

CODE OF ETHICS
OF
ASSOCIATION ROBERT F. KENNEDY FOUNDATION OF ITALY ONLUS



Approved by the Board of Directors on 24th March 2021

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ROBERT F. KENNEDY FOUNDATION OF ITALY ONLUS

The Association Robert F. Kennedy Foundation of Italy Onlus (the ASSOCIATION) is a registered non-profit organization, founded to promote the memory and values of Senator Robert Francis Kennedy and to affirm human rights. The ASSOCIATION mainly carries out educational activities with schools, universities, other non-profit organizations, public entities. It is in fact a training institution recognized by MIUR (Ministry of Education) in accordance with Directive 170/2016.

The ASSOCIATION has also developed projects aimed at the protection of fragile people, both through charitable activities as well as through the elaboration of analyses, studies, good practices and operational and regulatory proposals.

The ASSOCIATION operates in Italy, in the Principality of Monaco and in the Republic of San Marino (where, however no significant activities have been carried out recently).

The ASSOCIATION has its head office in Via Ghibellina 12/A, Florence, a large portion of the building is part of the "Le Murate" complex owned by the Municipality of Florence and granted for use through special concessions at a reduced fee according to the activities of the ASSOCIATION.

The ASSOCIATION is characterized by the small number of Founding Members joined by a few selected Ordinary Members who share the aims of the ASSOCIATION.

Sources of funding include the contributions of the Members and the donations collected at charitable events. The ASSOCIATION also has access to public funds, but these are not currently the main source of funding.

The funds raised are used to cover expenses for the staff and the structure managed at "Le Murate" in Florence, owned by the Municipality of Florence.

Recently, the ASSOCIATION used its funds to finance partner's initiatives and to make donations, especially in relation to the extraordinary fundraising during the covid-19 emergency occurred in 2020.

In addition to the premises in which the actual activities of the ASSOCIATION are carried out including conference rooms, the ASSOCIATION manages the guesthouse called "International House" that hosts guests of the Municipality of Florence. It also

hosts activists and people who need to stay in Florence and intend to participate in the activities of the ASSOCIATION and in any case share its values.

It is a unique and highly symbolic place that aims to be an international center for the defense of the rights and dignity of all human beings, where activists, artists and members of other NGOs share their experiences and knowledge.

The ASSOCIATION staff consists of two employees and three permanent counselors, in addition to the statutory bodies.

1. PURPOSE AND SCOPE OF THE CODE OF ETHICS

The ASSOCIATION, defines the set of values to which it intends to direct its activity in order to achieve its goals, establishes with this Code of Ethics (hereinafter the "CODE"), the general principles of behavior that guides the actions of all those who operate in the context of the ASSOCIATION.

The CODE is an integral annex of the MODEL for by article 6 of the DECREE concerning the "Discipline of the administrative responsibility of legal entities", approved by the BOARD OF DIRECTORS of the ASSOCIATION on

By adopting the CODE, the ASSOCIATION intends to confirm and consolidate the values and ethical responsibilities that must guide officers, employees, counselors, and in general all those who operate in the name of and/or on behalf of the ASSOCIATION (the "RECIPIENTS"), in Italy and abroad within the scope of their responsibilities and functions. They must follow a correct behavior and correct conduct towards all internal, external and institutional counterparts.

The ASSOCIATION recognizes the utmost importance of compliance with the CODE by all the RECIPIENTS as a condition for safeguarding and promoting its reputation.

The CODE applies to all RECIPIENTS and to all activities and areas of operation of the ASSOCIATION.

Any conduct carried out in violation of the CODE by the aforesaid subjects in the performance of the various activities constitutes an offence for disciplinary and legal purposes.

The provisions of the CODE prevail (where conflicting) over the instructions given by the internal hierarchical organization and over the internal procedures. The

conviction of the RECIPIENTS that they are pursuing the interest of the ASSOCIATION in no case may legitimize the non-compliance with the provisions of the CODE or behaviors contrary to the applicable laws.

In relations with third parties outside the ASSOCIATION, the RECIPIENTS must in fact inform the latter of the obligations established by the CODE and demand compliance with it. In this sense, the ASSOCIATION makes the provisions of the CODE legally binding with special contractual clauses.

2. GENERAL PRINCIPLES OF CONDUCT IN BUSINESS MANAGEMENT/**BUSINESS PROCEDURES AND POLICIES**

2.1. Compliance with laws and ethical principles and values

The ASSOCIATION has an unavoidable principle: the respect for laws, regulations, self-regulatory rules, as well as for the values and principles of ethics in force in all the countries where it operates. The ASSOCIATION will not start or continue any relationship with those who do not intend to adopt and respect such principles.

In no case will the pursuit of the ASSOCIATION's interest justify or make acceptable any conduct that conflicts with the provisions of the applicable laws.

2.2. Individual accountability

Everyone shall be held accountable for the actions they take while performing their job.

Those who perform management functions have also the responsibility to supervise the activities of the personnel under their direction and control.

2.3. Internal Control

The ASSOCIATION must provide for a system of internal controls structured in a manner that is congruent with its size and characteristics, in compliance with the requirements of the law and self-regulation.

Each RECIPIENT of the CODE within the scope of his/her assigned functions and duties must actively contribute to the proper functioning of the internal control system.

2.4. Responsibility in the conduct of activities

The ASSOCIATION ensures that its activities are conducted in accordance with the principles of fairness, integrity, transparency as well as effectiveness and efficiency.

2.5. Transparency and fairness of information and of accounting records

The activities and processes within the ASSOCIATION are always transparent and traceable.

To this end the ASSOCIATION undertakes to ensure that every activity and operation that can be traced back to it is correctly registered, authorized, verifiable, legitimate, consistent, and congruous. The aim is to guarantee maximum transparency and truthfulness of accounts towards members and supervisory and control authorities.

All individuals involved in the formation of the data contained in the financial statements, reports and all institutional communications required by law must comply with these principles and diligently verify the fairness of the information so as to ensure a reliable and faithful picture of the ASSOCIATION's situation. Accounting entries and the documents that express them must be based on precise, exhaustive and verifiable information, also with regard to the nature of the operations to which they refer. Accounting records must be kept (by those who are in charge) in compliance with the law and technical principles, in accordance with the accounting procedures manual.

Adequate and appropriate methods of storing accounting documentation must be implemented in order to guarantee the authenticity and truthfulness of each document.

Anyone who becomes aware of any omissions, errors or falsifications is obliged to inform their supervisor and the SUPERVISORY BOARD.

2.6. Conflict of interest and the principle of transparency

RECIPIENTS must make every effort to avoid placing themselves in conflict of interest – real or even only potential – with the aims of the ASSOCIATION. Situations in which a RECIPIENT may gain an undue advantage and/or profit from opportunities known in the performance of his/her activities should be avoided.

In case of conflict of interest the person concerned must comply not only with the regulations governing the relative case but also with the principle of transparency,

deemed as preliminary notice of the conflict and subsequent communication of the essential terms of the operation, as well as the motivation of the decision taken.

When the conflict situation may entail the prejudice of the interest of the customers or of the ASSOCIATION, it is in any case compulsory for the RECIPIENT holding the extra-corporate interest to abstain from the activity.

2.7. Impartiality and the principle of non-discrimination

In its relations with the various counterparts and within the scope of its operations the ASSOCIATION avoids any discrimination based on the age, sex, sexuality, state of health, race, nationality, political opinions and religious beliefs of its counterparts. **Difference of treatment????** that can be justified on the basis of objective criteria do not constitute discrimination.

Those who within the ASSOCIATION believe they have been subjected to discrimination may report the incident to the SUPERVISORY BODY which will proceed to ascertain the actual violation of the CODE.

2.8. Respect for the individual

RECIPIENTS are expected to respect the dignity of people and their privacy, both in internal and external relations. Harassment or offence of any kind will not be tolerated.

All RECIPIENTS must personally contribute to building and maintaining a climate of mutual respect, showing attention to their colleagues and to each other's sensitivities in a context of collaboration and help.

2.9. The strategic value of human resources

Human resources are considered a primary value for the achievement of the ASSOCIATION objectives by virtue of the professional contribution made within the framework of a relationship based on loyalty, fairness, mutual trust and full respect for individual personality.

The ASSOCIATION protects and promotes the value of human resources and is committed to the development of the skills and competences of its staff, pursuing a policy based on equal opportunities and merit, considering professionalism a guarantee for the entire community, and a decisive condition for achieving its objectives. Therefore, research, selection, recruitment and career development respond only to objective assessments of the quality of work without any discrimination.

The ASSOCIATION guarantees working conditions that respect individual dignity and a safe and healthy working environment in compliance with the applicable laws. The ASSOCIATION does not allow the conduct of non-contractual working relations.

The relationships between the different hierarchical levels (related to the different levels of responsibility existing within the organization) must be marked by the above-mentioned principles.

The ASSOCIATION also undertakes to protect the moral integrity of its staff, preventing them from being subjected to unlawful conditioning or undue hardship. For this reason, it safeguards personnel from acts of psychological violence and opposes any attitude or behavior that is discriminatory or harmful to the person, his beliefs and preferences.

Sexual harassment or intimidating and hostile attitudes are not allowed in internal or external working relationships.

2.10. Environmental protection

The environment is a primary asset whose protection and safeguard the ASSOCIATION is committed to promoting.

Consistently, the ASSOCIATION operates with the utmost respect for the environmental applicable laws.

2.11. Privacy Policy and Data Management

The ASSOCIATION guarantees compliance with Legislative Decree no. 196/2003 (Personal Data Protection Code) and compliance with Legislative Decree no. 101 of 10 August 2018, by which the Italian legal system proceeded to implement EU Regulation 2016/679.

The ASSOCIATION protects, in accordance with applicable laws, the confidential nature of the data in its possession, respecting the privacy of the persons/**personal data** and the confidentiality obligations provided for by the CODE itself.

Information may only be disclosed – in envisaged and permitted cases – by those representatives of the ASSOCIATION who have been expressly delegated to do so.

Those who work for the ASSOCIATION – even after termination of the relationship – are obliged to keep confidential the information they become aware of in the exercise of their functions in compliance with applicable laws, regulations and circumstances.

The obligation not to disclose acquired confidential information is also imposed on subjects with whom the ASSOCIATION has contractual or other relationships, by means of specific contractual clauses or by signing confidentiality agreements.

2.12. Gifts and other Benefits

It is forbidden for all RECIPIENTS to promise or offer third parties as well as to receive from third parties, directly or indirectly, even in simulated forms, gifts, benefits or other utilities, unless they comply with the applicable laws. Their nature and value must not be or appear to be aimed at obtaining favorable treatment and, in any case, must be such as not to compromise the reputation of the ASSOCIATION.

The foregoing prohibition may be waived for goods or services of modest value, the offer of which falls within the scope of practice and custom, only if they have not been solicited by the RECIPIENTS and have no undue advantages for the RECIPIENT or others.

RECIPIENTS who, despite themselves, receive goods, services or other benefits in a manner contrary to the foregoing must promptly inform the SUPERVISORY BODY.

2.13. Liberal disbursements and donations

Activities involving donations of money and/or equipment must be managed in compliance with internal procedures and current applicable laws. In particular donations must normally fall within the programs for the use of the ASSOCIATION'S resources to specific categories of beneficiaries, expressly identified through the procedures provided for in the programs themselves and approved by the BOARD OF DIRECTORS.

2.14. Relations with Auditors and other public or private control bodies

In its relations with the Auditors each structure or function of the ASSOCIATION as well as each RECIPIENT complies with the provisions of the CODE, in compliance with their respective institutional roles.

The ASSOCIATION provides, at all levels, its utmost collaboration to both the Auditors and the **certifying subjects** or those who hold control functions (whether they are public or private bodies), providing correct and truthful information regarding the activities, assets and operations of the ASSOCIATION as well as any reasonable request received from them.

Requests for fulfillment and documentation must be processed promptly with clear assumption of responsibility for the truthfulness, completeness and accuracy of the information provided. The data and documents requested shall be made available in a timely and comprehensive manner. The information thus provided must be accurate, complete, faithful and truthful, avoiding, and in any case reporting in the appropriate form and manner, possible situations of conflict of interest.

The ASSOCIATION refrains from entrusting additional tasks to the Auditors.

2.15. Corporate Assets

The use of corporate assets must always comply with applicable laws, internal regulations and the requirements of functionality and efficiency.

The ASSOCIATION's assets, resources and equipment must be used with diligence, with responsible behavior aimed at the preservation of the assets themselves, in an appropriate manner and in accordance with the interests and the ASSOCIATION's purpose. Any exceptions are permitted only if expressly authorized. The ASSOCIATION, in compliance with the applicable laws in force, shall adopt the necessary measures to prevent any improper use of its assets.

2.16. Computer systems, access and data security

The use of the ASSOCIATION's computer systems and databases takes place in compliance with applicable laws and on the basis of the principles of fairness and honesty.

In particular, with regard to computer security, the ASSOCIATION aims to guarantee:

- the confidentiality of data from improper access by unauthorized persons;
- the integrity of any data as originally entered into the computer system or as legitimately modified;
- availability as a guarantee of traceability of company data in accordance with the requirements of continuity of processes and in compliance with the rules that require their chronological preservation.

The ASSOCIATION shall adopt appropriate protection systems to ensure the security of access to data and programs residing on the ASSOCIATION's computers.

Each RECIPIENT is responsible for the correct use of the computer resources assigned to him/her as well as the access codes to the systems themselves.

Obviously, it is forbidden to illegally break into computer systems protected by security measures; in addition it is forbidden to obtain or spread access codes to systems or to damage information, data and computer programs.

Each employee and associate is required to comply with the applicable legal provisions and the conditions contained in the license agreements as well as the relevant internal procedures.

Each employee and associate, within the scope of his/her responsibilities, is also required to prevent the possible commission of offences through the use of computer systems.

3. PRINCIPLES OF CONDUCT IN RELATIONS WITH EXTERNAL AND INSTITUTIONAL COUNTERPARTS

3.1. Contractual relationships with third parties and “partnerships”

Members, donors, sponsors and supporters of the ASSOCIATION are selected on the basis of previously identified criteria of honorableness and the sharing of the values of the ASSOCIATION. The ASSOCIATION adopts suitable procedures aimed at identifying the ultimate beneficiaries of Members and donors, as well as the origin of the relative contributions.

The methods for selecting the suppliers must comply with the applicable laws and the ASSOCIATION’S internal procedures provided for this purpose.

The selection of the suppliers and the purchase of goods and services of any kind must take place in compliance with the principles of competition and equality of conditions of those submitting bids, and based on objective evaluations concerning the competitiveness, quality, professionalism, usefulness, cheapness, periodic rotation and price of the supply.

The ASSOCIATION proceeds to choose contractors without implementing discriminatory practices.

No member of the ASSOCIATION or who acts in its name and on its behalf may have relations with any supplier if he/she has an interest, even if not patrimonial or indirect, in the activity of the same.

Relations with the suppliers are based on transparency, fairness and good faith and must be documented and traceable.

Relations with the ASSOCIATION’S suppliers, including financial and consultancy contracts, are regulated by this CODE and are subject to constant and careful monitoring from the point of view of the fairness of the services or goods supplied with respect to the agreed-upon consideration.

The ASSOCIATION adopts an accurate storage system of the documentation of the entire selection and purchasing procedure is implemented so as to permit the reconstruction of transaction.

The ASSOCIATION shall contractually commit its suppliers to comply with the applicable laws, as well as to be aware of and adhere to the principles set forth in the CODE.

The ASSOCIATION contractually reserves the right to adopt any suitable measure (including the termination of the agreement) in the event that the suppliers violates the law or the CODE in carrying out activities in the name and on behalf of the ASSOCIATION.

Whoever has relations with the supplier is obliged to report to the SUPERVISORY BODY significant non-compliance with the CODE.

The conditions under which the supply is actually carried out must be those contractually agreed.

When entering into relations with new partners and managing existing ones, it is necessary taking into account the information available in order to avoid any relationship with persons involved in unlawful activities. In particular, those connected with money laundering, organized crime and terrorism, with persons who lack the necessary requirements of honor and commercial reliability, and who have not proved that they share the values of the ASSOCIATION.

The ASSOCIATION only establishes relations with contractual counterparts who are reliable and of good reputation and whose corporate ethical culture is homologous to its own; such relations are inspired by the following principles, set out in specific procedures:

- the ASSOCIATION and the RECIPIENTS shall refrain from entering into agreements that are against applicable laws, simulated or secret;
- relations with partners and contractual counterparties are maintained in compliance with the CODE;
- the relationships are maintained by professionally trained and competent individuals, expressly delegated within the ASSOCIATION;
- the RECIPIENTS shall promptly report to the SUPERVISORY BODY any conduct of the partner or contractual counterparty that appears to be in conflict with the CODE.

The ASSOCIATION undertakes to adopt criteria for assigning tasks and mandates to counselors based on principles of competence, cost-

effectiveness, transparency and fairness, in compliance with the applicable internal procedures.

More specifically the fees and/or sums paid must be adequately documented and proportionate to the activity carried out, taking into account market conditions.

3.2. Relations with Public Administration

Relations with the Public Administration (hereinafter PA) and in general with Italian, supranational or foreign public bodies are conducted exclusively by authorized persons and expressly delegated by the bodies of the ASSOCIATION, and in compliance with the specific Guidelines adopted from time to time by the ASSOCIATION.

Those who dialogue or negotiate with Italian or foreign PA, are required to adopt a clear, correct and transparent attitude and must not in any way undermine the autonomy of the latter's representatives or their impartial judgment.

More specifically:

- those who have interests, including non-pecuniary or indirect interests, for any reason connected or traceable to the bodies of the PA or with persons who are part of them, may not entertain the aforementioned relations in the name of or on behalf of the ASSOCIATION;
- it is forbidden to promise or pay for any reason, even indirectly, or under simulated forms, money or other benefits to persons who are part of the bodies of the PA or to persons connected to them by family, personal or business relationships;
- anyone who becomes aware of requests for money or other benefits from persons belonging to the above-mentioned bodies must promptly inform the SUPERVISORY BODY;
- it is forbidden in the production of corporate documents, to present untrue representations of facts that could mislead or alter the analysis and decision-making capacity of the PA;

- it is also forbidden to use contributions, grants or funding from the State, other public bodies or the European Union for purposes other than those for which they were granted;
- it is not permitted any conduct aimed at obtaining from the State, the European Union or any other public body, contributions, financing, concessional loans or other disbursements by means of untrue declarations or altered or forged documents, omitted information, deception, including those carried out through a computer or telematic system, designed to mislead the disbursing body.

3.3. (follows): relations with Judicial Authorities and Public Supervisory Authorities

Consistently with the provisions of the previous paragraph, the relations of the ASSOCIATION with national, supranational, and foreign Supervisory and Control Authorities are inspired by the principles of legality, transparency and loyal cooperation and are carried out in compliance with the specific Guidelines adopted from time to time by the ASSOCIATION.

The ASSOCIATION fulfils the legal obligations concerning communications and information flows towards the competent Authorities, with particular reference to the Supervisory and Control Authorities, guaranteeing the completeness, truthfulness and integrity of the information, the objectivity of the assessments and ensuring the timeliness of the forwarding.

During audits or inspections by the competent Public Authorities availability and cooperation must be guaranteed towards the inspection and control bodies, and any information must be provided clearly and truthfully.

No RECIPIENT shall attempt to persuade others not to provide information or to provide false or misleading information to the competent authorities, nor shall engage in any business activity, grant professional assignment, or give or promise any gift, money or other advantage to the person conducting the investigations and inspections, or to the competent judicial authorities.

Whoever has interests, including non-pecuniary or indirect interests, for any reason connected or traceable to the PA or to the bodies referred to in the first paragraph

or with persons who are part of them, may not entertain the aforesaid relations in the name and on behalf of the ASSOCIATION.

3.4. Relations with trade union, political, social and cultural organizations

The ASSOCIATION relates with other officers of the nonprofit sector and civil society with a sense of responsibility and in constructive terms, promoting a climate of mutual trust and dialogue, in the continuous search for profitable relations.

In any relations with political parties, political and trade-union organizations and bodies representing collective or category interests, other officers of the nonprofit sector and of civil society, the ASSOCIATION applies the CODE and takes into account their respective roles within the social action.

No one who has interests, including non-pecuniary or indirect interests, in any way connected or traceable to the persons referred to in the 2nd paragraph of this section or with persons who are part of them, may entertain the aforementioned relationships in the name of or on behalf of the ASSOCIATION.

It is strictly forbidden to promise or pay, for any reason whatsoever, even indirectly, money or other benefits to persons who are part of the subjects referred to in the 2nd paragraph or persons connected to them by family, personal or business relationships.

Anyone who becomes aware of requests for money or other benefits from members who are part of the persons referred to in the 2nd paragraph must promptly inform the SUPERVISORY BOARD.

The ASSOCIATION does not support events or initiatives that have mere political aims, and refrains from supporting with financial or other means, political parties and exponents, trade unions and/or their officers.

Only in the pursuit of institutional, cultural or social solidarity purposes, the ASSOCIATION may promote or take part, also by contributing money or offering services, in initiatives consistent with such purposes involving the aforesaid organizations. In this case, participation in the initiative must be adequately justified, also with regard to the fairness of the economic commitment and the quality of the initiative and the participants.

The ASSOCIATION refrains from any direct or indirect pressure on political officers.

The ASSOCIATION does not make contributions to organizations with which there may be conflicting interests.

Any relationship between the ASSOCIATION and the aforesaid organizations and their officers must be based on legality and maximum transparency, integrity and impartiality, in order to establish a correct dialectic.

3.5. Relations with the mass media

Relations with the mass media must be managed by persons expressly appointed by the bodies of the ASSOCIATION and it is expressly forbidden for others to transmit any communication to the press, unless specifically delegated to do so.

4. IMPLEMENTATION AND SUPERVISION

4.1. Dissemination, training and implementation

The ASSOCIATION shall inform all the RECIPIENTS on the provisions and application of the CODE, recommending its observance.

The CODE is available on the ASSOCIATION's website ([Robert F. Kennedy Human Rights – Italia | Home \(rfkitalia.org\)](http://Robert.F.Kennedy.Human.Rights-Italia.Home.rfkitalia.org)); a copy of the same may be requested from the *General Counsel* (corporatesecretary@rfkhumanrights.org) and shall be delivered to the RECIPIENT at the time of hiring, contracting, and any other qualified interaction.

4.2. Roles and responsibilities

The SUPERVISORY BODY, appointed according to the DECREE for the implementation of the MODEL, is assigned the responsibility of supervision and control on the application of the CODE.

In carrying out these activities, the SUPERVISORY BODY will receive the support of all the corporate functions involved, and will have free access to all the documentation considered useful.

4.3. Reports

Each RECIPIENT has the obligation to immediately report any violation of the CODE or the MODEL. All the RECIPIENTS of the CODE are also obliged to cooperate in the internal investigations concerning violations and behaviors not in line with this CODE.

The reports are exclusively addressed to the SUPERVISORY BODY, which provides for further investigations and the adoption of the necessary measures.

The reporting procedures are governed by a specific procedure, which will be made available on the website ([Robert F. Kennedy Human Rights - Italia | Home \(rfkitalia.org\)](http://Robert.F.Kennedy.Human.Rights.Italia.Home.rfkitalia.org)).

4.4. Sanctions

The RECIPIENTS who carry out behaviors in violation of the CODE and the MODEL receive a proportionate, effective and dissuasive sanction.

Attempted violations equates actual violations. The sanctions should be predetermined in relation to single circumstances.

The respect of the CODE is in fact an integral part of the conditions regulating the relationships with the ASSOCIATION. Any violation of this CODE, committed by anyone acting in the name or on behalf of or in any case within its activity, implies the adoption of disciplinary measures and contractual remedies. The measures are proportionate to the seriousness or to the recurrence of the violation, to the degree of guilt or to the existence of malice, in compliance with the provisions of the law and/or of the applicable collective contracts, including the termination with immediate effect of the relationship, and save for the compensation of the damage caused to the ASSOCIATION.

The application of the sanctions against the employees takes place in compliance with applicable laws and the provisions contained in the agreements and trade union contracts, and in particular with reference to articles 7 and following of Law no. 300 of May 20, 1970 and the provisions contained in the applicable *C.C.N.L.* (National Collective Labor Contract).

For the RECIPIENTS other than employees, the sanction of the violations of the CODE must be provided for in the contractual instrument or in the resolution of the corporate bodies that regulates the relationship.

In particular, the General Meeting shall adopt the appropriate measures against its members who have committed violations of the CODE save the compensation for the damage caused to the ASSOCIATION.