



NATIONAL COMMISSION
FOR HUMAN RIGHTS

CODE OF CONDUCT

Chairperson / Members

National Commission for Human Rights, Pakistan



NCHR's vision is to see a progressive Pakistan where human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, NCHR is committed to fulfilling its mandate of promoting the human rights of all citizens.



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RABIYA JAVERI AGHA
CHAIRPERSON

As the second team of the National Commission for Human rights has finally been appointed the NCHR is now functional once again and committed to work towards human rights protection and realisation throughout the country. NCHR's vision is to see a progressive Pakistan where human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, the Commission is committed to fulfilling its mandate of promoting human rights of all citizens.

The Commission's role and functions are unique: an autonomous and impartial body formed through an Act of Parliament, the NCHR's mandate is in line with Paris Principles, the Constitution of the Islamic Republic of Pakistan, 1973 and has the capacity to advise the Government on Pakistan's commitment to fulfilling its international human rights obligations under the seven core international human rights instruments Pakistan is a signatory to and has ratified: ICCPR,

ICESCR, CRPD, CAT, CEDAW, CRC, and CERD.

NCHR's distinguishing position further allows it to act as a liaison between the Government and civil society organizations. This distinct feature is achieved through NCHR's pivotal role of working with civil society organizations and extensive mandate which allows for it to monitor, observe, directly investigate, raise awareness, inquire into complaints and make recommendations pertaining to human rights issues across Pakistan. The National Commission for Human Rights Act, 2012 specifically allows the Commission multiple powers such as the authority to inquire and investigate into complaints of human rights, submit an application to court to become a party of a case involving human rights, perform jail visits, make recommendations for the amendment or adoption of new laws and make recommendations for the implementation of international human rights instruments.

As the rest of today's world, there are multifaceted human rights issues in Pakistan which arise on a day to day basis. NCHR's role will be central to resolving such issues over the duration of its term through zeal, dedication and integrity.



**MEMBER/COMMISSIONER
SINDH**

ANIS HAROON



**MEMBER/COMMISSIONER
BALOCHISTAN**

FARKHANDA AURANGZEB



**MEMBER/COMMISSIONER
KPK**

TARIQ JAVED



**MEMBER/COMMISSIONER
PUNJAB**

NADEEM ASHRAF



**MEMBER/COMMISSIONER
MINORITY**

MANZOOR MASIH

Mission

To monitor, observe, directly investigate, raise awareness, inquire into complaints, and make recommendations pertaining to human rights issues across Pakistan. NCHR is committed to fulfilling its mandate of promoting the human rights of all citizens with a focus on the most vulnerable and marginalised sections of society.

Vision

To see a progressive Pakistan where the human rights of all genders, faiths, races, and ethnicities are respected and celebrated.

Commissioner and Member Code of Conduct

This code outlines the standards of conduct for Commissioners members (together 'Members'). The standards of conduct for officers are in a separate 'Employee code of conduct'.

1. General principles

- 1.1. Members must always adhere to this code of conduct in the exercise of their functions as part of our organisation.
- 1.2. Members must endorse and agree to abide by the Constitution of the Islamic Republic of Pakistan 1973 and the National Commission for Human Rights Act 2012.
- 1.3. As public servants, Members are expected to demonstrate integrity, honesty, objectivity and impartiality in the work they do.

2. Members' collective accountability

- 2.1. Members have collective responsibility for Commission and committee decisions and any public statements arising from these.

Members are expected to publicly support our organization and to remain fully committed to its decisions and the activities arising from them. This includes any activity or opinions expressed publicly, whether verbally or written (including traditional media or electronic and social media).

2.2. The Commission and its committees aim to debate issues based on appropriate, accurate and timely information and advice. They seek to achieve consensus on decisions. When it is not possible to achieve consensus, collective decisions will be based on a majority vote, with the Chairperson of the Board or committees holding a casting vote.

2.3. A Member may request that their dissention, in a decision-making vote, be recorded in the minutes of the relevant meeting. However, minority views will not be made public. The Member concerned is expected to express the majority view externally, or to resign before making their dissent known publicly, respecting the confidentiality of Commission decision-making.

2.4. If a Member resigns by reason of disagreement, they may state the basis for the disagreement but may not publicly repeat the arguments of other Members.

2.5. Members should treat each other and officers with courtesy and respect, in line with the NCHR's values of fairness, dignity and respect.

3. External engagement

3.1. Where Members are invited to speak at external engagements because of their experience and role(s) outside the organisation, they should, before accepting an engagement that may impact on the remit and powers of organisation, inform the Chairperson, who will advise what approach to take and discuss any potential conflicts of interest.

3.2. Members may at times be asked not to accept a public engagement or express a public opinion on a topic that is in the remit of the organisation. To subsequently accept such an invite may cause a conflict of interest and may therefore be perceived as being incompatible with their duties.

3.3. In dealing with situations requiring public comment on matters relating to the organisation's work, Members should:

a. Inform the Chairperson before providing a comment.

b. Be mindful that even public comments made in other capacities can be linked to the organisation and take care that their words or actions do not compromise or conflict with their role as a member of the Commission or relevant committee. The Chairperson is available for advice or guidance on these matters.

c. Consider that even social media activity – including likes, retweets and comments – could affect the reputation of the organisation and its ability to carry out its functions effectively.

d. Any payments for engagements undertaken while representing the organisation that attract a fee should either not be taken or be paid to the organisation.

4. Parliamentary Committees

4.1. Members who give evidence to parliamentary committees must notify the Chairperson and be prepared to discuss the oral or written evidence they intend to submit. Members must make it clear to the parliamentary committee the capacity in which they are giving evidence so that, unless they are giving evidence as part of their role for the organisation and with the agreement of the Chairperson, they can record publicly that they are giving evidence in a personal capacity and not on behalf of the organisation.

5. Whistleblowing

5.1. Every effort is made to ensure that all business is conducted to meet the highest standards of integrity, honesty and professionalism. If Members are aware of, or suspect, failures or wrongdoing, they should tell the Chairperson or Commission as appropriate as soon as possible so steps can be taken to safeguard the organisation.

6. Engaging with Staff

6.1. If a member of staff directly approaches a Member with a concern or allegation, the Member must not undertake to investigate or deal with the concern or allegation themselves. They must advise the staff member of this and pass on the concern or allegation to the Chairperson and Commission who will ensure that appropriate steps are taken.

6.2. In addition, Members should not commission work from nor engage in extended correspondence or communication with staff members beyond formal committee engagements and development events.

7. Declaration and conflicts of interests

7.1. Members must ensure that no conflict arises (or could reasonably be perceived by a fair-minded person to arise) between their public duties and their private or business interests, financial or otherwise.

7.2. In considering whether a conflict of interest exists in relation to a particular decision, the Member should assess whether they, a close family member, a person living in the same household as the Member, or a firm, business or other organisation with which the Member is connected, are likely to be affected more than those generally affected by the decision in question.

7.3. It is the personal responsibility of each Member to decide whether a conflict arises and what action is needed to avoid a conflict, or the perception of a conflict. Their decision should reflect advice from the Chairperson, Commission and relevant staff in the Administration and Legal teams. Their decision must ensure that:

A person in public office must not take any decision in pursuit of a private interest, and must not allow any private interest to influence a public decision. Any relevant private interest must be declared, and if the conflict of interest is too great then the person concerned must either stand aside from the decision in question or dispose of the private interest.

7.4. The danger of a perceived conflict of interest is greater for those in leadership roles. Members, particularly if chairing committees or groups, are subject to public and legal scrutiny. They must consider carefully all non-NCHR activities with a view to how they may potentially create either a perceived or actual conflict of interest.

7.5. Members must:

a. obtain advice at the earliest opportunity and declare to the Chairperson and Commission any personal or business interests that may, or may be perceived to, conflict with their responsibilities as Members. These interests should be included in a publicly available register of interests, which will be kept up to date by the Administration team

b. ensure that they declare any conflicting interest at the outset of Board and committee meetings, with such declarations recorded as appropriate

c. if the interest is pecuniary (related to money), the Member must recuse themselves from the discussion or determination of such matters

d. if the interest is non-pecuniary, consider whether participation in the discussion or determination of a matter would create either a risk of bias or the perception of bias.

7.6. If a Member receives a written paper on a matter on which they have a conflict of interest, they must immediately alert the Administration team and say how much of the paper they have read.

7.7. If a Member becomes aware of a conflict during the course of any discussion, whether at meetings or in correspondence, they should disclose their interest immediately and, if appropriate, withdraw from the discussion and any decision relating to the matter.

7.8. The Chairperson or Commission may permit continued participation in certain circumstances. These might include instances when the Member's relationship is so slight or historic that it would be unreasonable to suppose any significant interest, or the decision or

discussion has no foreseeable implications for the Member's interest.

7.9. It is the Member's responsibility to ensure that they are familiar with the rules on handling conflicts of interest, that they comply with these rules and that their declaration of interests is accurate and up to date.

7.10. The Accounting Officer is responsible for ensuring that conflicts of interest are avoided, both in Commission proceedings and their own actions or advice and those of other Members and staff.

8. Rules on the acceptance of gifts, hospitality and rewards

8.1. Members should avoid the suspicion of a conflict of interest and avoid any perception that they have been, or may be, influenced by any gift, hospitality or other consideration to show favour or disfavour to any person or organisation while acting in an official capacity.

8.2. If there is any doubt about the propriety of accepting any gift, reward or benefit, the Chairperson or the Commission should be consulted. They may seek further advice from appropriate staff. They should also be consulted if circumstances surrounding a particular gift or occasion could merit special consideration. Even innocent acceptance of some gifts might, because of their cost or provenance, give the impression that individuals may be open to bias. The donor should then be told that it is not permitted for such gifts to be retained and should be informed of our rules on gifts, hospitality and rewards.

8.3. It is each individual Member's responsibility to ensure that they notify the Governance team as soon as possible if they are offered gifts, hospitality or favour that may be related to their membership of the Commission.

8.4. Such notification should include details of the person(s) or organisation(s) offering the gift, hospitality or favour, the purpose or object of the offer and the reasons why the gift, favour or hospitality was or was not accepted.

8.5. Members do not normally need to notify:

a. conventional hospitality associated with routine business on our behalf (for example, refreshments provided during a meeting with stakeholders).

9. Gifts from overseas organisations and governments

9.1. It may be difficult to refuse a gift from an overseas government or organisation without the risk of appearing discourteous. On some occasions it may be necessary to offer a small gift in return. An exchange of gifts of this kind should be initiated only after advice from the Chairperson following consultation with the Commission.

10. Expenses

10.1. Members may seek reimbursement of reasonable expenses solely incurred in exercise of their duties for NCHR, in line with the policy

11. Non-compliance: process for investigation

11.1. If anyone alleges that a Member has failed to comply with this code of conduct, the Chairperson will require details of any alleged contravention in writing to determine whether there is sufficient evidence of a potential breach of the code to warrant investigation.

11.2. If the Chairperson considers that an investigation is necessary they may, in consultation with the Commission, appoint any officer the Chairperson considers appropriate to investigate the matter and prepare a report to determine whether the person concerned has contravened this code of conduct.

11.3. If the report concludes that there has been a failure to comply with this code of conduct, the Chairperson will refer the matter to the Commission for consideration and to decide what further action (if any) should be taken.

12. Contact with law enforcement or other agencies

12.1. Members should inform the Chairperson and Commission if they are arrested or become the subject of a criminal investigation, proceeding, charge or conviction.

12.2. Additionally, Members should inform the Chairperson and Commission of any other contact with the police, or other law enforcement agencies or other authorities that may bring the NCHR into disrepute.



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