



# Agency for Minority Rights and Development (AMARD)

## Ethics, Anti-Corruption, and Whistle-Blowing Policy

**Revised: November 2024**

## PREAMBLE

In exercise of the powers conferred upon the Board of Directors, the Executive Director of AMARD hereby formally endorses and approves this **Ethics, Anti-Corruption, and Whistle-Blowing Policy Manual**. This endorsement demonstrates AMARD's highest institutional commitment to ethical governance, accountability, and the responsible use of entrusted resources.

The Board of Directors recognizes that AMARD's credibility and success depend upon maintaining integrity and transparency in every aspect of its work. By approving this policy, the Board and Executive Leadership affirm that **ethical conduct is not optional but an organizational obligation**. All employees, partners, consultants, contractors, and affiliates are required to uphold these standards as a condition of their association with AMARD.

AMARD commits to carrying out its operations in accordance with the highest principles of professionalism, impartiality, and responsibility. The organization shall:

- Operate with **transparency and openness** in all financial and operational transactions.
- Uphold **accountability** to donors, communities, and stakeholders for the effective and honest use of resources.
- Foster a **workplace culture grounded in ethical decision-making**, mutual respect, and inclusivity.
- **Deter, detect, and respond** swiftly to any instances of fraud, corruption, bribery, mismanagement, or abuse of authority.

AMARD enforces a **zero-tolerance policy** for any form of unethical behavior, including fraud, misappropriation of funds, abuse of office, favoritism, or the solicitation and acceptance of bribes. Violations of this policy will result in disciplinary action, contract termination, and, where appropriate, referral to relevant law enforcement agencies.

This policy serves as a comprehensive guide for all AMARD staff, partners, contractors, and stakeholders on how to identify unethical practices, report suspected misconduct, and ensure appropriate corrective measures are taken in accordance with organizational and donor standards. It reinforces AMARD's commitment to protecting whistle-blowers, promoting internal accountability, and ensuring that the organization remains a trusted and transparent development actor in Somalia and beyond.

## 1. INTRODUCTION

AMARD recognizes that **ethical conduct, integrity, and accountability** are the foundation of credible and effective humanitarian and development programming. As an organization working in sensitive and often complex environments, AMARD understands that maintaining the trust of communities, donors, and government partners is both a moral obligation and a strategic necessity.

The organization is entrusted with managing **donor resources, public funds, and community confidence**, and therefore all staff and partners must act with **honesty, fairness, professionalism, and responsibility** at all times. Ethical behavior is not limited to compliance—it is a reflection of AMARD’s values and a commitment to ensure that its mission of advancing minority rights and development is carried out transparently and justly.

To this end, AMARD promotes an institutional culture where ethics are integrated into everyday decisions, risks are identified and mitigated early, and accountability mechanisms are strong enough to detect and correct misconduct at any level.

### *1.1 Purpose*

This policy provides the framework that defines how AMARD prevents, identifies, manages, and responds to unethical practices. Specifically, it aims to:

- **Prevent, detect, and respond** to unethical behavior, including fraud, bribery, abuse of power, and corruption.
- **Foster a culture of transparency and openness**, where honesty and accountability are core organizational values.
- **Promote responsible stewardship** of all financial, material, and human resources entrusted to AMARD by donors and communities.
- **Provide accessible and safe mechanisms** for staff, partners, and beneficiaries to report misconduct, with assurance of confidentiality and protection from retaliation.
- **Ensure compliance** with AMARD’s internal control systems, donor requirements, and applicable **Somali national laws** and international standards for ethical conduct.
- **Reinforce leadership accountability**, ensuring that managers and supervisors lead by example and uphold the highest ethical standards in all programmatic and operational decisions.

### *1.2 Scope*

This policy applies to **all AMARD personnel**, including:

- Full-time and part-time staff;
- Members of the **Board of Directors**;
- Consultants, interns, and volunteers;
- Implementing partners, community facilitators, and sub-grantees; and
- Suppliers, vendors, and contractors engaged through AMARD procurement systems.

All parties associated with AMARD are expected to read, understand, and comply with this policy. Adherence is a condition of employment, partnership, or contractual engagement.

### *1.3 Key Definitions*

- **Fraud:** Any intentional deception, falsification, or misrepresentation committed to secure an unlawful or unfair gain, whether financial or otherwise. Examples include false expense claims, altered receipts, or diversion of project resources.
- **Corruption:** Abuse of entrusted authority or position for private gain. This includes embezzlement, nepotism, favoritism, or collusion in procurement and recruitment.
- **Bribery:** Offering, promising, giving, or accepting money, gifts, or other benefits to influence a decision or action improperly.
- **Conflict of Interest:** A situation in which personal, family, or financial interests compromise—or appear to compromise—a staff member’s impartiality or professional judgment in carrying out organizational duties.
- **Whistle-Blowing:** The good-faith act of reporting suspected misconduct, unethical behavior, or violations of AMARD’s policies and codes of conduct through formal reporting channels.

## **2. AMARD’S ETHICAL PRINCIPLES**

AMARD’s organizational culture and reputation are built upon a shared commitment to uphold the highest ethical values in all areas of its work. These principles serve as both a moral compass and a practical framework guiding every decision, partnership, and program activity across the organization. They apply to all AMARD staff, board members, consultants, volunteers, contractors, and implementing partners.

### *2.1 Core Ethical Principles*

**Integrity:** AMARD staff and affiliates shall act with honesty, transparency, and fairness at all times. Integrity means doing the right thing even when no one is watching—upholding truthfulness in financial reporting, communication, procurement, and service delivery. Decisions must be guided by moral principles rather than personal interest or external pressure.

**Accountability:** AMARD values responsibility and answerability for all actions, decisions, and use of resources. Accountability applies internally—between staff and management—and externally to donors, communities, and government institutions. Staff must ensure that every expenditure, report, and operational action can withstand external audit and public scrutiny.

**Confidentiality:** Respecting the privacy and protection of sensitive information is fundamental to maintaining trust with communities, survivors, and partners. Staff must handle all information responsibly, ensuring that data about beneficiaries, finances, or internal matters is shared only on a need-to-know basis and protected against misuse.

**Equality and Non-Discrimination:** AMARD is committed to treating all individuals fairly and with respect, regardless of gender, ethnicity, clan, religion, political affiliation, disability, age, or social status. Discrimination, harassment, or exploitation of any kind is strictly prohibited. The organization promotes inclusivity, equity, and representation, ensuring that marginalized voices are heard and respected in all decisions.

**Stewardship:** As a custodian of public and donor funds, AMARD ensures that resources are used responsibly, efficiently, and for their intended purposes. Staff are required to exercise prudence in financial management, protect organizational property, and avoid waste, abuse, or personal enrichment from organizational resources.

## *2.2 Application of Ethical Principles*

These principles are not abstract ideals—they are operational standards that must be applied in everyday work. Each department and project is expected to:

- Integrate ethical principles into planning, budgeting, and implementation processes.
- Model ethical leadership at all levels of management.
- Include ethics as part of induction, training, and performance evaluations.
- Ensure all stakeholders—especially community members—understand AMARD’s commitment to ethical conduct.

## *2.3 Institutional Commitment*

These ethical principles form the **foundation of AMARD’s governance framework** and are embedded across all policies, operational manuals, and program activities. They guide decision-making, risk management, and organizational learning. AMARD’s leadership bears the primary responsibility to uphold, model, and enforce these values, ensuring that the organization remains transparent, trusted, and accountable to the communities it serves.

### 3. FRAUD PREVENTION

AMARD adopts a **proactive, systematic, and organization-wide approach** to preventing fraud and related unethical practices. The organization believes that prevention is more effective than detection and therefore integrates anti-fraud measures into all stages of its operational, financial, and programmatic processes.

Fraud prevention at AMARD is not the responsibility of one department alone—it is an **organizational culture** that requires vigilance, integrity, and adherence to internal controls from every staff member, manager, and partner.

#### 3.1 Preventive Measures

To ensure robust safeguards, AMARD implements the following mechanisms:

- **Strong Internal Controls:** AMARD maintains clearly defined **segregation of duties**, ensuring that no single individual has control over all stages of a financial transaction or procurement process. Financial approvals follow a multi-level **authorization hierarchy**, supported by documented procedures in the Finance and Administration Manual.
- **Due Diligence and Vetting:** Before engaging any partner, supplier, consultant, or sub-grantee, AMARD conducts comprehensive **due diligence assessments** to verify their integrity, legal status, financial reliability, and ethical standing. This includes background checks, reference verification, and validation against applicable sanctions or debarment lists.
- **Anti-Fraud Clauses in Agreements:** All contractual documents, Memoranda of Understanding (MoUs), partnership agreements, and procurement contracts include **anti-fraud, anti-corruption, and conflict of interest clauses**. These clauses bind all parties to the same ethical obligations as AMARD staff and provide the organization with the right to terminate agreements or pursue legal action in cases of proven misconduct.
- **Capacity Building and Awareness:** AMARD invests in **regular staff and partner training** on ethics, compliance, and anti-fraud measures. These sessions build awareness of red flags, prevention strategies, and reporting obligations, ensuring that all employees understand their individual and collective responsibility for maintaining a fraud-free environment.
- **Risk Assessments and Internal Audits:** Fraud risk assessments are conducted during **project design, inception, and implementation** stages. Internal audits and spot checks further assess compliance with financial and operational policies, ensuring that weaknesses are promptly identified and addressed through corrective actions.
- **Code of Conduct Enforcement:** AMARD's **Code of Conduct** serves as a behavioral guide for all staff and associates. Compliance is mandatory, and violations are

subject to disciplinary procedures. Managers are expected to lead by example and reinforce the importance of ethical behavior across teams.

### *3.2 Staff Responsibility*

Every staff member, regardless of position or department, plays a vital role in fraud prevention. Employees must:

- Exercise caution and professional skepticism in reviewing documents, transactions, and financial claims.
- Immediately report any suspicious behavior, financial irregularity, or conflict of interest to their supervisor or through AMARD's confidential reporting channels.
- Safeguard organizational property and assets from theft, misuse, or unauthorized access.
- Refrain from participating in or condoning any activity that could be perceived as fraudulent or corrupt.

### *3.3 Leadership Accountability*

The **Executive Director and Senior Management Team (SMT)** bear ultimate responsibility for ensuring that AMARD's anti-fraud systems are effective and continuously strengthened. This includes ensuring that policies are implemented consistently, investigations are conducted fairly, and lessons learned from fraud incidents are integrated into future risk management strategies.

## **4. FRAUD DETECTION AND REPORTING**

Fraud detection within AMARD depends on a culture of **vigilance, transparency, and accountability** across all levels of the organization. Timely detection and reporting of suspected irregularities help protect AMARD's reputation, ensure donor confidence, and safeguard resources intended for vulnerable communities.

Every staff member, partner, and stakeholder is expected to remain alert to possible indicators of fraud and report concerns immediately through appropriate channels. Fraud detection is achieved through a combination of staff awareness, internal controls, audits, and a responsive complaints mechanism that ensures confidentiality and protection for whistle-blowers.

### *4.1 Vigilance and Early Warning*

AMARD promotes awareness of **fraud warning signs** ("red flags") and ensures all personnel are trained to recognize and act upon them. Typical red flags include:

- Discrepancies in receipts, invoices, or bank reconciliations.
- Missing supporting documents or delayed financial reporting.

- Conflicts of interest in procurement or recruitment processes.
- Unusual resistance to oversight, audit, or information requests.
- Personal lifestyle changes inconsistent with known income sources.

Supervisors and line managers must take immediate action to investigate and escalate any irregularities to senior management.

#### *4.2 Reporting Mechanisms*

AMARD provides safe and confidential channels for reporting suspected fraud, corruption, or unethical behavior. All reports must be submitted through the **Complaint and Feedback Mechanism (CFM)**, which serves as the organization's official platform for receiving, recording, and referring cases for action.

Reports may be made through any of the following CFM channels:

- **Toll-Free Number (CFM Hotline):** *[Insert number – e.g., 349]*
- **CFM Suggestion Boxes:** Located at AMARD project sites and field offices for written submissions.
- **In-person reporting:** To CFM focal persons, Project Managers, or Supervisors.
- **CFM Logbook:** Maintained at site-level and reviewed weekly by designated accountability officers.

The CFM ensures that all reports are **recorded confidentially**, assigned a **unique reference number**, and handled in accordance with AMARD's **Safeguarding and Whistle-Blower Protection Procedures**.

#### *4.3 Reporting Process and Timelines*

- Every complaint or report received through the CFM will be **acknowledged within 72 hours** by the designated Accountability/CFM Officer.
- Cases identified as fraud, corruption, or financial misconduct will be **immediately referred** to the Executive Director and the **Ethics and Compliance Focal Point** for review.
- A **preliminary assessment** will determine whether an investigation is warranted.
- Updates on the progress of investigations will be shared with the whistle-blower (if identifiable) through the CFM follow-up process.

All reports are handled **confidentially** and shared only with authorized personnel involved in the investigation.



#### *4.4 Anonymous Reporting and Whistle-Blower Protection*

AMARD's CFM allows for **anonymous submissions** through toll-free calls or suggestion boxes. Anonymous reports will be treated with equal seriousness, provided sufficient information is available for investigation.

Whistle-blowers and complainants are **protected from retaliation, discrimination, or victimization**. Any attempt to intimidate or penalize a person who reports wrongdoing will constitute a serious disciplinary offence, subject to sanctions including termination or referral to legal authorities.

#### *4.5 Responsibilities in Handling Reports*

- **Employees:** Must promptly report any suspected fraudulent activity through the CFM and refrain from conducting personal investigations.
- **Supervisors/Managers:** Must ensure proper documentation and referral of cases through the CFM without interference or suppression.
- **CFM Focal Points:** Responsible for recording, categorizing, and referring fraud-related complaints to the Executive Director and Ethics Focal Point.
- **Senior Management Team (SMT):** Ensures timely review, fair investigation, and feedback through the CFM system.
- **Board of Directors:** Provides oversight and reviews high-level or recurrent fraud cases.

#### *4.6 Continuous Improvement*

AMARD regularly evaluates its CFM and internal controls to ensure that fraud detection and reporting processes remain **accessible, transparent, and effective**. Training, community awareness, and periodic audits reinforce staff and beneficiary confidence in AMARD's accountability systems.

## **5. FRAUD INVESTIGATION**

AMARD is committed to conducting **timely, impartial, and confidential investigations** into all allegations of fraud, corruption, or unethical conduct reported through the **Complaint and Feedback Mechanism (CFM)** or other official channels. Each case is treated with seriousness, ensuring due process, objectivity, and protection for all involved parties.

Fraud investigations are not punitive in themselves; they are fact-finding exercises designed to establish the truth, identify control weaknesses, and recommend appropriate corrective measures.

### *5.1 Initiation of Investigation*

Upon receiving a report of suspected fraud through the **CFM**, the **Executive Director (or designated delegate)** will:

- Acknowledge receipt of the report through the CFM system and ensure it is properly logged and classified as a “fraud/misconduct” case.
- Conduct a **preliminary assessment** in coordination with the **Ethics and Compliance Focal Point** to determine the credibility, scope, and potential impact of the allegation.
- If the assessment confirms sufficient grounds, the Executive Director will establish a formal **Fraud Investigation Committee (FIC)**.

### *5.2 Composition of the Investigation Committee*

The **Fraud Investigation Committee (FIC)** shall be composed of:

- A **Chairperson** appointed by the Executive Director.
- The **Finance and Administration Manager** (for financial cases).
- The **Ethics and Compliance Focal Point**.
- A **Human Resources representative** (where staff conduct is involved).
- **External auditor(s) or independent experts**, when required for complex or high-value cases.

Members of the FIC must be impartial, free from conflicts of interest, and committed to maintaining confidentiality. Any member with a personal or professional link to the case shall be recused immediately.

### *5.3 Investigation Procedure*

The investigation process shall follow a structured, documented, and transparent approach comprising the following stages:

#### **1. Preliminary Assessment:**

- Verify the facts provided in the report.
- Assess the risk to AMARD’s finances, operations, and reputation.
- Decide whether to proceed with a full investigation or take administrative corrective action.

#### **2. Formal Investigation:**

- Collect and analyze evidence including records, receipts, emails, and financial documents.

- Conduct **confidential interviews** with staff, witnesses, and relevant third parties.
- Document all findings in a secure and traceable manner.
- Maintain adherence to AMARD's HR policy, ensuring that accused persons have the right to be informed and respond to allegations.

### 3. **Report Preparation:**

- The Committee prepares a **comprehensive investigation report** summarizing findings, evidence, conclusions, and recommended actions.
- The final report is submitted to the **Executive Director** and shared confidentially with the **Board of Directors** for review and decision-making.
- Copies are securely archived by the Ethics and Compliance Focal Point and referenced in the **Fraud Register**.

### 4. **Corrective and Disciplinary Measures:**

- Based on the findings, the Executive Director and Board shall determine appropriate actions, which may include:
  - Disciplinary measures (warning, suspension, termination).
  - Recovery of financial losses or misused assets.
  - Legal or law enforcement referral, where applicable.
  - Strengthening of internal controls to prevent recurrence.

#### *5.4 Confidentiality and Data Protection*

AMARD strictly enforces **confidentiality** throughout the investigation process:

- The identity of complainants, witnesses, and respondents will be protected and disclosed only to those directly involved in the investigation.
- All documents, evidence, and findings will be securely stored in password-protected systems or locked files accessible only to authorized personnel.
- Unauthorized disclosure or misuse of information during or after an investigation will be treated as a serious disciplinary offense.

#### *5.5 Timelines and Accountability*

AMARD strives to ensure investigations are conducted efficiently and fairly:

- **Acknowledgement of report:** Within 72 hours via the CFM.

- **Preliminary assessment:** Within 10 working days of receipt.
- **Full investigation:** Within 30 working days (extendable for complex cases).
- **Submission of final report:** Within 45 working days from initiation.

Regular progress updates will be provided through the CFM follow-up system to the complainant (if identifiable), ensuring transparency while preserving confidentiality.

### *5.6 Learning and Prevention*

Following each investigation, the **Ethics and Compliance Unit** shall:

- Document lessons learned and identify systemic weaknesses.
- Recommend policy or procedural improvements.
- Present a summary of trends and preventive recommendations in quarterly reports to the **Senior Management Team (SMT)** and **Board of Directors**.

This continuous learning approach ensures that investigations contribute to **organizational resilience, improved internal controls, and sustained donor confidence**.

## 6. BRIBERY AND CORRUPTION

AMARD upholds a **zero-tolerance policy** for all forms of bribery and corruption. These practices erode public trust, distort decision-making, and divert resources from the communities that AMARD serves. Every staff member, consultant, board member, partner, and supplier must act with the highest standards of honesty and integrity in all professional dealings.

Bribery and corruption include, but are not limited to:

- **Offering, promising, or giving bribes** in any form — monetary or non-monetary — to influence a decision or gain advantage.
- **Soliciting or accepting bribes, kickbacks, or favors** from suppliers, contractors, or other stakeholders.
- **Facilitation payments** or unofficial fees to accelerate routine approvals or processes.
- **Trading in influence, nepotism, or collusion** in procurement, recruitment, or service delivery.

Any individual found engaging in, or failing to report, bribery or corruption will face disciplinary measures up to and including termination and legal action.

## 6.1 Hospitality and Gifts

AMARD acknowledges that in some cultures, modest gestures of hospitality or symbolic gifts may be customary and intended to foster goodwill. However, these must **never compromise objectivity, create a sense of obligation, or influence decision-making.**

### Accepting or Giving Gifts

Acceptance or provision of gifts, hospitality, or any other token of appreciation is **only permitted** when:

- It is of **symbolic or nominal nature**, consistent with local customs or cultural norms.
- It is offered **openly and transparently**, not secretly or under pressure.
- It does not influence, or appear to influence, any procurement, recruitment, partnership, or project-related decision.
- It complies with both **AMARD's internal policy** and **local legal standards**.

Examples of acceptable gestures include low-value cultural items, refreshments during meetings, or invitations to official community events. Prohibited gifts include cash, vouchers, high-value items, or any benefit linked to an organizational transaction or favor.

## 6.2 Facilitation Payments

Facilitation or “speed” payments — even when considered a local practice — are **strictly prohibited**. These are small, unofficial payments made to expedite routine actions such as processing permits, customs clearance, or administrative approvals.

All staff must:

- **Decline any request** for facilitation payments, and report the incident through the **Complaint and Feedback Mechanism (CFM)**.
- Record details of the request (names, dates, context) in a confidential report to the **Ethics and Compliance Focal Point**.
- Seek guidance from their line manager or the Executive Director before proceeding if refusal may affect operations.

AMARD commits to supporting staff who refuse such payments, even if it results in operational delays.

## 6.3 Record-Keeping

All financial records, receipts, and invoices must be accurately maintained. Off-book accounts are strictly prohibited.

AMARD enforces rigorous financial and administrative controls to prevent and detect bribery and corruption. These include:

- Maintaining **accurate and complete financial records** for all transactions.
- Ensuring **no off-book or unrecorded accounts** exist within the organization.
- Requiring all expenditures to be supported by valid and verifiable documentation (e.g., receipts, invoices, approvals).
- Retaining all procurement and financial records for review during internal and external audits.
- Reporting any discrepancies, irregularities, or suspected falsifications immediately through the **CFM**.

#### *6.4 Responsibilities and Compliance*

- **All Employees:** Must avoid conflicts of interest and refuse any gifts, offers, or advantages that could compromise professional judgment.
- **Managers and Supervisors:** Are responsible for setting the tone of integrity within their teams and ensuring that anti-corruption procedures are applied consistently.
- **Finance and Procurement Units:** Must ensure transparent and competitive processes, proper documentation, and declaration of gifts or benefits.
- **Executive Management and the Board:** Oversee compliance and enforce sanctions in confirmed cases of corruption or bribery.

#### *6.5 Reporting Bribery and Corruption*

All actual or suspected cases of bribery, kickbacks, or corrupt behavior must be reported immediately through AMARD's **Complaint and Feedback Mechanism (CFM)**.

Reports can be submitted through toll-free calls, suggestion boxes, or in-person to CFM focal points.

All reports will be handled with **strict confidentiality** in accordance with AMARD's **Whistle-Blower and Safeguarding Policy**. Whistle-blowers are protected from retaliation, and all confirmed cases will be investigated promptly and transparently.

## **7. WHISTLE-BLOWING PROCEDURES**

AMARD is committed to creating and maintaining an organizational culture in which employees, partners, and community members feel confident and safe to raise concerns about unethical behavior, fraud, abuse of power, or any form of misconduct.

The organization encourages **early reporting** of potential violations so that issues can be addressed promptly, fairly, and effectively — without fear of reprisal.

Whistle-blowing is a **protected act** within AMARD. Individuals who raise genuine concerns in good faith are safeguarding the integrity of the organization and contributing to stronger accountability systems.

### *7.1 Purpose of Whistle-Blowing*

The purpose of AMARD's whistle-blowing procedure is to:

- Promote a **speak-up culture** where staff and stakeholders feel safe to report wrongdoing.
- Provide clear, confidential, and accessible channels for reporting unethical or illegal conduct.
- Ensure **independent, fair, and prompt investigation** of all reports.
- Protect whistle-blowers from retaliation, harassment, or any form of victimization.
- Strengthen AMARD's governance, transparency, and compliance with donor requirements.

### *7.2 Who Can Report*

This policy applies to and protects:

- All AMARD employees (full-time, part-time, or temporary).
- Board members, consultants, interns, and volunteers.
- Implementing partners, suppliers, and contractors.
- Beneficiaries, community representatives, and any individual interacting with AMARD programs or services.

Any person who suspects wrongdoing or unethical behavior in AMARD operations has the right — and moral responsibility — to report it through the appropriate channels.

### *7.3 Reporting Channels*

Whistle-blowing reports may be submitted through any of the following secure channels:

- **Through the Complaint and Feedback Mechanism (CFM):**  
The CFM is AMARD's official and centralized reporting platform for receiving all forms of complaints and feedback, including allegations of fraud, corruption, or misconduct. Reports can be made via:
  - Toll-free number: *[Insert Number]*
  - Suggestion boxes at project sites and offices.
  - In-person submission to CFM focal points or accountability officers.

- CFM reporting forms available at field offices.
- **Through Supervisory Line Management:**  
Staff may verbally or in writing report concerns to their immediate supervisor, Project Manager, or Department Head. The supervisor must document and refer the case to the Executive Director or CFM focal person within 24 hours.
- **Direct Escalation:**  
When the concern involves senior management or where staff feel unsafe using internal channels, reports can be made directly to the **Executive Director** or **Chairperson of the Board of Directors**.

Anonymous submissions are accepted and will be treated with equal seriousness as identified reports.

#### *7.4 Protection and Confidentiality*

AMARD guarantees full **confidentiality** for all whistle-blowers. The organization ensures that:

- The identity of the whistle-blower will not be disclosed without consent, except where legally required.
- Reports and evidence are stored securely, accessible only to authorized personnel involved in the investigation.
- Retaliation, harassment, or discrimination against whistle-blowers is **strictly prohibited**.

Any person found retaliating against, intimidating, or attempting to harm a whistle-blower — directly or indirectly — will face **severe disciplinary action**, including termination of employment or partnership.

#### *7.5 Handling and Response Process*

1. **Receipt and Registration:**  
All reports received through the CFM or other authorized channels are logged by the Accountability or Ethics Focal Point in the confidential Whistle-Blowing Register.
2. **Acknowledgement:**  
Reports will be acknowledged within **72 hours** where contact details are provided.
3. **Preliminary Review:**  
The Ethics and Compliance Focal Point will assess the nature of the complaint to determine whether it constitutes a whistle-blowing case requiring investigation.
4. **Investigation:**  
Confirmed cases are escalated to the **Investigation Committee**, following the procedures outlined in the *Fraud Investigation* section of this policy.



## 5. Feedback:

Where possible, whistle-blowers will receive timely updates on the progress and outcome of their reports through the CFM follow-up process.

### *7.6 Good Faith and False Reporting*

AMARD encourages whistle-blowing made in **good faith**, even if subsequent investigations do not confirm the allegation.

However, deliberately making **false or malicious reports** is a disciplinary offence and may result in appropriate action.

### *7.7 Continuous Improvement*

To strengthen a culture of openness and accountability, AMARD will:

- Conduct regular **awareness sessions** on whistle-blowing and staff rights.
- Review whistle-blower protection mechanisms annually.
- Integrate whistle-blowing lessons learned into risk management and internal control systems.

### *AMARD's Commitment*

AMARD affirms that whistle-blowing is an **act of integrity, not disloyalty**. By speaking up, individuals help safeguard the organization's values, protect beneficiaries, and promote ethical, transparent operations.

## 8. MONITORING, EVALUATION, AND REVIEW

AMARD is committed to ensuring that the implementation of this **Ethics, Anti-Corruption, and Whistle-Blowing Policy** is continuously monitored, regularly evaluated, and periodically reviewed to maintain its relevance, effectiveness, and compliance with both internal standards and donor regulations.

### *8.1 Responsibility for Implementation and Oversight*

- The **Senior Management Team (SMT)** holds overall responsibility for enforcing and operationalizing this policy across all departments and field offices. Each department head must ensure that staff under their supervision understand and adhere to its provisions.
- The **Ethics and Compliance Focal Point** provides technical guidance, maintains the fraud and whistle-blowing registers, and coordinates policy-related awareness sessions.
- The **Monitoring and Evaluation (M&E) Unit** integrates ethics and compliance indicators into periodic internal reviews and ensures that program performance data reflects adherence to ethical standards.

- The **Finance and Internal Audit Units** ensure regular audits, risk assessments, and compliance checks to identify weaknesses or irregularities and propose corrective measures.
- The **Board of Directors** provides high-level oversight and ensures that management actions are aligned with AMARD's values and governance principles.

### *8.2 Monitoring Mechanisms*

AMARD applies a multi-layered monitoring approach combining:

- **Routine internal audits** to assess compliance with financial and ethical controls.
- **Quarterly compliance reports** from departments and field offices submitted to the SMT.
- **Annual ethics and accountability reviews** coordinated by the Ethics and Compliance Focal Point.
- **Community feedback** gathered through the Complaint and Feedback Mechanism (CFM), ensuring that the perspectives of beneficiaries and partners inform ethical performance assessments.

### *8.3 Evaluation and Learning*

The effectiveness of this policy will be evaluated through:

- Independent or external evaluations, as necessary, to ensure impartial review of adherence and performance.
- Integration of findings from investigations, audits, and CFM data into organizational learning processes.
- Staff reflection sessions and debriefs to identify lessons learned and emerging risks related to ethics and accountability.

Evaluation outcomes will inform revisions to this policy and related operational manuals to ensure continuous improvement.

### *8.4 Review and Updating*

This policy will be reviewed by the **Board of Directors** every **three (3) years**, or sooner if:

- Significant changes occur in national legislation or donor compliance requirements;
- Internal audits or investigations reveal systemic weaknesses; or
- New ethical challenges arise due to contextual or operational changes.

All revisions will be approved by the Board and disseminated organization-wide through official communication channels.

### 8.5 Key Compliance Indicators

To measure adherence and guide decision-making, AMARD will track and report on the following indicators:

<i>Indicator</i>	<i>Data Source</i>	<i>Responsible Unit</i>
Number of staff and partner ethics trainings conducted annually	HR / M&E reports	Ethics & Compliance Unit
Number and type of reported misconduct or fraud cases	CFM Register / Fraud Register	CFM Focal Point
Percentage of cases investigated and resolved within policy timelines	Investigation reports	Executive Director / SMT
Audit findings linked to ethics or compliance gaps	Internal Audit Reports	Finance / Internal Audit
Implementation rate of corrective and preventive actions	SMT / Board Reviews	Executive Office

## 9. SANCTIONS AND DISCIPLINARY ACTION

AMARD enforces this policy through a robust and transparent disciplinary framework. Violations of the Ethics, Anti-Corruption, and Whistle-Blowing Policy constitute serious misconduct and will trigger appropriate corrective measures.

### 9.1 Scope of Sanctions

Any staff member, partner organization, supplier, or consultant found to have engaged in, concealed, or facilitated unethical behavior—including fraud, bribery, corruption, retaliation, or breach of confidentiality—shall be subject to disciplinary action, which may include:

- **Verbal or written warning** for minor or first-time infractions.
- **Suspension or termination of employment/contract** for serious or repeated violations.
- **Blacklisting** of suppliers, contractors, or partners involved in fraudulent or corrupt practices.

- **Recovery of misused or stolen funds**, including salary deductions or legal recovery measures.
- **Legal prosecution** in accordance with Somali national laws and applicable donor regulations.

### *9.2 Due Process*

All disciplinary actions will follow due process as per AMARD's Human Resources Policy and the national labor law. Accused individuals will be given:

- The right to be informed of the allegations against them.
- The opportunity to respond or provide evidence in their defense.
- Fair and impartial investigation without discrimination or bias.

### *9.3 Management Accountability*

The **Executive Director**, supported by the **Senior Management Team**, is responsible for ensuring that sanctions are applied consistently and proportionately.

The **Board of Directors** will review all high-level disciplinary cases, including those involving senior management, to ensure accountability at all levels.

### *9.4 Documentation and Reporting*

- All disciplinary measures will be documented and filed in the staff or partner's official record.
- Summaries of actions taken (without disclosing personal data) will be included in quarterly governance reports to the Board.
- Lessons learned from disciplinary cases will be integrated into training and policy updates to prevent recurrence.

### *9.5 Escalation to Authorities*

AMARD reserves the right—and, in certain cases, the obligation—to **report serious violations** to relevant external authorities, donors, or legal bodies. This includes criminal acts, significant financial fraud, or corruption cases that fall under national jurisdiction.

Approved by:

Executive Director, AMARD

**Date:** November 2024

## ANNEX 1 – EXAMPLES OF FRAUD AND BRIBERY

The following examples illustrate common forms of unethical behavior that may occur within humanitarian and development organizations.

They are provided to help AMARD staff, partners, and stakeholders recognize, prevent, and report misconduct in all its forms.

This list is **not exhaustive** — any action that violates AMARD's values, donor agreements, or applicable laws may constitute misconduct and will be investigated accordingly.

<i>Scenario</i>	<i>Description</i>	<i>Violation Type</i>	<i>Preventive Action / Corrective Measure</i>
<b>Offering cash to secure project approval</b>	An AMARD staff member offers a government official money to expedite MoU signing or license renewal.	Bribery	Immediately report through the CFM; disciplinary action and possible legal prosecution.
<b>Inflating invoices or creating fake receipts</b>	A partner organization or staff member submits falsified invoices or receipts to increase reimbursement or conceal misuse of funds.	Fraud	Strengthen financial controls, cross-check with procurement records, recover funds.
<b>Using donor funds for personal purchases</b>	A staff member uses project funds, vehicles, or materials for personal errands or family use.	Misuse of Resources	Reimburse costs, disciplinary action, and reorientation on financial ethics.
<b>Accepting gifts from suppliers</b>	A procurement officer accepts a valuable gift (e.g., electronics or cash) in exchange for awarding a tender.	Conflict of Interest / Bribery	Record in Gift Register, terminate contract, and apply sanctions to both parties.
<b>Collusion in procurement</b>	Two or more bidders coordinate to inflate prices or fix tenders in	Corruption / Collusion	Conduct supplier vetting and random audits;

<i>Scenario</i>	<i>Description</i>	<i>Violation Type</i>	<i>Preventive Action / Corrective Measure</i>
	AMARD's procurement process.		blacklist offenders.
<b>Personal favoritism in recruitment</b>	A hiring manager favors a relative or friend over qualified candidates.	Nepotism / Abuse of Power	Enforce HR recruitment policy and declare conflicts of interest.
<b>False reporting of project results</b>	Staff manipulates beneficiary data or activity reports to meet donor targets.	Misrepresentation / Fraud	Verify through M&E checks; disciplinary action and data correction.
<b>Misappropriation of goods</b>	Distribution staff diverts relief items (e.g., food, NFIs) for personal gain or resale.	Theft / Misuse of Assets	Conduct spot checks, inventory control, and enforce recovery procedures.
<b>Withholding payments to partners or service providers</b>	Staff delays payments or demands personal benefits to release funds.	Extortion / Corruption	Investigate and refer to law enforcement; enforce strict sanctions.
<b>Leaking confidential information</b>	Employee shares sensitive financial or beneficiary data with unauthorized parties.	Breach of Confidentiality	Restrict system access, retrain staff, and impose disciplinary measures.

**Notes:**

- All incidents, suspicions, or red flags must be reported immediately through AMARD's **Complaint and Feedback Mechanism (CFM)**.
- Staff must **not attempt to investigate personally** — responsibility for inquiry lies with the **Ethics and Compliance Unit**.

- Lessons from investigations are used to strengthen internal controls, staff training, and donor confidence.