

Mission 21

Code of Conduct

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1. Purpose

1.1 Corruption is a widespread phenomenon that occurs all over the world. Especially in the global South, it presents an enormous obstacle to development that has particularly devastating consequences for poorer segments of the population, and it poses a threat to orderly and peaceful coexistence among people.

1.2 Fighting corruption is a great challenge. It is a cause that many states and international organisations support. Corruption must be curbed at all levels. Mission 21 is resolutely committed to achieving this aim within the scope of its activities.

1.3 Mission 21 undertakes to proceed with its work in a manner that is just, reliable, credible, effective, purposeful, and cost-efficient. Any form of corruption is strictly prohibited within Mission 21. This prohibition is also essential in order to maintain and strengthen the trust that beneficiaries, donors, institutional sponsors, partner organisations and staff place in Mission 21. It is only on the basis of this trust that Mission 21 is able to fulfil its mission and contribute to a life in dignity through its activities.

1.4 The present Code of Conduct, which is partially based on the Code of Conduct of Bread for All, is intended to promote a strong sense of responsibility for exemplary ethical and social conduct on the part of all Mission 21's staff, Board, executive bodies and committees. It should also help to ensure integrity in all interactions with representatives of partner organisations, public authorities and private individuals. In addition, the Code of Conduct sets out rules on the procedures to be followed in cases of suspected and proven corruption.

2. Applicability

2.1 The rules defined in this Code of Conduct are binding on all staff of Mission 21.

2.2 Contracts for project financing concluded between Mission 21 and its partner organisations include an anti-corruption clause. For their part, the partner organisations also undertake to introduce a code of conduct that is binding on their staff, executive bodies and committees.

3. Definition of corruption

3.1 Transparency International defines corruption generally as "the abuse of entrusted power for private gain". In legal parlance, this very general definition is interpreted more precisely by descriptions of specific circumstances that constitute corruption. Articles 3.2 – 3.8 of this Code set out these circumstances on the basis of the corresponding provisions of criminal law.

3.2 Active bribery

A person is guilty of active bribery if, for their own benefit or for the benefit of a third party, they offer, promise or grant an undue advantage (cf. 3.6) to members, employees or representatives of public authorities, companies and/or partner organisations, etc., in return for performing or omitting to perform an act that is in breach of these persons' duty or is within their discretion.

3.3 Passive bribery

A person is guilty of passive bribery if, as a representative of Mission 21, they demand, secure the promise of, or accept an undue advantage (cf. 3.6) either for their own benefit or for the benefit of a third party, in return for performing or omitting to perform an act that is in breach of their own duty or is within their own discretion.

3.4 Granting of advantages

A person is guilty of granting advantages if they offer, promise, or grant an undue advantage (cf. 3.6) to members, employees or representatives of public authorities, companies and/or partner organisations, etc. in consideration of these persons' future conduct as holders of such positions.

3.5 Acceptance of advantages

A person is guilty of accepting advantages if, as a representative of Mission 21, they demand, secure the promise of, or accept an undue advantage (cf. 3.6) from others in consideration of their own future conduct.

3.6 "Undue advantages" are defined as all material or immaterial advantages which go beyond usual social practice and which are of more than negligible value. For example, Mission 21 prohibits the offering or acceptance of personal gifts, invitations, or reimbursement of expenses which exceed the appropriate limits in the context of the country concerned. In case of doubt, the superior must be informed.

3.7 Coercion

A person is guilty of coercion if they compel another person to perform, refrain from performing or tolerate an act by means of force, by threatening serious disadvantages or by otherwise restricting that person's freedom of action. Coercion also includes the forced performance of sexual acts.

3.8 Further offences are often committed in connection with corrupt conduct: examples include embezzlement, theft, fraud, blackmail, criminal mismanagement, and falsification of documents.

4. Individual rules of conduct

4.1 The staff, members of the Board and of the executive bodies and committees of Mission 21 place their knowledge and skills fully at the service of Mission 21, insofar as relevant for their work on behalf of Mission 21. They undertake to carry out their mandates in a manner that is appropriate, conscientious, purposeful and committed, and to exercise due diligence in making cost-efficient use of the material and financial resources entrusted to them.

4.2 Embezzlement, theft, fraud, criminal mismanagement and all forms of corruption are strictly prohibited.

4.3. If staff or members of executive bodies and committees establish or have reason to suspect any occurrence of corruption in connection with Mission 21's activities, they are obligated to report the matter according to the procedure defined in Article 6.2.

5. Institutional rules

5.1 Recruitment

When recruiting staff and members of executive bodies and committees, care must be taken to minimise the risk of corruption. In particular, it must be ensured that future staff have an impeccable reputation in this regard.

5.2 Awareness, training

In the course of their management activities, superiors and chairpersons of executive bodies and committees attach great importance to preventing corruption. They ensure that all staff and partner organisations are aware of the issue of corruption, and that they are familiar with Mission 21's Code of Conduct. Mission 21 organises appropriate training on corruption and measures to prevent and/or combat it.

5.3 Protection when reporting

Superiors take appropriate steps to ensure that staff can report any actual cases or justified suspicions of corruption without fear of reprisals.

5.4 Internal controls

Correct, complete and clearly understandable accounting must be guaranteed for all Mission 21's activities; it must also be ensured that the use of funds for their intended purpose can be verified, in compliance with the regulations on retention of documentation. Mission 21's Internal Control System (ICS) and the corresponding process-related surveillance mechanisms are reviewed at regular intervals; these reviews also cover the prevention of corruption. Any necessary improvements are implemented as required.

6. Procedure in suspected cases

6.1 Most cases of corruption are uncovered on the basis of reports from individuals who discover or suspect abuses or illegal practices in their environment or their area of work, and then pass on relevant information or pointers. This makes it extremely important for Mission 21's staff and members of its executive bodies and committees, and also for staff of partner organisations and other individuals, to know that Mission 21 has appointed an internal Anti-Corruption Officer. Any suspected cases of corruption should be brought to this officer's attention. The internal Anti-Corruption Officer is also available for consultations and advice.

6.2 If staff have reason to believe that corruption has occurred in connection with Mission 21's activities, they must immediately report their suspicion to their direct or next-higher superior, or to Mission 21's internal Anti-Corruption Officer. If the report is addressed to the superior, she or he must immediately inform the internal Anti-Corruption Officer. Various ways of reaching out to the internal Anti-Corruption Officer must be made known, and persons making such contact must have the choice of disclosing their names or remaining anonymous.

6.3 If the disclosure of a real or suspected case of corruption is credible, the Anti-Corruption Officer immediately initiates an investigation as appropriate to the context and scale of the case, in consultation with the Director and the ICS Officer. The individuals assigned to investigate the case work independently and without bias, and they report to the Anti-Corruption Officer if she or he is not directly in charge of the investigation. The Anti-Corruption Officer reports the results of the investigation to the Director and the ICS Officer, and recommends further steps.

6.4 Mission 21 ensures that individuals who report suspected cases in good faith do not suffer any disadvantages. Their identity is protected insofar as possible and/or necessary, and this protection also continues after the investigation is concluded.

6.5 The Director can order the suspension of the suspected staff member for the duration of the investigation. The immediate superior must be consulted before such action is taken. This suspension is not a disciplinary measure, nor is it a way of apportioning blame; rather, its purpose is to facilitate the investigation.

6.6 When dealing with suspected cases, Mission 21 ensures that the reputation of the person under suspicion is not unnecessarily damaged. Persons who maliciously spread suspicions or damage the reputation of suspects must expect penalties under labour law and also (as necessary) under criminal law.

7. Procedure in case of violations

7.1 If the suspicion that a member of staff has violated this Code of Conduct is confirmed, sanctions will be imposed and legal steps will be initiated as appropriate.

7.2 In case of minor infringements, a reprimand is issued and recorded in the personnel file. In case of a repeated offence, the employment is terminated.

7.3 In case of serious violations, the member of staff is suspended immediately and the employment is terminated.

7.4 Should staff find themselves in a situation where they have to act contrary to this Code of Conduct in the interest of a greater good, Mission 21 may refrain from imposing sanctions provided that all following requirements are met:

- a) The act is carried out with the intention of protecting a greater good (such as saving life).
- b) The departmental management was consulted prior to the act or was informed immediately afterwards.
- c) The steps taken are necessary and appropriate to achieve the intended goal.
- d) The beneficial effect of the act must be assessed, beyond doubt, as greater than the damage caused by the violation.

7.5 The Director decides on the sanctions to be imposed for a violation by a member of Mission 21's staff.

7.6 Chairpersons of executive bodies and committees penalise their members for violations in the same way as Mission 21 penalises its staff.

7.7 The internal Anti-Corruption Officer is informed about the sanctions imposed.

7.8 Violations of the Code of Conduct and the corresponding sanctions must be reported to the Audit Commission of Mission 21.

The Code of Conduct was approved by the Executive Board on 25 April 2014 and updated and approved on 12 June 2020.

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