an environment free from the threat of land mines and Explosive Remnants of War (ERW) within five pillars of Mine Action, namely: (i) mine and UXO (unexploded ordinances) clearance; (ii) mine risk education; (iii) victim assistance; (iv) advocacy; and (v) stockpile destruction.

The PPSU leads the process of developing overall strategies and standards for DRC International. Further, it supports the application of strategies and standards in the context of concrete country operations and the development of strategic partnerships with other humanitarian actors, including UNHCR.

The DRC Stand-by Roster is a partner to the UN organisations in complex emergencies and in transition situations (see chapter 3 for a complete description of the DRC Stand-by Roster).

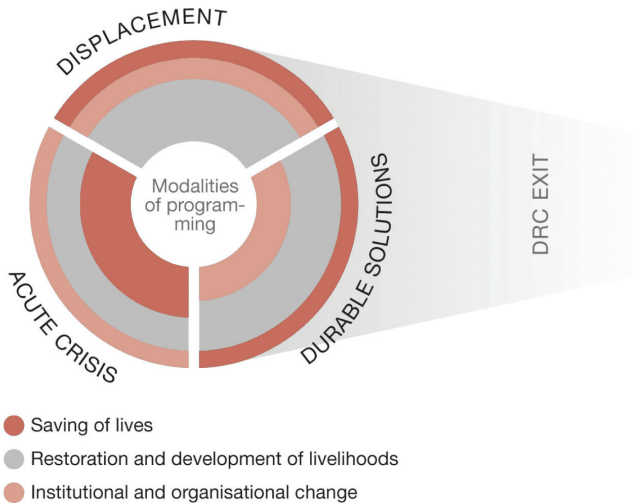
The Work of DRC International

The work of DRC International is based on the DRC Assistance Framework. The Assistance Framework rests on the assumption that parallel implementation of relief, rehabilitation and development activities match best the needs of people in fluctuating and unpredictable conflict settings. Based on this assumption, the Assistance Framework describes DRC's simultaneous use of three forms of assistance that focus on: i) saving lives through relief, ii) restoration and development of livelihoods, and iii) institutional and organisational change which promote values,

policies and capacities contributing to the protection of people's rights and the peaceful handling of conflicts. DRC analyses conflict and plans its operation based on three archetypical conflict scenarios:

- a) The Acute Crisis Scenario - referring to the period during and immediately after the outbreak of conflict, often characterised by continuing and massive forced displacement within a country and across international borders.
- b) The Displacement scenario - referring to protracted displacement situations during which the continuation of conflict prevents the attainment of durable solutions, but where the focus nevertheless should be on preparing for such solutions.
- c) The Durable Solutions scenario - materialises when a conflict has come to an end or when countries of asylum allow local integration, i.e. when a durable solution is actually an option for the vast majority of displaced people.

Graphically the approach is presented below:



As the model illustrates, the relative importance of the various forms of assistance will be dependent on the situation of the target group, i.e. in which scenario it finds itself.

Furthermore, as indicated in the centre of the figure, the assistance model is constituted by a set of modalities that guide DRC programming. These include the entry and exit criteria, the sectors of intervention, modes of delivery, operational

principles and measures to ensure quality control.

» Refer to annex 2B for further details on the DRC Assistance Framework.

Sectors of Intervention

The DRC programmes fall within seven core sectors of intervention and three support sectors. The core sectors reflect DRC experience. The support sectors cover activities that primarily serve the wider humanitarian community rather than individual refugees and IDPs, who instead are indirect beneficiaries of such activities.

The DRC core areas of intervention are:

1. Housing and Small-scale Infrastructure
2. Income Generation through grant and micro finance
3. Food Security and Agricultural Rehabilitation
4. Displacement related law and information
5. Social Rehabilitation
6. NGO Capacity Development and Networking
7. Humanitarian Mine Action / DDG

The three support areas of intervention are:

1. Information Management and Coordination.
2. Logistics and Transport.
3. Secondment of Emergency Personnel / DRC Stand by Roster.

DRC operates with a number of operational principles that guide the development and implementation of strategies and plans within all types of assistance and in all scenarios. These include Sustainability, Participation, Collaboration with Local Partners, Complementarity, Replicability, Do-No-Harm, Capacity Development, Advocacy, Gender, and Environment.

2.2.5 The Asylum Department

The main focus of the Asylum Department is advocacy for the rights of asylum seekers and refugees in Denmark. It monitors and analyses decisions made by the Danish Immigration Service and the Refugee Appeals Board, comments on new legislative proposals in the broad field of asylum and immigration and produces detailed background documentation on the human rights situation in selected, refugee-producing countries.

Since 1983, DRC has been an integral part of the Danish asylum and refugee system and in this capacity the Asylum Department is involved in Refugee Status Determination (RSD) procedures. Hence, DRC reviews all manifestly unfounded

cases and holds veto powers and thus has the competence to return such cases to the normal and full asylum procedure. Furthermore, DRC in co-operation with the Danish Immigration Service participates in all resettlement missions to countries of asylum to select refugees for resettlement in Denmark under the UNHCR quota. Finally, DRC provides counselling to all asylum seekers; before, during and after termination of the asylum procedure.

The Asylum Department alone or in cooperation with the International Department undertakes several international activities aimed at developing and improving RSD procedures, strengthening the rights of asylum seekers, and building the capacity of authorities and civil society organisations in refugee law and information. Additional activities aimed at supporting the return of asylum seekers from Denmark to the countries of origin such as information and counselling, go-and see visits and direct support upon return are also implemented in close co-operation with the International Department.

2.2.6 The Integration Department

The aim of the Integration Department is to support refugees and immigrants in assuming greater responsibility for their own lives and to support Danish society in its capacity to involve and make use of the resources of refugees and immigrants. It does so through offering services in terms of Danish language tuition; labour market integration; counselling and other forms of assistance to vulnerable groups and traumatised refugees and immigrants; as well as translation.

The Integration Department works mainly with municipalities, who are responsible for the integration of refugees and immigrants in Denmark. Other stakeholders include public employment services, schools, institutions, hospitals and private enterprises. The department has a team of more than 250 teachers, integration workers and consultants covering almost all aspects of the integration process.

2.2.7 The Volunteer Department

The Volunteer Department has a network of more than 3,800 volunteers to support the integration of refugees into the Danish society through engaging in various social, educational and labour market activities. Altogether, more than 10,000 refugees and immigrants in Denmark receive direct support from volunteers. This makes it one of the most important parts of civil society engagement in the integration of refugees in Denmark.

The specific role of the Volunteer Department is to provide support to independently organised groups of volunteers and counselling centres in all municipalities across Denmark. It does so by providing direct advisory services to volunteer groups and by coordinating information and experience from the volunteer work in general. This also enables it to document the impact of civil society activities in support of

refugees and immigrants.

2.2.8 The Communication Department

The Communication Department is responsible for communicating with the media on various advocacy and information issues. It also maintains the DRC website and intranet in addition to editing publications.

Another main task of the department is the collection of private funds in support of DRC's work in Denmark and abroad. Every year, DRC raises significant funds for its work from companies, private individuals and others. An important part of this is the annual, nation-wide "door-to-door" collection campaign, which takes place every autumn, normally on the first Sunday in November.

2.2.9 The Resources and Development Department

The department is in charge of overall administration and human resource management in DRC. With respect to programmes outside Denmark, this includes handling of bank accounts, cash transfers, booking of income and expenditures, preparations for audits on behalf of institutional donors, maintenance and development of financial management systems and related tools, and support for monitoring of project finances. Furthermore, it handles all contractual issues related to expatriate staff, including salary payments and insurance. Finally, the department increasingly provides support to capacity building activities for administration and finance staff in the international programmes.

2.3 The Mandate and General Accountability Framework for DRC International

DRC wants to be accountable. Not just to donors but also – and in particular - to those DRC is trying to help. DRC uses many instruments for this, like participation, feedback, complaints-handling and reporting. One important element is to inform beneficiaries and stakeholders about the Humanitarian Accountability Framework – in other words what they should hold DRC accountable for.

The Humanitarian Accountability Framework for DRC's international activities consists of the external standards, codes, principles, and guidelines; internal mandate, values, principles, charter as well as the guidelines that DRC voluntarily subscribes to. The key elements of DRC's Humanitarian Accountability Framework (HAF) are summarised in the following.

» Refer to annex 2C for a brief summary of DRC's HAF

2.3.1 The Mandate for DRC's International Activities

In 2004, the DRC's Executive Committee approved the following mandate for

DRC's international activities:

The DRC mandate for international activities is the protection and promotion of durable solutions to refugee and displacement problems, on the basis of humanitarian principles and human rights, including:

- Providing refugees, IDPs and other affected groups in situations of war and conflict with assistance according to their rights. This assistance can consist of relief and other humanitarian aid, rehabilitation and support to return home, as well as contributions to the promotion of durable solutions.
- Contributing to capacity building and co-operation between local and national authorities, as well as other relevant organisations. This work aims at strengthening advocacy and promoting solutions to problems related to situations of conflict, particularly with a view to improving the protection and reintegration of refugees and IDPs.

Implicit in the DRC mandate for international activities are the following key features:

- While displacement of people is the core reason for DRC to initiate assistance activities, the target group typically covers not only refugees and IDPs, but also other individuals, groups, organisations and institutions affected by conflict. Amongst these are the host populations in areas receiving displaced people, as well as civil society organisations and government institutions that have an active or potential role in the provision of services to conflict-affected population groups
- DRC is a rights-based organisation as it bases its activities on fundamental human rights principles. DRC uses Human Rights as the “lens” for determining programming priorities; forms of assistance and assessment of its impact (refer to annex 2D Description of the Rights-based Approach)
- As a rights-based organisation, DRC is strongly engaged in i) making states and individuals take up their humanitarian responsibilities to protect people affected by war, conflict or displacement, ii) filling-in for them as much as possible when they do not; and iii) encouraging and supporting conflict affected individuals and communities in accessing their rights
- DRC is focussed on identifying sustainable solutions for people affected by forced displacement. The durable solution objective is included, even when providing emergency assistance
- DRC works with authorities, at national, but particularly at decentralised levels. DRC often undertakes cross-border operations and takes an active part in regional coordination mechanisms.

- The mandate for international activities provides a flexible and dynamic framework for its operations, allowing DRC to tailor its assistance to a variety of operational contexts.

2.3.2 External Codes, Standards, and Key Instruments

The DRC international mandate as well as all core strategic documents of DRC International are based on, and incorporate key international instruments relating to refugees and displaced people. These include:

- The 1951 Convention and the 1967 Protocol relating to the Status of Refugees;
 - The 1998 Guiding Principles on Internal Displacement;
 - The Universal Declaration on Human Rights;
 - The Geneva Conventions of 1949
 - Other key bodies of international humanitarian law
- » Refer to chapter 4.1 for elaboration on the legal framework and annex 4A, 4C, 4D1-4D2, 4F, 4G, 4I for the actual documents.

In addition to these, DRC/DDG incorporates two instruments of international law that apply specifically to landmines and explosive remnants of war:

- The 1997 Anti-Personnel Mine Ban Convention also named the Ottawa Treaty
 - The 1980 Convention on Certain Conventional Weapons, including the amended protocol II from 1998 and the protocol V from 2003 addressing Explosive Remnants of War (ERW)
- » Refer to annex 2E for the Ottawa Treaty and annex 2F1-2F3 for the CCCW and protocols.

Furthermore, DRC is committed to specific international standards and codes relating to assistance provision, quality, accountability and learning. These are:

a. The Code of Conduct for the International Red Cross and Red Crescent Movement and Non-Governmental Organisations (NGOs) in Disaster Relief

The Code of Conduct is a voluntary code that was developed by ICRC, IFRC and a number of NGOs in the mid-1990's to maintain the high standards of independence, effectiveness and impact to which disaster response NGOs and the International Red Cross and Red Crescent Movement aspires. It contains ten fundamental principles that guide the provision of humanitarian assistance, thereby promoting the independence, the effectiveness and the impact of such assistance.

At the core of the Code of Conduct is article 1- the Humanitarian imperative:

“The right to receive humanitarian assistance, and to offer it, is a fundamental humanitarian principle which should be enjoyed by all citizens of all countries. As members of the international community, we recognise our obligation to provide humanitarian assistance wherever it is needed. Hence the need for unimpeded access to affected populations is of fundamental importance in exercising that responsibility. The prime motivation of our response to disaster is to alleviate human suffering amongst those least able to withstand the stress caused by disaster. When we give humanitarian aid it is not a partisan or political act and should not be viewed as such”

» Refer to annex 2G for the ICRC Code of Conduct in its full version.

b. The SPHERE Humanitarian Charter and Minimum Standards in Disaster Response

The Sphere Humanitarian Charter and Minimum Standards was developed in the late 1990s. It obliges humanitarian agencies to provide defined levels of services for people affected by calamity or armed conflict as well as their duty to comply with fundamental humanitarian principles. The Humanitarian Charter consists of a set of principles (the right to live with dignity, the distinction between combatants and non-combatants, and the principle of non-refoulement), roles and responsibilities and minimum standards (with regard to water supply and sanitation, nutrition, food aid, shelter and site planning, and health service).

» Refer to annex 9A for a summary of the SPHERE minimum standards and annexes 9B-9J for the complete Sphere Handbook.

c. The HAP Principles of Accountability and the Humanitarian Covenant

DRC is a founding member of HAP, which is an organisation whose mission is to make humanitarian action accountable to its intended beneficiaries through self-regulation, compliance verification and quality assurance certification. Following an independent accountability audit, DRC was certified under the HAP 2007 Standard in Humanitarian Accountability and Quality on 24 April, 2007. The certification is valid for three years, with a mid-term review after 18 months. The Standard comprises of four Qualifying Norms and six Benchmarks that reflect the HAP Principles of Accountability to which DRC has signed up:

The HAP Principles of Accountability

1. Commitment to humanitarian standards and rights
 - Members state their commitment to respect and foster humanitarian standards and the rights of beneficiaries
2. Setting standards and building capacity
 - Members set a framework of accountability to their stakeholders
 - Members set and periodically review their standards and performance indicators, and revise them if necessary
 - Members provide appropriate training in the use and implementation of standards
3. Communication
 - Members inform, and consult with, stakeholders, particularly beneficiaries and staff, about the standards adopted, programmes to be undertaken and mechanisms available for addressing concerns
4. Participation in programmes
 - Members involve beneficiaries in the planning, implementation, monitoring and evaluation of programmes and report to them on progress, subject only to serious operational constraints
5. Monitoring and reporting on compliance
 - Members involve beneficiaries and staff when they monitor and revise standards
 - Members regularly monitor and evaluate compliance with standards, using robust processes
 - Members report at least annually to stakeholders, including beneficiaries, on compliance with standards.
6. Addressing complaints
 - Members enable beneficiaries and staff to report complaints and seek redress safely
7. Implementing Partners
 - Members are committed to the implementation of these principles if and when working through implementation partners

The certification under the HAP Standard complements DRC's well-established accountability measures towards beneficiaries and donors. As a certified organisation under the Standard, DRC is obliged to meet its benchmarks.

However, humanitarian action often takes place in contexts that are complex, difficult and even hostile. In such contexts, it may be impossible to achieve full compliance with all the Principles of Humanitarian Action at the same time. Therefore, DRC has signed up with HAP's Humanitarian Accountability Covenant, which recognises the basic humanitarian and accountability principles within a hierarchy of primary, secondary and tertiary principles. The hierarchy between the Principles helps making hard choices in adverse situations where implementation of one principle might undermine the implementation of another. However, DRC is obliged under the HAP Standard to always explain why in such situations a principle could not be met.

» Refer to annex 8A-8E for the HAP documents

2.3.3 Internal Instruments, Standards and Norms

The internal codes and instruments of DRC include mainly the following:

- The DRC Code of Conduct for staff performance
- The DRC Assistance Framework
- Modalities for programming and guidelines for program management as outlined in the DRC Program Handbook (can be handed over on request)

» Refer to annex 2H for the DRC Code of Conduct and annex 2B The DRC Assistance Framework

2.4 Collaboration, Partnerships and Networks

Throughout its existence, DRC has realised the need to engage in national and international strategic partnerships and other forms of collaboration in order to reach the objectives aimed for. This is closely linked with a strong belief in the need to enhance overall impact through promoting the greatest possible degree of coherence and complementarity among assistance actors. Of primary importance in this regard is the UN system as a whole and UNHCR in particular. Furthermore, DRC emphasises being part of and sometimes even a driving force in NGO coordination, both in field operations and at the global level.

2.4.1 Collaboration with the UN System

In February 2007 DRC and UNHCR signed a Strategic Partnership Agreement guiding the cooperation between the two organisations. This strategic and operational partnership emphasises closer cooperation in the following areas:

Protection, including:

- Continued and strengthened co-operation with regard to developments in European asylum law and practices;
- Development of closer co-operation on refugee protection including a rights-based approach to assistance to refugees and IDPs, capacity building of national refugee authorities and civil society organisations in the field of refugee law, including refugee status determination (RSD); and
- Development of close strategic and operational co-operation on IDP protection, taking its point of departure in the UN Humanitarian Reform and the UNHCR-led cluster for IDP protection.

Emergency response through:

- Strengthening of the existing stand-by arrangements for deployment of personnel for field operations; and
- Expanding ongoing cooperation in relation to emergency response capacities in general and in particular within the areas of transport and logistics, and emergency shelter.

Strategic and operational collaboration in support of durable solutions with an emphasis on livelihoods and reintegration in selected operations, including:

- Deployment of livelihoods and reintegration assistance experts to priority operations agreed by the two parties;
 - Mutual support in undertaking capacity building efforts with the aim to further strengthen sustainability of solutions;
 - Mutual support in Operational Data Management through exchange of information, technical support and joint development of tools;
 - Assist in the area of mine action in support of durable solutions through engaging in joint assessments, mine awareness and victim assistance activities.
- » Refer to annex 2I for the full text of the MoU on Strategic Partnership between UNHCR and DRC and to section 4.2.1 for a presentation of the MoU between the DRC Stand-by Roster and UNHCR

DRC works very closely with many other UN organisations on the ground, while the DRC Stand-by Roster through has a formalised collaboration with additionally seven organisations through a MoU.

- » Refer to section 4.2 for a more detailed description of these partnerships.

2.4.2 Other Partnerships and Networks

DRC is an active member of the following networks:

International Council of Voluntary Agencies - ICVA: DRC is one of the founding members of ICVA. The body was established in 1962 as an independent international association of NGOs active in humanitarian assistance and sustainable development. ICVA has approximately 100 member agencies from all continents and is essentially an international forum for the exchange of views, the sharing of strategies and the coordination of action by voluntary agencies. Its activities cover three main areas: advocacy issues; promotion of national and regional networking; and promotion of effective communication and coordination among NGOs and between NGOs and intergovernmental organisations, notably UNHCR. DRC holds a seat in ICVA's board.

Voluntary Organisations in Cooperation in Emergencies - VOICE: VOICE was founded in 1992 as part of the Liaison Committee of Development NGOs to the European Union. VOICE is a pluralist grouping of development and emergency aid NGOs, which are based in a European Union country or have signed a Framework Partnership Contract with the European Commission's Humanitarian Office (ECHO). The aim of VOICE is to support the network of humanitarian aid NGOs in their interaction with the European Union. The main activities of VOICE are information-sharing, consultations and political dialogue with the European Union and the European Commission. DRC became member of VOICE in 1992.

European Council on Refugees and Exiles – ECRE: DRC is one of the founding members of ECRE. The body was set up in the early 1970s as a forum for cooperation between more than 60 NGOs in Europe concerned with refugees and the right to asylum. ECRE's objective is to promote, through joint analysis, research and information exchange, a humane and liberal asylum policy in Europe. ECRE is based in Brussels and is advised by an Executive Committee.

Humanitarian Accountability Partnership - HAP: DRC is among the founding members of HAP and received HAP-certification in June 2007. Refer to Section 2.3.3.

The Active Learning Network for Accountability and Performance in Humanitarian Action – ALNAP: ALNAP was established in 1997, following the multi-agency evaluation of the Rwanda genocide. It is an international interagency network that brings together donors, academia and organisations across the humanitarian sector and is dedicated to improving the accountability and quality of humanitarian action through mutual learning. DRC is member of ALNAP and participates in its biannual meetings and other learning events.

International Campaign to Ban Landmines - ICBL: ICBL is a network of more than 1200 NGOs in 60 countries, working for a global ban on landmines.

2.4.3 Coordination in the Field

Wherever possible, DRC coordinates its programme activities with local authorities, with the UN and with other international NGOs and networks.

It does so for three reasons:

- To ensure the effective use of currently available agency activities/resources;
- To help setting the humanitarian agenda and to ensure that the rights of the displaced are respected; and
- To help setting the donor agenda – and to ensure ongoing support for DRC’s operations.

Notes

- 1) DRC Programme Handbook, DRC 2008
- 2) The 1951 Convention relating to the Status of Refugees
- 3) Guiding Principles on Internal Displacement
- 4) Refugee Protection: A Guide to International Refugee Law, UNHCR/IPU 2001
- 5) DRC Annual Report 2008

ANNEX 2A

THE CODE OF CONDUCT OF THE DANISH REFUGEE COUNCIL

1 Introduction

1.1 Why a Code of Conduct

1.1.1 DRC's capacity to ensure the protection of and assistance to refugees, IDPs and other persons of concern (hereafter "persons of concern") depends on the ability of its staff to uphold and promote the highest standards of ethical and professional conduct.

1.1.2 Further, it is recognised that DRC's work often puts its staff in positions of unequal power relations towards its persons of concern.

1.1.3 This Code of Conduct holds the values and rules that DRC and its staff shall act by to uphold and safe-guard the necessary standards of conduct and to avoid misconduct.

1.2 Who is covered

1.2.1 This Code of Conduct applies to DRC and to all its staff in relation to international programme activities. Both international, expatriate staff, HQ staff on mission, and local staff in the international programmes are obliged by this Code of Conduct.

1.2.2 DRC and its staff are covered by other sets of rules in relation to national activities in Denmark. However, these sets of rules promote the same core values and obligations.

1.2.3 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

1.3.1 This Code of Conduct is not only a moral code that serves as an illustrative guide for DRC 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 DRC 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. Staff is also urged to encourage partners to adhere to these standards and to join DRC staff in upholding them. Managers at all levels have a special responsibility to support and develop systems that maintain

this environment.

1.3.3 All DRC staff is obliged to report to managers or to HQ concerns or suspicions regarding criminal or ethical activities that are in conflict with this Code of Conduct and which may compromise DRC.

1.4 Implementation and interpretation

1.4.1 While acknowledging that local laws and customs may differ from one country to another, the Code of Conduct is based on international legal standards. Guidance on appropriate interpretation can be found in the Notes to the UNHCR Code of Conduct, in the UN Secretary-Generals Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13), and in the IASC Report on protection from sexual exploitation and abuse in humanitarian crises (13 June 2002).

1.4.2 All DRC staff members shall contact their manager or HQ for guidance if they find themselves in a situation of doubt in relation to this Code of conduct and its provisions.

2 Core values and guiding principles

DRC and its staff are committed to the following fundamental values and principles:

- i The values enshrined in the Charter of the United Nations: respect for fundamental human rights, social justice and human dignity, and respect for the equal rights of men and women. DRC and its staff shall actively promote adherence to the principles of international refugee law, international human rights law and international humanitarian law.
- ii It is DRC' and its staffs primary commitment to ensure the protection of and assistance to its persons of concern, in accordance with DRC' mandate. DRC and its staff are committed to supporting the fullest possible participation of persons of concern – as individuals, families and communities – in decisions that affect their lives.
- iii DRC and its staff will respect the dignity and worth of every individual, will promote and practise understanding, respect, compassion and tolerance, and will demonstrate discretion and maintain confidentiality as required. DRC and its staff will aim to build constructive and respectful working relations with humanitarian partners, will continuously seek to improve performance, and will foster a climate that encourages learning, supports positive change, and applies the lessons learned from experience.
- iv DRC and its staff will show respect for all persons equally without distinction whatsoever of race, gender, religion, colour, national or ethnic origin, language, marital status, sexual orientation, age, socio-economic status, disability, politi-

cal conviction, or any other distinguishing feature. DRC and its staff will strive to remove all barriers to equality.

- v DRC and its staff will respect cultures, customs and traditions of all peoples, and will strive to avoid behaving in ways that are not acceptable in a particular cultural context. However, when the tradition or practice is considered to be directly contrary to an international human rights instrument or standard, DRC and its staff will be guided by the applicable human rights instrument or standard.
- vi DRC 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.

3. Staff members' commitment

As a DRC staff member I commit myself to the following:

3.1 To treat all persons of concern fairly, and with respect and dignity.

3.1.1 I will always seek to understand the difficult experiences that persons of concern to DRC have faced and survived, as well as the disadvantaged position in which they – particularly on the basis of gender, age or disability – may find themselves in relation to those who hold power or influence over aspects of their lives.

3.1.2 I will 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.

3.1.3 If my job involves direct work with persons of concern, I will meet with them regularly, in order to fully understand their experiences and needs, and to explain the role of DRC and the scope of its work.

3.1.4 I will keep myself informed about DRC's policies, objectives and activities and about refugee concerns, and will do my utmost to support the DRC's protection and assistance work.

3.2 To uphold the integrity of DRC, by ensuring that my personal and professional conduct is, and is seen to be, of the highest standard.

3.2.1 I will demonstrate integrity, truthfulness, dedication and honesty in my actions.

3.2.2 I will be patient, respectful and courteous to all persons with whom I deal in an official capacity, including persons of concern, representatives of operational and implementing partners, governments and donors.

3.2.3 I will observe local laws, will meet all my private legal and financial obligations, and will not seek to take personal advantage of any privileges that have been conferred on me in the interest of DRC.

3.2.4 I will do my utmost to ensure that the conduct of members of my household

does not reflect unfavourably on the integrity of DRC.

3.3 To perform my official duties and conduct my private affairs in a manner that avoids conflicts of interest, thereby preserving and enhancing public confidence in DRC.

3.3.1 My actions will be free of any consideration of personal gain, and I will resist any undue political pressure in decision-making.

3.3.2 I will neither seek nor accept instructions regarding the performance of my duties from any government, including by national authorities, or from any authority external to DRC.

3.3.3 I will neither give nor accept any honour, decoration, favour gift, remuneration, or bribe, to / from any government; nor will I give nor accept such to / from any other source external to DRC without prior authorisation. It is, however, allowed to give or accept small tokens of appreciation that are exchanged in accordance with local practise provided that it cannot compromise the integrity of DRC.

3.3.4 I will not engage in any outside occupation or employment without prior authorisation.

3.3.5 I will not accept supplementary payments or subsidies from a government or any other source, or participate in certain political activities such as standing for or holding public office without prior authorisation.

3.3.6 I will avoid assisting private persons or companies in their undertakings with DRC where this might lead to actual or perceived preferential treatment.

3.3.7 I will never participate in activities related to procurement of goods or services, or in human resource activities, where a conflict of interests may arise.

3.4 To contribute to building a harmonious workplace based on team spirit, mutual respect and understanding.

3.4.1 I will show respect to all colleagues, regardless of status or position, and will allow all colleagues the opportunity to have their views heard, and to contribute from their knowledge and experience to team efforts.

3.4.2 I will communicate openly and share relevant information (subject to confidentiality requirements) with other colleagues, and will endeavour to respond in a timely manner to queries.

3.4.3 I will respect my colleagues' privacy, and avoid misinformation.

3.4.4 I will seek to resolve differences and solve problems when they arise, and will contribute to building constructive dialogue, guided by mutual respect and an open, positive approach, between management and staff representatives.

3.4.5 As a manager I will be open to the views of all team members. I will provide timely feedback on the performance of each team member through guidance, mo-

tivation and full recognition of their merits.

3.5 To promote the safety, health and welfare of all DRC staff as a necessary condition for effective and consistent performance.

3.5.1 I will remain aware of and comply with all instructions designed to protect my health, welfare and safety.

3.5.2 I will always consider the safety of staff in operational decisions.

3.5.3 If I have doubts regarding an instruction that I consider threatening to my safety or the safety of other persons, I will bring this immediately to the attention of my manager.

3.5.4 As a manager, I will endeavour to ensure that the health and well-being of staff and their families are not subjected to undue risk. I will promote a healthy work-life balance for staff, and will respect staff entitlements.

3.6 To safeguard and make responsible use of the information and resources to which I have access by reason of my employment with DRC.

3.6.1 I will exercise due care in all matters of official business, and not divulge any confidential information about persons of concern, colleagues and other work-related matters in accordance with the terms of employment and current guidelines.

3.6.2 I will protect, manage and utilise DRC human, financial and material resources efficiently and effectively, bearing in mind that these resources have been placed at DRC's disposal for the benefit of the persons of concern.

3.7 To prevent, oppose and combat all exploitation and abuse of persons of concern.

3.7.1 I undertake not to abuse the power and influence that I have by virtue of my position over the lives and well-being of persons of concern.

3.7.2 I will never request any service or favour from persons of concern in return for protection or assistance.

3.7.3 I will never engage in any exploitative relationships, emotional, financial or employment-related with persons of concern. I will act responsibly when hiring or otherwise engaging persons of concern for private services. I will report in writing on the nature and conditions of this employment to my manager.

3.7.4 I will not engage in sexual activity with children under the age of 18. Mistaken belief in the age of the child does not constitute a defence.

3.7.5 I will not engage in sexual exploitation or abuse of persons of concern, and I have a particular duty of care towards women and children.

3.7.6 I will neither solicit nor engage in commercial exchange of sexual services as such relationships may undermine the credibility and the image of the Humanitarian Sector and of DRC.

3.7.7 I am aware that DRC strongly discourages sexual relationships between its staff members and persons of concern, although these relations are not exploitative or abusive. Such relationships may undermine the credibility and the integrity of DRC and of the staff members involved. Should I find myself in such a relationship with a person of concern that I consider non-exploitative and consensual, I will report this to my manager for appropriate guidance in the knowledge that this matter will be treated with due discretion.

3.8 To refrain from any involvement in criminal or unethical activities, activities that contravene human rights, or activities that compromise the image and interests of DRC.

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

3.9 To refrain from any form of harassment, discrimination, physical or verbal abuse, intimidation or favouritism in the workplace.

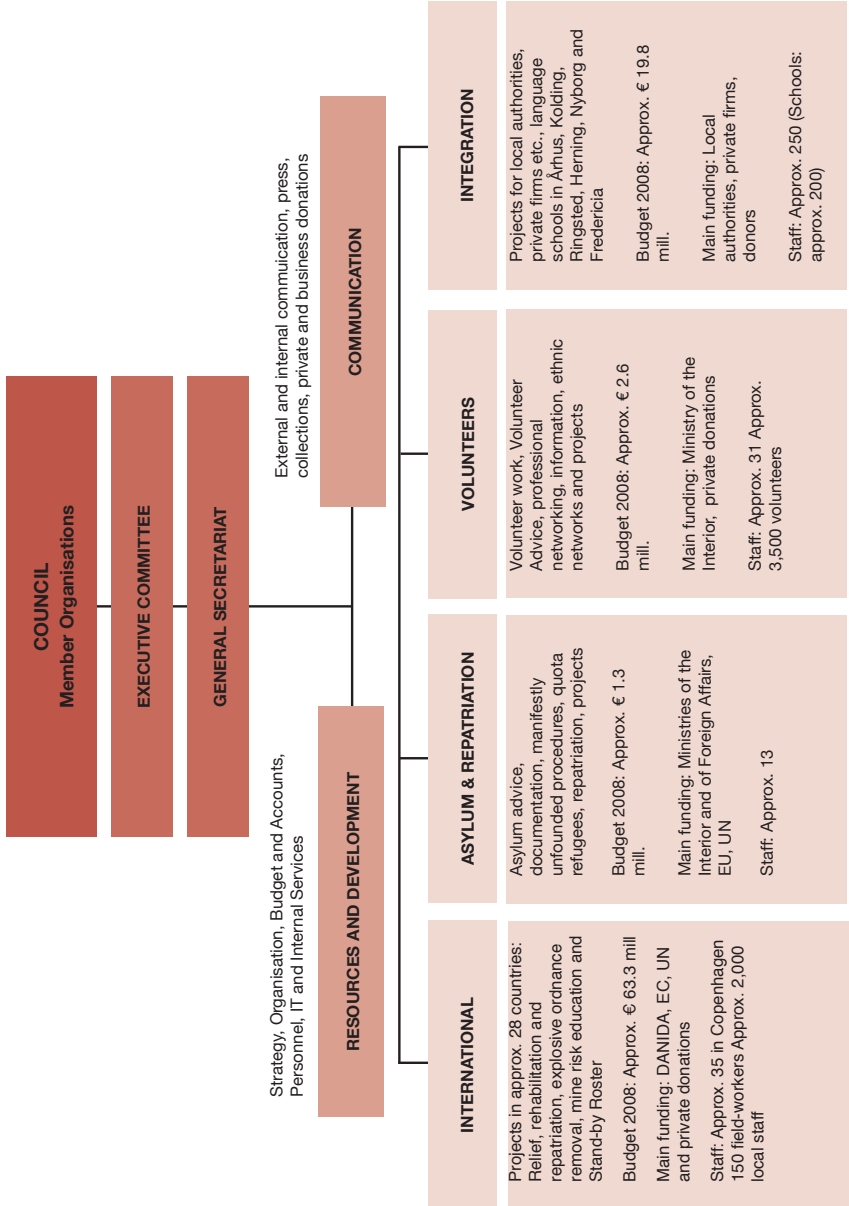
3.9.1 I will not engage in or tolerate any form of harassment in the workplace, including sexual harassment and abuse of power.

3.9.2 As a manager, I will not solicit favours, loans or gifts from staff, nor will I accept unsolicited ones that are of more than token value.

3.9.3 I recognise that there is an inherent conflict of interest and potential abuse of power in having intimate and sexual relations with staff under my supervision. I am aware that DRC strongly discourages such relations. Should I find myself in such a relationship, I will resolve this conflict of interest without delay.

ANNEX 2H

ORGANISATIONAL CHART OF THE DANISH REFUGEE COUNCIL



ANNEX 21

MOU ON STRATEGIC PARTNERSHIP BETWEEN UNHCR AND DRC

Memorandum of Understanding
between
The Office of the United Nations High Commissioner for Refugees (UNHCR)
and
The Danish Refugee Council (DRC)
on
"STRATEGIC PARTNERSHIP"

A. Preamble

This Memorandum of Understanding (MoU) reflects the long history of close cooperation between UNHCR and DRC. It has been developed in recognition of the respective mandates, responsibilities and capacities of UNHCR and DRC.

The MoU recognises the shared commitment towards the protection of and assistance to refugees and internally displaced persons (IDPs) and it reflects the intention to strengthen strategic cooperation between UNHCR and DRC in these regards.

In light of the commitments set out in *Agreements of Understanding Between the Danish Refugee Council and UNHCR* (latest revision of 29 September 1984), *the Framework Agreement for Operational Partnership* (latest revision of 8 November 2000), and *the Tripartite Agreement on the Establishment of a StandBy force between DRC, NRC and UNHCR* (latest revision of 30 June 2005), which are all hereby incorporated by reference; this MoU is aimed at:

- Promoting strategic and operational collaboration at the global and country levels to the benefit of refugees and IDPs;
- Launching a strategic partnership that focuses on strengthening quality, accountability and efficiency in protection and humanitarian action; and
- Maximizing complementarities and efficiencies in the use of respective capacities.

B. Scope and areas of cooperation


1. This MoU applies to the most substantive areas of cooperation between UNHCR and DRC. As such, it constitutes the basis for the development of a strategic and operational partnership between the two organizations on both the global level and in specific operations.
2. The strategic and operational partnership will emphasise closer cooperation in the following areas:
 - Protection, including
 - Continued and strengthened co-operation with regard to developments in European asylum law and practices;
 - Development of closer co-operation on refugee protection including a rights-based approach to assistance to refugees and IDPs, capacity building of national refugee authorities and civil society organizations in the field of refugee law, including refugee status determination (RSD).
 - Development of close strategic and operational co-operation on IDP protection, taking its point of departure in the UN Humanitarian Reform and the UNHCR-led cluster for IDP protection, and covering activities such as IDP profiling and response planning.

- Emergency response through:
 - Strengthening of the existing standby arrangements for deployment of personnel for field operations;
 - Expanding ongoing cooperation in relation to emergency response capacities in general, and in particular within the areas of transport and logistics, and emergency shelter.
- Strategic and operational collaboration in support of durable solutions with an emphasis on livelihoods and reintegration in selected operations, including:
 - deployment of livelihoods and reintegration assistance experts to priority operations agreed by the two parties;
 - mutual support in undertaking capacity building efforts with the aim to further strengthen sustainability of solutions;
 - mutual support in Operational Data Management through exchange of information, technical support and joint development of tools;
 - assist in the area of mine action in support of durable solutions through engaging in joint assessments, mine awareness and victim assistance activities.
 - support or jointly undertake Assessment and Strategic Planning Missions in regards to self-reliance, local integration and reintegration operations.
 - promoting a common understanding within the assistance community at large regarding bridging the gap between relief and development.

C. Methodology for Cooperation

1. A high-level meeting will be held annually between UNHCR and DRC to review the present MoU and to agree upon further global co-operation.
2. Biannual meetings will be held between DRC and the UNHCR Divisions of Operational Services and International Protection Services, to further elaborate on development and implementation of strategies and operational co-operation. The biannual meetings shall include a review of joint activities in the preceding period and the development of concrete joint workplans for the following period. The workplans are to specify the selection of concrete country operations for such joint activities.
3. Where relevant, UNHCR and DRC will undertake joint assessments and other types of missions to field operations.
4. Both organizations will strive to ensure effective coordination, cooperation and mutual support on the global level and in specific operations, e.g. with regard to field assessments, monitoring, provision of guidance and advice, fundraising etc.
5. UNHCR and DRC will disseminate this MoU and promote its implementation, including through providing field operations with guidance as regards its intent and implementation.


 António Guterres
 High Commissioner
 United Nations High Commissioner for Refugees
 Geneva, Switzerland
 26 February 2007


 Andreas Kamm
 Secretary General
 Danish Refugee Council
 Geneva, Switzerland
 26 February 2007