

AIDS ACTION EUROPE ETHICAL CODE FOR PARTNERSHIPS AND SPONSORING

Definition

For the purpose of this policy a corporate partnership is defined as a relationship with a corporation or institute where the company or firm interacts with AIDS Action Europe to achieve joint objectives on levels such as financial donation, employee engagement and/or corporate social responsibility.

1 Introduction

AIDS Action Europe (AAE) attaches great importance to partnerships with other organizations and with the private sector, in order to generate a social and/or financial added value. Such partnerships may be related to specific projects, like an information campaign, or they may be of a more general nature, such as structural sponsoring for the secretariat or a specific action plan. In principle every activity, every programme, service or project of AAE is eligible for sponsoring, on the condition that it corresponds to the specific mission and objectives of AAE.

Although partnerships with the private sector produce some evident advantages, AAE is aware that these partnerships may entail some risks as well, which may affect the credibility of AAE and may question our independent position towards governments, prior target groups and sponsors. Therefore AAE has developed a proper ethical code, providing guidelines for partnerships with the private sector.

The Goal of this Code is to define acceptable behaviours in a corporate partnership defined as above, to promote high standards of practice and to set a framework for professional behaviour and responsibilities.

AAE also subscribes to the Code of Good Practice for NGOs Responding to HIV/AIDS.

2 General principles

- Partnerships should sufficiently guarantee the independent position and the integrity of AAE. Hence they should have no influence on the information, advice, trainings and services with regard to sexual health and HIV offered by AAE, or they should at least avoid suspicions about such an influence. AAE refuses to enter into partnerships with companies that take stands on sexual health and HIV or any other issues that are contrary to the positions of AAE.
- On the basis of its public mission, in particular the promotion of sexual health and a better quality of life for people living with or affected by HIV, AAE refuses to enter into partnerships with companies that provide products or show business activities that are counterproductive to human rights and/or show lack of transparency about its activities in sectors/regions where contraventions of international standards frequently occur
- AAE expects possible partners to take up their corporate social responsibility in accordance with the EU strategy 2011-14 for Corporate Social Responsibility. This means among other things that they pursue an adequate social and environmental policy and that they respect human rights. In case of any doubt, AAE can call in the advice of an impartial third organization.

- Partnerships based upon contracting goods and/or services or purchasing medicines should comply with the usual best practice guidelines concerning the price/quality ratio.

3 Transparent procedures

- Every cooperation agreement has to be put down on paper and signed by both parties. The agreement should clearly define what the cooperation implies and what objectives both partners want to achieve. If the agreement also includes a financial contribution for AAE, the amount has to be mentioned, as well as the way in which this budget will be spent. At the special request of third parties it should be possible to make the cooperation agreement publicly known, in order to avoid misunderstandings about a possible preferential treatment.
- AAE may conclude partnerships with individual commercial companies, on the condition that they do not take any financial advantage of the results of the activities they are sponsoring. If such a partnership involves clear advantages for AAE and there is no reason for any conflict of interest, AAE applies a transparent selection procedure that is open to several companies. Such a cooperation agreement may also include a clause of exclusivity.

4 Partnerships with pharmaceutical companies

- Partnerships with pharmaceutical companies should comply with all European laws.
- With pharmaceutical funding below 20% of the total income of AAE in a fiscal year the independence and neutrality of AAE is not under threat. Between 20 and 50 % it needs to be examined whether AAE's independence and neutrality is under threat. This inspection should be conducted by the AAE Steering Committee or by a different neutral body upon decision of the Steering Committee. Pharmaceutical funding exceeding 50 % does not ensure AAE's independence and neutrality.
- AAE should always be able to prove that the cooperation does not exert any influence on its own policies and practices concerning the safety, effectiveness and acceptability of all medicines with regard to sexual and reproductive health and the prevention and treatment of HIV/AIDS.
- AAE should not support any product in a way that implies that it would be better than any other similarly composed products. Neither should it sustain the claim of producers that their products are superior to other similarly composed products, unless this has been independently and scientifically proven.
- For specific events, publications, campaigns, etc. AAE should try to get support from several commercial companies, in order to avoid the risk of being identified with one single firm. Partnerships with only one company should be regularly evaluated.
- Companies must not use the name nor the logo of AAE for marketing purposes of their products, unless the agreement contains a clause that explicitly stipulates the conditions for using the name and logo of AAE.
- Partnerships that include a large contribution in kind, in particular pharmaceutical products, should not pursue promotional objectives, and the distribution of these products should correspond to the existing *best practice* standards. The products should be distributed on the basis of objective criteria with regard to selection of the receiving target groups/programmes and/or projects.
- Staff or members of the board of pharmaceutical companies must not be on the Steering Committee of AAE.
- Voluntary workers and staff members of AAE are only allowed to receive gifts and presents with a nominal or fixed value, like pens or flowers, from commercial suppliers or from pharmaceutical companies. All other amounts, such as sponsoring for participation in international congresses, must be reported to the AAE Steering Committee. In that case the Steering Committee should guarantee that these volunteers/collaborators cannot

influence political decisions concerning the purchasing policy and practices, in order to avoid that sponsoring companies or commercial suppliers get a preferential treatment.

- In case of honorariums paid to AAE, the honorarium should not exceed the daily remuneration rates paid to consultants by the United Nations.

5 Selection, screening and contracts

Looking for mutual benefits and interests is the basis for AAE when entering (potential) partnerships with (commercial/private) companies. AAE will assess whether a company complies with the general principles as described above. This may be done by 'desk study', interviewing representatives or, in some cases, making use of third party screening results. The depth of the screening inquiry depends on the possible impact, the potential risks and the type of company in question. There will be more to assess when doing business with a world-wide pharmaceutical company than when dealing with 'the bakery shop on the corner'.

In order to ensure that the values embodied get implemented in policies and practices, AAE may require that the company's/institution's Code of Conduct, Code of Ethics is available.

When both parties want to put their ideas about the partnership in writing, a contract may be drawn up stating the vision, time span, activities, financial details etc. of the joint action.

The final decision to effectuate a partnership will always be taken on the level of the AAE Steering Committee. Preparatory work for the decision is done by the office.

At least once a year the partner relationship will be evaluated, preferably including a face-to-face conversation with a representative of the company. When parties agree to continue the partnership, the advice will be presented to the AAE Steering Committee so they can decide upon the continuation.

6 Enforcement

If an AAE member notes non-compliance with the Code then the secretariat has to send a notice to the AAE partner and offer an opportunity for the partner to make their case - either change practice or rebut the allegation. Based on the partners' response, the AAE Steering committee shall decide if the problem has been addressed, and decide whether the partnership is still in line with AAE's values and ethics.

This document will be published on the website of AIDS Action Europe.