

# **Sexual Exploitation and Abuse Prevention and Response Policy & Procedure.**

## **Introduction**

As an organization, CISP is mandated to respect and protect vulnerable people at risk. Despite many years of attention in the humanitarian and development sector, new cases continue to be reported and many remain unreported for fear of retribution. It is therefore important that CISP takes further steps to reinforce prevention and response to incidents they could not prevent.

The process of updating PSEA policies and procedures is part of its commitment to prevent sexual exploitation and abuse among CISP staff, partners and beneficiary populations. According to CISP's code of behaviour, it is a requirement that all new and existing staff to be trained on the PSEA policies and procedures. The principles of this policy shall also apply to individuals and entities collaborating and partnering with CISP.

The aim of this policy is to ensure the well-being of survivors, accountability and integrity engagement with members of local communities.

The policy first outlines examples of acts of sexual exploitation and abuse as defined by WHO. This is followed by a detailed description of CISP's background checks, beneficiary population, collaborators and victims of SEA. The policy also outlines CISP's core principles and commitments towards preventing SEA, and further gives a clear description of internal reporting mechanisms, investigation and follow-up systems regarding possible SEA-related violence. Included in the policy is also a guide on how to include gender at the workplace, SEA, and Child Protection in job interviews.

## **Definition:**

**Sexual exploitation** - any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or 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.

**Sexual exploitation and abuse** also include sexual relations with a child, in any context, defined as:

**Child** - a "human being below the age of eighteen years"

**Examples of acts of sexual exploitation and abuse** – As per WHO definitions.

- Sexual assault (defined as "any unwanted or forced sexual act committed without consent") or threat thereof. Sexual assault can occur either against a person's will,

by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol. Force includes:

- actual physical aggression, including but not limited to: rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing);
  - threats of physical aggression; – emotional coercion; and/or
  - psychological blackmailing.
- Unwanted touching of a sexual nature
  - Demanding sex in any context
  - Making sex a condition for assistance
  - Forcing sex, forcing someone to have sex with anyone
  - Forcing a person to engage in prostitution or pornography
  - Refusing to use safe sex practices
  - Videotaping or photographing sexual acts and posting it without permission
  - Alleging or threatening to allege that anyone already has a history of prostitution on legal papers
  - Name-calling with sexual epithets
  - Insisting on anything sexual, including jokes that may be uncomfortable, frightening or hurtful
  - Telling someone that they or anyone else are obliged to have sex as a condition for anything

**Background Checks** - as part of **CISP's** pre-recruitment practices for both potential staff and nonstaff members, candidates are required to disclose any history of criminal verdicts including, as relevant, of disciplinary actions imposed by existing or former employers, and, where relevant, clearance through the criminal investigation department (CID).

**Beneficiary population** - refers to the people **CISP** works with and/or serves or seeks to assist across the world, who are typically in situations of vulnerability and dependence vis à vis **CISP** staff. Beneficiaries are individuals who are direct or indirect recipients of humanitarian/emergency or other WHO action in any duty station. Among such individuals, women and children are particularly at risk of sexual exploitation and abuse (SEA).

**Collaborators** - individuals who work for **CISP** as non-staff members including consultants, holders of Agreements or letters of agreement, Temporary Advisers, Interns, and Volunteers, as well as third party entities such as vendors, contractors or technical partners who have a contractual relationship with **CISP**.

**Partner** – an organization, through its personnel and collaborators, executing a project or undertaking any other work in the name of, under contract with, or for the benefit of **CISP**.

**Victim** – the person who is, or has been, sexually exploited or abused.

**To this end, CISP is committed to abide by the following Core Principles:**

- **CISP** prohibits sexual exploitation and abuse and considers such acts as serious misconduct, which may constitute grounds for disciplinary sanctions, including summary dismissal, and criminal proceedings.
- **CISP** prohibits any acts of sexual abuse or sexual assault as illustrated in the examples above and forbids the exchange of money, employment, goods, assistance or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour towards the beneficiary populations in Somalia.
- **CISP** strictly forbids sexual activity with children (persons under the age of 18), regardless of the local age of consent or majority. Mistaken belief regarding the age of a child is not a defense.
- Staff who deliver professional health services directly to beneficiaries have a duty not only to abstain from having sexual relationships with the people who receive their services, but also to report any instance where they may suspect or detect signs of SEA by virtue of the nature of their function.
- **CISP** is committed to informing and educating partners about the Sexual Exploitation and Abuse Prevention and Response Policy and holding them to the global agreed standards.
- The issue of sexual exploitation and abuse will systematically be integrated into information campaigns, trainings and meetings with beneficiary populations vulnerable to SEA.

**\*The principles of this policy shall also apply to individuals and entities collaborating and partnering with CISP.**

**CISP Commitments**

To aid in implementing this Policy and in educating CISP Employees and Related-Personnel, CISP management commits to:

- As part of prevention of SEA, and in order to raise awareness, all CISP staff will be required to undertake and successfully complete the SEA training module. Introduction to SEA issues Policy and Procedures will form part of the training, the training module on PSEA and self-awareness is provided in CISP training package annexed. These training, will serve staff to be aware of the ethical values referred to in the current policy, specifically with respect to vulnerable situations. Also, staff will become aware of suspicious situations, as well as recognize the signs of SEA, and provide practical information on how to assist victims of SEA, if signs of SEA are identified or if a victim approaches them to complain about SEA.

- In compliance with applicable laws and to the best of our abilities, prevent perpetrators of sexual exploitation and abuse from being rehired or redeployed by **CISP**. This could include use of background and criminal reference checks.
- Take appropriate action to the best of our abilities to protect persons from retaliation when allegations of sexual exploitation and abuse are made in good faith.
- Investigate allegations of sexual exploitation and abuse involving **CISP** Employees in a timely and professional manner, and to the best of our ability encourage Related Personnel to do the same. This includes the use of appropriate interviewing practices with complainants and witnesses, particularly with children. Engage professional investigators or secure investigative expertise as appropriate.
- Provide basic emergency assistance (medical, legal) and basic psychosocial support as appropriate and feasible to complainants of sexual exploitation and abuse.
- Create and maintain mechanisms to systematically educate **CISP** Employees and Related-Personnel and the communities we serve on measures taken to prevent and respond to sexual exploitation and abuse.
- Employees must undertake to create and maintain an environment that promotes implementation of this Policy.
- Managers and supervisors at all levels have particular responsibilities to support and develop systems that maintain an environment that facilitates implementation of this Policy and which is free of exploitation and abuse.

### **Implementation and adherence.**

- Assure the dissemination of content and standards of the policy at the CISP regional and field offices and take all necessary steps to ensure implementation and adherence to the SEA policy by all respective workers and stakeholders.
- To create and develop an environment that prevent sexual exploitation and abuse, abuse of power and corruption and promote adherence to this policy and any other similar instruments complementing this policy.
- To require to all staffs and other incentive workers under MoU with local authorities or line ministries to endorse the policy signifying their personal commitment to adhere to it and its provisions.
- To monitor the implementation of and adherence to the provision of the policy by all the staffs and report accordingly.

- To ensure that in every reported breach of the provision of the SEA policy, necessary administrative, administrative and disciplinary measures will be taken without undue delay.
- Based on the gravity of proven cases of SEA involving a staff members, and in addition to any criminal verdict that may result from legal proceeding for cases that are referred to national authorities for criminal prosecution, or other measures taken against the staff member concerned, to apply disciplinary measures pursuant of the Staff Rules and code of conduct, including as applicable summary dismissal.
- To apply disciplinary actions to staff members who are proven to have failed to report SEA or to have encouraged or condoned SEA to happen.
- To trat malicious reporting of SEA without evidence or reasonable suspicions with the intention of harming another person's integrity or reputation as misconduct subject to disciplinary action.
- In the case of SEA involving incentive staffs under MoU with local authorities or line ministries, vendors, suppliers and other subcontracted partners, to immediately terminate contractual relationships

## **Annex 1: Interview Questionnaires**

### **How to include gender at the workplace, SEA, and Child Protection in job interviews;**

*Men and women working together;*

- Do you think there is any difference working together with a man or with a woman? What is the difference for you? How do you handle those differences?
- Do you think there is any difference having a man or a woman supervising you? What is the difference for you? How do you handle those differences?

*If these questions are not working well, try:*

- Do you think a woman could work as a driver? Why?
- Do you think a man could work as a nurse? Why?

*Sexual Exploitation and Abuse;*

- What kind of power do you think this job gives you in the community?
- How do you think this power could be abused?
- What do you think should be done if someone abuses his power working for CISP, for example giving support in return for money or sexual favours?

*Openness to change (this question is particularly important for staff that will be involved in awareness raising for example);*

- *For protection, health, and other staff:* Do you think the roles of men and woman should always stay the way they are? If you would be open to change, what do you think could or should change, and are there some things you believe should always stay the same? If you would like the roles to stay the way they are, why do think that is good?
- CISP values culture, tradition, and religion. However, we believe that some traditions can be harmful, and we should work towards changing these aspects. What do you think about such change?

*Representing the values of CISP in work and daily life;*

- A colleague is working to raise awareness against Gender Based Violence in the community. At the same time, you know he is sometimes beating his wife violently. Do you think this is a problem? Why? How would you respond?
- If you choose to work for CISP, it means that you will follow the code of conduct and represent the values of CISP even outside of work. Sometimes, you may find that those values are different from the ones that you agree with personally. How would you deal with this?

*This question can be rephrased as;*

- If you choose to work for CISP, it means that you will follow the code of conduct and represent the values of CISP even outside of work. This means for example

you are not allowed to have sexual relationships with someone below 18 years of old. What is your opinion about this?