

PSEAH Global Policy

1. Policy Statement

Protection from Sexual Exploitation and Abuse and Sexual Harassment (hereinafter PSEAH) is a term used by the international humanitarian and development communities to refer to measures taken to protect people from sexual exploitation, abuse, and harassment by their own staff and associated personnel¹.

Sexual exploitation and abuse and sexual harassment are a violation of fundamental human rights and have always been unacceptable behavior. Association for Aid and Relief, Japan [AAR], as a humanitarian and development organization with its mission to assist those affected by hardships such as conflicts, natural disasters and impoverishments, believe that all people have a right to live their lives free from sexual violence and any abuse of power regardless of ability, ethnicity, faith, gender, sexuality or culture. AAR is aware that we have access to goods and services that put us in a position of power over at-risk children and adults in the communities and that this power imbalance heightens the risk of inducing the occurrence of SEAH.

AAR has a zero-tolerance policy toward SEAH and a responsibility to ensure that all people are treated with dignity and respect. Every staff member working for AAR and our partner organizations must always uphold the highest standards of behavior and accountability with everyone we encounter at all times.

This PSEAH Global Policy outlines both expectations and requirements for AAR employees, our partners, and any individuals related to AAR's work.

2. Scope

This Policy is applicable to all individuals and organizations associated with AAR, whether having contractual relationship with AAR. This includes employed staff,

¹ CHS Alliance, 2020, PSEAH Implementation Quick Reference Handbook, October, 2020, pp. 6

directors, volunteers, interns, consultants, contractors, suppliers, vendors, visitors (e.g., journalists, researchers), and any other relevant individuals and organizations not included in the above-mentioned categories. The Policy applies both during and outside working hours.

3. Definition

3.1 Sexual Exploitation²

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.

3.2 Sexual Abuse³

Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

3.3 Sexual Harassment⁴

Any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person⁵.

4. Basic Principles⁶

In order to protect people from SEAH and to ensure the integrity of AAR activities, the following principles must be adhered to:

4.1 SEAH constitute acts of serious misconduct and are therefore grounds for disciplinary measures ⁷.

² United Nations Secretariat, Secretary General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13), 9 October 2003

³ *ibid*

⁴ Commitments made by donors to tackle sexual exploitation and abuse and sexual harassment in the international aid sector, October 2018. (<https://www.mofa.go.jp/mofaj/gaiko/oda/files/000469200.pdf>)

⁵ Staff who sexually harass another staff are subject to procedures stated under the Anti-Harassment Policy. Staff who are subjected to sexual harassment may do their complaints by using the mechanism stated in the Policy.

⁶ Adapted from UN Secretary General's Bulletin (ST/SGB/2013/13)

⁷ Disciplinary measures, for their nature, apply to contracted staff. In the event that SEAH is committed by those associated with AAR with no employment relationship, i.e., directors, visitors, suppliers, partner organizations; they shall be subject to other actions relevant to the nature of their relationship with AAR, such as termination of appointment as director, immediate cancellation of and future ban of visits to AAR's project sites, termination of supplier contracts and partnership, etc.

4.2 Sexual activity with children (persons under the age of 18) is prohibited regardless of the age majority or age of consent locally under the applicable national legislation. Mistaken belief in the age of the child is not a defense.

4.3 Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes any exchange of assistance that is due to beneficiaries of assistance.

4.4 Sexual activity with beneficiaries of assistance or with sex workers in contexts even if legal is prohibited, since they are based on inherently unequal power dynamics and may undermine the credibility and integrity of the work of AAR.

4.5 Where an AAR staff or associate has concerns or suspicions regarding SEAH by a fellow staff⁸, he or she is obliged to report such concerns or suspicions to AAR through the established reporting mechanisms;

4.6 AAR staff and associates are expected to create and maintain an environment that prevents SEAH. Senior Management has a particular responsibility to support and develop systems that prevent and respond to SEAH, which maintain a safe environment by promoting a culture of open discussion and dialogue among members.

5 Approach to PSEAH

AAR is committed to preventing and combating SEAH through prevention, reporting, and responding detailed in the following clauses. Examples of detailed procedures are attached as Annex (Procedural Guidelines) to be tailored according to the needs and capacity of each office.

6 Prevention

⁸ Regarding SEAH allegations by personnel outside AAR, AAR staff and associates are encouraged to report to relevant complaints handling bodies through external reporting mechanism.

AAR ensures that all AAR staff and associates are aware of the high standards of behavior and adopt exemplary behavior to create, strengthen, and maintain healthy environments and minimize the risks of SEAH. This includes, but is not limited to, promoting awareness among AAR staff and associates and people in the communities, conducting safe staff recruitment, building safe projects and programs and ensuring good practice when using media.

7 Reporting

7.1 All AAR staff and associates are obliged to report immediately any actual or possible SEAH by AAR staff or associates and have a duty to cooperate in investigation processes. One who has witnessed any actual or possible SEAH must report to, consult with, or file complaint in accordance with the Procedural Guidelines. It is strongly advised that he or she prepares detailed written records of all incidents when reporting.

7.2 AAR will not allow any deliberate reporting of false or malicious allegations. False or malicious reporting shall be grounds for severe disciplinary action.

8 Responding

8.1 When any actual or possible SEAH is reported, immediate action must be taken to address the incident in accordance with the Procedural Guidelines while ensuring confidentiality of all parties.

8.2 When allegations of SEAH are substantiated, strict measures including disciplinary actions will be imposed in accordance with the work regulations and other relevant policies and measures to prevent recurrence.

8.3 AAR will not allow any disadvantageous treatment of staff or others as a reprisal for consulting or reporting SEAH or cooperating in investigation process.

9 Related Documents

- AAR Vision, Mission and Code of Conduct
- Human Rights Policy

Version: First Version

Drafted by: PSEAH/CS Task Force

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Approved by: Yoshiteru Horie