Developing and implementing a policy to protect against sexual exploitation and abuse

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Scenarios

- A staff member asks you to help him because he has received death threats after investigating sexual exploitation of a child by a RC volunteer.

- A young woman brings a baby to your National Society and says the father was wearing a RC vest when he raped her.

- What do you do?
Key Policy Elements for Protection from Sexual Exploitation and Abuse for IFRC and Red Cross Red Crescent National Societies

- Sexual exploitation and abuse (SEA) relates to behaviour by staff, volunteers and contractors toward affected populations. The IFRC uses the following definition of SEA as stated by the Inter-Agency Standing Committee (IASC):

- **Sexual Exploitation:** 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 Abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
Accountability to affected people and principles

- Sexual exploitation and abuse is gross misconduct and, as per cases of fraud or corruption, affects the integrity and accountability of the organization.

- In addition to harming persons, SEA erodes integrity and harms the public trust and confidence in an organization and thereby undermines its work.

- Therefore, SEA is not addressed only as a sexual and gender-based violence issue but also as an integrity and ethical organizational concern since it affects a humanitarian agency’s principles and contradict its core values.
Complaints and investigation mechanism

- An organization is to respect complainants and alleged perpetrators as equals before the law and ensure that they have access to a fair, safe and confidential complaints and investigation process that is spelled out and implemented through a PSEA policy.
- It is important to emphasise that for the policy to be effective and have “teeth”, it is the responsibility of IFRC and each National Society to implement it and work with experts and authorities to achieve this.
- There would need to be tracking systems as part of the reporting process.
2. Implementation of the Code of Conduct

*Staff responsibility:*

Staff are responsible for ensuring that they have read and understood the Code of Conduct. They also have a duty to inform beneficiaries of their service and those under their care of the code of conduct that Staff must adhere to, as well as how and to whom to report any misconduct or failure in the standard of their treatment.

Staff have a duty to report any breach of this Code to the appropriate person (*refer to Contact information*). All reports and concerns raised will be properly considered and treated with discretion. The organisation will take all necessary steps against any form of retaliation suffered by Staff reporting possible breaches of this Code.
Community engagement

Red Cross launches first community engagement and accountability guide

- Engaging closely with affected people in developing feedback complaints mechanisms is key
- Evaluations of major emergency responses routinely identify lack of communication with and engagement of affected communities as a key weakness
- In February 2017, ICRC and IFRC launched a new guide on ways to effectively and systematically engage communities as a means of improving programme quality and building safer and more resilient communities
Recommendations by Norlha

The most common and general recommendations include¹:

- Gather systematically sex-, caste- and age-disaggregated data prior and during activities performed
- Ensure that both women and men are consulted on priority needs (consultations should be conducted together and separately; it’s important that men and women are also consulted individually as issues raised might differ)
- Set-up gender balanced assessment teams
- Join existing gender support networks and coordination systems²
- Consider hiring a gender advisor to ensure that women, men, boys’ and girls’ differentiated needs are met in the field
- Ensure that staff engaged in relief and reconstruction support are aware of how to integrate a gender perspective into their actions
- Perform a gender needs assessment (if such an evaluation hasn’t been done by others)
- Identify and cooperate with women grassroots organizations
- Ensure equal representation and participation of women, men, girls and boys in all phases of the recovery process
Decisions by the 2015 International Conference and the 2017 General Assembly

- The 32nd International Conference in 2015 adopted a Resolution that condemns sexual and gender-based violence (SGBV) in all circumstances, particularly in armed conflict, disasters and other emergencies.

- The Resolution also calls upon all components of the Movement “to adopt and enforce zero-tolerance policies on sexual exploitation and abuse of beneficiaries by their staff and volunteers, and subject these individuals to sanctions for their actions”.

- The first aim of the PSEA policy process is to bring to the General Assembly in 2017 a decision where National Societies commit to adopting a PSEA policy by an agreed timeline and with agreed minimum elements in their specific contexts.
Mapping of resources and needs

- Not much is known about the extent that National Societies have established principles and practices in place to address SEA. A scoping study in 2016 received one PSEA policy from a National Society (Turkey).

- The scoping study found that approximately 50 National Societies have rules and codes of conduct that are relevant to protection from sexual exploitation and abuse.

- An extensive and deeper mapping of the PSEA situation among National Societies is necessary.

- An assessment can identify resources and research that we can learn from and utilise to strengthen our collective work in PSEA.
Mapping of resources and needs

- To support National Societies in their effort to develop, adopt and implement their own PSEA policies, IFRC provides some key elements. They are based on examples and practices from other international organisations (i.e. The UN and the Inter-Agency Standing Committee).

- IFRC wrote a draft PSEA policy in 2010. The plan for 2017 is to adopt a PSEA policy for the Secretariat that includes a functioning community-based complaints mechanism, assistance to victims guidance, a training and awareness-raising plan and budget.
IFRC resources
# Preliminary list of considerations

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<th>OVERVIEW</th>
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| Setting the stage  | • How are you defining SEA (note existing international definitions)?  
|                    | • What existing National Society rules should be cross-referenced?  
|                    |   (For example, your staff regulations, code of conduct, rules on whistleblowing, anti-retaliation, power abuse, harassment, respectful workplace environment, child protection, background checks of candidates and staff).  
|                    | • Who is responsible and accountable for policy implementation?  
|                    | • Who are your focal points?                                                                                                                                  |
Preliminary list of considerations

Procedures for reporting, responding to and tracking sexual exploitation and abuse.

- Are there community-based complaints and feedback mechanisms in place?
- What are the reporting responsibilities of staff or volunteers who are aware of a situation of SEA?
- Who should be receiving complaints and how can they be made in a manner that makes complainants feel safe? Will you use a “hotline”?
- What special procedures will you apply to complainants who are minors?
- What is the investigation process and composition of investigative teams?
- How will you ensure confidentiality, data protection, protection against retaliation?
- How will you ensure that relevant cases are reported to the police?
- What internal disciplinary procedures are available and how can they be decided?
- What procedures will be put in place for data tracking, reporting, monitoring and evaluation?
Preliminary list of considerations

- How will you ensure (through direct provision or referrals) that complainants have effective access to:
  - Timely collection of medical and legal forensic evidence, including rape and PEP kits?
  - Legal representation?
  - Support for medical, psychological or social needs related to the exploitation or abuse?
  - Support for emergency shelter if needed?
- What economic compensation can be made available for complaints confirmed by investigation (or imposed by court proceeding)?
- How do you handle cases of children born because of sexual exploitation and abuse, keeping the best interests of the child in mind?
**Preliminary list of considerations**

| Training and awareness raising | • How will you ensure that all staff and volunteers are appropriately trained on gender, child protection, diversity and power abuse issues as they relate to sexual exploitation and abuse?  
• Has your National Society held “Seven Moves” trainings?  
• How will sexual exploitation and abuse issues be addressed in partnership agreements?  
• How will manager and staff responsibility in performance reviews reflect their obligations related to sexual exploitation and abuse complaints?  
• Have you discussed with partner organizations and/or a UN Humanitarian Coordinator how to jointly strengthen protection from sexual exploitation and abuse? |

## Preliminary list of considerations

| Budget | • How will resources be allocated to ensure adequate training, a PSEA focal point, procuring [Minimum Initial Service Package](#) (including rape and PEP kits), if appropriate, assistance to victims, and other relevant activities? |

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[Minimum Initial Service Package](#)
Challenges and opportunities

• How do you wish to organize the preparation of a PSEA policy?
• Which units would be involved?
• Are there NGOs in your area that could share best practices?
• How would you involve local women’s organizations in preparing the policy?
• How could you link RC expertise in for instance health to the policy development?
• Do you collect annual data on sexual exploitation and abuse cases?
• How many cases have been reported?
• What are the most typical sexual exploitation and abuse cases and risks?
Challenges and opportunities

• How would you engage with youth and volunteers to make sure a policy takes their perspectives into account and that they share it widely?

• A review of responses to IFRC Organizational Capacity Assessment & Certification (OCAC) indicators 29 (violence prevention) and 71 (accountability to affected people) would be very useful. Now these are called # 17 and # 63.

• How can IFRC support you in preparing a policy?

• Which National Societies would be ready to develop and adopt a policy in 2018? (IFRC has committed to supporting 15 NS each year in 2018, 2019 and 2020.)
QUESTIONS AND COMMENTS?

Written questions may be sent to tina.tinde@ifrc.org