

Orientation in the Basic Operating Guidelines (BOGS)

Why Should you respect the BOGs?

- Donors now expect it – helps attract funding
- GTZ, DFID, EU, Finland, UN all include in their partnership agreements now.
- If there are fewer problems in the project, it makes the project more sustainable.

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- History and Context of the BOG
- Walk through of BOGs Principles – interpretations and explanations.
- Group discussion on BOGs Issues

Activities and Aims of the Secretariat

Long-term objective:

- Operational/ Development Space and Security/Safety of Staff is ensured.
- BOGs Signatories understand BOGs and integrate them in work

Activities:

- Analysis and Information sharing of Operational/Development Space issues
- BOGs Dissemination strategy

Secretariat Activities

- Central level advocacy – in coordination with UN Field Coordination Offices
- Establishment of Operational Space Groups on Regional Level
- Seminars/Orientation relevant to BOGs/Operational Space issues

History of the BOGs

- Originally appeared in 2003, ten original signatories
- Updated in 2007, new members in 2009.
- Developed from UN Basic Operating Guidelines, AIN and Donor Code of Conduct
- UCPN-M (Maoists) formally signed in Dec 22 2005. Many BOGs in CPA.
- Re-iterated commitment in November 2009
- King's Govt Budget Section 186 2005
- NEFIN has also committed – Feb 12 2010

Key Messages

- As a BOGs Signatory, you are part of group
- The problems of one member are problems for all of us. The mistakes of one member are also mistakes for all of us.
- The Group is here to help you, but you have responsibilities to the Group.

How Can the Group Help?

- Local AIN
- Your own Donors
- Regional Level UN Offices – Dandeldhura, Nepalgunj, Chitwan, Kathmandu, Biratnagar and regional contact group meetings
- BOGs Secretariat/ Chairmen on Central Level

- It is easier for Foreigners to face these issues than Nepalis.
- If you want us to help, to take pressure, then we are here to do that.

What are the BOGs?

- A code of conduct for ourselves
- A Do No Harm and SED Document
- A tool for allowing us to work
- A guide for external actors

Main Ideas

- Accountability
- Transparency
- Impartiality
- Inclusiveness

What are the BOGs for?

INTERNAL :

- A guide for us, the Donors, the UN, the Implementing Partners. They are our guiding principles and steer our actions and reactions
- The BOGS represent our commitment to work in a certain way, built on the main pillars of impartiality, transparency , inclusiveness and accountability
- The BOGs provide standards against which we should judge ourselves and will be judged by others.

What are the BOGs for?

- **EXTERNAL**
- Define for others the environment in which we are prepared to work, what we will and will not tolerate and what we expect from our partners and the actors around us.
- They provide external actors with the means to judge our work and behaviour – define that we are accountable

What are the BOGs NOT for?

- We must recognise the limitations of BOGs – sometimes we face pure criminality
- BOGs are not bullet proof
- We must have adequate security mechanisms in place, must do proper context analysis and incorporate conflict sensitivity/do no harm into our behaviours and programmes

Basis of Interpretations

- Our primary concern is the minimization of risk and the safety of our staff – this comes before everything else
- BOGs is not simply a security document – it is a system/method of doing development which should inform all aspects of our work
- BOGs is a tool which contributes to maintaining operational/development space. It is not sacred and has limits
- Fundamental Link between BOGs, Security Management and Conflict Sensitive Programme Management. They are interdependent
- Their principles must be internalised into Behaviours, Programme Design and Implementation.

The Principles

1. We are in Nepal to contribute to the quality of life of the people of Nepal. Our assistance focuses on reducing poverty, meeting basic needs and enabling communities to become self sufficient

- Simple explanation of why we are here
- It is important that we emphasise that we are here to help make Nepal more self sufficient – this is not an adventure in self interest or Neo-Colonialism
- We are aware that the goals we have set ourselves are extremely difficult, for a variety of reasons. In the current context, our best opportunity of succeeding in these tasks is by working through BOGs.

2. We work through the freely expressed wishes of local communities, and we respect the dignity of people, their culture, religion or customs

- We work through the will of communities and their organisations.
- This no longer simply means geographical communities; in the post-ILO 169 world, we must understand the structures and customs of the ethnic groups with whom we work.
- We MUST KNOW OUR CONTEXT, KNOW OUR ACTORS
- We must ensure that our consultations are sufficient, free, fair and prior and INCLUSIVE
- Do we know how to do consultation to avoid conflict?

3. We provide assistance to the poor and marginalised people of Nepal, regardless of where they live and who they are. Priorities for assistance are based on need alone, and not on any political, ethnic or religious agenda

- We must be impartial, even handed
- We must not allow a political party or armed group to dictate development work.
- Development priorities are based on the needs of the community, not of a party, caste or any other group, from the VDC to the national level.
- We recognise inequalities in society and try to address them with our inclusive policies
- We will not abandon sections of the population due to conflict and will work, as far as possible, with actors concerned, to ensure access

4. We ensure that our assistance is transparent and we involve poor people and their communities in the planning, management and implementation of programmes. We are accountable to those whom we serve and those providing the resources.

- Accountability is an active, continuous process of communication, linked transparency
- If you seek to communicate and be accountable with all stakeholders and actors, you are on the road to transparency
- Communication and accountability should not happen only when there is a problem – good communication helps to address problems before they happen.

5. We seek to ensure that our assistance tackles discrimination and social exclusion, most notably based on gender, ethnicity, caste and religion

- We favour and support an inclusive and democratic society, but it is for Nepali people to choose how this is realised.
- We do not force change upon communities, we do not provoke conflict. We must respect the wishes of communities, but not to the point where we neglect the needy.
- We must seek to understand the consequences of our actions in a community, anticipate and plan for possible conflicts
- We will work gradually and will keep all stakeholders involved in dialogue and COMMUNICATION.

6. We recruit on the basis of suitability and qualification for the job, and not on the basis of political or any other consideration

- We must not allow any political party, ethno-political or armed group to place their appointees on our staff.
- Suitability can mean many things!
- New Context of ILO 169 – what are our inclusion policies, our recruitment policies? How do we communicate these to the relevant actors? What are our responsibilities?
- UN Declaration of Joint Principles of Workforce Diversity – what do you have?

7. We do not accept our staff and development partners being subjected to violence, abduction, harassment or intimidation, or being threatened in any manner

- We must not deny that our staff work under enormous pressures in many parts of the country.
- We must understand the conditions our staff work in and support them at all times
- It is our responsibility as security staff and managers to train our staff to work effectively under these pressures— knowledge of BOGs, Security SOPs, SED concepts.
- We must also accept that sometimes these will not work and we are faced with pure criminality
- It is not a duty to continue work with our staff at risk – we reserve the right to suspend work until we are convinced we will be safe.

8. We do not work where our staff are forced to compromise core values or principles

- Simple, catch –all paragraph.
- If staff are pressurized to do things we find unethical – i.e. Corruption, nepotism, provision of information or resources to political/armed actors, this is unacceptable.

9. We do not accept our assistance being used for any military, political or sectarian purposes.

- Our impartiality and community acceptance would be seriously damaged if we allowed this to happen
- We create risk for our selves if this happens.
- Our staff would be at serious risk if they allowed our programmes to be used for political or military purposes; we do not tolerate such situations
- Our staff have their own political opinions, but this can not show bias in their work. i.e NRCS in war time.

10. We do not make contributions to political parties and do not make any contributions in cash or kind

- Our staff would be at serious risk from a wide range of actors if they were perceived as supporting any political party, armed group or any one else.
- There is no difference between a political party, puja samiti or an individual
- Staff must be instructed not provide donations, even individually, and must be trained on how to deal with these situations.
- It is not acceptable to pass responsibility to others
- This money is donor money – in the long term, paying donations jeopardises future funding.

11. Our equipment, supplies and facilities are not used for purposes other than those stated in our programme objectives. Our vehicles are not used to transport persons or goods that have no direct connection with the development programme. Our vehicles do not carry armed or uniformed personnel.

- No-one can take our equipment
- Theft is theft, be it cash or kind
- If staff are under pressure, they should share this information immediately.
- No lifts for unconnected people, only lifts if someone is seriously ill or dying – no weapons, ever.
- Ambulances!!!!

12. We do not tolerate the theft, diversion or misuse of development or humanitarian supplies. Unhindered access of such supplies is essential

- Insist on no theft or misuse of our resources by others
- Must insist that there is no corruption internal to our own programmes or amongst our partners
- We do not take unnecessary risks with bandhas
- We will protest robustly at lack of access for humanitarian or development supplies

13. We urge all those concerned to allow full access by development and humanitarian personnel to all people in need of assistance, and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of such personnel

- Through various means and channels, we urge all relevant actors not to create 'NO GO ZONES'
- We must insist that we are able to work unhindered
- We must not accept military escorts from any party –this compromises our impartiality and exposes us to further risk

14. We expect and encourage all parties concerned to comply strictly with their obligations under International Humanitarian Law and to respect Human Rights

- If parties commit publicly to respect human rights, then our partners, staff and beneficiaries will be safer and our work will be more effective.