

## 6th General Assembly

23-24 April 2008

Maison International de l'Environnement 2, Chemin de Balexert, Genève

### Draft Minutes

#### Participants:

Tim Aldred - CAFOD  
Claire Goudsmit – CAFOD  
Jock Baker – CARE International  
Jonathan Mitchell – CARE International (day 2)  
Nick Guttman – Christian Aid  
Juliet Parker – Christian Aid  
Takeshi Komino - Church World Service;  
Pakistan/Afghanistan  
Rezaul Chowdhury – COAST Trust  
Toireas Ni Bhriain – Concern Worldwide  
Lisa Henry – Danish Church Aid (day 1)  
Andreas Kamm – Danish Refugee Council  
Niels Bentzen – Danish Refugee Council  
Jemilah Mahmood – MERCY Malaysia  
Shamshiah Ali Afandi – MERCY Malaysia  
Rebekka Meissner – Medair  
John Farmer – Medair

#### **Full Members**

Randall Zindler – Medair (day 1)  
Hamid Azad – Muslim Aid  
Anamul Haque – Muslim Aid  
Kine Brodtkorb – Norwegian Refugee Council  
Mamadou Ndiaye – OFADEC  
Vivien Walden – Oxfam GB  
Meri Ghorkhmazyan – Save the Children UK  
Ken Caldwell – Save the Children UK  
Saad Yousaf Sulaimani – Sungi Development  
Foundation  
Umer Khanzada – Sungi Development  
Foundation  
David Bainbridge – Tearfund  
Claudine Haenni – Women's Commission for  
Refugee Women and Children  
Julian Srodecki – World Vision International

#### **Associate Member**

Alex Jacobs – MANGO

#### **Independent Board Members**

Mary B. Anderson – Collaborative for  
Development Action

Antonio Donini – Feinstein International Center,  
Tufts University

#### **Invited Guests**

Nelly Blokker – Netherlands MFA  
David Mouyal – Danish Mission  
Mary Blewitt – Survival Fund – Speaker

Edward Girardet – Media 21 – Speaker  
Meinrad Studer – Global Humanitarian Forum -  
Speaker

#### **HAP-International Staff**

Nicholas Stockton – Executive Director  
Katherina Samara Wickrama – Regulatory  
Services Director  
Sheryl Haw – Chief Auditor  
Pascale Guillot – Finance and Donor Relations  
Manager  
Jamie Munn – Research and Communications  
Manager

Lieske Pott-Hofstede – Human Resources  
Manager  
Ester Dross – BSO Training Officer  
Coleen Heemskerk – BSO Training Officer  
Monica Blagescu – Roving Field Support  
Representative  
Emily Rogers – Roving Field Support Officer

#### **Apologies**

Astier Almedom – Tufts University  
(Independent Board Member)  
Yo Winder – Oxfam GB

Marvin Parvez – Church World Service;  
Pakistan/Afghanistan

## April 23 (DAY 1)

### Morning Session - Chair: Andreas Kamm

#### 1. Introductions

The Chair welcomed all participants to the 6<sup>th</sup> HAP General Assembly (GA) and thanked them for their involvement. He noted with pleasure the presence of many new faces and organisations, and thanked the HAP Secretariat for completing the development of the HAP Standard. HAP can be proud of this achievement and for the publication of the Guide to the HAP Standard. The Chair said that HAP should feel proud of the 3 certified members, but noted that more are needed. HAP now has 22 full members but again, we should push to have more. The main challenges ahead are to attract more members and more certified members. It is part of our Strategic plan to expand membership and certification and HAP's donors expect to see progress being achieved. This work is very important for the development of our organisations. The Chair invited participants to Copenhagen to see the impact of the standards and certification on the DRC.

The Executive Director welcomed the 5 new members: ACTED, COAST Trust, Muslim Aid, Church World Service Pakistan/Afghanistan and Sungi Development Foundation. He also offered very warm welcome to Mary B. Anderson and Antonio Donini, HAP's independent board members and to other invited guests.

All participants introduced themselves.

#### 2. Adoption of the agenda for the 6<sup>th</sup> General Assembly

- Change on page one: only 4 working groups
- Change on page 3: Item 7 is moved before Treasurers report
- Change on membership fee discussion: moved to the board meeting agenda.

***Decision:***

***With these changes, the agenda was adopted unanimously.***

#### 3. Minutes of the 5<sup>th</sup> General Assembly

##### a) Approval

***Decision:***

***Minutes of the 5<sup>th</sup> General Assembly were approved with no amendments***

##### b) Matters Arising

There were no matters arising.

#### 4. HAP Board election: nomination list

NS listed the current board members:

Andreas Kamm, Chair (elected for 1<sup>st</sup> term in 2007), board mandate to December 2007  
Antonio Donini, Vice-Chair, mandate to March 2009  
Jonathan Mitchell, mandate to November 2009  
John Farmer, mandate to December 2007  
Mamadou Ndiaye, mandate to December 2007  
Jemilah Mahmoud, mandate to November 2009  
Mary B. Anderson, mandate to November 2009  
Astier Almedorn, mandate to April 2008 - not standing for re-election  
Ken Caldwell, mandate to April 2008

NS explained that there were six full member and two independent vacancies at the Board. AK, JF, MN and KC were all entitled to stand for re-election.

NS informed the GA that the nomination process would be closed at 12.00 on 24 April and the election held immediately afterwards.

## **5. 2007 Full members annual Reports**

The General Assembly divided into four focus groups as follows:

### **Group 1: Accountability in the field**

1. Nick Guttman
2. David Mouyal
3. Mary Anderson,
4. Antonio Donini
5. Vivien Walder
6. David Bainbridge
7. Rebekka Meissner
8. Andreas Kamm
9. Monica Blagescu (facilitator)

### **Group 3: Complaints Handling**

1. Takeshi Komino
2. Lisa Henry
3. Niels Bentzen
4. Randall Zindler
5. Anamul Haque
6. Mary Blewitt
7. Julian Srodecki
8. Claudine Haenni
9. Katherina Samara (facilitator)

### **Group 2: Workplans and baselines**

1. Rezaul Chowdhury
2. Toireas Ni Bhriain
3. Hamid Azad
4. Umer Khandaza
5. Mamadou Ndiaye
6. Meri Ghorkhmazyan
7. Shamshiah Ali Afandi
8. Sheryl Haw (facilitator)

### **Group 4: Humanitarian Accountability Frameworks**

1. Juliet Parker
2. Alex Jacobs
3. Nelly Blokker
4. Kine Brodtkorb
5. Ken Caldwell
6. Claire Goudsmit
7. John Farmer
8. Jock Baker
9. Jemilah Mahmood
10. Nicholas Stockton (facilitator)

It was agreed each group would appoint a rapporteur to feedback key issues and lessons in plenary on day 2.

The morning session was closed at 12.30

Focus group work continued from 13.30 to 15.00

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## **6. Open Session (15.30 to 17.30)**

***Panel Debate: "How will one small standard make a giant leap for humanitarianism?"***

**Chair: Edward Girardet**  
**Panellists: Mary B. Anderson**  
**Mary Kayitesi Blewitt**  
**Antonio Donini**  
**Meinrad Studer**  
**Jemilah Mahmood**

The debate was held to mark the launch of the HAP Guide to the Standard in Humanitarian Accountability and Quality Management. After a brief award ceremony to acknowledge the achievement of MERCY Malaysia in becoming the third HAP member to be certified in compliance with the HAP Standard, the chair for the event **Edward Girardet** (Media21 Journalism Programme Director and editor, The Essential Edge, Geneva) addressed the

panelists with two key questions “can the HAP Standard really make a difference to humanitarianism?” and “can it be applied to other sectors?”

For MERCY Malaysia, HAP membership is a means to grow, professionalise and improve on delivering for disaster-affected populations; it is an active and continuous reminder of “why [they] are in this business”. While preparing for HAP certification was not an easy process, the process of certification put in motion an internal drive for the organisation, said **Jemilah Mahmood** (President and founder of MERCY Malaysia). For a young and relatively small organisation, HAP certification is the means to assuring quality of programs and it provides the basis on which “[you] can sit on the same ground with larger organisations and tell them when they are wrong”. In this regard, the HAP Standard makes a difference to the way that MERCY Malaysia delivers on its promise to the people it serves at home and abroad.

There are too many international NGOs speaking on behalf of disaster survivors without adequate checks and balances, said **Mary Kayitesi Blewitt** (Director of the Survivor Fund). Recalling her experience of Rwanda, particularly of resources being given to NGOs with little apparent understanding of, or respect for, local needs and capacities, Mary concluded that not much has changed in the approach to humanitarian action. Compliance verification with agreed standards is a welcome development which will provide reassurance of “who is serious and who is not” in the humanitarian sector.

The need to build local capacities to hold agencies to account and the imperative to avoid political instrumentalisation of humanitarian aid were amongst the eight points highlighted by **Meinrad Studer** (Director Global Humanitarian Forum, Geneva) in relation to humanitarian accountability and self-regulation. While certain challenges are yet to be addressed, in particular striking a balance between internally-driven and externally-imposed accountabilities, the HAP Standard is an important “leap forward”.

**Antonio Donini** (from the Feinstein International Center, Tufts University) placed the debate in the context of findings from a recent study of the perceptions of disaster survivors in 12 countries. He noted the inherent lack of democracy of the humanitarian system, which is perceived as top-down. While humanitarian values are universal and resonate in all cultures, the baggage that comes with the assistance is problematic. On this background, and given the increase in the number of paid humanitarian workers and the continuing professionalisation and systematisation of the sector, a key question remains to be answered: is all this having an impact? If applied across the board, Donini concluded, the HAP Standard would have an impact and address some of the problematic issues. The UN and other actors are even less accountable than civil society organizations and, to make a real difference, they too need to implement Standard.

The difference and similarities between humanitarian action and peacebuilding were highlighted by **Mary B. Anderson** (President of the Collaborative for Development Action), who addressed the question “how would the application of the HAP Standard work if applied to peace-building?” While the purpose of humanitarian action is to save lives and alleviate suffering, there is less clarity on how and when peacebuilding has made a contribution to positive (as opposed to negative) peace; humanitarian action effectively stays out of politics (with some struggle), while peacebuilding is essentially political. Yet both humanitarian action and peacebuilding share a core value: the assertion of the value of human life. With some variation, they share commonalities, such as their potential for exacerbating a conflict and the fact that they both emphasise doing good but neither emphasise stopping the bad. Arguably, the humanitarian industry is only barely monitored, but peacebuilding is perhaps even less accountable. The application of the HAP Standard to humanitarian action can contribute valuable lessons for peacebuilding, though tinkering at the edges won’t make a difference in either case. Where the Standard can make a profound difference is in the very proposition of changing the definition of professionalism: from deliverers to engagers! The HAP Standard focuses upon improving the quality of engagement as the key to improving outcomes.

The event was concluded by **Katarina Samara-Wickrama** from HAP, who shared the results of a beneficiary based consultation into the impact of measures to address sexual exploitation and abuse. The 300 beneficiaries of humanitarian aid who were consulted in Namibia, Thailand and Kenya told HAP that the labels they live with – beneficiary, programme participant, disaster survivor etc – described them as they are for a short period of their lives, but by no means defines who they are. The assumptions associated with the label have resulted in significant reduction in their status and the value of their opinions and input – in some cases the impact of this was greater than the initial crisis that stamped them with the label in the first place.

Although they were aware that sexual exploitation and abuse is happening around them and perceive the risks, the vast majority consulted said they would not complain about misconduct. What they said is that “if you do not consult with us respectfully on everyday issues, why would you expect us to tell you about more egregious matters that we may find humiliating or embarrassing?”

The few existing complaints channels were mainly developed without meaningful consultation with those expected to use them, resulting in mechanisms that do not take into consideration the specificity of needs in that environment, culture or location. For many respondents, security is a very real concern. If complainants are aware that confidentiality is not assured, then naturally they would prefer to suffer the current indignity rather than risk even more serious dangers.

Another real fear is losing the access to limited assistance if they complain. Few respondents were aware of the criteria for who should be assisted, what assistance was due to them, when assistance could be expected and what was expected of them in return, if anything. This lack of information contributes to a general feeling of insecurity and inability to control even the most basic areas of life. Hence fears that complaining could jeopardize what they have access to.

So, their label means respondents do not receive information, do not get to participate in the processes that manage their daily lives, and cannot give feedback or complain. The HAP Standard can help address some of the gravest failures of accountability, such as sexual exploitation and abuse.

The Panel Debate was concluded at 17.30

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## **April 24 (Day 2)**

### **Morning Session – Chair: Andreas Kamm**

NS announced that eight full member candidates had been nominated for the six available seats, but that had been no independent candidates nominated.

***Decision: The GA agreed that a second election for independent board members would be arranged by the Secretariat using email***

### **7. 2007 Humanitarian Accountability Report**

#### **a) Humanitarian accountability in 2007**

NS referred the GA to the draft 2007 Humanitarian Accountability Report which had been circulated with the agenda. MB provided a brief summary of its contents.

#### **Discussion points:**

- Continuing challenges in relation to accountability to disaster survivors. The small number of disaster survivors interviewed undermines the credibility of the report.
- Effectiveness of the new standard and guide will be tested over next few years
- Continuing progress depends upon the will of the humanitarian sector to adhere to evolving norms and standards
- With a possible decline in external pressure for improvement, the drive will need to come from within the humanitarian sector.
- There may be increased pressure from donors. But if there is no demand from the agencies, there will be no sustainability for the quality and accountability initiatives.
- The number of aid workers surveyed in the report far exceeds the number of disaster survivors.
- More resources should be devoted to the disaster survivor opinion survey to make it more credible.
- More information on the categories of humanitarian workers who had replied (regions, status of the workers, etc.) would be useful.
- HAP should have a multi-year strategy to identify trends
- HAP has a multitude of findings to feed into this report but these findings are confidential.
- Confidential information can be shared and used for a report if made in an anonymous way.

**Action: The Secretariat to add a disclaimer to Chapter 3 (voices of disaster survivors) concerning methodology and a note to explain that the Pakistan interviews were just a small proportion of the disaster survivors that HAP staff had interviewed during 2007.**

#### **b) The HAP Secretariat 2007 Annual Report**

NS referred the GA to the draft 2007 Secretariat Report had been circulated with the agenda. NS summarised the main highlights and challenges. (See the 2007 Humanitarian Accountability Report – Chapter 4)

#### **Discussion points:**

- Jma: congratulated the Secretariat for their tremendous work with very limited resources and expressed the commitment of MERCY Malaysia to HAP's future. MERCY has received a donation towards training in accountability. This can help the awareness raising of HAP. JMa proposed a working group from HAP members to push donors. HAP members should demonstrate ownership toward HAP and help with the funding strategy.
- CH: Certification itself is not the ultimate goal. If certification is required for membership this may cause problems.
- NS: HAPs basic mandate is to verify that members comply with the HAP principles. The development of the certification process has taken 4 years and is the means chosen by the GA and Board to verify compliance. Certification must be a core part of our work since a unique feature of HAP is that membership involves a commitment to external verification of compliance. If we do not do this, what does it mean for the status of HAP membership? To drop compliance verification would remove HAPs reason for existence. The question is, are there other methods to do this? AT the moment, we do not have alternative models, nor has the Board and GA decided to develop them.
- AJ: Enormous progress has been achieved. Maybe the time scale of membership needs to be extended in order to achieve the blue line (i.e. meet the strategic plan target).
- NS: when the plan was made, it seemed to be not overly ambitious, whereas we do now realise that the planned timeframe for achieving the target is unrealistic.
- Jmi: If an evaluation is merged into a mid-term review, this is not a very good thing. HAP needs to be evaluated.

- NS: the donors normally commission evaluations, and HAP would be happy if this were done. The members could also commission an evaluation. However, the merging of the Secretariat commissioned evaluation and mid-term strategic plan review was thought to be a sensible response to funding and staffing problems
- The Chair requested the GA to formally approve the annual report. He also asked members of the GA to support the funding applications for HAP. Each member should lobby its own government in order to find more funds to make HAP sustainable. .

***Decision: The General Assembly approved the Secretariat Annual Report.***

## **8. Treasurer Report**

### **a) HAP Audit**

The Treasurer referred the GA to the 2007 Secretariat Audit report, which had been distributed with the agenda.

The Treasurer noted that on the positive side there is an increase on income since 2006 but this was due to the merger with BSO. There was less general income from the donors and this resulted staff cuts and reduced programme delivery. The major part of the net result is restricted funding towards expenditures in 2008 and does not add to the reserves of HAP. These reserves have remained unchanged.

### **b) Approval of the 2007 accounts by the GA**

The Treasurer recommended the approval of the 2007 audited accounts.

***Decision: The General Assembly unanimously approved the 2007 audited accounts.***

## **9. Review of Statutes**

### **(a) Revised Statute**

The Chair referred to the proposed changes to the statutes (Annexe 1), previously circulated with the agenda. These are minor changes intended to resolve a discrepancy between the Board protocol, to allow HAP certified agencies to join HAP with minimal additional bureaucracy, and to correct some misnumbered paragraphs.

***Decision: Amendments to the statutes were unanimously approved as proposed.***

### **(b) Certification and Accreditation Review Board (CARB)**

KS presented the revised proposal circulated with the agenda. The composition of the CARB was not clearly resolved in the 5<sup>th</sup> GA and so it had not been possible to establish it. This was causing concern about the validity of certificates awarded by the Secretariat. The Secretariat now recommends the ACRB should have five members, two of whom should be full members and three who should be independent. The Chair of the CARB should be independent and the vice chair should be a full member. The independent members should not be the same as those on the HAP Board.

#### **Discussion:**

- How often will the CARB meet? The CARB will meet only as required, but routine decisions could be made on the basis of email exchange.
- To whom should the CARB report? One suggestion was to the Board, with the Board reporting to the GA.
- What are the possibilities of appeal? Members can appeal against the certification procedure to the CARB, and can then appeal against a CARB decision to the Board.
- Limits of the authority of the CARB should be clearly identified.

- Full members on the CARB should be certified members according to a suggestion in order to give some coherence. But as we do not have currently enough certified members to implement this plan, this should be introduced at a later stage.
- What happens when there is increased demand for certification? – Independent auditors have been trained and will do the audit. They will present their findings to the CARB board. The CARB will then check the findings. Normally, the recommendation of the auditors would be accepted
- HAP does not have enough independent board members. We need to identify a broader group of independent advisors.
- We need to define what would constitute a quorum so that the CARB is less likely to be a bottleneck once certification number increase.
- How public would be a certification failure? Baselines are done so that the agency is prepared for the actual audit. If there is any significant non-conformity with the Standard, the agency is given 3 months to address the problem. The main idea is promote continual improvement and transparency. The summary of all audits will be available on the website indicating minor non-compliances on benchmarks.
- AK: The board should take responsibility for finalizing the CARB.

***Decision: The General Assembly delegated responsibility for finalising the Terms of Reference for the CARB to the Board.***

The meeting was adjourned at 12.30

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## **Afternoon Session – Chair: Antonio Donini**

SH thanked Oxfam for their publication of the Guide and World Vision International in Sri Lanka for their cooperation in editing the tools.

### **Annual Reports Plenary Session**

#### **a) Report back from small groups rapporteurs**

#### **Group 1: Accountability in the Field**

##### **1. The Standard/General Reflections**

- Build on what staff are already doing: "this is the icing on the cake"
- Explain the Standard at the field level using simple language and the terminology of the NGO
- Recognise that we can't meet the Standard in certain situations but we need to think more creatively about alternative solutions, rather than say it can't be done

##### **2. Participation**

- Validate the good approaches that are already being done
- Add to this building block the other less familiar elements of accountability
- Need a clear definition of what we mean by participation - there are too many interpretations
- Emphasise the importance of informed consent

##### **3. Staff Structure/Responsibilities**

- A dedicated field role provides capacity and "makes things happen"
- Danger however of accountability being perceived as the responsibility of one person only
- Consider a combined role, eg. with M & E
- Staff attitude comes first: relationships are key

#### 4. Staff Structure/Responsibilities

- Need to incorporate in work plans, appraisals and objective setting
- Staff conduct has a huge bearing on community relationships - where should NGOs draw the line on conduct issues in personal time?
- National staff may also act like "outsiders" do in relationship with communities: issues of caste, perception of opposition groups etc

#### 5. Staff Capacity

- A real danger of overload for field management
- Need to tackle how to drive this through alongside other corporate priorities
- Real dilemmas exist when a field team needs to be downsized, such as in a security situation - who are "essential" and "non essential" personnel?

#### 6. Systems

- Important to codify/systematise our accountability systems but there are dangers of under and over-systematising, and missing the obvious and important
- Avoid too much paperwork on the compliance assurance side
- Avoid a separate M & E system
- Explore community indicators for projects

#### 7. Partners

- Ongoing tension over perceptions as being both partner and donor
- Don't make assumptions on behalf of the partner "they are not ready for this"
- Partners generally want to engage in the whole breadth of accountability and quality management
- View the beneficiary as the "customer" and the partner as the conduit to assist them
- Partnership agreements to facilitate a two way understanding of guiding principles

#### 8. Other

- NGOs have a role in presenting options to a community (they may not think they have options)
- The role of sensitization is a critical one, balanced with acceptance of community requests and provision of external technical input

### Group 2: Workplans and Baselines

Who has informed consent? Who represents the people? Accountability is not added to programmes but **IS how you do** programmes. Institutional learning and internal capacity building.

The group ranged in size and structures. The majority of the group are relatively new members of HAP, some at the early stages of preparing and writing their workplans.

- 1) The group kept returning (in one form or another) to the importance of contextualising processes, be they in the development of the workplan, actioning the baseline or handling complaints.
- 2) The second key was awareness. Obviously awareness as a concept has to be unpacked. Whose awareness? Awareness of what strategies, procedures, impacts, partners responsibilities, returned to our group discussions. Some members brought forward the challenges of "making them (partners) aware of your accountability requirements by utilising training and workshops." One highlighted the challenges of "how to arrange the responsibility of accountability in the various members organisations?" Which was followed by a lengthy discussion involving awareness across the board. "Given all these different

experiences where do you start with accountability ownership in such a large agency?"

- 3) The importance of dissemination and shared knowledge growth. This led to an extremely valuable discussion on OWNERSHIP WITHIN AGENCIES and between agencies of the challenges and rewards of carrying out workplans and accountability principles and prioritising of actions.
- 4) The group developed a number of really interesting points and shared experiences, leaving us with a key challenge, that being QUALITY ASSURANCE – within the baseline systems to processes, within our partnership practices to the monitoring of ourselves.
- 5) The practical issue of HOW DID YOU HANDLE X challenge? In whatever aspect of life and work it is always helpful to hear someone else's experiences in similar cases. It is the accumulation of knowledge that benefits us all; if we had the opportunity to collect our various institutional learning and case studies which could be made available for all members we could start addressing some of these key points.

### **Group 3: Complaints handling**

#### **Internal sale and roll out of accountability**

Organisational change, mindset change, and methodologies

But many partners, different programmes

There are different approaches

Top-down: good handbooks

Bottom-up: good field examples

The approaches can be very different depending on organisational structures, institutional compliances and regional commitments, such as the following :

- DCA dream team
- WVI Pilot countries
- DRC long march

Need to ask partners to comply with our standards

The resources question, even though if sometimes a problem, this is also often used as an excuse. The HAP Standard should be seen as a carrot rather than a stick.

### **Group 4: Humanitarian Accountability Frameworks**

#### **1. Process towards compliance with HAP standards:**

- In most cases, motivator for staff because quality assurance not seen as an add-on but as a confirmation of what they are trying to achieve
- Challenge of changing mind-sets
- Process not as easy as it may seem
- Resources (human and time) must be invested
- Need for buy-in and commitment at all levels of the institution
- Complexity or simplicity of structure will make process more or less long (federative structures more difficult than more monolithic ones)
- Certification not necessarily a goal in itself
- Process made many seriously re-think what they are about (definition of "beneficiaries")

#### **2. Reporting format:**

- Easy for some
- Dull for others; need to find space to encourage inclusion of anecdotal examples

### **3. Challenges:**

- Changing mindsets
- Interaction and compliance requisites with partners: more transparency can be a bonus; challenge of having to train new partners during an emergency
- Link to increased funding not proven yet; however more transparency
- Competing reporting and compliance requisites; financial vs quality management
- Impact on donors (many don't actually care)
- Finding a "light" formula
- Definition of "beneficiaries"
- Involvement and consultation with beneficiaries at all stages (inclusion in programming, governing structures, advocacy, reporting back)
- Only for humanitarian? What about development or others (peace-building, human rights, etc.)

### **4. Additional comments:**

- Complaints procedures: no complaints doesn't mean that everything is fine; may mean that the complaints system isn't working
- Link to One World Trust or other quality compliance evaluation mechanisms
- Need to maintain a "light" system ("Good enough")
- Encouragement instead of censoring
- Question of "informed consent" (consultation needs to be on par with quality management standards)
- Links necessary between HAP and GHD Principles: f.i. benchmark for donors should include reporting back to beneficiaries

### **b) Discussion points from small groups reports:**

- These issues should be considered in communications with Chief Executives of future members. Members need to advocate more with other members to encourage certification. This message is more powerful than if HAP is the messenger for certification. Research project for HAP would be to develop a business case on why it is good to be a HAP member. This could be used for advocacy by members or/and HAP secretariat.
- Many people are convinced they are accountable enough. Certification itself is not that important; but the process you need to go through in order to be certified is. In some cases; agencies have reviewed who are their beneficiaries; why they do work with certain partners; etc.
- CEOs have many priorities, and accountability to beneficiaries is not often on the top of this list. There was disagreement about this view because if this is the case for the CEOs of the members of HAP, HAP must be a useless institution. How do you build ownership? It should be by encouragement rather than by censure. It is all about learning from each other rather than imposing results. More focus should be put on the process rather than the certification in itself.
- Certification gives peer acknowledgment of good work for the staff on board and therefore very valid and important.
- Participation is dealt with very differently. The how question remains very open even if we all put accountability and partnership on top. The balance is very difficult. We need to think of minimum standards in financial management, therefore accountability should not just be an add-on but it is a good way of managing the program to what we are committed to. If this is possible for finances; it should be possible for the rest.
- We should not confuse the how we get there with why we get there. Having the standard can generate a lot of enthusiasm at the field level for accountability.
- Certification demonstrates that we are committed to our beneficiaries, therefore why should we not want to follow the process? It is about the commitment and not about the paper.

## **11. Outline of Standard Review Process**

KS summarised the paper circulated with the agenda, setting out a preliminary approach for reviewing the HAP Standard

### **Discussion Points:**

- Is the proposed timetable realistic?
- Have we got enough experience yet to review our standard or should we wait until more agencies have been certified?
- It might also be raising the bar before a majority has moved through the first step and make it even more difficult for them to go for applying the standards.
- We should not move too fast; maybe rather focus on process than on the content of the standard
- Some agencies might not want to certify because of the wording, hence the wording between development and humanitarian might hinder or restrict some agencies on moving ahead and applying the standards.
- We should use simpler wording and adapt existing benchmarks rather than add new ones.
- Continuous improvement (benchmark 6) is the most important part and therefore implies that we must review our standard in order to practice what we preach. We need to find practical ways in how we are doing this.
- We should agree on the process rather than on the specific changes.

NS: The Sphere standards are due for revision and some of these overlap with the HAP standard. Many of us been asked what is the difference between the two standards and there is no clear answer to this. Therefore, if we can work on a common review process that leads to a common outcome this would be greatly appreciated by the humanitarian community. The Secretariat has initiated discussions with Sphere on this subject. It is therefore important to create the SRSC quickly in order not to loose this opportunity. The Sphere Board will have the same discussion in one month and some of the HAP members will be part of this meeting. It is important to demonstrate complementarity with Sphere. The Chair proposed that the Secretariat redraft the paper and the GA delegate authority to the Board to approve this.

***Decision: The General Assembly agreed to delegate responsibility for approving the Standard Review process to the HAP Board.***

***Action: The Secretariat to redraft the proposal for consideration by the Board***

## **12. Board Elections**

### **Election Result**

The candidates elected to the Board for a 2 year period were:

1. Matthew Carter
2. Rezaul Chowdhury
3. Matthew Frost
4. Lisa Henry
5. Andreas Kamm
6. Mamadou Ndaye

21 voting forms were completed

## **13. Date of next General Assembly**

***Decision: The 7<sup>th</sup> General Assembly will be held on 22-23 April 2009.***

**14. AOB**

There being no further business tabled, the Chair closed the meeting at 17.15

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**These minutes are a fair and accurate record of the 6<sup>th</sup> General Assembly and have been approved by the 7<sup>th</sup> General Assembly.**

**Signed:**

Chair:

Vice-Chair:

Treasurer:

Date:

Date:

Date

## **STATUTE**

### **I - NAME**

#### **Article 1**

HAP International (Humanitarian Accountability Partnership International) is a non-profit association, organised according to the present Statute and in conformity with article 60 of the Swiss Civil Code. The association is a non-governmental, non-profit, politically independent organization.

### **II - LOCATION and DURATION**

#### **Article 2**

The location of the association is Geneva. Its duration is unlimited.

### **III - HAP INTERNATIONAL VISION AND MISSION**

#### **Article 3**

The vision of HAP International is a humanitarian sector with a trusted and widely accepted accountability framework, which is transparent and accessible to all relevant parties.

#### **Article 4**

The purpose of HAP International is to achieve and promote the highest principles of accountability through self-regulation by members linked by common respect for the rights and dignity of beneficiaries.

### **IV - OBJECTIVES**

#### **Article 5**

The objectives of HAP International are:

- 1) To develop and maintain principles of accountability to beneficiaries through research, consultation, and collaboration
- 2) To support members and potential members of HAP International in adhering to the principles of accountability to beneficiaries by providing training and advice
- 3) To communicate, advocate, promote, and report on principles of accountability
- 4) To monitor and report on implementation of HAP International's principles of accountability to beneficiaries and to accredit its members accordingly
- 5) To assist members in finding solutions where concerns or complaints are raised about them

### **V - HAP INTERNATIONAL MEMBERSHIP**

#### **Article 6**

HAP International comprises Full members and Associate members.

#### **Article 7**

##### **Full members**

An organisation is eligible to be made a full member of **HAP International** if:

- a) It is an organisation whose core activities, or whose members core activities, include operational relief and humanitarian assistance activities.
- b) It is legally registered or recognised as a not for profit organisation in the country where it has its Headquarters.

- c) It meets the requirements for financial accountability under the law in the country where it has its Headquarters.

## **Article 8**

### **Associate members**

An organisation which does not meet eligibility criteria a) and b) above but whose activities and management practices are consistent with and supportive of the vision, purposes and objectives of **HAP International**, and which is legally registered and meets the requirements for financial accountability in the country where it has its headquarters, may become an associate member.

## **Article 9**

### **Rights of Full Members**

Each full member of **HAP International** in good financial standing at the date of a meeting of the membership has a right to vote on any resolution at that meeting. Each full member organisation is entitled to one vote. Members must have notified **HAP International** in writing of the name or names of their authorised representative(s) before exercising voting rights at any general meeting of the membership.

Full members are:

- 1) Entitled to attend and speak at general meetings of *HAP International*
- 2) Entitled to vote at general meetings of **HAP International**
- 3) Eligible for election to the Board of **HAP International**
- 4) Entitled to nominate persons to stand for election to the Board
- 5) Able to participate in committees and working groups of **HAP International**
- 6) Able to lodge proposals

## **Article 10**

### **Rights of Associate Members**

Associate members are:

- 1) Entitled to attend general meetings of HAP International and speak
- 2) Able to participate in committees and working groups of HAP International if invited to
- 3) Entitled to lodge proposals
- 4) Entitled to nominate persons to stand for election to the Board

They are:

- 5) Not entitled to vote at general meetings
- 6) Not eligible for election to the Board

## **Article 11**

### **Loss of membership**

Membership is lost by

- 1) Resignation
- 2) Decision of the Board

## **VI – ORGANS OF THE ASSOCIATION**

## **Article 12**

The organs of HAP International are:

- 1) The General Assembly comprised of all full and associate members and independent board members
- 2) The Board, comprising individuals elected by representatives of the full members
- 3) The Executive, led by an Executive Director appointed by the Board
- 4) Committees and working groups appointed by the General Assembly and the Board to operate under specific terms of reference

## **Article 13**

### **General Assembly**

The General Assembly is comprised of all the full and associate members of the Associations, and independent board members.

## **Article 14**

### **Role of the General Assembly**

The General Assembly, as per Articles 9 and 10 above:

- 1) Reviews the operations of the association, including approve the financial report, budget, and auditor's report;
- 2) Receives and approve the annual report by the Board;
- 3) Formulates fundamental policy principles and objectives and review policy-making guidelines;
- 4) Reviews regularly HAP International accountability principles,
- 5) Appoints Working groups and Committees members, to which it can delegate specific tasks as needed, and review and consider reports from such committees;
- 6) Elects Board Members.

The procedures for General Assembly functions and meetings are fixed by by-laws

## **Article 15**

### **The Board**

- 1) The Board consists of a maximum of 12 members. At least one third must be independent.
- 2) Each full member agency may nominate one representative from its employees, board or trustees. The full members will then elect a maximum of 8 of the nominees to be board members. The other four members of the board must be independent, including 2 representatives of humanitarian beneficiaries and 2 persons of high standing.
- 3) Full and associate members may nominate board members, including independent board members.
- 4) If one of the individual members elected from a member agency ends his/her affiliation with the agency, or if the agency requests that their representative on the board be changed, the agency may recommend a substitute, who shall be subject to a majority vote of HAP International full members. Should the majority reject the recommended substitute, the agency has the opportunity to put forward a second candidate, who shall be voted on by the full members. Should the second candidate be rejected, the Board shall call for new nominations from all full members, to fill the opening.
- 5) No full member agency may have more than one representative on the board.
- 6) Board members are elected for two years, renewable twice.
- 7) The Chair of the Board, Vice-Chair and Treasurer are to be elected by the General Assembly from those elected to the Board.
- 8) The Chair, Deputy Chair and Treasurer are elected for a period of two years renewable until the next election meeting.
- 9) The General Assembly should actively strive for diversity of perspective and gender-balance when electing members of the board.

## **Article 16**

### **Role of the Board**

The Board is responsible for the strategic direction of the association, including, although not exclusively,

- 1) Reviewing and modifying activities,
- 2) Reviewing and approving annual budget,
- 3) Reviewing applications for membership,
- 4) Ensuring HAP International objectives are implemented (for instance, but not exclusively, monitoring full member compliance with their accountability work plan, reviewing complaints as per the complaints procedures)

- 5) Setting up Committees and Working Groups as needed, to which it can delegate specific tasks as needed,
- 6) Appointing the Executive Director of the association, and any other activities as needed.

The procedures for the Board functions and Board meetings are fixed by by-laws

#### **Article 17**

##### **The Secretariat**

The Secretariat is directed by the Executive Director of HAP International. The Executive Director:

- 1) is accountable to the Board for the general and daily management of the association and the realization of the mandate of the Association,
- 2) is authorized to undertake all activities in pursuit of the purpose of the association within the approved budget,
- 3) represents HAP International vis-à-vis third parties.

### **VII - RESOURCES**

#### **Article 18**

The resources of the Association are:

- 1) Annual membership fees received from full and associate members;
- 2) Fees for services as determined,
- 3) Funding from donors, charitable foundations, the public, legacies, etc.

#### **Article 19**

##### **Annual membership fees**

Annual fees for the classes of membership will be determined each year by the Board, and are payable for each financial year.

**HAP International** will confirm the amount of fees due and payable by each new member for the financial year by issuing an invoice to each member. The fees for each member agency will be calculated for twelve months on the basis of the formula agreed by the Board, and the date of Board approval for membership. Members' fees will be due within eight weeks following HAP International invoice. After 8 weeks, member will incur an additional administrative charge of 5% of the fees outstanding of that year.

In cases of hardship, applications may be made to the Board for an extension of time within which to pay membership fees and any administrative charges which are payable. The Board may grant

or refuse an extension of time in its absolute discretion, and may grant an extension for any period of times that it considers appropriate.

A member, which has not paid its annual fees for a given financial year (including any additional administrative charges which are payable) by the last day of that financial year will be ineligible to receive the entitlements and benefits of membership from that day, until such time as all outstanding fees are paid.

### **VIII - MEMBERSHIP APPLICATION PROCEDURES**

#### **Article 20**

##### **Application by new members**

An organisation may apply, or be invited by the Executive to apply, for full membership of **HAP International**. In order to apply for full membership, an organisation should:

- 1) Apply in the form determined by the Board
- 2) Address each of the eligibility criteria for membership in its application

- 3) State that the organisation undertakes to implement **HAP International** 's Accountability Principles or other such Accountability Principles as the membership determines
- 4) Describe how it intends to implement **HAP International**'s Accountability Principles and the time-frame (the accountability work-plan)
- 5) State that the organisation undertakes to follow **HAP International** compliance procedure
- 6) Provide an up to date copy of its Constitution, Rules of Incorporation, Memorandum and Articles of Association or equivalent
- 7) Provide a copy of any other documents requested to confirm its eligibility for membership.

An organisation certified by a HAP or by a HAP accredited body as compliant with the HAP Standard may for the duration of its HAP Certificate in Humanitarian Accountability and Quality Management become a full member of HAP International on application to the HAP Secretariat and subject to payment of an annual membership fee (calculated in accordance with Article 19), and without being subject to further eligibility requirements.

## **Article 21**

### **Approval of new members**

- 1) The applicant organisation submits application forms and documents to HAP International
- 2) The Executive Director reviews application forms and documents and informs the membership that the applicant organisation has applied for membership
- 3) The Board makes the decision regarding membership (or delegates the decision to a committee), on the basis of eligibility criteria and the membership application. It may request additional information from the applicant organisation or member if necessary.
- 4) The outcome of the process includes: approval of membership, or request for more information, or rejection of membership.

## **IX - COMPLIANCE PROCEDURES**

### **Article 22**

#### **Member organisations agree to:**

- 1) Self-monitor and self-report on their implementation of the HAP International Accountability Principles at least annually.
- 2) Follow up concerns brought to their attention and report back to HAP International
- 3) Monitoring by HAP International as part of an agreed schedule and agreed terms of reference
- 4) By common agreement only, cooperate in peer review process either as reviewee or reviewer.

### **Article 23**

#### **Compliance and approval procedure**

- 1) Members submit a report to **HAP International** each year on their implementation of the accountability principles. If and when applicable, reports about complaints handling, external monitoring and/or peer review are considered.
- 2) Reports are reviewed by the Board, which makes the decision regarding membership renewal (or delegates the decision to a compliance committee).
- 3) The outcome of the process may include: renewal of membership, or request for more information, or suspension of membership.

## **X - HANDLING COMPLAINTS**

### **Article 24**

It is the responsibility of member agencies to handle and respond to complaints about them. If complaints are addressed to HAP international, these complaints are forwarded to the

agencies concerned before the Board of HAP International reviews these complaints and the agencies' responses. Any complaint will be treated in confidence, until the complaints handling procedures have been exhausted and the Board has agreed not to treat it in confidence.

Upon request from the agencies concerned or the Board of HAP International, the international secretariat of HAP International will assist agencies in reviewing complaints and finding solutions.

**Article 25  
Procedures**

Complaints handling procedures are the object of separate documents, which are approved by the Board.

**XI - AUDIT**

**Article 26**

At the annual general meeting, the Membership must appoint an independent qualified auditor of *HAP International* for the coming financial year. The auditor must not be a member or the Executive Director or other office holder of *HAP International*.

**XII – FINAL PROVISIONS**

**Article 27**

**Dissolution**

The dissolution of the association can only be pronounced by the General Assembly. In the case of dissolution, the cash and assets of the Association will be returned to the donors in case of donation from governments or transferred to an organisation with similar mandate.

## **ANNEX ONE - HAP INTERNATIONAL ACCOUNTABILITY PRINCIPLES**

### **1) Commitment to humanitarian standards and rights**

Members state their commitment to respect and foster humanitarian standards and the rights of beneficiaries

### **2) Setting standards and building capacity**

Members set a framework of accountability<sup>1</sup> to their stakeholders

Members set and periodically review their standards and performance indicators, and revise them if necessary.

Members provide appropriate training in the use and implementation of standards.

### **3) Communication**

Members inform, and consult with, stakeholders, particularly beneficiaries and staff, about the standards adopted, programmes to be undertaken and mechanisms available for addressing concerns.

### **4) Participation in programmes**

Members involve beneficiaries in the planning, implementation, monitoring and evaluation of programmes and report to them on progress, subject only to serious operational constraints.

### **5) Monitoring and reporting on compliance**

Members involve beneficiaries and staff when they monitor and revise standards.

Members regularly monitor and evaluate compliance with standards, using robust processes.

Members report at least annually to stakeholders, including beneficiaries, on compliance with standards. Reporting may take a variety of forms.

### **6) Addressing complaints**

Members enable beneficiaries and staff to report complaints and seek redress safely.

### **7) Implementing partners**

Members are committed to the implementation of these principles if and when working through implementation partners.

## **ANNEX TWO – SUMMARY OF MEMBERSHIP RIGHTS**

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<sup>1</sup> Framework of accountability includes standards, quality standards, principles, policies, guidelines, training and other capacity-building work, etc. The framework must include measurable performance indicators. Standards may be internal to the organisation or they may be collective, e.g. Sphere or People in Aid.

<b>Membership rights</b>	<b>Full Members</b>	<b>Associate members</b>
Entitled to attend general meetings	Yes	Yes
Representative entitled to speak at general meetings	Yes	Yes
Representative eligible for election to the Board	Yes	No
Representative entitled to nominate persons to stand for election to the Board	Yes	Yes
Representative entitled to nominate independent members	Yes	Yes
Able to vote	Yes	No
Able to participate in committees and working groups	Yes	Yes
Able to lodge proposals	Yes	Yes