

1. PURPOSE
2. SCOPE OF APPLICATION
3. GOOD GOVERNANCE
4. ORGANIZATIONAL INTEGRITY AND INDEPENDENCE
5. FINANCIAL MANAGEMENT AND ACCOUNTABILITY
6. MANAGEMENT AND HUMAN RESOURCES COMMITMENTS
7. COMMUNICATION
8. ENFORCEMENT OF THE CODE
9. REVISION CLAUSE

## **ARTICLE 1: PURPOSE**

The purpose of the Code of Good Practice is to lay down a set of standard and core values which NGOs working in Somaliland must adhere to. Its main objectives are to:

- 1.1 Ensure transparency and accountability;
- 1.2 Improve the quality of services provision and delivery;
- 1.3 Improve communication and cooperation between NGOs and other stakeholders;
- 1.4 Ensure commitment to national development.

## **ARTICLE 2: SOPE OF APPLICATION**

The Code shall apply to all National, International and Foreign NGOs operating in Somaliland. The Code shall also apply to the members, officials, employees and volunteers of those NGOs.

## **ARTICLE 3: GOOD GOVERNANCE**

- 3.1 NGOs shall be legally constituted in their country of origin;
- 3.2 NGOs shall operate under the terms set out in a written Constitution or any other such instrument, which amongst other things shall clearly articulate the organization's vision, objectives and organizational structure;

- 3.3 The members of the governing body must set high personal standards for themselves and others within the organization;
- 3.4 The governing body shall govern the organizations in a fair, impartial and responsible manner;
- 3.5 The governing body shall be the final approving authority for all policy statements and annual programs of the organization;
- 3.6 The governing body shall, amongst other things, put in place policies that determine the membership of the organization, promote equality and social inclusion.

NOTWITHSTANDING the provisions of this section of the Article, nothing shall prevent the members of the governing body of an organization from delegating any of their powers herein-contained to sub committees which shall report periodically to it.

#### **ARTICLE 4: ORGANIZATIONAL INTEGRITY AND INDEPENDENCE**

- 4.1 The constitution or any such document under which an NGO is operating shall stipulate the tenure of members of the governing body with provisions for democratic processes for change in tenure-ship;
- 4.2 The principles of transparency and accountability shall be applied in all the affairs and activities of the organization, whether with the government, the target population, donors and/or other stakeholders. The activities of the Organization shall, upon request, be open and accessible to scrutiny within the Law.
- 4.3 The governing body shall establish clear and unambiguous guidelines, which shall serve the purpose of ensuring that the personal interests of the members and volunteers do not conflict with those of the organization or influence, or affect the performance of their duties.
- 4.4 In dealing with complaints of misconduct, abuse of office or other irregularities levelled against any member, staff or volunteer of the organization, the equitable principles of fair hearing shall apply.
- 4.5 NGOs shall not discriminate against any person in terms of race sex, religion, and ethnicity.

## ARTICLE 5: FINANCIAL MANAGEMENT AND ACCOUNTABILITY

- 5.1 In their fund raising efforts, NGOs shall exercise caution, recognizing the need to maintain their independence and credibility. There shall be openness, honesty and transparency exhibited in the fundraising process, expenditure and accounting for the funds;
- 5.2 It shall be the responsibility of the governing body or its designated authority to approve and monitor the annual budget of the organization and to ensure that acceptable and sound financial accounting practices are employed;
- 5.3 Financial prudence shall be maintained in the expenditure of the finances of the organization;
- 5.4 NGOs shall not tolerate any improper influence, bribery or other unethical behaviour by their staff, volunteers, suppliers or other stakeholders;
- 5.5 The governing body shall ensure that the accounts of the organization are audited annually by independent professional auditors and that the results are widely circulated and made accessible to all the stakeholders;
- 5.6 NGOs shall strive towards the attainment of self-reliance rather than continued dependence on donor aid or charity.

## ARTICLE 6: MANAGEMENT AND HUMAN RESOURCE COMMITMENTS

- 6.1 NGOs shall adopt sound management practices, which shall take into account and consideration the vision, objectives and organizational Structure of the NGO;
- 6.2 NGOs shall develop and maintain well-articulated, fair and just policies and guidelines to deal with human resources (including volunteers) of the organization;
- 6.3 NGOs shall endeavour to establish training and educational programmes in support of this Code in order to ensure that its underlying values and expectations become fully integrated into the organization.

## ARTICLE 7: COMMUNICATION

- 7.1 NGOS shall provide members of the public, the target population, donors and governments with accurate and adequate information about their activities, finances and other important information that can be disclosed within the limits of law.

7.2 NGOs shall nurture the practice of sharing information, such as research outcomes, with other NGOs.

**ARTICLE 8: ENFORCEMENT OF THE CODE**

8.1 The Ministry of National Planning and Development shall be responsible for the enforcement of the provisions of this Code.

8.2 Within the Ministry, the Consultative Committee shall be charged with the following responsibilities:

- a. Ensuring strict compliance with the provisions of the Code;
- b. Determining petitions and complaints brought before it about the breach or violation of any part of the Code;
- c. Hearing petitions and complaints about the Registration process itself;
- d. Creating awareness of the provisions of the Code and taking steps to popularize its provisions, rendering assistance and explanations whenever required;
- e. Proposing amendments to the provisions of the Code;
- f. Any other responsibilities deemed appropriate.

8.3 Any aggrieved NGO or any other person or group of persons, may file a complaint or petition before the Consultative Committee with respect to a breach of the Code or file an appeal in relation to any aspect of the process and criteria for the accreditation of NGOs to the applicable Law in Somaliland;

8.4 The Consultative Committee shall promptly consider and investigate all complaints and petitions brought before it, at all times adhering to the principles of fairness and justice particularly observing the need for full disclosure and to grant the Respondent an opportunity to respond;

8.5 Where the petition or complaint is made against a member of the Consultative Committee, that member shall not take part in the proceedings at which the complaint will be heard;

8.6 Where the Consultative Committee finds that the Respondent has violated the provisions of the Code, or finds that the complaint laid against the process of Registration process applied to it is inappropriate, it shall have the power to take any of the following measures:

- a. Educate or counsel the Respondent;
- b. Reprimand the Respondent;
- c. Make an Order requiring the Respondent to take certain remedial steps within a stipulated period of time;
- d. Suspend or terminate the accreditation of the Respondent- NGO;

- e. Redress the wrong done to the NGO seeking accreditation or grant the specific redress sought by it;
- f. Take any other appropriate action.

8.7 Where the Consultative Committee finds that the Respondent has not violated or is not in breach of the provisions of the Code, it shall have power to take any of the under-listed steps:

- a. Exonerate the Respondent;
- b. Order the Complainant/Petitioner to render a public apology or
- c. Take any other action deemed appropriate by the Consultative Committee

NOTWITHSTANDING the provisions of this Article, nothing shall prevent the Consultative Committee from operating under other forms of rules of procedure.

#### **ARTICLE 9: REVISION CLAUSE**

Any part of the provisions of the Code shall be revised or amended only by the vote of two-thirds majority of the Consultative Committee.