



Policy on the Prevention of
and Response to
Sexual Exploitation & Abuse

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Signed:

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1. Policy Statement

Canadian Women for Women in Afghanistan (CW4WAfghan) works to promote and protect human rights, dignity and empowerment. In line with our mandate, our organization is committed to fostering and sustaining a safe environment through proactive, accessible, and effective approaches that seek to prevent and respond to sexual exploitation and abuse. We recognize that vulnerable populations in particular are at risk of sexual exploitation and abuse (SEA) and that we all share a responsibility to take steps to prevent SEA. CW4WAfghan has a zero tolerance policy towards all forms of SEA and towards all perpetrators of SEA including when perpetrators are from within the aid and development community.

To this end, CW4WAfghan personnel will demonstrate integrity and the highest standards of conduct in both our professional and personal lives at all times, and will not abuse the power and trust that comes with being part of our organization. CW4WAfghan personnel and representatives have an obligation to not abuse their power and influence over the well-being of the participants and community members in communities where we work. CW4WAfghan's leadership treats all SEA concerns and complaints seriously, will rigorously apply this policy, including taking appropriate disciplinary action when warranted.

2. Policy Purpose

This policy defines and describes what CW4WAfghan considers to be SEA and explains the organization's rules with regards to SEA and the actions we will take in response to reports of SEA. The policy also aims to prevent sexual exploitation and abuse through education and by clearly communicating to our personnel and representatives the reporting mechanism in place and how we will respond to disclosures and reports effectively, confidentially, and in a timely manner.

3. Policy Scope

This policy applies to all CW4WAfghan employees, consultants, interns, and contractors (herewith all referred to as personnel) and other representatives including volunteers, board members, partners, suppliers, trainees and donors on visits to CW4WAfghan (herewith referred to as representatives).

This policy covers actual and suspected acts of SEA that could be perpetrated by CW4WAfghan personnel and representatives against individuals in the communities in which we work and provides a guide for employees to make ethical decisions in their professional and personal lives.

4. Related Policies

This policy should be read in conjunction with the following other policies in effect at CW4WAfghan, which cover related areas:

- [Child Protection Policy](#) (related area: sexual abuse of minors)
- [Code of Conduct](#) (related area: harassment in the work place)

4. Policy

CW4WAfghan does not tolerate SEA in any form. Our organization acknowledges that attention to SEA is particularly important given the prevalence and silence surrounding this issue and that, as an organization working to promote and protect human rights, CW4WAfghan must play an active role in preventing and responding to SEA. We must do all we can to prevent, report, and respond appropriately to instances of suspected SEA, and we commit to support survivors whether or not they choose to make a report through our reporting mechanisms or through other legal means.

It is the duty of all personnel and representatives not only to adhere to this policy but to report concerns regarding potential sexual exploitation and abuse of others by our personnel or representatives. Any violation of these standards is a serious concern and will result in disciplinary action, up to and including termination of employment.

Roles & Responsibilities

Personnel and all other representatives must never:

- a) Engage in sexually exploitative relationships with members of the communities in which we work. This means no exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour;
- b) Engage the services of sex workers, due to the above mentioned prohibition against exchange of money for sex, irrespective of the local or national law regarding sex work or the laws of their home country;
- c) Engage in sexual relationships with beneficiaries of direct assistance from CW4WAfghan or program participants because of the inherent conflict of interest and potential for abuse of power in such a relationship;
- d) Request any service or sexual favour from members of the communities in which we work, in return for anything – including protection, assistance (goods or services), or employment, nor imply the same;
- e) Support or take part in any form of sexually exploitative or abusive activities, including child pornography or trafficking of human beings;
- f) Fail to report any allegation, concern, or suspicion of the SEA of another person.

Personnel and all other representatives must at all times:

- a) Refrain from sexual activity with children (any person under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence. The Child Protection Policy details the process for handling concerns regarding potential child abuse;
- b) Treat all beneficiaries, members of the communities in which we operate, and other employees or members and representatives with dignity and respect at all times;
- c) Actively contribute to creating and maintaining a culture that prevents SEA, encourages reporting, promotes the implementation of our Code of Conduct, the Child Protection Policy, and this policy;
- d) Be aware that sexual exploitation and abuse constitutes an act of gross misconduct and are grounds for termination of employment; and may be subject to prosecution;
- e) Report anything they see, witness, suspect or are told about regarding possible exploitation or abuse of people in the communities in which we work, including potential abuse by other NGO workers or volunteers;
- f) Be aware that concerns about the absence of evidence or a lack of clarity over consent are not reasonable grounds to delay or fail to report concerns about exploitation or abuse. Failure to report a concern may lead to disciplinary action;
- g) Treat any information communicated to them in connection with any part of this procedure as confidential, including an investigation into allegations of exploitation or abuse;
- h) Cooperate fully and promptly in any investigation of exploitation or abuse under this policy. Personnel or representatives who deliberately provide false information or act in bad faith as part of an investigation may be subject to disciplinary action;
- i) Personnel or representatives of CW4WAfghan who are survivors of sexual exploitation or abuse will not be subject to any disadvantage or be obliged to cooperate in any investigation, if they do not wish to do so.

Managers and Supervisors must at all times:

- a) Recognize their additional responsibilities to support and develop systems that maintain this safe and supportive environment including the provision of confidential and effective routes to reporting;
- b) Ensure that incidents of sexual exploitation and abuse are promptly and adequately addressed. In such cases, managers and supervisors must demonstrate fairness, impartiality, respect for confidentiality and be free from intimidation or favouritism;
- c) Recognize their personal responsibility to communicate and/or properly address any known acts of SEA or abuse of authority. Failure to do so may result in appropriate administrative or disciplinary action.

d) Be free from gender bias and gender discrimination to ensure fairness from a gendered perspective when responding to disclosures or reports. In which case, managers and supervisors must refrain from questions or judgement that imply blaming of the survivor or disbelief of their experiences based on their gender.

CW4WAfghan commits to:

- a) Ensuring personnel and representatives across the CW4WAfghan network are made aware of our policy and principles on the prevention, reporting, and response to allegations of sexual exploitation and abuse, through being provided with a copy of this policy after being hired and during orientation;
- b) Responding to any failure of one of our partner organizations to do all they can to prevent, report and respond appropriately to allegations of sexual exploitation, and abuse shall constitute grounds for CW4WAfghan to terminate the partnership;
- c) Ensuring that reporting mechanisms for employees are gender sensitive;
- d) Taking robust steps to prevent any perpetrators of sexual exploitation and abuse from being re-engaged by CW4WAfghan or other NGOs and organizations. This includes a commitment to procuring and providing accurate references and reporting cases to statutory agencies;
- e) Designate an SEA focal point group at CW4WAfghan.

Reporting Procedure

If an incident of SEA is reported to CW4WAfghan, CW4WAfghan shall:

- a) Thoroughly investigate any actual or potential breach of this policy;
- b) Prioritize the best interests of survivors;
- c) Take appropriate action against personnel and representatives who are found to have committed acts of sexual exploitation and/or abuse, including referring cases to law enforcement agencies, where appropriate, for criminal investigation and prosecution;
- d) CW4WAfghan will require partners whose employees or representatives contravene this policy to report the potential breach to CW4WAfghan and subsequently conduct appropriate internal investigations, should no external agency wish to investigate. Failure to do so may result in funding being withdrawn and their relationship with CW4WAfghan be terminated;
- e) As part of any SEA investigation, CW4WAfghan Representatives shall provide the Survivor with reasonable periodic updates about the status of the investigation. These updates must not include substantive information about the investigation, unless appropriate consents have been obtained from individuals whose personal information would be disclosed.

If any individual is in immediate danger, personnel or representatives should call the emergency number in their country, and then report the matter to the appropriate authority at CW4WAfghan. Once made aware of a disclosure or report, the appropriate authority will consult with the complainant/survivor and undertake an initial risk assessment to identify and implement immediate reasonable measures necessary to protect and support the survivor.

When a report of SEA is made at CW4WAfghan, management will apply the following process:

- a) CW4WAfghan will conduct an investigation that is appropriate in the circumstances into reported incidents and complaints of SEA. CW4WAfghan may conduct a full investigation, even in the absence of a formal complaint, where it is considered appropriate or necessary to do so;
- b) All incidents, concerns or suspicions should be reported to the PSEA focal point; any manager or supervisor; the Executive Director or a board member directly;
- c) The PSEA focal point is responsible for receiving complaints, reports and questions about alleged acts of sexual exploitation and abuse committed by any CW4WAfghan personnel or representative as well as the personnel of other entities wherever approached;

- d) Once a complaint is received, the PSEA focal point will ensure that all materials pertaining to complaints are handled in strict confidence and in line with applicable grievance and complaint handling procedures, and refer complaints/reports to the Executive Director;
- e) Upon referral, the complaint will be treated seriously wherein a preliminary investigation will be conducted followed by a formal investigation where appropriate in the circumstances in pursuit of a resolution that best meets the needs of the complainant/survivor;
- f) The complainant/survivor is entitled to accompaniment by the PSEA focal point or any external personnel when their assistance or cooperation is required during the investigation;
- g) CW4WAfghan recognizes that the decision to report a concern can be difficult and will support those who raise legitimate concerns, regardless of whether or not the concern is upheld. No employee or member reporting a legitimate concern under this policy will have their continued employment or opportunities for future promotion or training prejudiced as a result. Any examples of victimization taking place will be treated as a disciplinary offence.

ANNEX A: Definitions*

Beneficiary of direct assistance	Any person who receives any assistance—including any types of goods and services—from CW4WAfghan or a partner NGO; regardless of the length of time of CW4WAfghan’s relationship with them.
Child	Any person under the age of 18.
Child Sexual Abuse	Child sexual abuse is the involvement of a child in sexual activity that s/he does not fully comprehend, give informed consent to, or for which s/he is not developmentally prepared and cannot give consent, or that violates the laws or social taboos of society. It is evidenced by an activity between a child and an adult or another child who by age or development is in a relationship of responsibility, trust or power, the activity being intended to gratify or satisfy the needs of the other person. It may include, but is not limited to, the inducement or coercion of a child to engage in any unlawful sexual activity, the exploitative use of a child in prostitution or other lawful sexual practices or the exploitative use of pornographic performances and materials.
Communities in which we work	Any geographical location in which CW4WAfghan directly or indirectly operates in, providing either goods or services.
Consent	Informed consent is an ongoing agreement which is voluntarily and freely given based upon a clear appreciation and understanding of the facts, implications and future consequences of an action. In order to give informed consent, the individual concerned must have all relevant facts at the time consent is given and be able to evaluate and understand the consequences of an action. They also must be aware of and have the power to exercise their right to refuse to engage in an action and/or to not be coerced (i.e. being persuaded based on force or threats).
Disclosure	The act of informing a member of CW4WAfghan about an instance of sexual exploitation and abuse for the purpose of seeking support
Emotional abuse	Inappropriate verbal or symbolic acts toward a child or a pattern of failure over time to provide a child with adequate nurture and emotional availability. Such acts have a high probability of damaging a child’s self-esteem or social competence.
Gender-based violence (GBV)	An umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (i.e. gender) differences between males, females, and gender non-conforming people. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. SEA can be seen as a form of GBV, as survivors of SEA are often abused because of their vulnerable status as women, girls, boys, and sometimes men.
Grooming	Generally refers to behaviour that makes it easier for an offender to procure a child for sexual activity. It often involves the act of building the trust of children and/or their carers to gain access to children in order to sexually abuse them. For example, grooming includes encouraging romantic feelings or exposing the child to sexual concepts through pornography.
Neglect	The failure to provide a child (where they are in a position to do so) with the conditions that are culturally accepted as being essential for their physical and emotional development and well-being.
Online grooming	The act of sending an electronic message with indecent content to a recipient who the sender believes to be less than 18 years of age, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender.

Personnel	CW4WAfghan employees, consultants, contractors and interns
Physical abuse	When a person purposefully injures or threatens to injure a child or young person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. The injury may take the form of bruises, cuts, burns or fractures.
PSEA	Prevention of Sexual Exploitation and Abuse.
Report	The act of informing a designated authority who has the purpose to discipline an alleged perpetrator about an incident of SEA for the purpose of initiating a disciplinary or administrative process.
Representative	Those associated with CW4WAfghan. This includes partners, agency workers, consultants, volunteers, trustees, donors on visits to CW4WAfghan programs, contractors, suppliers, and trainees.
Sexual Abuse	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions, sexual assault and rape.
Sexual Assault	Any unwanted act of a sexual nature without the consent of the other person(s). This includes a range of behaviours, from unwanted kissing and touching to rape and/or oral sex.
Sexual Exploitation and Abuse (SEA)	Particular forms of gender-based violence that are perpetrated by humanitarian or development workers across all contexts, particularly in humanitarian settings. These acts can be committed against local communities, beneficiaries of direct assistance, or against CW4WAfghan employees, partners and representatives. 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 Favour	Sexual acts, often in exchange for something such as money, goods or services, includes inappropriate photography and filming. The process of sexual favours often takes place through transactional sex. Transactional sex is a common coping mechanism among people in severe situations of vulnerability.
Sexual Harassment	Any unwanted conduct of a sexual nature, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
Sex Worker	Any person over 18 who receives money or goods in exchange for sexual services, and who consciously defines those activities as income generating; even if they do not consider sex work as their occupation.
Survivor	A survivor is any person who has experienced sexual exploitation and abuse, including individuals who self-identify as a victim or survivor. 'Victim' is a term often used in the medical/legal sectors. 'Survivor' is the term generally preferred in the psychological and social support sectors because it implies resiliency.

*Definitions adapted from the following sources: IASC GBV Guidelines, UNHCR, SCUK PSEA Policy, CARE International Policy on SEA and Child Protection.