

IWC Ethical Fundraising Code

*Submitted by the Chair of the Intersessional Correspondence Group
on Strengthening IWC Finance*

1. PURPOSE

- 1.1. The International Whaling Commission (IWC) may proactively seek funds from external sources or be approached with offers of donations in support of its work programme. External sources may approach the IWC.
- 1.2. The IWC may also seek to collaborate with governmental and non-governmental organisations, institutions and other private entities that are actively engaged in the protection and sound management of the environment, particularly the marine environment to further its work programme.
- 1.3. This document provides guidance to support the Commission in light of the above, specifically in:
 - soliciting funds from external non-Contracting Government sources;
 - accepting offers of funding from external non-Contracting Government sources.
- 1.4. This code outlines the ethical standards that the Commission will follow when soliciting and accepting funds, with the objective of establishing transparent, appropriate collaborations with funders.
- 1.5. Donations, grants and gifts in-kind may be collectively termed donations in this document.
- 1.6. This code covers the following issues:
 - The proactive search for funding and with whom to engage;
 - Criteria for receipt of voluntary donations, gifts in kind and grants;
 - Appropriate responses to approaches from potential funders
- 1.7. The principles outlined in this document are intended to support delivery of the following overarching objectives:
 - To ensure the Commission has sufficient funds to achieve a work programme agreed by the Commission;
 - To ensure that non-parties that provide external funding to the Commission do not, by virtue of their status as a funder, have greater influence over Commission decisions than any other non-party.
 - To establish transparent and appropriate collaborations with funders including governmental, institutional, non-governmental (NGO) and private funders.

•

2. IDENTIFYING FUNDING NEEDS AND FUNDING SOURCES

2.1. Identification of appropriate funds and funders:

2.1.1. Identifying where funding and/or partnerships are required

In order for IWC to maintain full autonomy on projects funded by external stakeholders:

- a clear work programme linked to strategic plans are to be agreed by the relevant sub-committee/committee/Commission
- funding should clearly deliver its aspects of the agreed work programme

2.1.2. How to identify appropriate partners/funders

Different funders and funding arrangements may be appropriate for different types of projects and work streams. Some projects will be suitable for applications to grant programmes or trust funds, and others may be more suitable for voluntary contributions or through working in partnership with other organisations. In some cases, industry support might be appropriate.

The Secretariat maintains a list of potential funders that could be approached to support the Commission's work. Funding opportunities are often identified by the Secretariat, for example through its work in engaging other organisations.

In addition, the Secretariat may work with governments to identify and secure in-country support for IWC work on an *ad hoc* basis.

If appropriate, Standing Working Groups and sub-committees should work with the Secretariat to identify and approach the most appropriate funding source for their work."

2.1.3. How to approach them

Funders may be approached in several ways for example:

- By pro-actively applying for grants, funding schemes and trust funds. This could be carried out by Standing Working Groups, key partners and the Secretariat.
- Advertising a call for voluntary contributions from governments and NGOs. This could be carried out by the Secretariat in conjunction with Standing Working Groups. Contributions received will be allocated according to the relevant governance process e.g. for the Voluntary Conservation Fund, this would be its Steering Group.
- Initiating dialogue with other organisations on joint products or joint proposals. This is often carried out by the Secretariat, in consultation with the relevant Standing Working Group, or by working groups directly working in partnerships with others.

- Requesting local in-kind contributions e.g. hosting meetings.

3. ACCEPTANCE OF FUNDS

3.1. As set out in the Commission's Rules of Procedure, the Commission shall not accept external funds from:

3.1.1. "Sources that are known, through evidence available to the Commission, to have been involved in illegal activities, or activities contrary to the provisions of the Convention;

3.1.2. Individual companies directly involved in legal commercial whaling under the Convention;

3.1.3. Organisations which have deliberately brought the Commission into public disrepute."

These rules must be strictly adhered to.

3.2. The IWC reserves the right to not accept funding that may impair, in any way, its public standing, independence or its capacity to carry out its functions impartially.

3.3. The Commission must also carefully consider any conditions attached to grants from other organisations. The Commission should not accept grant conditions that interfere with the Commission's own agreed rules and workplans or the outcomes of particular projects.

3.4. The management of funds will remain under the governance of the relevant subcommittee/committee/Commission, in conjunction with the Secretariat.

4. RELATIONSHIPS BETWEEN THE IWC AND ITS FUNDERS

4.1. This section outlines how the IWC should consider entering into financial relationships.

4.2. All non-Contracting Government donations will be invoiced for according to standard accounting practices and, where appropriate, will be administered by a grant or funding agreement or other in line with existing IWC financial management practices.

4.3. The Commission must comply with donor grant conditions and/or reporting requirements. These will be reviewed by the Secretariat in advance of signing up to them to ensure they are appropriate.

4.4. Grant compliance and reporting requirements will be monitored by the Head of Finance and Human Resources, in con.

4.5. The IWC will conduct a process of due diligence on non-Contracting Government donors using a risk-based approach, in particular donors that are new to the IWC, donors making substantial contributions, and other factors identified by the

Secretariat. Relationships with companies who have demonstrated due diligence in their supply chain may be considered as part of this process.

- 4.6. Any individual involved in the administration or allocation of grant funding who has a conflict of interest in a particular case should declare the conflict immediately and recuse themselves from any decision-making on the relevant issue.
- 4.7. Where there is uncertainty surrounding the appropriateness of a funding relationship, the issue will be referred to the Chair of the Commission, in consultation with the Bureau, for a decision.
- 4.8. The IWC reserves the right to end all relationships unilaterally if any of the conditions mentioned in this code have been broken or if information that could harm the organisation, has been deliberately withheld.

5. Categories of Funding

5.1. CONTRIBUTIONS FROM NGOs & CIVIL SOCIETY

- 5.1.1. IWC welcomes financial contributions that support the delivery of the IWC's objectives and related work programmes. However, the IWC reserves the right not to accept contributions which would undermine the Commission's ability to carry out its objectives as provided for in this code.

5.2. CORPORATE DONATIONS

- 5.2.1. By accepting corporate donations the IWC does not endorse private products, services or companies.
- 5.2.2. Donations and other funding may be refused, for example:
 - If there is evidence that acceptance of the proposed donation or funding, or compliance with any of its terms, might damage IWC's reputation, including deterring other donors;
 - If its acceptance might involve other burdens for IWC (e.g. excessive administrative/reporting burdens imposed by the donor), or
 - If it appears that it is intended or likely to unduly influence the content, decisions, integrity or outcome of any work undertaken by IWC
- 5.2.3. Corporations should be committed to Corporate Social Responsibility and a genuine concern relating to supporting IWC issues e.g. have a Corporate Environmental Responsibility programme. This will be determined on a case by case basis.
- 5.2.4. IWC will ensure that procedures relating to corporate donations are not used to unduly or negatively influence the work of IWC.

5.3. TRUSTS & FOUNDATIONS

5.3.1. Many companies and individuals set up trusts and foundations in the UK, US and elsewhere globally, to disburse charitable grants. Such trusts must be established as a separate legal entity with powers of decision-making distinct from the company or the individual.

5.3.2. In accepting funding from trusts and foundations the practices of the company or the individual must not influence the disbursement of grants by the trust or the foundation or conditions attached to these grants.

5.4. SPONSORSHIP

5.4.1. The IWC will not endorse private products, unless specifically agreed by Commission. However, where small in-kind contributions are made e.g. to support a workshop, these contributions will be acknowledged.

5.4.2. Where appropriate, logos of sponsoring organisations may be included in relevant promotional materials where it is clear their contribution is acknowledged without endorsing the organisation or its products.

5.5. PRIVATE CITIZENS

5.5.1. IWC reserves the right not to accept a donation from a private citizen if the sub-committee/committee/Commission is concerned that the donation could be used to unduly influence its work or undermine the Commission's ability to deliver its objectives.

5.6. ANONYMOUS CONTRIBUTIONS

5.6.1. The IWC is committed to be financially transparent and therefore being fully transparency in line with international best practice (see section 6). On this basis anonymous donations will not be accepted. Discretion can be provided to limit reference to the donation in the media or public facing documents.

6. IWC COMMITMENT TO FINANCIAL STEWARDSHIP AND GOVERNANCE

6.1. The IWC is committed to ensuring that robust and transparent financial procedures are in place, in line with accounting best practices.

6.2. Income and expenditure associated with any grant will be reported in the Commission's annual accounts in line with International Financial Reporting Standards and will be reported to the relevant sub-group.

6.3. The Commission's accounts are subject to an annual independent audit which is available to the public.

- 6.4. IWC also recognises its responsibility to prevent and detect fraud/money laundering. All funds raised will be received by the Commission via credit card or electronic bank transfer and will be invoiced for. Cash will not be accepted. Any suspicious activity will be reported to the authorities.
- 6.5. The IWC will follow all applicable UK laws in the conduct of its business.
- 6.6. The Executive Secretary will notify Commissioners of donations received by Circular Communication every 6 months.
- 6.7. Donors will be informed of the contents of this code and its contents will be posted on the IWC's website.

**Code Owner: Finance & Administration Committee Date
approved by the Executive Secretary:
Date approved by Finance and Administration Committee:
Date endorsed by the Commission:
Date of next review: *should be reviewed at least biennially***