



POLICY GUIDELINES ON ETHICS AND GOVERNANCE



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TKP's Board also acknowledges Dr Simon Kenema who was the lead drafter in the development of this policy. Dr Kenema is TKP's team leader in its Society and Human Security Program.

Foreword by Executive Director



I am pleased to introduce to you the Kainake Project's Policy Guidelines on Ethics and Governance. The guidelines will guide the administrative and operational conduct of our organization in the project sites of interest.

The Autonomous Region of Bougainville and Papua New Guinea for that matter, remain as few of the world's frontiers of immense diversity especially in its biology and ecosystems, culture and language. The country is undoubtedly one of the least explored countries in the world and continues to attract a lot of interest from academic researches, investors, NGOs and the tourists who want to enjoy the natural endowments. Therein lies immense and diverse opportunities for many local people but at the same time there are equal threats to society internally and externally, that need to be managed.

These policy guidelines are intended to ensure that good governance and ethical practices are

This policy sets the guidelines for managing conflicts, conducting community consultations and promoting inclusive participation, and ensuring that free and prior informed consent is acquired before any project is instituted in the communities we work in. We also value confidentiality and privacy especially where information about community and individuals has to be respected and not to be shared without prior consent and approval.

As a community organisation we are mindful of the social challenges and the potential for conflicts. This policy identifies and prioritises development of grievance mechanisms, as a way forward to ensure that projects are sustained and achieve desired outcomes. In line with that is the need for social safeguards to be put in place before any project is developed to ensure that there are no adverse environmental and social consequences. These are critical as our organisations have our responsibilities back to the communities and will be essential for maintaining relationships.

Finally but not the least, The Kainake Project will from time to time, conduct research in our project sites and communities. Intellectual Property Rights is a critical component of research and we will ensure that IP ownership, management and protection are articulated and embedded into any agreements that we undertake.


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Jeffrey Noro
Executive Director

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Purpose and Scope:

This Ethics and Governance Policy Guideline document articulates the principles and standards to guide the conduct of Kainake and its stakeholders in implementing its organisational objectives and programs. The purpose of the code is to establish the ethical boundaries and governance guideposts in the implementation of Kainake's work programs. This code applies to all activities undertaken under the organisation's name and at all levels of Kainake's organisational structure. All staff is responsible for adhering to these guidelines. Our ethical and governance principles sit within the broader framework of the PNG Public Service Ethics and Value-Based Leadership Capability Framework. In addition to providing an ethical framework this document offers a medium by which Kainake and its stakeholders can become sensitised to ethical dilemmas they may be confronted in their line of duty.

Ethics Subcommittee

The Board and Management of **Kainake** place a critical premium on the value of principled ethical practice and good governance. As a reflection of our commitment to ethical principles across the organisational spectrum an Ethics Subcommittee will be appointed to oversee and foster our ethical values and commitments. The composition of the Ethics Subcommittee will be reviewed on a periodic basis.

Managing Conflicts of Interest

At the Kainake Project we espouse an organisational commitment to our core values in Honesty, Integrity, and Responsibility. Confluent with these values we strongly advocate a policy of full disclosure. At Kainake we believe individuals and our partners have a responsibility to identify and declare any conflict of interest. Reporting concerns on the grounds of honest and reasonable suspicion on conflict of interest improprieties is positively valued at the Kainake Inc. At the Kainake we believe it is our ethical and moral duty to protect the identity and interest of those who draw attention to possible breaches of the ethics and governance policies of the organisation. Where a potential conflict of interest exists in relation to financial bribery and fraud the management of Kainake will uphold the complainant's request for anonymity. In line with this ethical and governance policy a register of all ethical misconduct involving conflict of interest cases must be recorded and archived as part of the organisational memory towards learning and growth.

Consultation and Participation

All community mobilisation and capacity building work shall be conducted in full consultation with the community. This is to ensure that communities have full access to information and are able to make informed choices and determine their own priorities in terms of the resources (time, attendance, commitment etc....) they bring to the project. At Kainake we view community participation to be effective and sustainable if programs are designed to be demand-driven and where communities have a significant input and ownership on the design and implementation of work programs. We believe it is part of our ethical obligation to ensure community consultation and participation as meaningful collaboration is the only vehicle for effective and sustainable

capacity building. As part of our good governance practice identifying and consulting with community leaders and representatives is central to Kainake's operational ethics and procedures.

Free Prior and Informed Consent

Free Prior and Informed Consent (FPIC) is a critical component of ethics and good governance for any organisation working with indigenous communities. The Kainake project strongly advocates and believes in the principles of Free Prior and Informed Consent. In line with the principle of FPIC Kainake respects the freedom and rights of individuals and communities to give or withhold consent to projects that may affect their culture, livelihoods, land, and way of life. At Kainake we recognise that a critical part of our work involves working with local communities whose ownership of the land, rainforests, and ecosystems in which we operate is under customary principles of tenure. This means that all our projects and programs will be designed to proactively obtain consent through FPIC principles and other non-coercive approaches from our host communities. We take it as our ethical responsibility to ensure the full and accurate understanding of the implications of the project on local communities.

Respect for Confidentiality and Privacy

Recognising the critical role of FPIC ensures consideration and respect for privacy of individuals and the communities with which we work. At Kainake we value and uphold individual's rights to confidentiality and privacy. Where applicable the Kainake project will always endeavour to deal with confidential information within the relevant provisions of Papua New Guinea laws. FPIC is an important part of Kainake's decision-making process as it forms the informational basis on decisions about where and how to carry out fieldwork. Kainake's ethical policy on FPIC recognises the inalienable right of the local communities to withdraw their consent if there is sufficient ground to do so. We will always endeavour to safeguard and limit at our discretion any research or study that we assess to be invasive and negatively affect the ecological health of the landscape and communities we work with.

Funding

Kainake is a non-profit organisation. As such almost all its funding and grants are sourced from external sources. Kainake recognises the potential for ethical conflict where funding or grant sources may conflict with its organisational values. In line with this policy the Kainake project promotes a policy of robust due diligence in its financial dealings with its stakeholders. The Kainake project reserves its right to terminate any funding from potentially unscrupulous funders who may be connected to illicit financing such as money laundering and/or terrorism.

Grievance Redress and Mechanisms

The Kainake project recognises that in any community oriented program grievances are a fact of life. If handled and managed properly grievances can be a source of innovative learning, and foster creative solutions to organisational growth. Therefore Kainake has an open-door policy on grievance reporting with a strong focus on addressing complaints and disagreements in a timely

manner. Kainake strongly values the effective and timely resolution of conflict and as such is working towards developing a comprehensive “Complaints Handling Procedure” guideline in accordance with this policy.

The Kainake project takes anonymity and privacy seriously in its grievance reporting and handling policy, particularly in circumstances where an individual, the community, and staff safety may be endangered. In line with Kainake’s broader stakeholder engagement policy the management requires all external and internal grievances to be timely registered and dealt with through the appropriate channels. Kainake supports community directed and oriented solutions to community grievances. This policy also envisages that program level grievances, if necessary, be addressed and resolved at the program level as a measure of developing accountability, capacity, and responsibility. It is however, not a prerequisite for aggrieved persons to have their complaints addressed and resolved at the program level.

Community Social Safeguards

Kainake will not engage in projects that are likely to result in significant adverse environmental or social impacts. In order to ensure the effective implementation of its programs Kainake takes particular care in the observation, respect, and non-encroachment into locally protected sites (e.g. customary sacred sites) and areas. The Kainake project will take the necessary and possible measures to ensure that its community-driven projects pay particular attention to issues of social inclusion to vulnerable groups. The organisation recognises that exclusion of vulnerable groups in its domain of work can result in the positive impact of the project being significantly compromised.

Kainake has a zero tolerance policy on violence and intimidation including (but not limited to) sexual harassment, physical assault, verbal abuse, and aggressive and threatening behaviour. Any occurrence or threat of violence is taken seriously. The management will not hesitate to report any behaviour of a criminal nature to the relevant law enforcement authorities.

In line with our policy on Community Social Safeguards, the Kainake project shall endeavour to minimise any social risks and adverse program impacts to communities and their environment. Where adverse program consequences and impacts may arise and prove intractable to address the Kainake project shall ensure its organisational interests and that of our stakeholders is given adequate protection.

All research related activities must be subject to ethical review and approval processes. In cases where there is an absence of local research ethics review boards or committees Kainake will endeavour to ensure that all the necessary ethical requirements under the relevant PNG laws in relation to obtaining research permits are adhered to. The Kainake project’s research ethics guideline recognises that there may be different ethical issues in cross-cultural, scientific, and humanities research contexts. This ethical guide shall therefore be used as the evaluative instrument to assess all research undertakings for actual and potential ethical breaches.

At the Kainake project we recognise the special challenges faced in post-conflict Bougainville in terms of the divergent inter-cultural and political considerations different individual and

communities have. In order to foster moral accountability in this context of diverse social and political opinions the Kainake project views credibility and trustworthiness as indispensable values to building sustainable partnerships.

Relations and Responsibilities to Communities

The Kainake conservation and research project doesn't and will not engage in disguised research. We view disguised research as unethical and morally reprehensible as it eliminates the freedom of informed consent, and more generally the acceptable standards in FPIC processes.

Environmental Protection Requirements

The Kainake project's Environmental Protection Requirement policy objective is mainly to ensure that sustainable local environmental practices are protected and respected. The policy supports the respectful integration of local environmental considerations even if there are gaps in the degree to which there may be commensuration issues with current scientific knowledge practices. The Kainake project shall not engage in programs that endanger indigenous livelihood strategies through coercive appropriation of their land, forests, and environment. Kainake's work is guided by the spirit of ecological welfare and wellbeing for all lifeforms. Our emphasis on the ecological value of all forms of life is the basis of Kainake's organisational objective to ensure that our work leaves a minimal ecological footprint within our host communities.

Research and Intellectual Property

The Kainake project involves multiple collaborations with various domestic and international agencies. The project advocates multidisciplinary conservation and research approaches and methodologies. Where research activity requires specific ethical and statutory approval and compliance from the regulatory authorities Kainake will ensure full compliance. This involves research on traditional knowledge practices, and any investigation related to the scientific study of indigenous floral and faunal species. We will seek to ensure that the welfare and interest of the communities in relation to their environment, cultural heritage, and wellbeing is protected from any potentially harmful research practices. At Kainake we recognise that many indigenous communities may possess traditional knowledge practices that are withheld from the public domain. Hence particular care must be taken in documenting, recording, and storing such stories and knowledge practices that may be deemed to be sensitive to the local communities.

Given that Kainake project advocates and is engaged in collaborative research and conservation activities with overseas partners we take it as our ethical responsibility to inform our partners on issues pertaining to cultural sensitivity, and general health and safety. Kainake takes research ethics seriously. Hence where complex ethical considerations in relation to research and Intellectual Property Rights (IPR) may arise, we will seek expert advice and guidance where required. We have an ethical responsibility to protect indigenous knowledge practices against acts of biopiracy driven by motives to secure IPR claims of commercial and industrial interests. The Kainake project shall always uphold the *precautionary principle* where our organisational

judgement deems there is a lack of full certainty on the socio-economic impact of our work on the local community.

Data Ownership, Management, and Sharing

Where there may be issues related to data ownership and sharing with research partners the Kainake project strongly advocates for this consideration to be addressed through the FPIC process. In addition, where research requires data sharing, whether that data be biological tissues from mammals or plant genetic materials, traditional ecological knowledge, or any combination of these, the local communities (either as individuals or through their leaders or their representative institutions) must be consulted for their opinion. The Kainake project takes seriously allegations of research misconduct, such as biopiracy, invasive research practices, and research misinformation with the deliberate intention to misrepresent, mislead, and to bypass FPIC processes. Any record-keeping or data sharing on biological specimens should be done within the parameters of the relevant ABG/PNG statutory provisions.

Data Protection

All data obtained from research involving human observation and participation, or from scientific investigations into plants and animals shall be protected in accordance with the relevant PNG data protection laws. With the ever present danger in the potential abuse of socio-scientific data and the possibility for this to cause human harm the Kainake project reserves the right to terminate any unethical and exploitative research and if necessary confiscate the data related to such activity.

In many indigenous communities the issue of who owns what is a seriously complex business. Many claims to resource ownership are relational and often subject to intensely competitive claims. In such a scenario modern/western legal devices like IPR that seek to convert communal knowledge practices into exclusionary propertied creations of individuals or organisations can be deemed abhorrent in societies that view communal traditional practices to belong to the public domain. The Kainake project recognises that respecting and recognising indigenous and traditional models of property ownership is crucial for our success.