

# Accountability and Safeguarding Assessment for Ma3azef



**CTDC**

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## Preface

Although this report was produced as part of an organisational accountability and safeguarding assessment, as authors of the report we felt that this assessment cannot be carried out without interrogating the external conditions, including social, economic, political and contextual factors that led to the need for this work to be carried out. This approach has made our task both more difficult and emotional; as although maintaining impartiality was a must, dealing with abusive practices was inevitably emotionally triggering.

As authors of the report, we ask readers to read the report in its entirety and not partially, and to consider this report as only one step towards bigger accountability processes, which cannot be considered an end goal or the end. This is particularly important for the integrity of the information and analysis provided in this work, as this assessment is not a 'fact-finding' exercise, rather it is an exploration of factors, conditions, dynamics, gaps, processes, procedures, relationships, ethical dilemmas, difficult questions, and most importantly collective accountability processes.

We hope with this report that we are opening the door for more constructive conversations around how collective accountability processes can be carried out without causing harm to victims and survivors, and we hope that this will be taken as one small step towards restorative and transformative justice for all. Finally, we want to express our understanding that many of the topics addressed in this report might trigger difficult feelings and emotions, and we want to express our solidarity with all those who have been subjected to abusive practices, violence, and violations, whether in the workplace or in daily life.

In Solidarity,

CTDC Co-Founders and Co-Directors

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## Table of Contents

<b>Preface</b> .....	<b>- 1 -</b>
<b>1. Introduction</b> .....	<b>- 3 -</b>
1.1 The Assessment .....	- 3 -
1.2 Background and Context.....	- 4 -
1.3 The Case against Investigations.....	- 6 -
<b>2. Methodology</b> .....	<b>- 9 -</b>
2.1 Consultations .....	- 10 -
2.2 Secondary Data.....	- 12 -
2.3 Limitations.....	- 13 -
<b>3. General Findings</b> .....	<b>- 14 -</b>
3.1 Chain of Accountability: Evading Responsibility .....	- 14 -
3.2 Lack of Reflection .....	- 17 -
3.3 Moral Absolutism.....	- 19 -
3.4 ‘Hearsay’ from a Feminist Perspective .....	- 19 -
3.5 Bad Journalism and Sensational Reporting .....	- 20 -
3.6 Loose Use of Terms .....	- 22 -
3.7 What is in a ‘Safe’ Space .....	- 23 -
<b>4. Ma3azef Specific Findings</b> .....	<b>- 25 -</b>
4.1 The Founder’s Dilemma .....	- 27 -
4.1.1 Findings.....	- 27 -
4.1.2 Recommendations.....	- 28 -
4.2 Ma3azef’s Organisational Development .....	- 28 -
4.2.1 Findings.....	- 28 -
4.2.2 Recommendations .....	- 29 -
4.3 Board Oversight and Safeguarding.....	- 30 -
4.3.1 Findings.....	- 30 -
4.3.2 Recommendations: .....	- 30 -
4.4 Ma3azef’s Relationship to Personnel.....	- 32 -
4.4.1 Findings.....	- 32 -
4.4.2 Recommendations .....	- 33 -
4.5 Human Resources .....	- 35 -
4.5.1 Findings.....	- 35 -
4.5.2 Recommendations: .....	- 36 -
4.6 Internal Visibility and Communications.....	- 38 -
4.6.1 Findings.....	- 38 -
4.6.2 Recommendations .....	- 39 -
4.7 Ma3azef’s Production.....	- 40 -
4.7.1 Findings.....	- 40 -
4.7.2 Recommendations .....	- 41 -
4.8 Reporting and Management: .....	- 42 -
4.8.1 Findings.....	- 42 -
4.8.2 Recommendations .....	- 42 -
4.9 External Relationships .....	- 43 -
4.9.1 Findings.....	- 43 -
4.9.2 Recommendations .....	- 44 -
<b>Annex I: Ma3azef’s Timeline</b> .....	<b>- 45 -</b>

# 1. Introduction

## 1.1 The Assessment

This report, produced by CTDC (Centre for Transnational Development and Collaboration), is based on an assessment commissioned by Ma3azef's management in response to statements around an alleged SEAH (Sexual Exploitation, Abuse and Harassment) incident that took place during a party Ma3azef co-organised with Barzakh and Ballroom Blitz in Beirut on the night of 2019/2020 New Year's Eve. As such this assessment provides an independent and impartial third-party's intersectional feminist analysis and interrogation of:

- A. Ma3azef's Accountability Frameworks in terms of:
  1. Governance and Leadership,
  2. Projects and Activities,
  3. Complaints Response Mechanisms,
  4. Partnerships.

This interrogation of Ma3azef's infrastructure and risk to SEAH revolved around three methods of analysis:

- (1) Relational Analysis: This approach to analysis will be based on Ma3azef's relationship to its personnel, general society, funders and partners, in addition to internal team dynamics.
- (2) Gap Analysis: This approach to analysis revolves around identifying gaps in policies, procedures and processes within the organisation, and an analysis of human and social resources available within the organisation.
- (3) Process Analysis: This approach to analysis focuses on processes taking place on a day-to-day basis within the organisation overall.

As we are adopting an intersectional feminist approach to this assessment, which falls within restorative/transformational<sup>1</sup> justice processes, we also explore general social and political dynamics that came into play during the series of events that led to this assessment. This approach offers us an alternative to focusing only on punishing individuals, which acts as a form of scapegoating, and overlooks collective responsibility for reducing violence, confronting injustice and oppression, and transforming entire systems from the roots up. This does not mean ignoring individual responsibility for harm. Rather, it means continuing to think beyond moments of

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<sup>1</sup> Our approach combines both understanding of restorative and transformational visions of justice, which we prefer to call in Arabic as *'Ibdali'*.

punishment and consequences as we move towards the goal of changing societal structures<sup>2</sup>.

From this perspective, we perceive the alleged incident and the statements and reactions that followed it as symptoms of larger structural socio-political problems, not as isolated incidents that operate in a vacuum, but rather reflective of patterns and trends within the scene in which Ma3azef operates. To this end, and as part of our collective responsibility, in this report we also explore:

- B. Collective accountability and chains of responsibility beyond one or single institution and/or individual, specifically in relation to the alleged incident, the statements and reactions that followed it.

In this report, we define accountability as a continuous and changing process, with no clear beginning or end; a process related in one way or another to relationships, affect, power, positionality, and a vision of justice that seeks to create change in a society as a whole<sup>3</sup>. This exploration is particularly important as we hope it could provide lessons learnt for the sector, in which Ma3azef operates, and for the art and cultural scenes in Arabic-speaking countries and beyond.

## 1.2 Background and Context

The need for this assessment report was triggered by a series of events, which can be summarised as follows:

- A series of statements were released starting from June 2022, accusing Ma3azef of mishandling and covering up a SEAH case that allegedly took place during the 2019/2020 New Year's Eve Party at Barzakh (the venue at which the party took place).
- The first alleged victim released a statement, with the title 'Content Warning: Rape', detailing a recollection of her experience being sexually assaulted at the party by two of the line-up artists; one of whom is a second alleged sexual assault victim of the same alleged perpetrator. In her statement, the first alleged victim mentions being force drugged, by the second alleged victim and accused perpetrator.

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<sup>2</sup> For more on this approach to safeguarding, please see Abu-Assab and Nasser-Eddin (2021): [Organisational Safeguarding Best Practices and Procedures: A Toolkit. Towards Transnational Intersectional Feminist Accountability Frameworks to Respond to Exploitation, Assault, Abuse, Harassment and Bullying.](#)

<sup>3</sup> *ibid*

- In her first statement, the first alleged victim accuses Ma3azef's management of covering up her assault and particularly levels criticism at the Executive Director (ED), for allegedly intentionally dismissing her experience and continuing to cover the alleged perpetrator's music. These accusations were based on second hand stories told by others.
- Five former Ma3azef employees, two of whom were the Ma3azef party organising team, release a statement reinstating their support for the first alleged victim, and condemning Ma3azef's management, namely the founder and the Executive Director, for covering up the alleged crime.
- The statement of former employees also mentions that former and current employees suffer from mistreatment by the management of Ma3azef.
- Barzakh, the venue at which the party took place and who was responsible for security and logistics, released a statement in solidarity with the first alleged victim, and condemning Ma3azef's management for mishandling the case.
- Following these statements, several external stakeholders, including the third co-organisers, issue statements in support of the alleged victim, severing ties with Ma3azef, and calling for an investigation into the incident and into the accusation that Ma3azef's management covered up 'rape'.
- In response, Ma3azef's Executive Director steps down voluntarily.
- Funding for the ED's position was suspended.
- Ma3azef also releases statements of support to the alleged first victim.
- The second alleged victim, who is also an accused perpetrator, releases a statement explaining her recollection of the events and narrating her own experience of sexual assault at the hands of the same alleged perpetrator.
- The second alleged victim provides 'screenshots' from Facebook Messenger conversations with both the alleged first victim and the alleged perpetrator.
- Then, the first alleged victim releases another statement about the assault, in response to the different statements that were released in response to her.
- The second statement directs critiques at Ma3azef's Executive Director again, and calls for 'isolating' him, the alleged perpetrator, and the second alleged victim from the music and cultural scene and spaces.

- Several platforms follow through with the alleged first victim’s call for action, and immediately terminate their partnerships, engagements, and contracts with Ma3azef as an organisation, and with the former ED as an individual.
- Platforms also follow through with the first alleged victim’s call for action, and cut ties, end collaborations and terminate deals with the second alleged victim. The second alleged victim receives death and rape threats through social media.
- Ma3azef puts all its activities and projects on hold, until an accountability process takes place and examines Ma3azef’s responsibility, and the collective responsibility following these events.

### 1.3 The Case against Investigations

Ma3azef approached CTDC, for its expertise in safeguarding based on recommendations from the field. Initially, Ma3azef had intended to carry out an investigation in response to the events, and in response to public calls posted on social media for an independent investigation.

Some on social media also went as far as demanding that platforms, including Ma3azef, ‘punish perpetrators,’ forgetting that in fact that no one has the legal authority to punish the alleged perpetrators other than formal authorities.

For this reason, we use the word alleged throughout the report in reference to the victims, perpetrators and incident to protect ourselves from legal liability.

It can even be argued that terminations of contracts, agreements, and professional cancelling is also an illegal way to punish, if these decisions were not based on some evidence, or on a due process. Terminating people’s contracts and/or suspending their salaries without due processes can produce legal liabilities for the organisations that do so.

In addition to this, from our perspective as experts in safeguarding and accountability, an investigation is neither practically feasible nor viable, for the following reasons:

- According to the UNODC (2006)<sup>4</sup>, “crime investigation is the process by which the perpetrator of a crime, or intended crime, is identified through the gathering of facts (or evidence) – although it may also involve an assessment of whether a crime has been committed in the first place.”

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<sup>4</sup> For more on investigations see [UNODC \(2006\): Criminal Justice Assessment Toolkit](#).

- In this particular case, and under the jurisdiction of most countries, there are at least four alleged crimes that could prompt a criminal investigation: (a) sexual assault of the first victim at Barzakh, (b) sexual assault of the second victim at a private place, (c) drug dealing at a venue in Beirut, and finally (d) defamation, libel, and slander against Ma3azef and its ED, which is treated as a civil offence under some jurisdictions and criminal under others.
  
- To appropriately investigate such alleged crimes, investigators need to be given full powers to:
  - “Detain a suspect;
  - Seize property as evidence;
  - Search for evidence, both in premises and on persons;
  - Interview suspects (and, in doing so, question their honesty and character, which in some countries may otherwise be considered to be an act of defamation, a criminal offence);
  - Require samples, such as fingerprints and DNA, and to take photographs;
  - Run identification procedures;
  - Interview witnesses, including victims;
  - Ask members of the public questions;
  - Keep and maintain personal and confidential information;
  - Use technical and personal surveillance and use other intrusive means to observe persons;
  - Work undercover (i.e. pretend to be someone else) or use informants;
  - Protect and relocate witnesses;
  - Undertake otherwise illegal activity, such as possess illegal substances, carry weapons, force entry to property, or monitor illegal internet traffic.” (UNODC, 2006).
  
- Assuming such power, without official authority, may be in some instances considered a crime in its own right. For example, if we are to interview alleged perpetrators, our action might be considered an act of defamation and may expose us to legal liability.
  
- As such for our integrity and credibility we cannot claim to be investigating the incidents appropriately, without having such powers, and a privileged access to information, places and people.
  
- Criminal investigations also require capacities and expertise in a wide range of fields, including forensic science, IT and security, social work, sociology, criminology, investigative journalism and law, among many others.



- It came to our attention that some platforms, funders, and individuals on social media were calling for an investigation to be carried out by a committee of select activists, members of the queer community, members of the cultural and music scenes, and women.
- Despite the fact that we completely endorse the importance of diversity and inclusion, in cases of investigations expertise rather than identity categories must be prioritised.
- Conceptually, an investigation means a questioning of whether the incidents have taken place or not, and is the process through which people are found to be guilty or not.
- It is noteworthy that state systems, which are often corrupt, patriarchal, discriminatory and unjust, are the only parties with the authority to carry out criminal investigations.
- We also understand why many victims of different forms of violence may wish not to resort to state institutions to attain justice.

Based on all the points delineated above and in the feminist spirit of believing survivors, in this work we sought only to explore and understand ‘what could have gone wrong’ and resulted in the alleged incident and events in its aftermath. We were, and are, also interested in learning ‘what could have prevented the alleged violations and their aftermath’. For these reasons, we decided to assess rather than investigate.

## 2. Methodology

The assessment was conducted between October 24 and November 30, 2022, by CTDC, an inter- and multi-disciplinary feminist consulting team, with a transnational social justice agenda. In this work, we relied on theories from sociology, organisational and social psychology, moral philosophy, feminist philosophy, managerial and organisational sciences, criminology, legal studies, linguistics, and sociolinguistics, in addition to alternative, restorative methods for dealing with societal violence in the body of literature written by feminist women of colour and Black feminist theorists.

We also adopted an intersectional feminist lens, which illuminated several intersecting external and internal factors affecting Ma3azef as an organisation. Therefore, we were able to assess the social, political, economic, legal, technological, and relational context in which the organisation operates and that have affected the organisation internally.

We used primary and secondary data collection and analysis methods, including consultations, anecdotal evidence, social media, media, written communications, statements, and organisational documents. These data sources provided different types of information, which we classified as follows:

- 1) Factual Information: Information that can be validated and verified through material evidence. For instance, information about Ma3azef's timeline as an organisation, as well as its personnel's entry and exit times, are what we call factual information. This type of information can be considered objective and neutral.
- 2) Indicative Information: Information not supported by evidence but indicates where evidence or 'factual information' can be found and whether an occurrence is possible, but not necessarily probable. For example, that someone felt the party was 'grim' is an indication of something at the party, and this means further verification and cross-checking is necessary. The fact that so many platforms published material against Ma3azef is an indication of the political atmosphere at that time.
- 3) Interpretive Information: People's subjective interpretations of experiences, events, other people, words, and of the social world in general. Interpretive information is often influenced by people's own experiences, positions, positionalities, class, gender, sexuality, age, educational attainment, nationality/nationalism, ethnicity, sect, religion, social network, political affiliation, social status, and self-interest. For example, if someone describes the party as 'grim', this reflects their interpretation of the party, which could be due to their gender and maybe indicative of an aggressive environment. This

type of information prompts further exploration, even though it may be considered as 'subjective'.

- 4) Unverified Information: Information provided as 'fact', without either indicative, interpretive, or factual grounds to support it. For example, the use of the word 'rapists' to describe Ma3azef's staff was based on unverified information.

In the following sections, we delineate the primary and secondary data collection methods we used and shed light on the limitations of this assessment.

## 2.1 Consultations

For this assessment, we carried out individual and groups consultations with 27 people, which included Ma3azef's current and former staff, former partner organisations, a co-organiser of the NYE party, an alleged victim, funders, and Ma3azef's former ED, in addition to individuals from the music and cultural industry.

The consultations took place via zoom and were not recorded, the duration of consultations varied between 45 minutes and five hours, and some had to be done over several sessions. The consultations were used as a space to think, reflect, and ask questions, as we treated participants as knowledge makers and not as informants.

The consultations were in the form of discussions, where ethical dilemmas, difficult scenarios, and critical questions were brought up. The consultations were also a space where we also asked questions about diverging understandings of events, incidents, politics, and relationships.

- At the beginning of this assessment, we requested a list of stakeholders' emails and contact details from Ma3azef's interim director.
- An email invitation was sent in English and in Arabic to all names on the list, which included former and current employees, funders, former partners, the former ED, and the owner of the venue at which the incident allegedly took place.
- The invitation explained that participation is voluntary and that it will be confidential, along with a Doodle poll for participants to select timeslots.
- We intentionally did not send email invitations to the alleged victims, as we were hoping that we might be able to access them via their networks, because we did not want to trigger them or step on their boundaries.

- With the first alleged victim, we also wanted to respect her desire expressed in her second statement, where she referred to her statement as her 'final words about the drugging and the sexual assault at the 2019/2020 party'.
- With the alleged victims, we also preferred to initiate this contact softly via people they know and trust. We were able to do so with the second of two alleged victims, who accepted.
- To reach the former ED, we sent an email CC'ing his legal counsel explaining the objectives and methodology of the assessment. He accepted to participate and requested that he participates in the presence of his legal counsel, 'to ensure no further misrepresentation' of his position.
- All the five signatories to Ma3azef's former employees statement were invited to participate.
- Initially, four of them responded positively, and booked doodle slots.
- The fifth sent an email requesting further clarification about the process of the assessment and questioning our expertise and qualifications, asserting that our bios online are 'short' and 'generic'.
- Immediately afterwards, two of the four who initially responded positively and had already booked doodle slots requested similar clarifications and asked whether the first alleged victim is to be part of the assessment. One of these two also questioned our expertise.
- We sent all three of them the same response explaining the process in-depth, and the difference between an assessment and an investigation. We also provided them with some links to our work and informed them that we would be happy to provide them with names of references for them to ask about our credentials.
- In the same email, we explained why we have not approached the first alleged victim (reasons mentioned above), and we said that we would appreciate it if they, as her friends, could put us in touch with her.
- Two of the former employees sent brief emails refraining from participation.
- The other one did not respond and did not show up for the scheduled timeslot.

- Eventually we spoke to two of the former employees, who are also signatory to the statement.
- Another former employee, who is not signatory to the statement, participated.
- Eight current employees, including the interim director, participated in the consultations.
- Ma3azef's two funders participated in the consultations.
- Six former partner organisations participated in the consultations.
- The third co-organiser of the 2019/2020 NYE party also participated in the consultations.
- The manager of the venue at which the alleged incident took place did not respond.
- A former collaborator with Ma3azef and a professional in the art and cultural scene contacted us voluntarily and requested that they participate.
- We consulted with a number of feminists from different backgrounds on different topics that emerged during this assessment, these included academics, legalists, journalists, and researchers.

## 2.2 Secondary Data

We utilised the following sources for secondary data, summarised as follows:

- **Social Media:** through social media we were able to read and assess the first alleged victim's testimonies, posts, comments, shares, and tweets about the alleged incident, the statements other platforms shared about the alleged incident and its aftermath, and the positions different platforms and individuals have taken in relation to the incident.
- **Web Search:** Through web searches we were able to find many news and stories about the alleged incident in English and in Arabic. In addition, we found the second alleged victim's blogpost which includes her testimony, though it was not accessible via social media.

- Organisational Documents: We reviewed all organisational documents, including contracts, organisational chart, payroll documents, financials, analytics, and code of conduct.
- Records of Written Communications: Ma3azef provided all records of internal communications among the team, which happened over Slack. Some of these dated back to 2017.

## 2.3 Limitations

We approach abusive practices as systematic and systemic problems- rather than isolated incidents- that require collective accountability processes. We hope this assessment is a very small contribution to those processes. We have noticed that there was an assumption by the public that this assessment, also sometimes referred to as 'investigation', would bring the magical tools for attaining justice. We also noticed that some people thought of this assessment as an end goal. However, we hope this assessment is only the beginning of multiple accountability processes that need to take place within:

- Ma3azef as an organisation.
- Ma3azef's stakeholders, including funders and partners.
- The cultural and the music scenes.
- Media platforms covering the alleged incident.
- The general public.
- All individuals who engaged with the events.

Limitations related to access to some key players in the alleged incident and the aftermath are important to highlight. For example, it had not been made possible to access the first alleged victim, and the manager of the venue. The perspectives of some former employees are also not covered as they refused to participate.

### 3. General Findings

In this section, we explore collective accountability and chains of responsibility beyond one or single institution and/or individual, specifically in relation to the alleged incident, the statements and reactions that followed it. This approach to the assessment is in line with transformative and restorative feminist accountability and justice processes. We perceive this assessment to be part of a collective accountability process, through which we wish to contribute to visions of justice that are *ibdāliyya*<sup>5</sup>, combining both restorative and transformative justice processes. Within this framework:

- (1) Punishing aggressors is not sufficient.
- (2) Affect<sup>6</sup> tracing in the experiences of survivors and focusing on their needs is required.
- (3) Rethinking all the systems and structures that allow these abusive practices to occur is a part of the process.
- (4) Generating innovative solutions to address such practices is the goal.

Here we define restorative justice as a process that strives to restore dignity and respect to survivors of violence and abusive practices in all their forms, and to redress the harm that has been done to them. In the particular case assessed, we identified three possible groups of victims: (1) two alleged victims of sexual assault; (2) a number of suspected victims of defamation, slander and libel; and (3) alleged victims of bad management practices. The grievances of the third group are addressed in Section Four.

In addition, from a feminist accountability perspective, rather than dealing with problems as isolated incidents, we see the problems we face as symptoms of deeper societal, political, and economic issues. In the following sections, we explore all the aspects that we believe are important to consider when we think about individual and collective accountability processes, particularly in relation to the alleged incident and its aftermath, detailed in section 1.2.

#### 3.1 Chain of Accountability: Evading Responsibility

When a SEAH case emerges within organisations, we often witness that the initial reaction is to demonstrate that leaders had done everything in their capacity to respond. In many cases, this reaction is prompted by fears of being portrayed as 'failing' to respond and act, of shaming, of social stigma and of legal consequences.

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<sup>5</sup> The conceptual framework in this section is adapted from Abu-Assab and Nasser-Eddin (2021): [Organisational Safeguarding Best Practices and Procedures: A Toolkit. Towards Transnational Intersectional Feminist Accountability Frameworks to Respond to Exploitation, Assault, Abuse, Harassment and Bullying.](#)

<sup>6</sup> *ibid*

Individuals and organisations become defensive. We also have seen that many of their responses revolve around: their lack of knowledge, having done everything they could, and having acted in the best way they could.

In addition to that, when such cases emerge, organisations and individuals start blaming others for mishandling complaints, or incidents. Instead of asking the question of ‘what could I have done better to respond to such cases’, people turn to ‘gathering evidence’ to demonstrate that they had done everything in their own capacity.

This tendency is also compounded with fears of being portrayed as ‘evil’, and as we live in a world where ‘the good’ and ‘the evil’ are thought of in binary terms, some people become stigmatised as ‘bad’, while the ‘good people’ become immune from criticism and wrongdoing.

For this reason, it is very important for all of us as societies to recognise that “we are all capable of harm and complicity in systemic oppression, and so we all could practise taking accountability for our involvement in the perpetuation of oppression and violence” (Ann Russo, 2019)<sup>7</sup>.

SEAH cases are not isolated incidents, they are a reflection of the societies and communities we live in, and when a SEAH case emerges this does not make one organisation ‘bad’, and the others become ‘good’. In fact, we need to interrogate chains of responsibility and accountability at all levels, and look into anyone who could have prevented the incident.

This tendency to evade reflection over one’s responsibility was evident through our assessment. We noticed that fingers were pointed towards one organisation and one individual within that organisation, who was not present and who never received a formal complaint, without interrogating all other circumstances.

Instead of laying the blame on one person within an organisation the questions that needed to be asked in response to the first alleged sexual assault are as follows:

- Where did it happen?
- Who was there?
- Does the venue have any security vulnerabilities?
- Was security advice provided? Was the advice followed up on?
- Were there security measures at the party?
- Did the venue have crowd management or medical emergency plans?
- Were there trained and qualified security personnel at the party?
- Was there a drug use policy at the venue?

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<sup>7</sup> Russo, A., 2019. *Feminist Accountability: Disrupting Violence and Transforming Power*. New York: New York University Press.



- Were there any anti-harassment and abuse policies?
- What were the credentials of attendees?
- What measures at the venue could have prevented the alleged incident from taking place?
- What was the role and responsibility of the rest of the organisers? Were there written contracts, MoUs, and agreements between the co-organisers stipulating their roles and responsibilities?
- Who was in charge of specific aspects in the organising?
- What was the role of individual team members within the party?
- Who were the people responsible for organising and maintaining order?
- How was the venue selected? Was it assessed prior to partnership?
- How were individual artists selected? Was there an adequate vetting process?

Understanding the chain of accountability and responsibility in this case helps in identifying the gaps that exist, and the measures that could be taken to reduce the possibility/risk of such an incident happening or occurring in the first place. These questions support us in avoiding scapegoating and blaming one individual organisation or one individual for failing to respond appropriately to SEAH cases.

Since this assessment explores Ma3azef's role in the alleged incident, Ma3azef's responsibility can be summarised as follows:

1. Ma3azef not having a vetting process for the selection of venues.
2. Ma3azef not having a vetting process for artists and staff members, including those present at the party.
3. Ma3azef not having codes of conduct, organisational preparedness to risk, security and risk mitigation plans, policies for conduct at parties, and a drug and alcohol consumption at events.
4. Ma3azef not having written contracts and agreements to regulate the relationship between the different organisers.
5. Ma3azef not having complaints response mechanisms.
6. Ma3azef not having clear lines of management at the time of the event, which meant it was not clear who was responsible, considering the ED's three months (December 2019-March 2020) sabbatical leave.
7. Ma3azef not having editorial guidelines/policies in place that set rules around the credentials of the artists they cover.

## 3.2 Lack of Reflection

To be able to locate ourselves and our actions, as organisations and individuals, within the overall systems of oppression, so we understand our complicity in perpetuating violence, collective and individual reflection is essential in this process. In this particular case, there were many instances of the lack of self and collective reflection, and of evading responsibility.

In fact, this lack of reflection has resulted in harm and led to the scapegoating of one organisation and one individual within an organisation. We noticed that immediately after the release of the first alleged victim's statement, platforms, organisations and individuals, including the party venue and Ma3azef staff who were present at the party issued statements condemning the alleged 'rape' and severing their ties with Ma3azef. Some of the issued statements directly pointed accusations towards Ma3azef's ED, resulting in evidenced financial and reputational damage.

In addition to that, the way the alleged incident was reported was irresponsible towards both the alleged second victim and the alleged perpetrator. This lack of responsibility and reflection, particularly as the conversations are around crimes, could potentially even expose those platforms to cases of defamation being filed against them, as both alleged perpetrators were condemned without an accountability process. For instance, action was taken against the second alleged victim/alleged perpetrator, including termination of collaborations and social and economic exclusion, without any consideration of her own experience of violence and/or assault. The only platform that demonstrated self-reflection was Megaphone, as a few months after its initial coverage of the alleged incident, it issued a statement critiquing their own coverage and calling for a social accountability and responsibility process and for opening conversations.

In cases of sexual violence, assault, abuse, harassment and rape, we often find that people are reluctant to think about accountability as a collective responsibility or even to ask themselves the difficult questions that need to be asked, such as 'how am I/we responsible in such cases', 'how could I/we have prevented this from happening', 'what allowed for this to happen' and 'how can I/we prevent similar harm from happening again'. All of these questions are very important, but people become reluctant to reflect and think through these issues, because they fear being 'understood' as doubting whether the alleged assault has taken place or not. However, reflection is necessary and does not mean denying the incident or doubting its occurrence in the first place; it rather pushes us to collectively and individually think about more durable, sustainable and transformative solutions to structural problems that result in SEAH cases.

These patterns also emerged through this assessment, through the consultations and through the analysis of the various statements. Through the consultations, we

understood that some reacted quickly out of fear of being blamed for complicity in the crime, for failing to respond promptly to an alleged victim and to protect themselves.

Some also came under social media pressure and became victims of cyberbullying pushing them to release and issue statements taking the side of the 'good' and denouncing the 'bad', and resulting in harm- reputational and financial to multiple parties. The majority of organisations that issued statements focused on offering solidarity and support to the alleged victim, based on the principle of 'we believe survivors', and that is a good starting point. However, those same organisations, some of whom were also part of the chain of accountability, did not offer alternative and transformative solutions, but instead focused on demonstrating their well-intentions and positioning themselves outside chains of accountability.

Ma3azef's statements, in response to the alleged victim's statement and to the public scrutiny and attacks they came under, were also reactionary. Due to these attacks and the pressure, the organisation and its team became debilitated; however, they positioned themselves within the chain of accountability and allowed for an independent impartial assessment to take place. For instance, the statement issued by the venue at which the incident allegedly took place was severely lacking in self-reflection. It has not proposed a way forward to ensure that such incidents do not take place in the future and it has not proposed that their entity goes through an enquiry into its role or an assessment of the gaps that exist within it. The third co-organiser, who provided the speakers and some technical support, also released a statement expressing their solidarity with the first alleged victim and cutting ties with Ma3azef. This lack of self-reflection is not limited to the co-organisers but is also apparent in other organisational and individual reactions.

Stakeholders, partners and external parties are encouraged to carry out such a self-reflective exercise. For instance, it is of high importance for all those involved directly and indirectly to explore:

- What is the most appropriate reaction that is compliant with the do no harm principle?
- Do I need to react and/or intervene?
- What type of intervention can I/we and I am/we are allowed to do?
- Is my reaction based on bias, explicit or implicit, or previous convictions?
- What is my role in the incident itself, in supporting victims/survivors, and in accountability processes? Did I need to act/react differently at a specific moment in time?
- What policies and procedures need to be in place in my organisation to ensure similar incidents do not happen?
- What have we learnt from this incident?

### 3.3 Moral Absolutism

Through the consultations, social media analysis and analysis of different statements, we noticed that reactions to the incident selectively adopted absolutist condemnations in particular towards Ma3azef and its management, without attempting to understand the socio-political context, the circumstances that led to the events, and the different relational factors that came into play.

It was also clear that these reactions, which are also reflections of the societies we live in, focused more on the organisation, rather than the alleged 'rape' itself and/or the alleged perpetrator. This tendency towards moral absolutism is risky because it makes us overlook chains of accountability and responsibility and does not allow us to think of the difficult questions around the alleged incident.

Sadly, due to this moral absolutism even current junior employees at Ma3azef were targeted, shamed and blamed, and in some instances called 'rapists' based on unsubstantiated assumptions that Ma3azef as a magazine covers up 'rape'. For this reason, the culture of moral absolutism is a culture of blame, which overlooks accountability. This blame culture is a barrier to addressing root causes of problems, as it lays the blame on one individual person/organisation, calling for punishment and an absolute end for their professional careers and complete social exclusion for 'wrongdoing', without taking any lessons learnt or thinking of alternative more ethical solutions that are in line with accountability processes.

### 3.4 'Hearsay' from a Feminist Perspective

Second hand stories are often treated in courts as 'hearsay' evidence or as evidence that is not direct. In courts, this prompts for a cross examination of statements and of stories that are being told. From a feminist perspective, the dismissal of 'hearsay' evidence reflects a gender bias, which often disadvantages women and marginalised groups<sup>8</sup>. This 'hearsay' rule does not only apply to courts but is also a social phenomenon particularly used against women as their stories are treated as 'gossip' without grounds, because they are not accompanied with material evidence.

From a feminist perspective 'hearsay' should not be dismissed, as it could be used as an indicator of larger issues and problems particularly from a safeguarding perspective. For example, due to social stigma and taboos, cases of sexual violence in particular are often difficult to be reported, and for this reason people often

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<sup>8</sup> For more on this see: (a) Orenstein, Aviva. (1) "MY GOD!": A Feminist Critique of the Excited Utterance Exception to the Hearsay Rule." *California Law Review* 85, no. 1 (1997): 159–223, and (2) *Evidence and Feminism: Indiana Legal Studies Research Paper No. 152* (1999). (b) Child, Mary and Ellison Louise (2000): *Feminist Perspectives on Evidence*. London: Routledge. (c) Beloof, Douglas E., and Joel Shapiro. 2002. "Let the Truth Be Told: Proposed Hearsay Exceptions to Admit Domestic Violence Victims' Out of Court Statements As Substantive Evidence". *Columbia Journal of Gender and Law* 11 (1).

communicate stories of sexual violence informally. A large majority of people exposed to sexual violence do not seek formal channels such as the police or even organisational complaints mechanisms, as they fear they might not be 'believable'.

We found, through previous research, that many victims of sexual violence lodge different types of complaints against perpetrators, that are usually general complaints, without referring to the sexual violence they had been exposed to. Previous research also showed that in some instances women lodge complaints around financial mishandling or discrimination, as they want 'something to happen' to the perpetrator, so that they avoid being dismissed based on the 'hearsay' rule.

For this reason, when we come across stories that can easily be dismissed as 'hearsay' or gossip or rumours, it is very important to inspect where these are coming from, why they're being told, who they were told to and what they indicate. Organisations and institutions dismissing 'hearsay' and not inspecting might be failing to see the bigger problems that can be found out through them. On the other hand, 'hearsay' can be used to exclude, marginalise, target and 'cancel' people unfairly and without verification, and therefore part of our responsibility is to find the balance between completely dismissing 'hearsay' and/or completely believing it as it is.

### 3.5 Bad Journalism and Sensational Reporting

In reading about the alleged incident and the events that followed it, we noticed that the first alleged victim's statement was widely covered in the media- a step that can be commended on many levels, as women's stories and narratives about sexual violence are usually dismissed, we can see this as an advancement in Arabic-speaking news media platforms and in foreign platforms that cover Arabic-speaking news. As a result of the tremendous work by feminist and women's organisations, transnational feminist movements, and individual feminists in the region, we are currently witnessing that talking about sexual violence is becoming slowly less of a taboo.

Having said that, and unfortunately, the reporting around this case utilised sensationalism as an editorial tactic, instead of maintaining the integrity and credibility of information. Integrity of information being reported can be measured by the accuracy, consistency, and reliability, not only of the information content, but also of the process through which information was obtained or verified. Sensationalism in journalism<sup>9</sup> and in mass media is a tactic that focuses on exciting readers and viewers,

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<sup>9</sup> For more on sensationalist journalism see (a) Stephen, Mitchell (2007) A History of News. Oxford University Press. (b) Vanacore, Rylan Sensationalism in Media. Published in the Reporter on Nov. 12th, 2021. (c) Uzuegbunam, Chikezie. (2013). Sensationalism in the media: the right to sell or the right to tell?. Journal of Communication and Media Research. 5. 69-78.

rather than providing them with credible information. It revolves around encouraging emotionally charged absolutist convictions around people and events, manipulating truths, and taking advantage of people's lived experiences, sufferings, and realities for self-interests, such as harnessing a larger audience and/or profiting.

In this particular case, the majority of media platforms irresponsibly reported the alleged incident as:

- (1) The first alleged victim's story was sensationally used to attract attention and increase readership and engagement,
- (2) The way the statement was covered and reported manipulated truths, and in some cases even accused Ma3azef's management of 'rape', encouraging absolutist condemnations,
- (3) The second alleged victim's part of the story was not present in reporting, and reporting encouraged absolutist condemnations.

Having said that, "sensationalism cannot be discussed without taking into account the views currently gathering momentum that news is a construction; a frame, packaged by news producers and journalists to advance one kind of interest and another or one ideology or the other" (Uzuegbunam, 2013)<sup>10</sup>. In other words, sensationalist journalism and reporting also play on polarisations and the favouring of one ideology over others—usually favouring ideologies dominant among their intended audience.

Instead of taking this as moment of reflection on their own media practices and on their own social responsibility, the majority of platforms took this as an opportunity to attack another media platform, creating further distractions from the actual problem and causing financial and reputational damage and harm to institutions and individuals. We also noticed through this analysis, that the first alleged victim released her statement at a point in time, when stories of the killings of women were circulating in the media and in social media, and when a transnational women's strike was being organised.

In addition to that, we have noticed that most platforms expressed their support to the first alleged victim, while the second was completely overlooked, based on the absolutist conviction that the second alleged victim was an accused perpetrator in the first statement. However, although it is not impossible for someone to be a victim and a perpetrator at the same time, the second alleged victim had already been associated to be on the side of the 'bad', and thus less deserving of support. Surprisingly, the general discourse on media platforms did not condemn the alleged perpetrator, who had been accused of sexual assault by both victims, as much as they did to Ma3azef

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<sup>10</sup> Uzuegbunam, Chikezie. (2013). Sensationalism in the media: the right to sell or the right to tell? *Journal of Communication and Media Research*. 5. 69-78.

and to the second alleged victim. This is not to say that platforms should have necessarily condemned the alleged perpetrator.

It was also surprising that the same media platforms did not question the role the venue and the other co-organiser had played in the alleged incident. This media bias brings some very urgent and pressing questions to the surface and those need to be further explored:

- Where can we position media platforms within the chain of accountability and responsibility? What role have they played?
- Why are media platforms selective in offering support to victims/survivors? What power dynamics come into play in this selection? What is this a reflection of?
- What gives more voice to one victim over an other?
- How can we find a balance in line with 'we believe survivors', when alleged victims are also alleged perpetrators?
- How does readership engagement affect the journalistic process?

### 3.6 Loose Use of Terms

We have noticed, through this assessment, the consultations and in previous research, that people from different Arabic speaking countries describe abusive practices in different ways and understand them differently. For example, "we found that in Arabic-speaking countries, most abusive practices are called taḥarrush "harassment," as this word is used to describe both sexual and non-sexual harassment, as well as practices that could be classified as bullying"<sup>11</sup>.

In the way the alleged incident was described in the first victim's first statement was as 'rape', in the supporting statements the alleged incident was sometimes described as taḥarrush "harassment," assault 'ā'tydā', and in others as rape āḡṣāb. In the statement of the second alleged victim the alleged incident was described as sexual assault 'ā'tydā'jinsi. We noticed that there is no consistency in the way the alleged incident was described.

This inconsistency reflects two main issues (1) there is not a unified way through which sexual abuse is talked about, and (2) this represents one of the main reasons why many cases of sexual abuse fall into the cracks and do not get addressed. The loose use of terms also makes it even difficult to respond to SEAH cases, because "to be able to respond to violence and abusive practices both generally and within

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<sup>11</sup> Abu-Assab and Nasser-Eddin (2021): [Organisational Safeguarding Best Practices and Procedures: A Toolkit. Towards Transnational Intersectional Feminist Accountability Frameworks to Respond to Exploitation, Assault, Abuse, Harassment and Bullying.](#)

organisations we must be able to name them, identify them as they occur, and describe them in case of reporting<sup>12</sup>.”

Similarly, terms were used very loosely by the media in reporting the alleged incident, and in social media reactions, and not only in relation to the alleged assaults, but also in relation to Ma3azef’s management, its team and the alleged perpetrators. Words such as ‘rapists’, ‘rape apologists’, ‘rape enablers’, were used to describe several Ma3azef team members.

This irresponsible use of words, unfortunately, can lead to making them ‘lighter’, and potentially undermining the experiences of victims of sexual abuse. It is very important to emphasise that incidents of sexual violence, including rape and assault, are gross human rights violations that must not be taken and treated lightly. It is in fact our collective responsibility to ensure that such irresponsible usages of terms are called out. Some victims fear disclosing their experiences as they worry, they might be taken lightly, blamed and/or not believed.

### 3.7 What is in a ‘Safe’ Space

This assessment demonstrated that not only alleged ‘crimes’ were treated lightly, but also safety, security and wellbeing of people were taken lightly at different points in time. The assessment brought to the forefront questions around ‘safe’, ‘alternative’, and ‘underground’ spaces. Descriptions of the party, whether in the statements or throughout the consultations, drew a very grim picture of the space at which the alleged incident took place. It has become clear through the consultations that it is very important to understand and locate ‘the space’ and ‘the scene’ within general politics in Lebanon.

As expressed by many, the party took place at a time where a ‘revolutionary’ feel was prevalent in the city of Beirut, which came with the spirit of ‘permissibility’ as opposed to authority and policing of bodies and spaces. ‘The scene’, ‘the space’, and ‘alternative spaces’, also interestingly reflected the public dynamic. The party was a space where all was permissible- chanting against the regime, rule of law, and for the revolution.

The organised party, where the incident allegedly took place, was advertised as an ‘underground party’, 970 tickets were sold at a price of 5,000 Lebanese Lira, alcohol was offered at very cheap prices, and drugs were sold and used in the venue. There were different narratives around whether the venue had security personnel or not, some attendees said there was a maximum of three, and others said they saw no one.

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<sup>12</sup> Abu-Assab and Nasser-Eddin (2021): [Organisational Safeguarding Best Practices and Procedures: A Toolkit. Towards Transnational Intersectional Feminist Accountability Frameworks to Respond to Exploitation, Assault, Abuse, Harassment and Bullying.](#)



Some also pointed out that the space did not have health and safety measures, there were fire hazards and potential risks of falling off windows.

It was very interesting for us to see that there is an assumption that 'alternative' spaces are by default 'safe'. This is, however, a flawed assumption, because all spaces are reflections of the world we live in, and they do not operate in a vacuum away from politics, and they are not protected from abusive practices. In such spaces, we need to practise care for ourselves and for others around us. The party was described as 'not safe' and having 'bad vibes', and the alcohol being cheap and bad, drugs were being sold, and several instances of aggression took place and there was no one there to respond or remove aggressors away from the venue. These circumstances push us to ask and start conversations around our own individual accountability, and its relationship to collective accountability- as us the individuals eventually constitute the collective.

## 4. Ma3azef Specific Findings

This part of the assessment explores the gaps, processes, relationships, and dynamics within Ma3azef as an organisation. By exploring these aspects, we are not only addressing technical organisational aspects but also relationship dynamics, which constitute a high-risk area in relation to safeguarding from SEAH and other forms of abuse. The events explored in the previous sections can be understood as an indicator that there are other organisational issues that need to be explored and addressed. For this reason, this section presents findings from the assessment and presents recommendations to address organisational gaps in terms of processes, procedures, relationships, and accountability.

To remind the reader, this assessment explores Ma3azef's Accountability Frameworks in terms of:

1. Governance and Leadership,
2. Projects and Activities,
3. Complaints Response Mechanisms,
4. Partnerships.

This interrogation of Ma3azef's infrastructure and risk to SEAH revolved around three methods of analysis:

- (1) Relational Analysis: This approach to analysis will be based on Ma3azef's relationship to its personnel, general society, funders and partners, in addition to internal team dynamics.
- (2) Gap Analysis: This approach to analysis revolves around identifying gaps in policies, procedures and processes within the organisation, and an analysis of human and social resources available within the organisation.
- (3) Process Analysis: This approach to analysis focuses on processes taking place on a day-to-day basis within the organisation overall.

In relation to the alleged incident and its aftermath, Ma3azef's responsibility is related to the lack of appropriate reporting channels, the lack of documentation, the lack of due diligence processes, and the lack of clear management processes. These can be summarised as follows:

1. Ma3azef not having a vetting process for the selection of venues.
2. Ma3azef not having a vetting process for artists and staff members, including those present at the party.

3. Ma3azef not having codes of conduct, organisational preparedness to risk, security and risk mitigation plans, policies for conduct at parties, and a drug and alcohol consumption at events.
4. Ma3azef not having written contracts and agreements to regulate the relationship between the different organisers.
5. Ma3azef not having complaints response mechanisms.
6. Ma3azef not having clear lines of management at the time of the event, which meant it was not clear who was responsible, considering the ED's three months sabbatical leave.
7. Ma3azef not having editorial guidelines/policies in place that set rules around the credentials of the artists they cover.

The assessment demonstrated that Ma3azef has an informal zero-tolerance policy towards (1) sexual harassment, and (2) normalisation with the Zionist occupation. This policy is informally communicated among its personnel. In its code of conduct, Ma3azef states that it “has a zero-tolerance policy, and does not tolerate discrimination, harassment, sexual exploitation or any behaviour or language that is abusive, offensive or unwelcome.”

The consultations and some documented material evidence also showed that on different occasions Ma3azef's management has warned people from bringing some artists, and banned covering some artists, including the alleged perpetrator, due to their aggressive, inappropriate or sexually violent behaviours.

In relation to the statement published by former Ma3azef employees, CTDC has developed a timeline (see Annex 1) based on material evidence and on conversations, which demonstrates that the reasons behind their resignations and/or dismissal had no direct relation to the alleged incident. The assessment also demonstrated that in fact the decentralised decision-making process was one of the reasons why the alleged incident fell into the cracks, especially that they were no clear lines of reporting. In reference to the abuse referred to in the former employees' statement, the assessment and material evidence confirmed that management only dismissed people when a number of internal informal complaints were filed against them by co-workers, either due to their performance or conduct and/or behaviours.

The following sections start with themes that emerged through the assessment, and which created the conditions for the misrepresentation of facts, and sheds light on findings related to overall accountability frameworks within the organisation.

## 4.1 The Founder's Dilemma

### 4.1.1 Findings

It became apparent through this assessment that Ma3azef had bad management practices that are not only related to the alleged incident but also related to its accountability processes and governance structures in general. These bad management practices are directly related to what has been termed “the Founders Dilemma”<sup>13</sup>.

Ma3azef as a small organisation is not exceptional in it having this dilemma, as we see that often in organisations where founders are also managers. This dilemma means that innovation and having innovative ideas about projects is not enough to lead organisations, as management requires very different skillsets.

The term ‘one man/woman show’ has become so common to describe leadership and management of Arabic-speaking organisations, where organisations are led by their founders. However, in the case of Ma3azef, leadership around the editorial process was centralised, yet management was decentralised. It is important to highlight here that although Ma3azef’s founder was its ED, decisions related to event planning, and day to day management was delegated to the team. This delegation of authority, although very important when organisations have processes and procedures, its timing in terms of Ma3azef’s organisational capacity at the time of the alleged incident was not the wisest decision, as it was not properly documented.

This has meant that lines of responsibility and accountability around the alleged incident became blurred, and this has allowed for the misrepresentation of facts. The assessment revealed that Ma3azef’s leadership was excellent in relation to innovation, teaching, mentorship, knowledgeability, intellectual input, providing learning and networking opportunities.

It also became clear that Ma3azef has a leading role and an added value in the cultural scene and the music industry. This further supports the idea that founders’ roles are very different from managers, and for organisations to succeed their founders should not remain CEOs. This was one of the main findings in relation to Ma3azef’s leadership and governance, the organisation is now at a stage, where it needs to move towards a separation of duties between the founder and management.

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<sup>13</sup> For more on the Founders Dilemma see (a) [Wasserman, Noam \(2008\) the Founder's Dilemma in Harvard Business Review](#), and (b) Wasserman Noam (2012) *The Founder's Dilemmas : Anticipating and Avoiding the Pitfalls That Can Sink a Startup*. Princeton N.J: Princeton University Press.

## 4.1.2 Recommendations

### 4.1.2.1 Founder's Position

- It is very important for the former ED to be reinstated and to return to work, however, this needs to be done gradually to ensure a transition into a new position.
- This position would allow the former ED to focus on content creation, editing and innovation.
- This position may be called creative/content director.
- This also needs to be accompanied by the development of a clear job description for this position.
- The current interim director can then move to a more defined role as either a director of operations or managing director.
- Clear job descriptions will need to be developed for all these roles.

## 4.2 Ma3azef's Organisational Development

### 4.2.1 Findings

It is very important to keep in mind where Ma3azef was in terms of its organisational development at the time of the assessment, and before that. As it was founded by three people with similar interests, Ma3azef initially operated informally as a collective. With time, and as its work and funding started expanding, the need to shift towards more formalised working mechanisms emerged. At the time of the alleged incident, Ma3azef did not have any clear policies, processes, procedures, HR mechanisms, adequate contracts, organisational structure, lines of management, and many other tools that are necessary for the management, sustainability, and accountability of organisations.

It is important to note here that in terms of documentation Ma3azef has very few official documents, which constitutes a very high-risk area for the management in general, not only in relation to accountability frameworks, but also in relation to the institutional memory of the organisation. For example, the lack of documentation creates blurry and unclear management lines and processes, and under such circumstances so much can fall into the cracks.

Similar to many other organisations that work on issues around the Arabic-speaking region, registration as private companies is the easiest and most convenient to get, if collectives decide to attain a formal registration. However, this also comes with

limitations related to how people are recruited, hired, and fired, and come with legal and financial risks to those enlisted as shareholders.

Organisations with similar registration are very widespread, and most of them seek to employ talents from the Arabic-speaking regions. These talents are often hired on 'fixed-term consultancy' contracts, with no institutionalised employment and/or labour rights, and at the same time organisations with such registrations are not legally permitted to put their personnel on a payroll outside of the country where they are registered. In addition to that, as Ma3azef is dependent on funding, funding does not provide for end of employment compensations or paid sick or parental leaves. Many organisations face major financial stresses due to that, and team members are heavily affected.

Funding bodies and donors also share part of the responsibility when organisations fail to respond to cases of SEAH. It is common for funders to provide funding for projects and activities, without providing organisational development and/or capacity building support for small organisations. It is also very alarming that funders are still providing funding to organisations that do not have complaints response mechanisms, and/or adequate safeguarding policies, and/or accountability frameworks. It is also not uncommon for organisations to develop policies only to respond to donor needs and requirements, rather than policies that they can implement and enact.

#### 4.2.2 Recommendations

##### *4.2.2.1 Ma3azef's Organisational Development*

- As Ma3azef is moving towards institutionalisation, there is an urgent need for it to carry out different types of organisational development work.
- This work must include capacity building, development of policies, procedures and processes, as well as strategy development.

##### *4.2.2.2 Recommendations for Funders*

- Funders must dedicate money for the organisational development of the small organisations they fund.
- Funders must also exercise due diligence in the granting and funding process- this should include carrying out organisational capacity assessments and providing assistance and support.
- Funders must undergo capacity building themselves in relation to safeguarding and accountability frameworks.

## 4.3 Board Oversight and Safeguarding

### 4.3.1 Findings

- Ma3azef is registered as a company limited by shares in England and Wales, whereas this is not unusual for small organisations founded initially informally, this constitutes a risk as there is no oversight over the executive team, including founders, appointed Executive Directors, and other team members.
- At the moment, there is no board to oversee Ma3azef's overall operations, including annual budgets, mission, vision, objectives, policies and procedures, and strategic plans.
- This is considered a high-risk area for the organisation in relation to accountability and safeguarding.
- The current lack of board means that decision making processes are not clear.
- It also means that there is no effective body to resort to in cases of internal conflicts, within the executive team.
- It also reflects a lack of external conflict management mechanism processes.
- The lack of a board constitutes a major challenge to the work of Ma3azef and its flow of work processes and professional relationships.
- There are currently no safeguarding policies and procedures in place, which are important to respond to cases of sexual exploitation, abuse, harassment and bullying, and are also important to manage safety and security risks to personnel and other stakeholders.

### 4.3.2 Recommendations:

#### 4.3.2.1 Board Establishment and Selection

- It is important for Ma3azef to establish a board consisting of five people.
- Board members are to have a supervisory role, which could be formalised through shareholding in order to ensure that they have decision making powers.
- Ma3azef to develop a legal document stipulating board powers in relation to decision making, and clarifying that Ma3azef operates as a not for profit entity, despite its limited company registration, meaning that board members do not receive dividends.

- It is important that board members represent people from different professional backgrounds, as these can be assets for Ma3azef's work. These can include backgrounds in fund raising, safeguarding, legal counselling, media and the music industry.
- It is also very important that board members are interested and invested in the Ma3azef's mission, vision and direction, and have the passion to invest time in the organisation.

It is important that selection of board members is done through:

- (1) Nominations/Invitations by Ma3azef's Team and Partners: Nominations are highly recommended, as a small team involvement in board selection will encourage a culture of participation and increase feelings of ownership over the work and the vision of the organisation, and involvement of partners will encourage a culture of transparency and openness with external stakeholders.
- (2) Open call for board members: following the release of the call for board members, applications must be reviewed based on merit, and priority should be given to those with skills/areas of expertise lacking within Ma3azef. Following the selection, it is advised that shortlisted applicants go through interviews by (1) senior management, and (2) junior staff members, and (3) partners including donors and funders.

#### 4.3.2.2 Roles

- It is important for Ma3azef to draft clear ToRs for board members, these ToRs can be developed in collaboration with the whole executive team.
- It is important for the board to develop and become involved in developing safeguarding policies and procedures.
- Traditionally board members provide oversight over the work of executive directors, this does not mean that board-executive interaction must be limited to the executive director.
- It is highly recommended that the board remains in direct contact with the rest of the executive team.
- Board members also act as line-managers of the executive director.



In addition to the general oversight role of the board, ToRs must include:

- (1) The board's role in relation to safeguarding and receiving internal and external complaints.
- (2) The level and limit of board involvement in decision making- for example, deciding on whether to apply for funding or not, or approving the organisation's annual budgets, accounts, or reviewing feedback/personnel evaluation, etc. (these can be developed at a later stage).
- (3) Any additional skill or talent or experience individual board members can offer (to keep track of human resources available for Ma3azef).
- (4) The number of hours per month required from each board member.
- (5) Board members and the executive team must have at least one meeting every six months.
- (6) It is recommended that the board meets among themselves for a minimum of four times a year.
- (7) Board members must respond to calls for meetings in cases of emergencies and when their expertise is needed.
- (8) Board members must meet with individual members within the executive team, senior and junior.
- (9) It is highly recommended that the board develops a complaints and grievances policy and mechanisms.

#### 4.4 Ma3azef's Relationship to Personnel

##### 4.4.1 Findings

- As with the majority of small organisations that operate and hire regionally, Ma3azef faces relational and contractual challenges, due to the virtual and transnational working environment, work load, unclear job descriptions and HR processes, lack of salary scales, unclear lines of management, and unclear contractual engagements.
- It is very difficult for the team to meet face to face, and have offline meetings; this amplifies the challenges of working online.

- These challenges have resulted in conflicts and misunderstandings between Ma3azef and former employees, and could result in further severing of relationships within the current Ma3azef team.
- These challenges also result in different levels of investment in the work contractors carry out.
- Current contracts are lacking in job descriptions, job titles, clauses on safeguarding and zero-tolerance towards SEAH (Sexual Exploitation, Abuse, and Harassment), conditions of engagement such as freelance, consulting, legally registered employment, duration of the contract.
- The current legal standing and registration of Ma3azef does not allow for formal employment of personnel in countries outside the UK- as for employment to be legally recognised personnel must be registered on PAYE. Personnel in countries outside the UK must be put on consultants' contracts to ensure that these contracts reflect the reality and the actual terms of engagement.
- Virtual working patterns and working from different locations increases the possibilities of miscommunications and misunderstanding among Ma3azef's human resources, and constitutes a threat to their wellbeing ability to work as part of a team.
- There is an evident lack of clear processes for disciplinary action, this causes demoralisation among the team, and may produce an environment hostile to feedback and constructive criticism. Blaming and shaming individuals for misconduct or behaviour is a trigger for an unfriendly organisational culture.

#### 4.4.2 Recommendations

##### 4.4.2.1 Terminology

- The fact that Ma3azef does not have clear forms of engagements with personnel. This creates an unnecessary and avoidable confusion and potential conflicts within the organisation and could also lead to different levels of engagement among people.
- For this reason, it is important for Ma3azef to refer to its people as personnel, whether employed or contractors. The use of personnel in communications including contracts, HR, security policies and safeguarding policies is essential.
- Legally, and according to UN standards, personnel refers to “officials, staff members, consultants, individual contractors, volunteers, experts on mission,

other categories of non-staff personnel and contingent members”. This also includes the board of directors, and partners.

- This definition should be included in HR policies, as well as contracts.
- The use of this term will provide Ma3azef with the legal protection it needs, and will also accurately reflect Ma3azef’s relationship to its personnel, their rights and their duties, avoiding potential confusion and conflicts.

#### 4.4.2.2 Contracts

- At the moment, contracts do not reflect either Ma3azef’s expectations from personnel, or its personnel’s expectations around their rights, duties, benefits, among others.
- There are several ways to resolve this issue, such as developing more exhaustive contracts. The contract must protect the organisation legally and clearly define the legal relationship with contractors.
- Contracts must also include the organisation’s mission and values.
- Contracts must also be either time-based or deliverable-based. In cases, where contracts are time based monthly invoices must be submitted with timesheets.
- Timesheets must not be used to monitor personnel by the minute, or the hour, but rather used to provide evidence of the work. On the long run this will enable Ma3azef to plan its project/programme time better. It should be emphasised that timesheets are not going to be used to provide evaluations for their work, but must be treated as evidence and a way to track time needed for work.
- Due to the nature of virtual and flexible working hours, it is recommended that Ma3azef develops a flexible working hours policy, clearly stipulating personnel’s availability and the working hours expected from them.

#### 4.4.2.3 Commitments to Personnel’s Wellbeing

- It is highly recommended that Ma3azef develops predictable, fair, clear and transparent processes for disciplinary action.
- It is highly recommended that Ma3azef’s policies include a policy on internal communications, strictly abiding to values such as integrity, confidentiality, open communications, safety, security and wellbeing, as well as use of slurs and language.

- As the majority of Ma3azef's personnel are contractors, this group of labourers are considered to be particularly at risk in relation to job security.
- Ma3azef cannot legally or financially provide protection for these contractors, however it can offer some rights and benefits as part of its duty of care for all personnel, and within the bounds of its budgets.
- These moral, rather than legal, commitments could also be included in consultants' contracts, under moral/voluntary/optional commitments and this can be framed as:

“Ma3azef recognises the particular challenges freelancers, consultants, contractors and carers on short-term contracts face in relation to the precarity of their work, job insecurity and the increasing economic pressure on marginalised groups. In acknowledgement to these challenges, under this contract we morally, beyond legal commitments, commit to the following provisions to our personnel.”

Depending on Ma3azef's capacity, these commitments could include:

- In cases of termination of contract, two months' notice period.
- Offering end of service payment (equals xx month's salary for instance).
- Offering space for collective care (such as team-time meetings- which are considered optional meetings).
- Offering opportunities for participation in trainings, workshops, and learning opportunities.
- Offering support and mentorship, during times of high workload.

These can be added to the contract and should be included in the HR Manual.

## 4.5 Human Resources

### 4.5.1 Findings

- At the moment, Ma3azef's human resources practices constitute a high-risk area of governance.
- An HR Policy is absent.
- HR decisions are made on an ad-hoc basis without a formal process.
- Staff hiring, firing and exit processes are not formalised.

- There is an informal process that informs the firing of individual employees, and it is mainly done when informal internal complaints are received by the former ED and the interim director about the performance or conduct of specific team members. This process was not documented, but was verified by more than two people.
- The current code of conduct does not include any HR processes and/or procedures, and is framed as statements and principles rather than processes and procedures to enact them.
- As a small organisation, with a small team, having an HR department is not necessary. However, it is necessary to have policies, processes and procedures in place.
- Current HR management processes are not clear.
- Current HR processes do not include clear salary scales, which constitutes a high-risk area in Ma3azef's HR management.
- Due to the lack of a clear recruitment policy, it has been difficult for Ma3azef to recruit suitable personnel for its work and find the right hires.
- HR processes do not include any sections on disciplinary action.

#### 4.5.2 Recommendations:

##### 4.5.2.1 HR Manual

- It is highly recommended that Ma3azef develops an HR manual in a participatory manner.
- This can be done through a number of consultative sessions with personnel.
- The HR manual must be applicable to all Ma3azef's personnel.
- The HR manual must include moral commitments in a section.
- The HR manual must include anti-discrimination, anti-harassment, bullying and, abuse clauses.
- The HR manual must include references to Ma3azef's safeguarding policy.
- The HR manual must clearly stipulate Ma3azef's mission, vision and objectives.

- The HR manual must include a salary scale that is sensitive to the different locations staff are based.
- The HR manual must include Ma3azef's processes and procedures for disciplinary action.

#### 4.5.2.2 Recruitment Process

- The HR manual must include a section on recruitment processes within Ma3azef, this should cover the full recruitment cycle, from advertising, application reviews, interviewing processes, vetting, referencing, commitment to equal opportunities, probation periods to exit interviews.
- It is recommended that all staff members are encouraged to participate in the selection process, this is to ensure equality and diversity and to also allow junior staff members a voice in that selection. This involvement could be done during the interview process, where applicants are interviewed at two stages; by (1) senior management, and (2) junior staff members.

#### 4.5.2.3 HR Responsibilities

- We recommend that HR responsibilities particularly issues related to staff well-being and performance are handled by two people, the Managing Director and the line manager of the personnel.
- The line manager, supported by the Managing Director and the board, can lead evaluation processes for the majority of personnel, and deal with issues related to their day-to-day work, including leaves, working hours, division of labour, etc.

#### 4.5.2.4 Policy Development

- Whereas the HR policy is currently a priority, there is a need to also develop more policies to create an integrated accountability and safeguarding system covering all other gaps.
- We encourage the development of policies that particularly address the type of work Ma3azef does.
- In some cases, these can constitute part of a full HR package, and can be integrated into the HR policy. In this case, the HR policy must be tailored in a way to make it applicable to all personnel, and not only employees.

These may include:

- Conflict of Interest Policy
- Whistle-blower's and Protection from Retaliation Policy
- Privacy and data protection policy
- Anti-corruption, bribery and fraud policy
- Social media policy/guidelines
- Communication policies
- Equal opportunities and anti-discrimination
- Flexible working hours policy
- Contractual Changes Policy (new contracts, replace older contracts).
- Financial Policies
- Safeguarding from SEAH Policy
- Safety, Security and Risk Preparedness Policy
- Complaints and Grievances Policy and Mechanism.

\* Important Note: Policies lay out the grand rules, these policies need to be supplemented with procedures- these can be developed in the form of standard operational procedures (SOPs), which can be annexed to the HR Manual, or to the policy in question.

#### 4.5.2.5 Identifying Talents

- We highly recommend that the recruitment process is laid out in a way to ensure the identification of skills and talents among potential employees/personnel.
- The recruitment process may include pre-hiring written tests, recommendations from previous line managers, and former colleagues, evidence of previous work.
- For the type of work Ma3azef does, it is important for the interview process to include non-traditional questions, such as scenarios that present dilemmas to candidates, explores their perception about particular situations, etc.

## 4.6 Internal Visibility and Communications

### 4.6.1 Findings

- Working virtually as a team, through the internet, in many instances reduces the visibility of the work of some team members.
- This challenge is common among teams that operate remotely.

- There is an evident disconnect between the roles different team members play within the organisation, and this reflects a need to connect and coordinate between the different projects.
- The lack of communications also results in compartmentalising the team and its spirit.
- Written communications, using DM Apps such as Slack, is not effective and causes misunderstandings and anxiety among personnel.
- There is an evident lack of communications between team members.
- It was obvious through consultations that Ma3azef's organisational culture fosters an isolated working environment, where individuals often work independently, rather than as part of a team.
- Current working processes reflect that there are bottle necks that stand in the face of smooth delivery of deliverables.
- The heavy work load stands in the way of team communications and visibility of work deliverables.

#### 4.6.2 Recommendations

##### 4.6.2.1 Leadership Rotation

- Setting a leadership rotation process, through which every week one team member accompanies and assists the managing director in the day-to-day management of the projects.
- This will encourage interaction between team members and provide a mentorship opportunity for them to develop their management skills, and so that they become more aware of the human resources available to them at Ma3azef.

##### 4.6.2.2 Project Presentations

- Every two weeks, have team members provide presentations to share their work with others in a structured manner. This will increase the visibility of their work internally, and will increase their commitment to the organisation.



#### 4.6.2.3 Clarity in Communications and Processes

- It is highly recommended that Ma3azef develops processes for communications among team members- for instance if a team member requires editorial support, there needs to be a process in place that clarifies how to request the support.
- Similar to communications processes, all aspects of the work require clear processes. For instance, if Ma3azef is producing an article, the whole process needs to be laid out with the steps and specifying a timeline.

#### 4.6.2.4 Use of Shared Drives and Archives

- We recommend the use of either shared drives or servers, on which all work products are archived by project type, and by relevance to operations. For instance, policies, processes and procedures must also be made available via such folders.
- It is advisable that personnel are provided with equal access to documents shared on the folder.
- It is highly advised to ensure that the folder is organised, user friendly and files are easily accessible.

### 4.7 Ma3azef's Production

#### 4.7.1 Findings

- Ma3azef is located in a very unique position between the music industry, journalism and the cultural scene. This unique position may create a clash of interest, between being involved in music or reporting on music and critiquing it.
- There is also a clear conflict of interest between being involved in organising live performances and in being music journalists.
- The activities carried out by Ma3azef do not seem to always fall under the same mission and objectives.
- Ma3azef relies heavily on social media to deliver its auditory and written outputs.

- Outputs are rigorously checked, and edited to ensure that they meet Ma3azef's publishing standards.
- These standards have been held through team spirit and the passing on of expertise and understanding between team members.
- It became evident that one of Ma3azef's strongest work aspects is its editing process.
- It is clear that Ma3azef's team loves and is proud of the work they produce.
- However, it became also clear that the team feels that there is a heavy workload, which sometimes impedes the production process.
- Ma3azef's editorial guidelines are not codified, but are rather passed on through individual mentorship.
- Due to the fact that there are no editorial guidelines/policies in place, conflicts and misunderstandings and heated debates have emerged and may continue to emerge as a result.
- Heated debates about who to cover and who not to cover are present within the team, due to the lack of a clear policy.
- There are no social media/editorial/language guidelines.

#### 4.7.2 Recommendations

##### 4.7.2.1 Defining the Mission, Vision and Strategy

- It is highly recommended that Ma3azef carries out significant organisational development work, where it develops its strategies, mission, vision and objectives.
- This work should also define Ma3azef's activities, ensuring that they reflect its mission, vision and strategies.

##### 4.7.2.2 Production Guidelines

- It is very important for Ma3azef to develop different types of production guidelines. This would help greatly in reducing tensions and misunderstandings among team members.

- Those guidelines can be developed in a participatory way in consultation with different team members.
- The editorial and language guidelines must establish rules that dictate the style, structure, strategy and ethics of production to ensure consistency. They may also lay down production processes, and set timelines for each step within the process.
- As Ma3azef relies on social media and on its web presence to deliver its outputs, it is highly recommended for it to develop social media guidelines.
- Social media guidelines may include explaining use of language, general style guidelines, post approval process, purpose of social media, etc.

## 4.8 Reporting and Management:

### 4.8.1 Findings

- Currently, there are no clear lines of management.
- There is not an up to date organigram.
- Roles and job descriptions are unclear.
- Due to that, there is not clarity around workflow processes.
- This leads to confusion, feelings of uncertainty, instability and lack of clarity.
- There are no monitoring and evaluation systems/processes/activities in place- there is also a lack of feedback mechanisms.

### 4.8.2 Recommendations

#### 4.8.2.1 Organisational Structure

- There is an urgent need for Ma3azef to develop an organisational structure that reflects the roles and responsibilities and the actual workflow.
- There is a need for a clear organisational chart, which must be made accessible to all personnel.

- It is highly recommended for the management of Ma3azef to be divided among two people, with different skillsets: (1) Managing Director, and (2) Director of Content/Creative Director.

#### 4.8.2.2 Draft ToRs

- It is highly recommended for Ma3azef to develop new Terms of Reference for all its projects/activities.
- ToRs must include purpose and structure of projects, project personnel, scope of a project, outlines responsibilities of the team.
- Job descriptions must include job titles, job purpose, job duties, required qualifications, and working conditions/locations.
- This will help personnel in contextualising their work within Ma3azef as a whole, and will make people's roles clearer and more visible.

### 4.9 External Relationships

#### 4.9.1 Findings

- The only contracts that currently exist with external parties are with (1) donors, and (2) external consultants.
- There are no contracts that regulate the relationship between Ma3azef and other stakeholders.
- This constitutes a very high-risk area, as it does not protect either Ma3azef or the other party.
- It is evident that current engagements with external parties are based on informal verbal agreements.
- This means the rights, duties and responsibilities of each party are not clear and are not binding.
- This also constitutes a threat to third parties, in cases where Ma3azef organises an event at an external venue, and there are no contractual obligations to protect and safeguard.
- There is not a formal vetting process for partners.

## 4.9.2 Recommendations

### 4.9.2.1 Regulate External Relationships

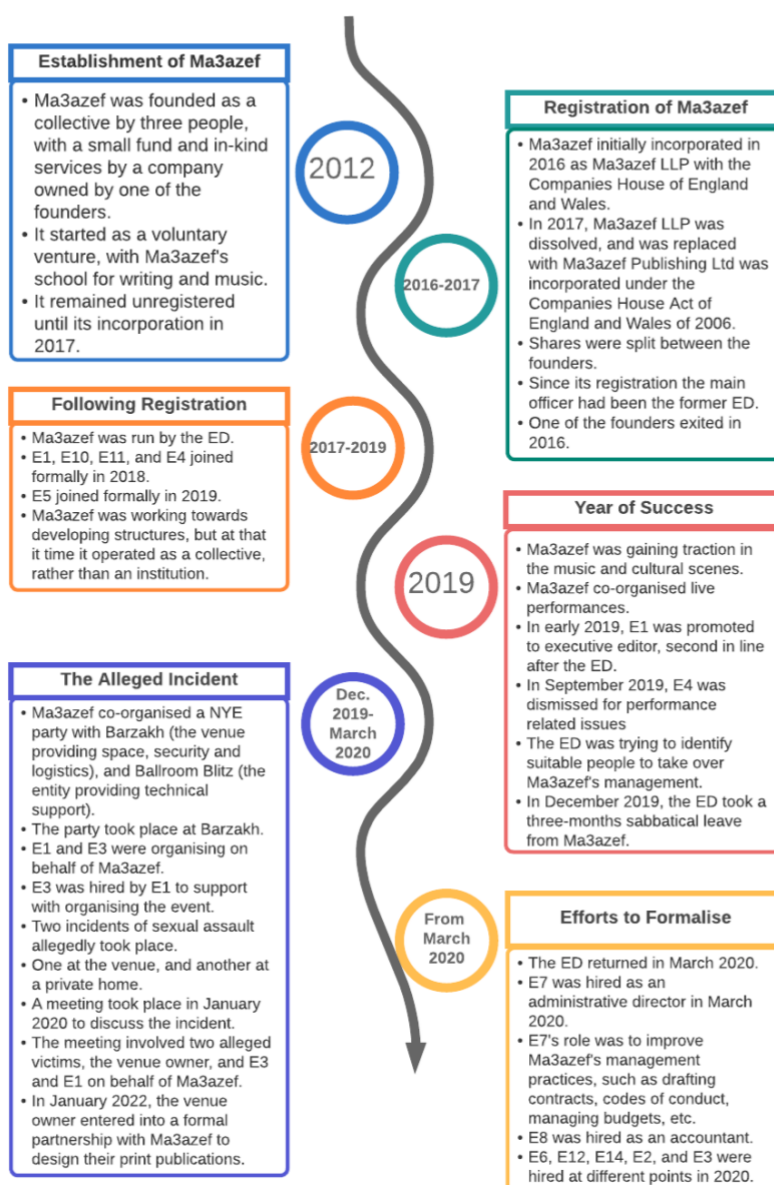
- It is highly recommended for Ma3azef to regulate its relationships to external stakeholders.
- This regulation could be in the form of a contract/memorandum of understanding.
- These contracts/MoUs must organise the nature and limitations of relationships.
- There should be a process available for partners to file complaints.
- Means of communications and focal points must be included in the contracts/MoUs.
- It is advised that an accountability process is discussed early on while formalising relationships.

### 4.9.2.2 Develop a Vetting Process

- It is highly recommended for Ma3azef to develop a process for vetting partners, including venues where events are hosted.
- This vetting process could include different methods of communications, such as recommendations, internet researches, references, security and risk assessments, organisational capacity assessments, etc.

# Annex I: Ma3azef's Timeline

## Ma3azef Timeline Part 1



## Ma3azef Timeline Part 2

