



Institutional Policy

Protection of beneficiaries from sexual exploitation, abuse and harassment

Operations Division
2011 - Update 2019

IP | 03





On 24 January 2018, Handicap International’s global movement became Humanity & Inclusion. The Federation, which runs projects in around sixty countries, is now working under the operating names of “Humanity & Inclusion”, “Handicap International” or “Atlas Logistique”. Any document with the letterhead “Humanity & Inclusion” applies de facto to Atlas Logistique and Handicap International teams.



Institutional Policy

Protection of beneficiaries from sexual exploitation, abuse and harassment

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1.

Introduction

1.1 Why this policy on the protection of beneficiaries from sexual exploitation, abuse and harassment (PSEAH)?

Through this policy, Humanity & Inclusion (HI) expresses its determination to:

- Combat the sexual exploitation, abuse and harassment of children and vulnerable adults benefiting from or impacted by HI's intervention.
- Implement measures to reduce risks on its programmes, whatever the context.

HI reaffirms its policy of zero tolerance of any form of sexual exploitation, abuse or harassment.

HI also encourages its staff to consider their actions and the potential consequences of these actions.

This is a revised version of the PSEAH policy, replacing the version published in 2011. It was approved by the Directorate in April 2019.

1.2 Scope of application

This policy applies to HI as an institution and to all those collaborating with HI, notably people having signed a permanent or fixed-term employment contract with HI, family members accompanying international staff, trustees, consultants, interns, voluntary workers or international volunteers and people invited onto HI's premises or programmes, service providers and partners. For all those under HI's responsibility (people having signed a permanent or fixed-term employment contract with HI, family members accompanying international staff, trustees, interns, voluntary workers or international volunteers and people invited onto HI's premises or programmes), this PSEAH policy applies to all situations, professional or otherwise, during and outside working hours. It is HI's responsibility to ensure that everyone is informed of the existence and content of this policy.

2.

Definitions

Sexual Abuse¹:

Sexual abuse refers to actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Sexual Exploitation²:

Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual Harassment³:

Sexual harassment is the act of repeatedly subjecting a person to unwelcome verbal or physical conduct of a sexual or sexist nature when such conduct either compromises the victim's dignity through demeaning or humiliating words and actions, or creates an intimidating, hostile or offensive environment for the victim.

Any form of intense pressure, even if not repeated, with the actual or perceived goal of obtaining sexual favours, whether for the offender or for a third party, is also considered to be sexual harassment.

3.

Policy statement: Preventing sexual exploitation, abuse and harassment

3.1

Sexual exploitation, abuse or harassment of children and vulnerable adults benefiting from or impacted by HI's intervention constitutes inappropriate behaviour and shall lead to disciplinary action. Our Code of Conduct sets forth the "expected behaviours and practices constituting the organisation's minimum standards and actions to be avoided".

↳ See [Code of Conduct: Prevention of abuse and safeguarding](#)

1. Secretary-General's Bulletin on "Special measures for protection from sexual exploitation and sexual abuse" (ST/SBG/2003/13), 9 October 2003.

2. Idem

3. Extract from article 222-33 of the French Penal Code.

3.2

Sexual activity with persons under the age of 18 is prohibited regardless of the age of majority or age of consent locally⁴. Mistaken belief in the age of a person is not considered a defence.

3.3

Exchange of money, employment, goods, services or any type of assistance for sexual favours is prohibited.

3.4

Sexual relationships between a person collaborating with HI, as defined in point 1 of this policy, and aid beneficiaries are strictly prohibited, as they are based on an inherently unequal power relationship and undermine the credibility and integrity of HI's work.

3.5

HI undertakes to ensure that all its collaborators as defined in point 1 of this policy understand the principles and provisions of this policy, as well as its whistleblowing and monitoring procedures.

3.6

All persons collaborating with HI as defined in point 1 of this policy, and especially managers, at whatever level they operate, are expected to create and maintain an environment that prevents sexual exploitation, abuse or harassment.

Preventing a culture of complacency and impunity requires continuous effort. Managers, in particular, must be familiar with and enforce this policy. They must be proactive in the supervision of their teams.

All persons collaborating with HI as defined in point 1 of this policy must take the risks of sexual exploitation, abuse or harassment into consideration with regard to given activities and contexts. Risk reduction strategy must be a matter of constant concern.

3.7

HI undertakes to provide assistance to any whistle-blowers reporting behaviour that is contrary to this policy and to ensure specific assistance and support for the victims of sexual exploitation, abuse or harassment by any persons collaborating with HI as defined in point 1 of this policy.

4. Except in the case of legally-recognised marriage.

Victims will be informed that perpetrators of sexual exploitation, abuse or harassment remain fully responsible for their acts, even if assisted by HI on the grounds of the presumption of innocence.

When a conflict of interest exists between the victim and another involved person, the desires of the victim shall take priority when handling the case, especially where there is a risk of further physical and/or emotional ill-treatment.

4. Implementation and procedures

4.1 Recruitment, selection and induction

All candidates seeking employment with HI shall undergo a thorough recruitment process and submit to background checks.

Anyone having signed a permanent or fixed-term employment contract with HI, accompanying family members, trustees, consultants, as well as interns, international volunteers and voluntary workers engaged by HI shall be informed of this PSEAH policy. HI's Code of Conduct also contains a clause concerning safeguarding

against exploitation, abuse and sexual harassment.

Employment contracts contain a clause stipulating that HI employees undertake to comply with PSEAH policy.

4.2 Whistleblowing procedure

The following procedure applies when suspected or alleged cases of sexual exploitation, abuse or harassment are reported:

The person initially informed of the case shall:

- either inform the on-site Safeguarding Policies Officer,
- or the Regional Director/Programme Director/Country Director/Country Manager,
- or use the whistleblowing mechanism consultable on HI's internet and intranet sites.

If the sexual exploitation, abuse or harassment has been committed by a Regional Director/Programme Director/Country Director/Country Manager, the person concerned shall:

- either inform the Operations Division Director
- or use the whistleblowing mechanism consultable on HI's internet and intranet sites.

In concrete term, any concerns or suspicions should be reported in good faith, but no attempts should be made to investigate further in order to obtain proof or establish a report. It is prohibited to take sanctions against anyone reporting an incident in accordance with adapted procedures.

If the person accused is an employee, he or she shall be immediately suspended until the allegations have been investigated and appropriate measures taken. In other cases, HI shall immediately prohibit access to its premises, materials and activities until the allegations have been investigated and appropriate measures taken. HI shall, if necessary, ask its partners to suspend or remove the person accused until the allegations have been investigated and appropriate measures taken.

Disciplinary measures shall be taken against the HI employee in accordance with the gravity of the misconduct and applicable provisions, notably the law applicable to the contract and internal rules of procedure.

For the same reasons, HI shall officially request the partner organisation to take appropriate measures with the accused person.

In any case, should a member of its local or international staff be accused, HI shall not obstruct local legislation and shall take all necessary steps to ensure fair judicial proceedings.

Any false, malicious or contemptuous statements made against a person having signed a permanent or fixed-term contract with HI, or against accompanying family members, trustees, consultants, interns, international volunteers or voluntary workers engaged by HI, shall be investigated and the appropriate measures taken, including disciplinary measures.

4.3 Confidentiality

In all matters relating to this policy, the obligation of confidentiality must be respected. Therefore no information provided by children and/or other individuals about any form of sexual exploitation, abuse or harassment shall be made public without the prior consent of the child /his or her parents / his or her legal guardian and/or the person reporting the incident.

Victims and whistle-blowers must be kept fully informed at all times of the process underway for handling the incident and of its outcome.

All concerns, allegations or disclosures shall be reported in writing. Reports shall be as precise as possible, giving an exact account of what happened, how it happened etc. and including the sequence of events and all subsequent actions taken. All reports shall be kept under lock and key and access to them shall be restricted to the Regional Director / Programme Director / Country Director / Country Manager, under HQ

supervision (Geographical Division Directors and Human Resources Director). Any transfer of information (either verbal or electronic) shall be done in such a way as to guarantee its confidentiality.

Should the allegation concern staff from another organisation, the Regional Director / Programme Director / Country Director / Country Manager shall decide how to approach the issue with the organisation concerned before reporting it to a third party, and with due regard to local legislation.

4.4 Procedure with partners

HI shall not enter into a partnership agreement with organisations whose staff or members are liable to commit acts of sexual exploitation, abuse or harassment against beneficiaries, as described in section 2 of this policy. Any proven allegations of such practices shall result in HI's termination of the partnership agreement unless the partner commits to and effectively ensures a radical change in behaviour.

5.

Monitoring/Evaluation

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Policy and practices are monitored permanently.

The Regional Director / Programme Director / Country Director / Country Manager is responsible for information on policy and practice, as well as for monitoring all matters relating to abuse within the HI network and for reporting them to the Safeguarding Policies Officer, Operations Director and Human Resources Director at HQ.



Other documents concerning protection

- Humanity & Inclusion. Code of conduct: Prevention of abuse and safeguarding. Lyon: Humanity & Inclusion, January 2018
- Humanity & Inclusion. Child protection policy. Lyon: Humanity & Inclusion, 2007, Updated 2019
- Humanity & Inclusion. Reporting suspicions on fraud and abuse. Lyon: Humanity & Inclusion, 2018



Protection of beneficiaries from sexual exploitation, abuse and harassment

This paper presents the policy and measures adopted by Humanity & Inclusion to prevent and combat the sexual exploitation, abuse and harassment of beneficiary populations by humanitarian workers.

Humanity & Inclusion
138 avenue des Frères Lumière
CS 78378
69371 Lyon CEDEX 08
France

publications@hi.org

