

# Policy Mainstreaming: Session plan

Time: 90 minutes

## Aim of Session

Participants will consider various options and potential best practices for the mainstreaming of conflict-sensitive logistics, procurement and ethical transportation policies within international and non-government organizations, donor and inter-agency contexts. Focus areas include standardized tools (cross-agency ethical procurement policies), and coordination mechanisms as well as basic principles, guidelines and codes of conduct.

## Objectives of Session

At the end of this session participants will be able to:

- Identify the main external documents and codes of conduct that are relevant to air cargo issues and demonstrate how compliance with these means that agencies have to mainstream this issue
- Identify the internal documents that would contain references to ethical cargo issues (logistics handbook, Service Level Agreements and procurement guidelines, security handbook etc.)
- Identify the personnel who need to be aware of the issue
- List three actions they will take for mainstreaming this issue into their organization (training/informing relevant staff, updating documentation etc.)

## Key Messages

The use of suspect air-cargo carriers exposes an organization to:

- compromised security situations due to damaged reputation “by association”
- increased risk to staff members due to poor safety record of carriers

Changes in policy within NGOs, UN and other humanitarian organizations to demand cargo carriers meet ethical standards can make a significant impact on the economic incentive for companies to trade in detabilizing commodities

Collective changes to policy (e.g. Sphere, Cluster) will be an affective lever to facilitate practical coordination on the ground to create consortia for purchasing cargo services

## Resources

- Computer and projector. Slide presentation “PRES-PolicyMainstreaming”
- Flip chart and markers

- A4-paper cut length-ways into two for ACTIVITY 2. 12 pieces on each table
- 3 Actions slips – 2 for each participant

### Handouts

- Handout – sample Ethical Transport Procurement Policy
- Handout – Checklist for agencies
- Training evaluation form

### Preparation

- Check which agencies are represented by the participants and check which codes of conduct their agencies are signed up to
- Write the list of relevant documents on the flip chart in pencil as a reminder for taking open-floor suggestions

### Time summary

<b>Activity</b>	<b>Time (mins)</b>
ACTIVITY 1: Introduction to the session	10'
ACTIVITY 2: External initiatives and codes relevant to the issue	20'
ACTIVITY 3: Compliance with external initiatives and codes	20'
ACTIVITY 4: Internal documentation and codes	25'
ACTIVITY 5: What can you do to mainstream this issue?	10'
ACTIVITY 6: Wrap up and questions	5'
	<b>90'</b>

### Activity details

<b>ACTIVITY 1: Introduction to the session</b>	<b>10'</b>
<ul style="list-style-type: none"> <li>• Go through slides 1-3</li> <li>• Refresher – why is ethical cargo an issue for humanitarian organizations? Ask for suggestions and write up on flip-chart. Answers should include the following and could be grouped into impact on beneficiaries and impact on organizations</li> </ul>	

<p><b>ACTIVITY 2: Multi-agency initiatives/codes</b></p>	<p><b>20'</b></p>
<p>Show slide 4: “Activity”</p> <ul style="list-style-type: none"> <li>• Participants to list all the relevant external initiatives and codes that are relevant to this issue. Give them 5 minutes to write the name of each initiative/code on a slip of paper.</li> <li>• Ask the first group to blutak one slip of paper to a piece of flipchart paper and explain what the initiative/code is and why it is relevant</li> <li>• Keep going round the groups until all suggestions are exhausted</li> <li>• Add any other codes/initiatives that are missed out</li> </ul> <p>Go through slides 5-10 to summarise.</p>	
<p><b>ACTIVITY 3: Compliance</b></p>	<p><b>10'</b></p>
<p>Show slide 11 “Compliance”</p> <ul style="list-style-type: none"> <li>• Go down and ask people to put their hands up if they are a signatory to each code in turn. Cross-ref that with pre-prepared list of which initiatives/codes organizations are signed up to</li> <li>• Deal with issues on slide in turn.</li> </ul> <p>Slide 12 – ALNAP – use to summarise challenges.</p>	
<p><b>ACTIVITY 4: Internal documentation and codes</b></p>	<p><b>25'</b></p>
<p>Slides 13 - Activity</p> <p>The groups will now have one of two tasks. One half of the groups will do task A, the other task B.</p> <p>Task A: list all the internal documents and codes relevant to this issue on a flip-chart paper. Task B: list all the personnel who will be affected by this issue and why on a flip-chart paper. The paper should be divided into 2 columns “Who” and “Why”. 5-10 minutes</p> <p>Ask a rep from a groups doing Task A to report back. Ask others who have been doing Task A to add any they have missed.</p> <p>Ask a rep from a groups doing Task B to report back. Ask others who have been doing Task B to add any they have missed.</p> <p>Put the Task B list on the wall and fix another piece of flipchart paper next to it. Divide it into columns and put the</p>	

<p>name of the documents as the headers. Ask in turn which documents apply to which personnel and put a tick in the right boxes.</p> <p>Slides 14-15 – Ethical Procurement</p> <p>Summarise examples of agency/donor procurement guidelines</p> <p>Present and discuss EthicalCargo procurement policy sample</p> <p>Slide 16 – Highlight issue of following up on policies.</p>	
<p><b>ACTIVITY 5: What can you do to mainstream this issue?</b></p>	<b>10'</b>
<p>Slide 17 – summary Ethical Cargo tools and services</p> <p>Slide 18 – action plans</p> <ul style="list-style-type: none"> <li>• Ask participants in pairs to make action plan</li> <li>• Report back in plenary</li> <li>• Offer to link up participants by email after the session</li> </ul>	
<p><b>ACTIVITY 6: Wrap up and questions</b></p>	<b>5</b>
<p>Slide 19 – Questions</p> <p><b>NOTE: When wrapping up the presentation don't forget to make sure all handouts have been handed out, evaluation forms have been completed, the participant contacts sheet has been filled in and you have given details on how you can be contacted.</b></p>	

# Policy Mainstreaming

**ETHICAL CARGO**

## EthicalCargo project POLICY MAINSTREAMING

EUROPEAN COMMISSION  
Humanitarian Aid

Sida

sipri

CIT-MAP

# Slide 1: WELCOME

*NOTE: Confirm with the host (if there is one) if they will make a welcome speech first. If they do then say “Thank you XXX for your introduction.”*

Good morning/afternoon. My name is XXX and I am part of the EthicalCargo team, working on XXX. My background is XXX and I've been with the EthicalCargo project since XXX.

This session is titled “Policy Mainstreaming”. It's aim is to identify how agencies can mainstream conflict-sensitive transport procurement into their policies and procedures.



## Session objectives

- Identify key relevant external initiatives & codes of conduct
- Identify key relevant internal documents
- Identify common weaknesses of ethical procurement policies
- Identify key personnel who need to be aware of the issue
- List actions to be taken to mainstream this issue



## Slide 2: SESSION OBJECTIVES

The objectives of this session are that participants will:

- Identify key relevant external initiatives & codes of conduct
- Identify key relevant internal documents
- Identify common weaknesses of ethical procurement policies
- Identify key personnel who need to be aware of the issue
- List the actions they will take to mainstream this issue



## Refresher – why an issue?



UN Photo/Logan Abassi



## Slide 3: REFRESHER – WHY AN ISSUE?

*NOTE: Ask participants to say why the issue of air cargo operators transporting destabilizing commodities is an issue for humanitarian organizations.*

Humanitarian organizations may end up using the same cargo operators that are involved in destabilizing commodity flows. This is due to two main reasons – limited availability of alternatives and lack of information regarding air cargo operator behaviour.

This has the following implications:

Do No Harm in terms of:

- War economy - financial support to those providing logistics service to destabilizing actors.
- Beneficiary protection issues – economic support to suspect companies facilitates their ability to trade in weapons/C-SC

Programming/organizational issues:

- organizational reputation (local and international) can be damaged if association made between trafficking and the agency “They're all the same”.
- Humanitarian space – Reduced “humanitarian space” if humanitarian agencies are not seen as independent or are seen as being part of the problem
- Safety of personnel travelling on unsafe aircraft
- Increased exposure of staff to people who may be engaged in destabilizing activities - Staff may be put into uncomfortable situations by having to deal with suspect companies and their staff (bribes, being asked to sign-off on carrying extra cargo with their own shipment which may contain weapons/C-SC etc.)
- Compliance with donor requirements (e.g. ECHO “Rules and procedures” - ethical procurement)



## Multi-agency initiatives/codes

- **ACTIVITY**

- In groups, identify key multi-agency initiatives, codes of conduct etc. that are relevant to the ethical cargo issue
- One person should write down each initiative/code in large, clear letters on one of the large slips of paper
- Put a bit of blutak on the back of each bit of paper

You have 5 minutes



# Slide 4 - Multi-agency initiatives/codes

## ACTIVITY

We will now take five minutes to identify key multi-agency initiatives, codes of conduct and so on that are relevant to the ethical cargo issue. You will have 5 minutes for this exercise.

*NOTES: Read through the instructions on the slide and then get one of the participants to read out the instructions to check everyone has understood. Ask one participant to be prepared to present the groups list.*

Let's read through the instructions:

- In groups, identify key multi-agency initiatives, codes of conduct etc. that are relevant to the ethical cargo issue
- One person should write down each initiative/code in large, clear letters on one of the large slips of paper
- Put a bit of blutak on the back of each bit of paper
- You have 5 minutes.

*NOTES: In feedback, go through all the initiatives as people bring them up to be blutaked onto pre-prepared flip-chart paper. Those that are covered in further slides, can be picked out as being covered later. Those initiatives that are not covered by the training should be explained by the participants and noted down for next training preparation. Duplicates can be ignored.*



## Relevant initiatives & codes

- The Sphere Project
- Do No Harm Initiative
- Transparency International
- People In Aid
- Conflict Sensitivity
- ALNAP
- Humanitarian Accountability Partnership International (HAP International)

Donor-specific:

- Good Humanitarian Donorship



# Slide 5 - Relevant initiatives & codes

*NOTES: This slide is used to summarize the groups list.*

There are a number of initiatives to increase accountability and transparency in humanitarian operations and achieve high ethical standards in terms of neutrality and preserving the “humanitarian space”.

- The Sphere Project – the Humanitarian Charter and standards in humanitarian response
- Do No Harm Initiative – looked at their work in previous slide
- Transparency International – have produced work on corruption in the humanitarian sector
- People In Aid – standards for aid workers and the employment of aid workers
- Conflict Sensitivity – a sub-project of international alert
- ALNAP
- Humanitarian Accountability Partnership International (HAP International) – focusses on how organizations can be accountable to their beneficiaries, measure impacts and efficiently use funds
- Logistics Cluster – procurement best practice through the “LOG – online Logistics Operational Guide”

## **Donor-specific:**

Good Humanitarian Donorship



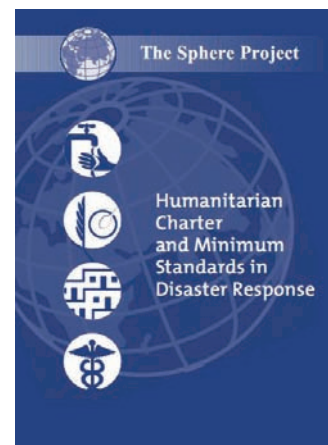
## SPHERE

### Point 2.4, The Humanitarian Charter

“...assistance in situations of conflict may potentially render civilians more vulnerable to attack, or ... bring unintended advantage to one or more of the warring parties. We are committed to minimising any such adverse effects of our interventions” p.18

### Common Standard 3, Guidance note 6 - Maximising positive impact and limiting harm

“Understanding the nature and source of conflict helps to ensure that aid is distributed in an impartial way and reduces or avoids negative impact.” p.35



# Slide 6 – SPHERE

*NOTES: Ask a participant to explain the aim of Sphere and to distinguish between the standards and the humanitarian charter.*

*Sphere background:*

*Launched in 1997 by a group of humanitarian NGOs and the Red Cross and Red Crescent movement, The Sphere Project is an initiative to define and uphold the standards by which the global community responds to the plight of people affected by disasters, principally through a set of guidelines that are set out in the Humanitarian Charter and Minimum Standards in Disaster Response (commonly referred to as the Sphere Handbook). Sphere is based on two core beliefs: first, that those affected by disaster or conflict have a right to life with dignity and therefore a right to protection and assistance, and second, that all possible steps should be taken to alleviate human suffering arising out of disaster and conflict. Sphere is three things; a handbook, a broad process of collaboration, and an expression of commitment to quality and accountability.*

The Humanitarian Charter sets the principles which humanitarian organizations should follow in their delivery of aid.

In relation to conflict-sensitivity, point 2.4 is the most pertinent to issues of ethical procurement:

Point 2.4, The Humanitarian Charter

“...assistance in situations of conflict may potentially render civilians more vulnerable to attack, or ... bring unintended advantage to one or more of the warring parties. We are committed to minimizing any such adverse effects of our interventions” p.18

Common Standard 3, Guidance note 6 - Maximizing positive impact and limiting harm

“Understanding the nature and source of conflict helps to ensure that aid is distributed in an impartial way and reduces or avoids negative impact.” p.35



## IFRC/ICRC Code of Conduct



International Federation  
of Red Cross and Red Crescent Societies



ICRC

### 1: The Humanitarian imperative comes first

- 8: Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs
- 9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources



# Slide 7 - IFRC/ICRC Code of Conduct

The IFRC/ICRC Code of Conduct is adhered to by hundreds of NGOs.

The following points in the code of conduct, which stresses the importance of neutrality, are particularly relevant to the issue we are discussing:

1: The Humanitarian imperative comes first – **when there is a lack of alternatives, humanitarian organizations may have no choice but to use certain air cargo operators.**

8: Relief aid must strive to reduce future vulnerabilities to disaster as well as meeting basic needs – **this can be interpreted as being part of a wider picture of creating a consumer-driven “ethical standard” to reduce the profits made by those operators who engage in destabilizing commodity transfer and encourage them to transform their behaviour.**

9: We hold ourselves accountable to both those we seek to assist and those from whom we accept resources – **humanitarian organizations have a responsibility to do everything they can not to provide financial support to those who fund, fuel or facilitate conflict.**

*NOTE: IFRC/ICRC Code of conduct is here:  
<http://www.ifrc.org/publicat/conduct/code.asp>*



## Do No Harm Handbook

“Assistance affects prices, wages, and profits and can either reinforce the war economy (enriching activities and people that war-related) or the peace economy...”  
p.13



COLLABORATIVE LEARNING PROJECTS

The Do No Harm Handbook

(The Framework for Analyzing the Impact of Assistance on Conflict)



# Slide 8 - Do No Harm Handbook

Conflict-sensitivity is a concept that is related to the Do No Harm initiative which started life in the early 1990s as “Local Capacities For Peace Project” and resulted in two important publications: “Do No Harm: How Aid Can Support Peace - Or War” in 1999 and the “Do No Harm Handbook” in 2004. The central message of which was that aid projects have their own impacts on conflict situations which are sometimes negative and often “hidden” to the implementation organizations themselves. Aid organizations should analyze the context of their operation and identify “Dividers” and “Tensions” as well as “Connectors” and “Local Capacities for Peace” and modify their programs to minimize support to the first and maximize support to the latter.

Do No Harm provides a framework to analyze the wider impacts of an organizations' activities. It is normally focused on field-based projects but can also be applied to the broader aspects of aid provision.

In terms of air transport provision, step 4 which involves analyzing how aid is distributed and step 5 which looks at how the program impacts on “DIVIDERS and CONNECTORS” (i.e. is the project supporting actors that are destabilizing peace efforts) are particularly important.

The quote below used on the slide refers to the political impact of resource transfers:

“Assistance affects prices, wages, and profits and can either reinforce the war economy (enriching activities and people that war-related) or the peace economy...” p.13

*NOTES: Do No Harm Project background, taken from :  
[http://www.cdainc.com/cdawww/project\\_profile.php?pid=DNH&pname=Do%20No%20Harm](http://www.cdainc.com/cdawww/project_profile.php?pid=DNH&pname=Do%20No%20Harm)):*

“The Do No Harm Project (DNH), begun in 1994, seeks to identify the ways in which international humanitarian and/or development assistance given in conflict settings may be provided so that, rather than exacerbating and worsening the conflict, it helps local people disengage from fighting and develop systems for settling the problems which prompt conflict within their societies.

The DNH concepts are widely used in the humanitarian and development communities and the project has developed one of the best known tools for Peace and Conflict Impact Analysis: the Do No Harm Framework for Analyzing the Impacts of Assistance on Conflict.”

*Two good videos that describe the Do No Harm theory quite well, and can be provided to participants as links:*

*<http://donoharmproject.wordpress.com/2010/08/10/do-no-harm-framework-tutorial-part-i-the-relationship-framework/> - explains the Do No Harm “Relational Framework” – the theory of “dividers and connectors”.*

*<http://donoharmproject.wordpress.com/2010/08/12/dnh-framework-tutorial-part-ii-the-action-framework/> explains the Do No Harms “Action framework” – i.e. how to do implement Do No Harm in the field.*

*The following is from the Do No Harm Handbook, for further reference:*

Step 4: Analyzing the Aid Programme

Step four of the DO NO HARM Framework involves a thorough review of all aspects of the aid programme. Where and why is aid offered, who are the staff (external and internal), how were they hired, who are the intended recipients of assistance, by what criteria are they included, what is provided, who decides, how is aid delivered, warehoused, distributed?

#### Step 5: Analyzing the Aid Programme's Impact on DIVIDERS and CONNECTORS

Step five is analysis of the interactions of each aspect of the aid programme with the existing DIVIDERS/TENSIONS and CONNECTORS/LCPs. We ask: Who gains and who loses (or who does not gain) from our aid? Do these groups overlap with the DIVISIONS we identified as potentially or actually destructive? Are we supporting military activities or civilian structures? Are we missing or ignoring opportunities to reinforce CONNECTORS? Are we inadvertently undermining or weakening LCPs?

p.13, Brief Notes on Resource Transfers and Implicit Ethical Messages

#### Resource Transfers

Assistance is a vehicle for providing resources to people who need them. Assistance's most direct impacts on conflict are a result of the introduction of resources (food, health care, training, shelter, improved water systems, etc.) into conflicts. Assistance resources represent both wealth and power



## ConflictSensitivity.org

Conflict sensitivity means the ability of your organization to:

- understand the context in which you operate;
- understand the interaction between your intervention and the context; and
- act upon the understanding of this interaction, in order to avoid negative impacts and maximise positive impacts.



## Slide 9 – ConflictSensitivity.org

There have been a number of publications related to conflict-sensitive development aid and mainstreaming peacebuilding into humanitarian/early recovery programming.

International Alert [[www.international-alert.org](http://www.international-alert.org)] has produced a website that consolidates information on conflict-sensitive programming, and this is called, not surprisingly, [conflictsensitivity.org](http://conflictsensitivity.org). Part of the output of this DFID-funded initiative is the tool “Conflict-Sensitive Approaches to Development, Humanitarian Assistance and Peacebuilding: A Resource Pack”.

This pack provides information on the theory and practice of a conflict-sensitive approach to aid programming. They define conflict-sensitivity as the ability of your organization to:

- understand the context in which you operate;
- understand the interaction between your intervention and the context; and
- act upon the understanding of this interaction, in order to avoid negative impacts and maximize positive impacts.

*ConflictSensitivity.org background from website:*

The Conflict Sensitivity Consortium aims to understand what “conflict sensitivity” means in practice, in terms of organizational systems as well as during the design, implementation, monitoring and evaluation of specific interventions. The Consortium comprises a diverse range of agencies and aims to share its findings widely in the humanitarian, peacebuilding and development sectors to enhance the capacity to institutionalize and implement conflict sensitive approaches.



## Transparency International

### Mapping the Risk of Corruption in Humanitarian Action, 2006

“In storing and transporting relief resources, humanitarian actors need to be resilient in the face of pressure over the use of assets, for instance from local armed factions, and this may create an argument for safeguarding the principled independence of humanitarian agencies and being cautious about the use of private companies in sub-contracting arrangements.” p.40

#### Mapping the Risks of Corruption in Humanitarian Action July 2006



Pete Ewins, Paul Harvey, Kevin Savage and Alex Jacobs  
Overseas Development Institute and Management Accounting for NGOs (MANGO)  
Report for Transparency International and the U4 Anti-Corruption Resource Centre



# Slide 10 - Transparency International

Transparency International is a leading organization dealing with issues of corruption, primarily focused on state corruption.

TI has done some work on corruption in humanitarian action, though there has been no detailed study of the unintentional effects of aid programming in terms of supporting actors who are responsible for fueling, funding or facilitating conflict.

*NOTE: This quote is useful to read out, from the TI publication “Mapping the Risk of Corruption in Humanitarian Action, 2006”:*

“In storing and transporting relief resources, humanitarian actors need to be resilient in the face of pressure over the use of assets, for instance from local armed factions, and this may create an argument for safeguarding the principled independence of humanitarian agencies and being cautious about the use of private companies in sub-contracting arrangements.” p.40

*NOTES: From Transparency International’s website.*

Transparency International challenges the inevitability of corruption, and offers hope to its victims. Since its founding in 1993, TI has played a lead role in improving the lives of millions around the world by building momentum for the anti-corruption movement. TI raises awareness and diminishes apathy and tolerance of corruption, and devises and implements practical actions to address it.

Transparency International is a global network including more than 90 locally established national chapters and chapters-in-formation. These bodies fight corruption in the national arena in a number of ways. They bring together relevant players from government, civil society, business and the media to promote transparency in elections, in public administration, in procurement and in business. TI’s global network of chapters and contacts also use advocacy campaigns to lobby governments to implement anti-corruption reforms.



## Compliance

- Why do we have these codes?
- Why are they important?
- Are they realistic?
- What happens if we don't comply with them?
- Whose agency here is signed up to these codes?



# Slide 11 - Compliance

Many agencies are signed up to, or are participants of, the codes or initiatives we have just looked at. Whose organization here is signed up to any of the initiatives or codes of conduct we have already discussed?

*NOTE: Use the spreadsheet of organizations and their involvement in codes to identify which codes the participants' organizations are signed up to beforehand.*

*NOTE: The questions can be opened up into a roundtable discussion. Optionally ask someone to write up the comments made on a flip-chart as you go along.*

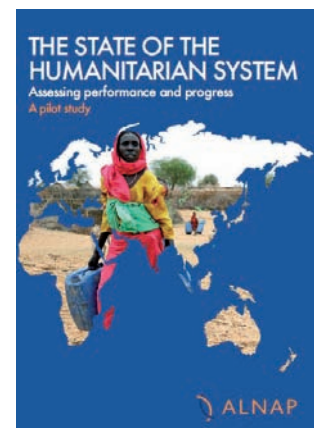
- Why do we have these codes? - **for self-regulation, for guidance in how to operate, for equality of provision, to protect organizations reputations with donors, because they are principles staff believe in**
- Why are they important? **To maintain neutrality in order to carry out humanitarian work; maintain humanitarian space in order to carry out work; create standards to measure work by.**
- Are they realistic? **The implementation of such principles is not always easy, but that doesn't mean that they can be ignored. Sometimes compromises are made in order to get aid in and the importance of reaching people has to be balanced against principles around "gifts to armed actors" in terms of "bribery" for access or compromising a standpoint.**
- What happens if we don't comply with them? **It is harder to call humanitarian aid "humanitarian" and it is harder to demand that other actors such as states**
- **meet their own obligations.**
- Whose agency here is signed up to these codes? **Note – this will be most of them.**



ALNAP

### The State of The Humanitarian System, 2010

“Many NGO interview respondents recognised that there was a tendency to exaggerate ability to adhere to principles and that the operational focus of some agencies was leading them to neglect humanitarian principles....” p.44



## Slide 12 - ALNAP

Compliance, particularly in emergency situations, is a challenge. Another initiative which is connected to ethics in humanitarian action in terms of accountability is ALNAP.

*NOTE: Participants should be aware of ALNAP, so ask for a Participant to describe what ALNAP does and any initiatives they have been involved in before summarizing.*

The Active Learning Network for Accountability and Performance in Humanitarian Action (ALNAP) was established in 1997, following the multi-agency evaluation of the Rwanda genocide.

ALNAP's workplan is aimed at improving humanitarian performance through learning and accountability, and consists of core activities, project activities and linked activities.

ALNAP focuses on evaluation of the effectiveness of humanitarian aid.

The ALNAP publication *The State of The Humanitarian System, 2010* is a comprehensive overview of the humanitarian system as it stands today. One quote stood out in relation to compliance with code of conduct and humanitarian principles:

“Many NGO interview respondents recognized that there was a tendency to exaggerate ability to adhere to principles and that the operational focus of some agencies was leading them to neglect humanitarian principles....” p.44

In the area of ethical procurement, particularly in emergencies, it is not surprising that organizations with limited time and resources chose to hope that their suppliers are complying with ethical requirements rather than to carry out detailed due diligence, especially if there is no aviation logistics specialist within an organization – be it donor, coordinating body or implementing organization.

*NOTE: More information from [www.alnap.org](http://www.alnap.org):*



## Internal documentation/codes

ACTIVITY - Groups will be given one of 2 tasks:

Task A:

- On flip-chart paper, list all the INTERNAL documents and codes relevant to the issue

• Task B:

- On flip chart paper, make a table of two columns with a list of which personnel are connected to the issue and why

You have (5-10) minutes



# Slide 13 - Internal documentation/codes

## ACTIVITY

Let's explore the internal documentation, codes and procedures that are relevant to ethical transport procurement issues.

*NOTES: Read through the instructions on the slide and then get one of the participants to read out the instructions to check everyone has understood. Ask one participant to be prepared to present the groups list.*

Let's split into two groups. Each group will have a different task.

Task A:

On flip-chart paper, list all the INTERNAL documents and codes relevant to the issue

Task B:

On flip chart paper, make a table of two columns with a list of which personnel are connected to the issue and why

You have (5-10) minutes

*NOTE: You are looking for people to draw out how many different staff are connected to the issue. Policy people, especially those responsible for implementing codes of conduct etc. need to be aware on an advocacy basis (especially if involved in initiatives to control Small Arms and Light Weapons or DDR projects) and for internal compliance.*

*Logistics staff often come to policy staff for a final decision on large contract (ones worth thousands of euros) so both need to understand what the issues are. As the field context is significantly different to the HQ context an organization will need to work out how best to inform their field staff. EthicalCargo can assist with this training.*

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PURPOSES



# Ethical Procurement

- Green procurement
- Working conditions
- Disassociation from arms transport (both legal and illegal)

EUROPEAN COMMISSION




Humanitarian Aid

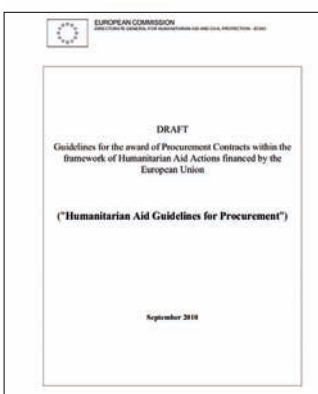










## ECHO Procurement Guidelines





## ECHO Procurement Guidelines




**Page 18:**


When awarding a procurement contract to a private company, consider the following:

- Company linked to illegal activities?
- Assess in light of humanitarian imperative
- Carry out due diligence, coordination between humanitarian actors.

When using a broker or freight forwarder, consider the following:

- Make clear expectation of due diligence (ethical criteria)
- Does not absolve contracting authority from conducting its own checks






## ECHO Procurement Guidelines

**Page 88-89:**

Transportation shall be provided by companies:

- Which adhere to the highest possible safety standards.
- Which commit to human rights and observe international law.

Suppliers shall not use the services of a transport provider known to also transport illicit goods, and or conflict-sensitive supplies to governments which systematically violate the human rights of their citizens.

## Slide 14 - Ethical Procurement

One of the key documents is the implementing organization's procurement policy and/or supplier conditions document.

The concept and application of “ethical procurement” has been developing rapidly in recent years. Ethical Procurement has focused primarily on “green procurement” - environmentally-friendly goods and transport of goods; working conditions – the procurement of goods from factories with good working practices and free from child labour; and disassociation from arms transportation (both legal and illegal).

For example, Oxfam has a “Ethical Purchasing Policy” (which has also been adopted by other agencies such as GOAL) which states that:

“The supplier or parent company should not be involved in any of the following activities:

- Arms manufacture
- The sale or export of arms or strategic services to governments which systematically violate the human rights of their citizens, or where there is internal armed conflict or major tensions, or where the sale of arms may jeopardise regional peace and security
- Tobacco production and sale
- The sale of baby milks outside the WHO Code of Conduct”

*NOTE: Website lists more...*

*<http://www.oxfam.org.uk/resources/suppliers/ethicalpurchasing.html>*

Oxfam also has internal guidelines on transportation of goods that stipulates that goods should not be transported with legal shipments of arms or by transporters of illicit arms.

The IAPG – Inter Agency Procurement Group – in the UK has a common procurement policy for a number of British and Irish NGOs:

<http://www.iapg.org.uk/index.php/2008/09/corporate-social-responsibility/>

“IAPG members will seek alternative sources where the conduct of suppliers demonstrably violates anyone’s basic human rights, and there is no willingness to address the situation within a reasonable timeframe. IAPG members will seek alternative sources where companies in the supply chain are involved in the manufacture of arms or the sale of arms to governments which systematically violate the human rights of their citizens.”

## **ECHO**

Some donors, such as ECHO, have begun to emphasize the importance of ethical procurement. In October 2010, ECHO made the latest draft (September 2010) of the “Humanitarian Aid Guidelines for Procurement” available from their website:

[http://ec.europa.eu/echo/files/about/actors/DRAFT\\_Procurement\\_Guidelines\\_Sept2010.pdf](http://ec.europa.eu/echo/files/about/actors/DRAFT_Procurement_Guidelines_Sept2010.pdf)

The guidelines include a section, “2.2 The Principle of Ethical Procurement”, that deals with ethical procurement and, in particular, ethical transport procurement. ECHO follows the principle of Do No Harm:

"Do No Harm" implies that potential unintended harmful effects of the humanitarian response (e.g. prolonging the conflict) or effects that promote inequity amongst recipients of aid should be identified from the initial stages of the programme design and should be pro-actively avoided.

FOOTNOTE: Also referred to in Part 3.3 para 42 of The European Consensus on Humanitarian Aid, Joint Statement by the Council and the Representatives of the Governments of the Member States meeting within the Council, the European Parliament and the European Commission (2008/C 25/01).  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:025:0001:0012:EN:PDF>

In the same way that EthicalCargo recognizes the challenges of operating in certain conflict contexts, ECHO also emphasizes the importance of carrying out due diligence even when the number of air transport actors is limited:

In a number of countries the availability of cargo operators is limited due to security considerations therefore rather than setting fixed rules it is more relevant here to emphasise the importance of due diligence and cooperation/coordination between humanitarian actors to minimise the risk of EU funds being used to financially support businesses involved in unethical practices or even in violations of international human rights or humanitarian law.

ECHO also provides some explicit guidelines for the procurement of air cargo services in an annex to the Humanitarian Aid Guidelines for Procurement. This provides organizations implementing programmes with ECHO money with clear expectations in regard to what kind of due diligence is required. However, not all agencies have the time (particularly in emergencies) or, especially in the field, the expertise to be able to implement due diligence as expected.


EthicalCargo provides tools and services in the form of training, a library extract database, sample policy documents and a hotline to provide support to humanitarian organizations in the mainstreaming of due diligence checks.

The establishment of specialist “Humanitarian Procurement Centres” has also increased capacity and expertise in humanitarian procurement processes and provides more resources for negotiating with and monitoring suppliers. With their economies of scales and specialization, HPCs' application of ethical procurement guidelines will mean that due diligence is carried out on behalf of client NGOs, freeing smaller NGOs from having to have specialist aviation logistics staff.

*NOTE: Handout the relevant pages from the ECHO document.*


*HANDOUT-07-ECHO-ProcurementGuidelines\_Sept2010-EXTRACT-ONLY*

*Ask participants if their organization is already aware of these guidelines.*



# Example procurement policy

Version 3, September 2010



## Sample Ethical Air Transport Procurement Policy

This document is intended to be used as a guide only. Organisations should determine their precise details of their own conditions.

<ORGANISATION NAME> has an ethical procurement policy. In relation to the procurement of air transport services, preference will be given to service providers who:

- ☒ Adhere to the highest possible air safety & employment standards.
- ☒ Act in accordance with international human rights and humanitarian law.
- ☒ Conduct their business in a transparent and accountable manner.
- ☒ Have a robust ethical transportation policy in place.

**Suggested ethical conditions include:**

Air transport service providers should not be involved in:

- ☒ Transportation of arms or other destabilizing commodities (items that fuel, fund or facilitate armed conflict e.g. blood diamonds) to governments, armed groups or geographical entities covered by UN, EC or OSCE sanction.
- ☒ Transportation of legal arms shipment to governments or groups not covered by UN, EC or OSCE sanctions but who have poor human rights records <ORGANISATION TO DECIDE WHICH COUNTRIES THIS MAY INCLUDE>.
- ☒ Transportation of illicit or illegal goods such as narcotics.
- ☒ Unsound or corrupt business practices.
- ☒ Child labor rights.
- ☒ Restrictive rights which may be contrary to international humanitarian law.


**This means adherence to:**


- ☒ Relevant ICAO, ILO, OECD and UN Global Compact rules, guidelines and best practices
- ☒ UN, EU and OSCE resolutions, decisions or agreements on the transportation of arms, ammunition or military equipment to the embargoed destinations listed in the relevant UN, EU and OSCE documentation.
- ☒ Preference will be given to air transport service providers who are not on the EU Safety list and whose aircraft are registered in a country that meet ICAO standards.
- ☒ If an air transport service provider (or any parent/affiliate/partner organisation) is named in a reputable report describing violation of the above guideline or resolutions then a full explanation will be sought before further consideration of a bid.
- ☒ The humanitarian imperative is paramount and <ORGANISATION NAME> will procure services from the source which provides the most appropriate, cost-effective option when speed of response is a key requirement.


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# Slide 15 - Example procurement policy

EthicalCargo provides a sample Ethical Air Transport Procurement Policy which can be adapted and then adopted by agencies.

This procurement policy makes it much clearer for air cargo operators and brokers. For larger operators and brokers, they should have the kind of structure that allows them to verify that their activities meet such ethical demands. They themselves will need to ensure they get some advice on Corporate Social Responsibility and ethical business practices.

In the field, working with a limited number of small operators, this policy may seem like something that can't be enforced.

The section entitled “This means adherence to...” makes it clear what kind of guidelines and rules the company should follow.

Even then, however, it can be used to show that the organization does not want to use companies that are involved in destabilizing commodity flows and will favour any operator that can demonstrate effectively that that is not part of their work.

*NOTE: Allow the participants to read the sample policy and take a short discussion over its contents. With specific questions, the response should always be that this is a sample only, that EthicalCargo itself does not set the ethical boundaries and it is up to organizations to decide the precise content of such as policy.*



## Rules and regulations

- When a supplier signs an agreement, does your organization ask HOW they can demonstrate fulfillment of ethical procurement requirements?
- Does your organization ever make any checks against these claims?
- Air cargo carriers may break all of these conditions.



# Slide 16 - Rules and regulations

- When a supplier signs an agreement, does your organization ask HOW they can demonstrate fulfillment of ethical procurement requirements?
- Does your organization ever make any checks against these claims?
- Air cargo carriers may break all of these conditions: environmental (plane noise and pollution), working conditions (reduced breaks for pilots to provide cheaper services), ethical (shipment of legal arms to regimes that do not respect human rights)

*NOTE: This can also be taken as a brief discussion. The important output of this is discussion of “due diligence” - organizations, even if they hand over much responsibility for air transport chartering to brokers, still have a responsibility to carry out due diligence themselves. EthicalCargo is available to support this.*



## EthicalCargo support

EthicalCargo provides

- Training for different audiences – donors, field staff, policy staff
- Hotline – 24 hour support for urgent enquiries
- Advice on negotiation techniques
- A searchable extract library database
- ...and more...



# Slide 17 - EthicalCargo support

EthicalCargo helps organization's to develop their situational awareness in regard to the use of air transport. Situational awareness involves understanding the general issues or specific context through:

- Reading background resources
- Looking at the case studies
- Understanding the “Warning signs”
- Searching the database for key terms such as country or carrier names
- Contacting EthicalCargo.org for additional assistance

EthicalCargo helps organizations to implement conflict-sensitive ethical procurement through:

- Providing some useful negotiation techniques to employ
- Providing sample ethical transportation clauses in contracts, tenders etc.
- Providing training to sensitize key humanitarian personnel
- Providing a 24-hour hotline that can provide detailed information on a specific query at a deeper level than searching the online database



## What can be done?

### ACTIVITY

- In pairs make an action plan containing at least three activities you will individually undertake to ensure that your organization mainstreams this issue

You have (5-10) minutes



# Slide 18 - What can be done?

## ACTIVITY

In pairs make an action plan containing at least three activities you will individually undertake to take forward the mainstreaming of this issue into your organization. Write these things down for your own notes and on the “actions card” so we can follow-up to check.

You have (5-10) minutes

*NOTES: Read through the instructions on the slide and then get one of the participants to read out the instructions to check everyone has understood. Depending on time, get either all participants, or just some, to feedback their ideas on what they will do. Collect the answers afterwards.*

*Tips are: Revise procurement guidelines, inform staff, contact EthicalCargo for further help, Training of Trainers etc.*

This is a checklist for humanitarian organizations. You may find this useful for any team discussions you have in order to take the issue further.

*NOTE: Handout “Checklist for humanitarian organizations”*



## Questions?

**Contact:**

NAME OF PRESENTER: xxx@sipri.org



# Slide 19 - Questions?

*NOTE: With any specific questions that cannot be answered, refer to the appropriate EthicalCargo contact.*

Please take a minute to complete the anonymous training evaluation forms. We appreciate your honest responses in order to make sure the training is the best it can be.

Thank-you.

Contact: XXX XXX@SIPRI.org