

Martha Schweitz drew attention to accountability in the NGO sector. She said that in response to criticism, some NGOs need to demonstrate their legitimacy more clearly. Many existing codes fall short of this requirement since their purpose is limited to outlining an organisation's activities and practices (i.e., mission statements, management practices, and financing). However, it may prove difficult for NGOs to define the basis of their legitimacy. While quantitative criteria, such as the level of representativeness, are a factor, legitimacy of the NGO community often derives from a moral (qualitative) basis. Advocacy NGOs, for instance, carry widely accepted moral messages but are not particularly representative. Legitimacy does not necessarily stem from representation. In this sense, self-regulation may be seen as "taking the moral high-ground."

Synopsis of the Discussion

John Groom asked whether any code is better than no code and whether codes are not often the lowest common denominators (perhaps precluding other stronger instruments). Moreover, who owns the codes and how are codes involving parties which use weapons against other parties put together? John English said that codes of conduct are often the lowest common denominators but in many cases they are better than nothing. There is a link between the introduction of codes and better conditions in some Chinese factories, for instance. There are also instances where a code of ethics shamed a party into stopping certain practices in conflict situations (i.e., the use of landmines in the Philippines).

Virginia Haufler raised the question whether codes of conduct are an alternative to policy in the absence of government action or a part of it? In the later case, the government would be relatively free to pursue its interests. There is a danger that some partnerships may actually undermine an actor's legitimacy. The UNDP partnership with the private sector is a case in point. Global compacts must be thus constructed with care, paying attention to issues of accountability and representativeness.

William Maley drew attention to the problem of developing a code of ethics in the context of a morally pluralistic world. There is a need to distinguish between principles and norms. While the former are universally common, the later are culturally defined. Nonetheless, NGO's effectiveness and legitimacy is based on whether they are helping people on the ground. If they are not perceived as alleviating a situation, they are expelled, as in the case of Rwanda. To conclude the session, Steve Lee raised the question of who occupies the moral low ground and what happens to the moral high ground if NGOs behave in an unsavoury manner?

5. CODES OF CONDUCT II: COMMUNITY INITIATIVES AND ETHICAL TRADE IN THE CONTEXT OF GLOBALISATION

Anil Singh (Voluntary Action Network India) described the creation of a code of conduct by a group of voluntary organisations in India called the "Voluntary Action Network India" (VANI). VANI was set up in 1988 in reaction to an imminent state initiative aimed at