

Addressing Sexual Violence in  
Humanitarian Organisations:

Good Practices for Improved  
Prevention Measures, Policies, and  
Procedures



**report**  
theabuse



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## EXECUTIVE SUMMARY

Report the Abuse (RTA), the first global NGO to solely address sexual violence against humanitarian aid workers, has created the first good practices tool to assist humanitarian organisations in their efforts to improve how they address this problem.

As the issue has gained more exposure, humanitarian organisations across the globe have increasingly asked for guidance. This good practices tool, as well as other guidelines and information created by RTA, forms the foundational basis for improved prevention measures, policies, and procedures to address sexual violence against humanitarian aid workers.

Any discussion on this issue must start with why it happens, and to that end RTA's good practices tool begins by examining the most significant risk factor for sexual violence in humanitarian workplaces: organisational culture. Cultures that encourage constructive feedback, address misconduct issues, and provide the information and resources necessary for sexual violence issues to be addressed in a professional and survivor-centred manner are less likely to experience such incidents. Organisational culture not only underpins why sexual violence incidents occur, but why survivors so rarely report incidents. It is the core change that humanitarian organisations must be working towards – emphasising zero tolerance for sexual violence incidents of any nature.

Zero tolerance must start with implementing strong and repetitive prevention measures: including simple and clear messaging about how sexual violence will not be tolerated, combined with appropriate, sensitive, and frequent trainings on the topic. Backed by strong leadership, these measures have the potential to significantly reduce the number of sexual violence incidents that might occur in humanitarian workplaces. Of course any prevention measure, in addition to being understood by all members of staff, must also be supported by policies and procedures that underline both prevention and response.

Comprehensive, holistic, accessible, and survivor-centred policies on sexual violence in humanitarian workplaces serve an essential function: clarifying what is sexual violence, how to report incidents when they occur, and the consequences for perpetrators. The development of such policies must take into account feedback from staff members, in particular national staff, and evaluate the trust they have in the organisation's structure and mechanisms; this allows for the creation of an M&E system to start evaluating how humanitarian organisations are doing to address the issue.

There is a myriad of ways to guarantee staff members fully understand what is acceptable behaviour: starting from recruitment through to the regular signing of a Code of Conduct. Ensuring that the language used in policies on sexual violence is accessible and understood by everyone in the



organisation – from the cleaner to the Executive Director – can be a daunting task; however it is necessary for all members of staff to understand their rights to a safe and healthy workplace, as well as how they must contribute to the creation of one.

It is important to remember that the first people a survivor encounters post-sexual violence can have a strong impact on their entire recovery process, good or bad. Therein lies the significance of developed and operational procedures, the final piece to creating safe and healthy workplaces for all humanitarian aid workers, and the real demonstration that all prevention measures and policies put in place by the organisation function professionally, impartially, and in a survivor-centred manner.

Procedures start with functional and accessible reporting processes that result in transparent, professional, and impartial investigations; they end with accountability for both survivors and perpetrators. Where possible this should involve local justice mechanisms, bearing in mind that in many of the locations where humanitarian operations are undertaken this may not be a reality. In all circumstances though, the priorities must be the support and care of survivors, and the creation of an environment where impunity is not allowed to thrive.

Given the importance of an organisation's culture in preventing incidents of sexual violence, it should be clear that different roles within humanitarian organisations could be vital to addressing this issue. To further

assist humanitarian aid workers at all different levels, we have provided some analysis of how different roles can and must contribute to the creation of safe and healthy humanitarian workplaces, and we actively encourage the empowerment of individuals within such roles to address this problem.

Finally, as part of our continuing efforts to provide support and guidance, for all of the sections noted within this short summary, a series of recommendations has been provided. These recommendations should help to guide implementation of the good practices tool, and in particular assist in the development of M&E measures to determine progress on the issue.

However, humanitarian organisations are also encouraged to expand on the ideas outlined within this tool and use it as a starting or foundational block. The publication of the good practices tool, and other guidance and information created by RTA, should not be seen as the end of work on the issue. This is the starting point, from which we hope others will take up our call to action.

Addressing sexual violence against humanitarian aid workers is necessary, and it must happen now, not tomorrow. It is a real and grave issue that needs to be tackled by all humanitarian organisations, for the benefit of all humanitarian aid workers.

The tools to begin addressing the problem in a comprehensive, holistic, accessible, and survivor-centred manner have now been created by RTA – it is for the humanitarian community to act.



## INTRODUCTION

When Report the Abuse (RTA) was in the process of drafting its *Prevention, Policy and Procedure Checklist*<sup>1</sup>, several issues of concern emerged. The first was that the capacity to address the issue of sexual violence against humanitarian aid workers was low – at the time only 16% of humanitarian organisations examined mentioned sexual violence being a risk to their employees in their external or internal documentation.

The other problem was that no existing good practices could be found. No organisation had a holistic approach to ensuring their employees were protected from sexual violence or how to respond when incidents occurred. There was no standard to which one could hold humanitarian organisations on the issue.

This document is the next step towards the development of that standard. As the first good practices tool to be published on this issue, it is intended to assist humanitarian organisations conduct a stocktaking exercise of their internal prevention and response strategies, before filling the gaps needed to improve their prevention measures, policies, and procedures.

Designed to use in parallel with RTA's *Prevention, Policy and Procedure Checklist*, this tool addresses sexual violence in three broad categories:

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<sup>1</sup> Report the Abuse, *Prevention, Policy and Procedure Checklist*, August 2016 (Report the Abuse, *Checklist*).

prevention measures, policies, and procedures. Within these categories exist a variety of issues to be considered – from staff recruitment to incident investigations – that engage all roles within organisations. Humanitarian organisations must engage with their employees to develop methods that will work for the organisation as well as those most affected by the problem. This must, in particular, involve engagement with national staff.

Preventing and addressing sexual violence against humanitarian aid workers goes beyond one training or one line in a Code of Conduct. Creating the organisational culture needed to appropriately prevent and respond to these incidents, as well as a culture of accountability and safety that all humanitarian aid workers deserve, takes time and commitment. A holistic approach is required, and we believe that this tool will guide humanitarian organisations on that path.

The humanitarian community is rapidly realising that addressing the issue of sexual violence against humanitarian aid workers is an urgent and live need.<sup>2</sup> These good practices begin to fill this need, something increasingly requested

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<sup>2</sup> See Humanitarian Women's Network, available at: [humanitarianwomensnetwork.org/](http://humanitarianwomensnetwork.org/) (Humanitarian Women's Network), as well as Feinstein International Center, *STOP the Sexual Assault Against Humanitarian and Development Aid Workers*, May 2017 (Feinstein International Center, *STOP*).



by humanitarian organisations across the globe.

## METHODOLOGY

Several different types of research methods were used for the drafting of this document, of both a qualitative and quantitative nature. The document also draws on the information gathered and lessons learned during the creation of RTA's previous analysis on the issue<sup>3</sup>, building on the recommendations it set out last year.

In the course of researching this document, the internal prevention and response strategies of more than 100 humanitarian organisations were examined. The safety and security manuals created by many of these organisations were also examined, as well as the training modules for major humanitarian safety and security training organisations.

Information, lessons learned, and concerns were also collected from Human Resources staff, Ombudsman, Ethics departments, Staff Welfare, Safety and Security personnel, and Legal departments. RTA also considered feedback from humanitarian aid workers across the globe – many of whom were survivors of sexual violence wanting to share their experiences and how they felt humanitarian organisations could have done better in their specific situations.

This wide-reaching base of information allowed for the creation of a holistic and comprehensive tool, designed to assist

humanitarian organisations implement sensitive and survivor-centred internal prevention and response strategies to address sexual violence in their workplaces. It is the first step towards addressing the problem, and it is hoped that humanitarian organisations will build on the suggestions set out within, and develop further good practices to be openly shared in the future.

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<sup>3</sup> Report the Abuse, *Checklist*, fn. 1.





## SEXUAL VIOLENCE IN THE HUMANITARIAN CONTEXT

It is important to define the landscape of what we are speaking and consider the scope of what sexual violence means. There tends to be an assumption that sexual violence is a replacement for using the term sexual assault. This is not the case. Sexual violence encompasses sexual assault, as well as other forms of sexually related incidents. When we take a look at the full definition provided on sexual violence from the Inter-Agency Standing Committee (IASC), this becomes clearer:

[S]exual violence includes, at least, rape/attempted rape, sexual abuse and sexual exploitation. Sexual violence is ‘any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic a person’s sexuality, using coercion, threats of harm or physical force, by any person regardless or relationship to the victim, in any setting, including but not limited to home and work.’ Sexual violence takes many forms, including rape, sexual slavery and/or trafficking, forced pregnancy, sexual harassment, sexual exploitation and/or abuse, and forced abortion<sup>4</sup>.

The spectrum of sexual violence is far broader than typically assumed, and includes a range of incidents. For the purposes of this document, as well as others published by RTA, the following list of acts constitute sexual violence:

- Unwanted sexual comments;
- Unwanted sexual touching;
- Aggressive sexual behaviour<sup>5</sup>;
- Attempted sexual assault;
- Sexual assault; and
- Rape.

It is important to note at this stage in the document, as it sets the tone moving forward, that sexual violence acts are typically not about sexual attraction. Rather, they are about power, violence, and control<sup>6</sup>. Prevalent and strongly held ideas about rape, victims, and

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<sup>4</sup> Inter-Agency Standing Committee, *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery*, 2015 (IASC, *Guidelines for Integrating Gender-Based Violence*).

<sup>5</sup> Acts that can fall under ‘Aggressive sexual behavior’ include, *inter alia*, stalking, sending sexually explicit material to an individual, or repeated acts of unwanted sexual comments or touching.

<sup>6</sup> IASC, *Guidelines for Integrating Gender-Based Violence*, fn. 4; WHO, *Guidelines for Medico-Legal Care for Victims of Sexual Violence*, 2003.



the attitudes surrounding both exist in society; rape myths and victim-blaming play into how we respond to sexual violence incidents as individuals and organisations<sup>7</sup>.

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<sup>7</sup>Alicia Jones, *FAQ's about Sexual Assault in Humanitarian Contexts*, Headington Institute, 19 August 2016 (Headington Institute, *FAQ's about Sexual Assault in Humanitarian Contexts*); Dr. Linda Wagener, *Gender Based Violence & the Humanitarian Community*, Headington Institute, 20 December 2011 (Headington Institute, *Gender Based Violence & the Humanitarian Community*).



### *Survivors and Perpetrators*

There are often assumptions about who experiences sexual violence in the humanitarian community, and who is the typical perpetrator. In addition to de-stigmatising the fact that sexual violence occurs in the humanitarian community at all, it is equally important to begin unpacking how it occurs by demystifying the experiences of survivors.

If a humanitarian aid worker experiences sexual violence in the course of their work, the accepted narrative is that it must have occurred at the hands of someone outside the humanitarian community. It can be surprising and distasteful to think that colleagues might be subjecting one another to sexual violence, particular in humanitarian working and living spaces. The reality is, however, that a humanitarian aid worker is far more likely to experience sexual violence at the hands of someone they know, than a stranger or member of the local population<sup>8</sup>.

As of publication, statistics<sup>9</sup> suggested that colleagues perpetrated 64% of incidents reported by humanitarian aid workers. Many of these were between

colleagues in the same organisation, and some also included supervisor-employee abuse of power. While difficult to comprehend, it is vital to acknowledge this reality, as it has a profound impact on how we address the problem. If incidents are more likely to occur in humanitarian living and working places, then humanitarian organisations should be better able to control such situations.

In the humanitarian community, individuals of all races, ethnicities, nationalities, and religions are affected by sexual violence. Humanitarian aid workers at every level and type of organisation have come forward. From the United Nations to local NGOs, men and women are experiencing sexual violence. It crosses the sexual orientation spectrum, and affects both expatriate and national staff<sup>10</sup>. Sexual violence against humanitarian aid workers is grave, real, and pervasive.

Knowing how humanitarian aid workers experience sexual violence is necessary for preventing future incidents from occurring. It helps for identifying risk factors and developing appropriate structures to react to incidents. It is also important for opening up discussions on the topic. Humanitarian aid workers who realise they could be survivors, and

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<sup>8</sup> Report the Abuse, *Survey Data*, August 2017. (Report the Abuse, *Survey Data*).

<sup>9</sup> *Ibid.* All statistics, unless otherwise noted, are from RTA data collection. RTA collected its data through a survey platform, launched on 19 August 2015, where all humanitarian aid workers were able to contribute to the growing picture of the issue. As this was a self-reporting mechanism, RTA does not purport that the data or statistics are a conclusive picture of the situation facing humanitarian aid workers.

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<sup>10</sup> For a comprehensive picture of the emergent data on the issue, refer to: Report the Abuse, *Survey Data*, fn. 8; Insecurity Insight, *Aid in Danger Incident Trends: Sexual Violence against Aid Workers*, 19 June 2017; Humanitarian Women's Network, fn. 2; and Feinstein International Center, *STOP*, fn. 2.



that they are not alone in their experiences, are more likely to report incidents. This creates accountability,

and begins to address concerns about serial perpetrators.

### *National Staff*

Throughout this document, there are references made to the importance of engaging with national staff. This essential piece cannot be sufficiently stressed. While we do not yet have comprehensive data on the experiences of sexual violence when it comes to national staff, information emerging on the experiences of expatriate staff should lead us to the logical conclusion that it is happening to this sector of the population as well.

At all stages of discussion, dialogue, change, and growth, national staff must be consulted. Their voices are vital for contextualising how we address sexual violence in humanitarian workplaces, and, as they make up the majority of humanitarian staff in the world<sup>11</sup>, they should be the primary target of any prevention and response strategies to address this issue.

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<sup>11</sup> OCHA, *Safety and security for national humanitarian workers*, Policy and Studies Series, 2011 (OCHA, *Safety and security for national humanitarian workers*).



## WHY MUST HUMANITARIAN ORGANISATIONS ADDRESS THIS ISSUE?

It is becoming an accepted fact that sexual violence in the humanitarian community happens. The number of survivors speaking is emboldening others to come forward and requires our attention.

At its core, this issue has a human cost, and reflecting on the impact that sexual violence has for survivors should be a driving force behind the humanitarian community changing. At this moment, it is likely that a humanitarian aid worker is being harassed or assaulted, touched in an uncomfortable way, or lying alone in their tent, scared to sleep. This is reality. The fact that such incidents can be prevented should strike all of us to the core.

Furthermore, there are organisational benefits to preventing and appropriately responding to sexual violence against its staff. Healthy and safe staff are more productive, less likely to take time off work, and are more efficient in their working hours. Happier staff translates to less turn-over, allowing for staff development and significantly reducing operational costs. Healthier and safer staff also means better programming, i.e., the local populations are better served<sup>12</sup>.

Humanitarian organisations should also reflect on the reasons why they are not addressing this issue better, why it has not been prioritised. Insufficient funding is often the scapegoat and a legitimate issue; however, asking a donor for funds to create safer workplaces should be actively encouraged, and donors should push for this to happen within the organisations they support.

How can we push for dignity of the local population, protection from sexual violence, and gender equality while neglecting to do the same for our staff? Humanitarian organisations cannot do good work when their internal culture does not reflect what it promotes in the community. We need to start practicing what we preach.

Everyone benefits – from staff to the local population – when humanitarian aid workers have safer and healthier workplaces. It is a real, grave, and imminent issue that must be addressed – not next year or next decade, but now.

### *Duty of Care*

Discussions on sexual violence against humanitarian aid workers inevitably invoke the concept of duty of care. While this tool is not intended to be an in-depth study of the duty of care owed to humanitarian aid workers<sup>13</sup>, it is

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<sup>12</sup> For more discussion on the issue of the benefits of addressing staff welfare issues, refer to: KonTerra Group, *Essential Principles of Staff Care*, 2017 (KonTerra, *Essential Principles of Staff Care*).

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<sup>13</sup> Duty of care as it relates to humanitarian aid workers is receiving increasing attention, and those wishing to learn more information on the topic are recommended to consult the following

nonetheless prudent to mention the two forms of duty of care that should be considered in the course of addressing this issue – legal and moral duty of care.

Legal duty of care refers to those acts that humanitarian organisations are legally obligated to undertake. This might mean the provision of medical care or evacuation in the event of a serious incident. It might mean the maintenance of physically safe work environments and having fire extinguishers in place. Whatever the requirements are, they aim to ensure compliance with relevant laws relating to health and occupational safety.

Moral duty of care refers to those acts that humanitarian organisations should do simply because they are the right thing. This can include providing longer-term medical coverage to former staff once they go off contract,

particularly those who have experienced trauma in the course of their employment.

Do you adhere to legal duty of care? Moral duty of care? Both?

It is for every humanitarian organisation to decide whether they will adhere to legal and moral duty of care, and to what extent. Organisations should reflect on the extent to which they want to uphold broader organisational values, and how the treatment of their staff reflects on their overall operations and reputation.

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resources: Report the Abuse, *Guidance Note: Duty of Care*, August 2017; Edward Kemp and Maarten Merkelbach, *Can you get sued? Legal liability of international humanitarian aid organisations towards their staff*, SMI Policy Paper, 1 November 2011; Christine Williamson, *People management and security risk management*, EISF, 28 March 2017; Kelsey Hoppe and Christine Williamson, *Dennis vs Norwegian Refugee Council: implications for duty of care*, HPN-ODI, 18 April 2016; Maarten Merkelbach, *Voluntary Guidelines on the Duty of Care to Seconded Civilian Personnel*, Swiss Federal Department of Foreign Affairs and Center for International Peace Operations, 2017; Maarten Merkelbach and Edward Kemp, *Duty of Care: A review of the Dennis v Norwegian Refugee Council ruling and its implications*, EISF, 2016.



## RISK FACTORS

As noted above, identifying risk factors is vital for preventing incidents of sexual violence from occurring. Having this knowledge allows us to prepare and enact precautionary measures, such as trainings or targeted messaging. It allows us to create appropriate, comprehensive, and holistic safety and security plans. It is an essential underpin to effective humanitarian operations.

People often suggest that access to alcohol and drugs<sup>14</sup>, living and working in the same location/compound with co-workers, an area's security level, and lack of access to communications or support systems are risk factors for sexual violence in the humanitarian community. All of these can exacerbate or increase the likelihood of an incident of sexual violence occurring, but are not the main risk factor we need to consider. Rather, the factor that underpins all of these elements is organisational cultures and structures that allow for such elements to become increased risks.

Organisational culture and structure has the most significant impact on whether sexual violence is likely to occur within

humanitarian workplaces<sup>15</sup>, and there are several examples of negative cultures and structures. First, strict hierarchies, with power imbalances favouring those at the top of the echelon, can contribute to environments where feedback and criticism are less likely to be well received. Cultures that may promote elements of traditional masculinity or risk-taking ('cowboy cultures') are also more likely to also be dismissive of incidents of sexual violence.

Though often inadvertent, promoting masculine and martyred work environments sends the message that any action done to a humanitarian aid worker must be accepted as a burden that comes with the job. It also sends the message that those who do speak out about problems and issues are not able to handle working in humanitarian spaces. This builds on the already troubling trend of continual sacrifice sent to humanitarian aid workers, which suggests that their needs, health, safety, and security are unimportant in light of the overall mission; this message can be inadvertently supported by insufficient amounts of funding made available by donors to support humanitarian aid worker care and safety.

Humanitarian organisations still do not universally conduct gender analysis and reflect on the gendered needs of their staff, in particular their national female

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<sup>14</sup> This is not to suggest that a survivor drinking or taking drugs increases incidents of sexual violence. Instead, we are referring to the concept that access to alcohol and drugs emboldens perpetrators to commit acts they might not do sober. We are also referring here to the emergent trend of date rape drugs being used by perpetrators in the humanitarian community.

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<sup>15</sup> For further analysis: Feinstein International Center, *STOP*, fn. 2, pgs. 30-38.

staff. Consideration of gender dynamics and gender equality mainstreaming is becoming a more standard aspect of humanitarian operations, but there is still far more work to be done to understand the contextualisation of local culture and gender issues.

Further, those cultures where impunity exists for other forms of misconduct – such as fraud or sexual exploitation and abuse – are unlikely to foster staff reporting incidents of sexual violence that they are experiencing. Impunity breeds impunity.

This also feeds into why most survivors do not report on incidents of sexual violence. Most individuals, when they have experienced a trauma, will protect themselves; few survivors knowingly enter into a reporting situation that they believe or know will re-traumatise them and have financial, professional, or

social consequences. Further, where the local or organisational culture is sexist, misogynistic, or homophobic, sexual violence is less likely to be reported. Organisations where power structures and imbalances are amplified are less likely to receive reports against perpetrators higher in the hierarchy.

Organisational structure also feeds into lack of knowledge about available resources or methods for submitting incident reports; if someone does not know where or how to take an issue up they likely will not do so.

All of this information should be starting to make us think about how we create work atmospheres where sexual violence is considered unacceptable. That works begins with prevention, set out in detail in the following section.

### *Recommendations for Reducing Risk Factors*

- Organisational culture promotes and protects whistle-blowers;
- Organisational policies and procedures are clear, widely available in multiple languages, and understood by all staff at all levels of operations;
- Messaging is done on the prohibition of sexual violence acts;
- Incidents of sexual violence are appropriately responded to and addressed;
- Perpetrators of all types of misconduct are held accountable;
- Active engagement and feedback is sought from staff members, including constructive criticism;
- Displays of hyper-masculinity and homophobia are actively prohibited;
- Regular messaging and trainings on sexual violence, accepted behaviour in the workplace, and gender equality are conducted;
- Supportive and encouraging workplace is created with the cooperation of all staff members and based on model set by senior management;
- Both legal and moral duty of care adhered to within the organisation; and
- Sexual violence is factored into all levels of risk analysis.





## PREVENTION

When working to address sexual violence in humanitarian workplaces, prevention must be the core of our efforts. Prevention acts as the guard from the get-go, reducing and stopping potential sexual violence incidents before they can happen. Persistent prevention efforts cumulatively create of an atmosphere where survivors will be more willing to report on their experiences with sexual violence, and all staff has a clear understanding what behaviour will not be tolerated.

### *Recruitment*

Prevention measures start with Human Resources and recruitment. Stopping unsuitable individuals, particularly those known or suspected to be perpetrators, is essential to preventing incidents of sexual violence from occurring. There are many barriers however to putting this into action.

First, Human Resources operate and hire on the basis of the information they are provided during the recruitment phase. This might be addressed by requiring additional information, such as background/police record checks or in-depth reference checks; however, the quality of such information depends on a number of external factors that cannot be easily controlled.

The use of background/police record checks are only useful when potential employees are from countries where such checks are reliable or full, and where they have actually committed acts of a sexually violent nature and been prosecuted. In-depth reference checks are also dependent on the honesty of those we are seeking references from, and such individuals may have a variety of motivating factors to promote the hiring of different employees; it is an unfortunate truth that, for expediency

sake, steps like reference checks are also often skipped.

Second, Human Resources personnel maybe reluctant to place notes or speak about issues an employee might have had during their contract. This is primarily motivated by concerns about the legality of suggesting an individual has committed inappropriate behaviour when this might not have been legally established. It is quite understandable that Human Resources personnel would want to avoid former staff from suing on the basis of defamation or libel. Unfortunately, this also contributes to the issue of humanitarian staff moving between locations and organisations, despite being accused of committing acts of sexual violence.

Combatting both of these concerns is far from easy, and requires Human Resources personnel from organisations across the globe being prepared to provide honest evaluations of their staff. This also requires collaboration amongst Human Resources personnel to ensure that multiple perpetrators do not move throughout the system. It will take years to put this into place, but that does not mean it is an unworthy goal.

To address the concern about placing notes on a staff members file, as well as

providing honest evaluations of their behaviour and actions, humanitarian organisations may want to consider mandating from the beginning of employing staff that this can occur. If in the beginning stages of contracts, staff are required to allow the organisation to place administrative notes regarding sexual violence or similar incidents on their file, use these notes in decisions regarding whether to continue their employment, and communicate these notes to future employers<sup>16</sup>, the legal concerns raised by Human Resources could be significantly alleviated. Naturally, this would only apply to new staff members, though reflections on whether a similar mandate could be rolled out for existing staff, perhaps on the signing or extension of contracts, should be considered.

Human Resources are – in essence – the goalkeepers of who is employed by humanitarian organisations, and as such they have the power to significantly impact organisational culture. By being diligent and striving for a complete picture of the character of potential staff, we can begin to create safer workplace for humanitarian aid workers.

### *On-Boarding*

Once an employee has been hired, humanitarian organisations must begin messaging what it considers to be

acceptable and unacceptable behaviour. This will differ by organisation – with some being more risk adverse than others – but there are generally accepted standards regarding sexual exploitation and abuse, as well as do no harm<sup>17</sup>. This must also include messaging about sexual violence in humanitarian workplaces and living environments.

Messaging begins with the Code of Conduct, which every humanitarian organisation should have, and which must include a reference to sexual violence. Such messaging must also include references to clearly explained policies, and delineated procedures on how the organisation reacts when sexual violence incidents are reported, including information about rights, investigations, and accountability.

By setting the tone from the beginning of a staff member's employment that sexual violence is taken seriously and addressed in an appropriately severe manner, a deterrence factor will be created for would-be perpetrators. It also helps to create an organisational culture where survivors are willing to speak about their experiences, as they will be more likely to believe the organisation will react appropriately to such admissions.

We tend to approach on-boarding as something traditionally done just when an individual begins their employment with an organisation, and this is

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<sup>16</sup> If a staff member is not willing to submit to such a requirement, perhaps the organisation should reflect on why this might be the case and whether this individual would be a good fit for the organisation.

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<sup>17</sup> The Sphere Handbook sets out many of these standards: The Sphere Project, available at: <http://www.sphereproject.org>

understandable. However, while it will increase the work of Human Resources, organisations should consider also implementing refresher on-boarding sessions when staff members sign new contracts, change field offices, or change roles within the organisation. This provides the opportunity to convey updated information on policies and procedures, as well as continually underscore the rights and obligations for each staff member to a safe and healthy workplace. It also helps to strengthen the deterrence factor for would-be perpetrators – if you tell someone once not to do something, they might ignore it, but if you tell them regularly they are more likely to believe it.

This could also be combined with yearly signings of the Code of Conduct or statements that one will adhere to prohibitions to commit sexual violence incidents or sexual exploitation and abuse. It can also be combined with refresher trainings on a variety of topics, sessions with safety and security, or other methods of ensuring that staff members understand what is and is not accepted behaviour for the organisation.

### *Trainings*

Trainings<sup>18</sup> can be an essential piece to preparing humanitarian aid workers for

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<sup>18</sup> For further guidance: Report the Abuse, *Trainers and Investigators*, available at: <http://www.reporttheabuse.org/help-for-organisations/trainers-and-investigators/> (Report the Abuse, *Trainers and Investigators*); EISF, *Library*, available at: <https://www.eisf.eu/resources-library/> (EISF, *Library*).

entering the field. In the context of discussions regarding trainings on sexual violence related issues, there are two main types of trainings that must be administered. The first is with regards to the issue of sexual violence itself and how it is a risk for humanitarian aid workers in the field. The second is regarding how to respond to incidents of sexual violence when they do occur.

The first training should be part of on-boarding and pre-deployment activities. Different pre-deployment trainings (such as Hostile Environment Awareness Trainings (HEAT)<sup>19</sup>) are becoming increasingly common in the humanitarian community, and should include reference to sexual violence being a risk, as well as how to respond and support survivors of such incidents. This serves as a reminder that sexual violence against humanitarian aid workers is real, and helps to de-stigmatise the experience.

Such trainings must also include a section on preventing sexual violence. Traditionally, prevention tends to take the line of what individuals, women specifically, can do to stop themselves from being victimised: do not wear a short skirt, do not walk alone at night, do not drink to excess, etc<sup>20</sup>. There is a clear line between victim-blaming and equipping people with the skills and

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<sup>19</sup> For a comprehensive explanation of what HEAT should contain: Norwegian Refugee Council, *HEAT training*, available at: <https://www.nrc.no/heat-training/>

<sup>20</sup> For further analysis on how security training manuals integrate the issue of sexual violence: Report the Abuse, *Checklist*, fn. 1, pgs. 25-27.

tools needed to reduce their exposure to sexual violence incidents, and historically we have not done a great job of toeing that line.

We need to shift the conversation from how to avoid being sexually violated to community prevention, watching out for colleagues and friends, and empowering bystanders to act when they are concerned that sexually violence might or has occurred.

Ideally, prevention would take the perspective of stopping would-be perpetrators from committing acts of sexual violence. However, this cannot be done in one session or training; it requires the unpacking of generations of socialisation and cultural perspectives on gendered issues. Inasmuch as is possible though, trainings should try to dismantle rape myths and victim-blaming beliefs<sup>21</sup>, with the aim of long-term changes to individual attitudes.

Finally, it is essential that any training on this issue include a section outlining the physical, mental, emotional, and communal impacts of sexual violence. By doing so, we can first help to destigmatise the experiences of sexual violence for those who have or will experience it. Second, showing the impact of sexual violence can help to

develop empathy in other people, by humanising an abstract concept.

The second training we suggest humanitarian organisations provide to their staff would establish the concrete and comprehensive tools and skills needed to be able to respond to a survivor of sexual violence in a manner that does not result in their being re- or further traumatised. The majority of people are not born knowing how to respond to sexual violence, and it is reasonable and understandable that they will need training on how to speak to survivors. Giving these individuals the tools they need, and helping them to develop empathy for survivors, can significantly improve the care and support provided to a staff member post-sexual violence.

When it comes to this training, a recommended course of action is to begin by asking staff who are likely to interact with survivors of sexual violence whether they are actually comfortable doing so – just because it is expected to be part of someone’s role does not mean that they will be able to handle the task.

The first few people a survivor speaks to after experiencing sexual violence can have a significant impact on the course of their recovery – do you want it to be a staff member who is ill equipped to handle the situation? Where staff is not comfortable, providing training can help; however, if it is clear that someone will be unable to provide the necessary support to a survivor of sexual violence, organisations must consider having alternative staff members filling such a role instead.

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<sup>21</sup> For analysis on this in the humanitarian context: Headington Institute, *FAQ’s about Sexual Assault in Humanitarian Context*, fn. 7; Headington Institute, *Gender Based Violence & the Humanitarian Community*, fn. 7.



### *Messaging and Presentation*

Messaging is a way for humanitarian organisations to repeatedly remind staff about their rights and obligations on a variety of issues. Where staff members believe that actions and behaviours are not monitored or addressed, they will feel more emboldened to commit such acts. Messaging helps to prevent this from happening.

Messaging, however, must be presented in the correct fashion, so that it acts as deterrence. Putting up posters may be an excellent way to provide information; however, it must also be backed up follow-up trainings, emails, addresses from Senior Management, and other measures to continually clarify that there are consequences for inappropriate behaviour. Doing something once or in only one format will not be effective or impactful messaging.

Messaging should also reference policies and procedures for preventing and reporting inappropriate behaviour, so that this information is readily available to all staff when incidents happen. Survivors, bystanders, and focal points designated to respond to incidents of sexual violence should not have to search for the necessary information when something occurs; it should be readily available in multiple formats.

When conducting messaging, it is also important to reflect on the words we are using, the medium we convey information in, and the language we use. If we only communicate in English using words best understood by university-

educated staff members using email addresses only provided to expatriates, we are severely undermining our attempts to message accountability. Any information provide must be made available in all languages in an office, in accessible written form available at all points, and using widely understood words and tone. If there are concerns about the literacy level of staff, creative thought should be put into how information might be presented in a manner that does not require reading skills.

The guiding rule for humanitarian organisations when considering how to message accountability on sexual violence issues should be whether it can be just as well understood by the cleaner in a remote field site as it can by the Executive Director at HQ. All staff has the right to a safe workplace and should be able to understand their rights; we would demand nothing else when providing services for the local population and should expect the same for ourselves.

Finally, when reflecting on how to present information on accountability, policies, and reporting, it is vital to incorporate feedback from national staff, who can provide guidance on what approach will be most effective for the local context. This does not mean lowering standards or altering the message in its entirety, particularly when these messages may go against local cultural or traditional norms and practices around violence. But it does mean considering the approach most likely to obtain a positive and welcoming response from national staff. It is also

important that procedures, as is noted later in the tool, are contextualised – processes for obtaining care, support, and accountability may differ greatly by country and this should be reflected in messaging.

### *Safety and Security Management Systems*

Safety and security management systems are responsible for ensuring that humanitarian aid workers' exposure to risk is reduced. Increasingly, these systems have included the risk to sexual violence from outside the humanitarian community, a trend that is welcomed and should continue. However, such systems must also begin addressing the issue of sexual violence from within the humanitarian community.

In addition to integrating information about the potential risk for sexual violence in specific locations, safety and security personnel should also reflect on the risks posed by their humanitarian workplaces. This might include analysis as to whether Senior Management staff living with lower-level employees will increase abuse of power issues, or whether national staff will be at a higher risk if placed in mixed-gender living quarters. These considerations will be context specific, and should be weighed against other factors, such as the overall security context, and integrated into context-specific operating procedures.

When providing on-boarding security information, personnel also need to be forthright about the risks in a specific location and knowledge of other sexual violence attacks. If there has been rumours or reports of date rape

drugging, for example, this is vital information that must be shared with staff so they can be better protected.

The concept of protection must also be carefully presented, as there is a fine line between equipping staff members with the tools they need to respond to threats appropriately and victim-blaming. Safety and security management should be careful to not present feedback on clothing, alcohol, or travel as factors that will increase one's risk to sexual violence specifically, but rather affect their larger safety and security risks in that specific context.

For example, safety and security management personnel may say that women should wear culturally appropriate clothing in a specific location. On its own, this is sound advice for navigating an unknown cultural environment and reducing one's exposure to risk. However, this advice is often coupled with the suggestion that wearing culturally inappropriate clothing will increase one's chance of sexual violence and that it would be the women's fault if attacked. This is incorrect. Sexual violence incidents can happen regardless of the clothing being worn and are never the fault of the survivor.

Presenting the information in the second manner is victim-blaming. In the first, it is reasonable safety and security advice.

Many safety and security management personnel report being uncomfortable speaking about sexual violence issues; this is an understandable vulnerability as many people are uncomfortable with the topic of sexual violence. However, as these personnel do play a significant role in providing information on sexual

violence issues, as well as receiving and responding to incidents of sexual violence, they must be provided with the training to enable them to appropriately and compassionately interact staff members, including survivors, to fulfil all aspects of their role within the organisation.

There are an increasing number of papers and tools being created to address the inclusion of sexual violence within safety and security management systems<sup>22</sup>. Organisations are encouraged to look at the EISF library of tools<sup>23</sup>, and pay particular attention to the newly launched Security Incident Management Handbook, in which a section is dedicated to the collection and management of information related to incidents of sexual violence experienced by humanitarian aid workers<sup>24</sup>.

### **Leadership**

Leadership is perhaps one of the most important elements to preventing incidents of sexual violence, as it addresses the main underlying risk factor: organisational culture. A strong Senior Management can do as much to deter sexual violence incidents as a good

policy or robust procedure, particularly one that models zero-tolerance for sexual violence issues.

However, strong leadership goes beyond saying there is zero-tolerance for these problems. It must include backing up those words with action when incidents occur, pushing for accountability, and ensuring that survivors get the support they need.

Senior Management also has the opportunity to advocate at different levels, within their own organisation and at a global level. If there are steps to be taken, resources needed, or issues to be addressed, Senior Management should strive to meet these goals and needs.

Modelling good behaviour for other members of leadership – within an organisation and globally – will provide an example by which others can develop their own practices. Being consistent, transparent, and forthright should be a lauded standard for humanitarian leadership. Equally important though is being honest when one does not know how to proceed or address an issue, as this opens up space for growth.

Members of the current humanitarian leadership, in the course of the development of this document and other activities conducted by RTA, have expressed worries that they are not properly equipped to address sexual violence incidents against their staff. They have expressed concerns that they have mishandled events in the past or simply could have handled them better. There is no shame in asking for help and sharing these worries more broadly.

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<sup>22</sup> Christine Persaud, *Gender and Security: Guidelines for Mainstreaming Gender in Security Risk Management*, EISF Briefing Paper, 2012; Emily Speers Mears, *Gender and Aid Agency Security Management*, SMI International, July 2009; Shaun Bickley, *Security Risk Management: a basic guide for smaller NGOs*, EISF, 29 June 2017.

<sup>23</sup> EISF, Library, fn. 18.

<sup>24</sup> Security Incident Information Management (SIIM) Handbook, RedR UK, 2017.



*Recommendations for Improving Prevention Measures to Address Sexual Violence against Humanitarian Aid Workers*

- Human Resources checks the backgrounds of potential recruits for incidents of sexual violence or other forms of misconduct, including through the use of criminal record and reference checks;
- Potential recruits are asked about their knowledge and background regarding gender equality and sexual violence;
- Potential recruits agree to indemnify the humanitarian organisation from placing notes on their files relating to misconduct, using these notes to make decisions about future employment, and communicating said notes to potential future employers;
- Sexual violence – organisation’s definition, related policies and structures, mechanisms for investigating, and accountability measures – is clearly explained to on-boarding staff, and all related materials are made available to all staff in relevant languages;
- Staff regularly sign Codes of Conduct or similar statements that prohibit acts of sexual violence and other forms of misconduct;
- Pre-deployment and other trainings include information regarding sexual violence against humanitarian aid workers;
- Trainings, discussions, and other forms of presentations on the prevention of sexual violence against humanitarian aid workers is done in a non-victim-blaming manner and combat rape myths;
- Training is provided to all staff on the reality and impact of sexual violence;
- Staff in key roles – such as Focal Points, Senior Management, Human Resources, Safety and Security, and Staff Welfare – feel equipped to receive information on incidents of sexual violence and interact with survivors;
- Regular, clear, and consistent messaging on the prohibition of acts of sexual violence, reporting procedures, zero-tolerance, and accountability mechanisms;
- Messaging is contextualised and takes into account feedback from national staff;
- Sexual violence is integrated as a risk into all safety and security mechanisms, and information about the risk of sexual violence is communicated to all staff; and
- Leadership models appropriate behaviour and zero-tolerance of sexual violence acts, in both words and actions.





## POLICY

Policies to address sexual violence in humanitarian workplaces could, at the end of the day, just be paper. On their own they will not prevent incidents of sexual violence from occurring, but form the basis of structures needed to both prevent and address such incidents, turning these pieces of paper into action.

While going through the following section, there are four key elements that must be considered all times, for policies to truly address the issue at hand:

1. **Holistic** – addressing sexual violence issues through the cycle of employment, from recruitment through to end of contract;
2. **Comprehensive** – through various forms of reporting processes, taking into account the needs of all types of staff, and addressing the concern that survivors might come from other organisations;
3. **Accessible** – available to and understood by everyone in the organisation in all relevant languages and formats; and
4. **Survivor-centred** – sensitive to and supportive of the needs of survivors of sexual violence, using their potential needs to guide how we think about the problem and ultimately prevent and respond to it.

These elements are woven throughout the entirety of this document, but are most keenly required in the below exploration of how humanitarian organisations can create policies that appropriately address sexual violence incidents experienced by their staff. Clear and comprehensive policies help to ensure that all staff - from the cleaner in the most remote field office to the Executive Director at HQ - know what their rights are to a safe and healthy workplace, as well as their obligation to contribute to the creation of one.

### *Clear and Established Policies*

An increasing number of humanitarian organisations are currently developing or improving their policies to address sexual violence incidents in the workplace. This is therefore an excellent opportunity to begin establishing the standards for clear and established policies to address the issue<sup>25</sup>.

The first concern is of course that a policy to address sexual violence in humanitarian workplaces and living environments must exist. It is still the case that many organisations do not have a policy on this issue at all.

Whether a humanitarian organisation is developing such a policy for the first time or revising its current policy, consulting

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<sup>25</sup> An interesting and public example of a recently improved policy: UNHCR, *Prevention & Response to Discrimination, Harassment,*

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*Sexual Harassment and Abuse of Authority Guide*, 2016.



with staff members should be a priority, as they can provide feedback on what they would like to see included for policies and procedures regarding sexual violence issues. This should also involve constructive feedback on the past efforts of the organisation to address incidents of sexual violence.

Such a consultation process, through open forums where constructive conversations can occur, as well as anonymous and confidential avenues, should also seek to gauge the level of trust that staff currently have in the organisation's structures. Does staff trust that serious incidents will be handled appropriately? Are staff comfortable reporting problems, including but not limited to incidents of sexual violence? Are there concerns about transparency, confidentiality, or impartiality of the structures? Do staff members know that structures, like Ethics or an Ombudsman office, exist? If so, would they use them?

This information and criticism may be difficult for an organisation to digest. However, it provides a good baseline by which monitoring and evaluation can commence, with regular checks to see whether the structures being put in place are working and, most importantly, whether they are trusted. If there is no trust in the structures, they might as well not exist. In fact, the simple act of seeking feedback and attempting to address the concerns raised can be a good base for trust building in the organisation. By making staff part of a discussion, there will also be more buy-in at implementation, and it will carry a stronger deterrence weight as a result.

A significant part of this consultation process must also be done with national staff, who consist of the largest portion of humanitarian workplaces<sup>26</sup>. Their needs must be reflected in the policies from HQ, as well as contextualised on the ground.

Where possible, survivors of sexual violence should also be consulted in the process of developing these policies. Survivors might not be well known within the organisation, so consideration should be put into the development of a space where they can weigh in on how the policies are being developed or altered<sup>27</sup>. The organisation may consider an anonymous questionnaire specifically designed to get feedback from individuals who went through the process of pursuing incidents of sexual violence within the humanitarian system – in their current organisation or a former – as well as explore why survivors might have not reported problems in the past. This information could be essential to filling in the gaps and ensuring appropriate support and care is given post-sexual violence. Where survivors feel more empowered by the process of developing policies and procedures to

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<sup>26</sup> Approximately 90% of the in-country humanitarian workforce is national staff. Further, there is evidence that national staff is generally at a higher risk of being attacked in humanitarian operations: OCHA, *Safety and security for national humanitarian workers*, fn. 11.

<sup>27</sup> This could include, *inter alia*, a secure and anonymous forum for discussions, the ability to send anonymous emails to provide input, or a structure where all feedback is provided to a specific individual within Human Resources, where it is then anonymised and identifying details are kept confidential.



address sexual violence, they will become stronger advocates for the organisation and, hopefully, feel more empowered to come forward with concerns in the future.

Having integrated all of this feedback, the policy on sexual violence that emerges must be clear and understood by staff of all educational backgrounds and professional means. The language should be simple and accessible in terms of content and tone. If everyone is unable to understand, appreciate, and undertake the policy, then it was not created for the benefit of all staff members and therefore unlikely to be trusted or used by those staff members.

Policies on sexual violence must endeavour to be comprehensive, setting out not just what qualifies as sexual violence acts, but also the consequences for committing such an act, routes for accountability, and protection measures. Where at all possible, this information should be contained in one document, without requiring staff to cobble together multiple policies, guidance notes, or papers to understand their rights and obligations when it comes to safe and healthy workplaces.

Once developed or revised, these policies must be made available to all staff members in a manner that is easily accessible. If all staff members do not have access to an internal drive, then it is insufficient to place the policy just on that internal drive. If not all staff members have an email address, then it is insufficient to send the information by email. Every individual in every office should have a copy of the organisations

internal policies, and additional copies should be made openly available throughout the office spaces of the organisation.

Policies on sexual violence in the workplace must also be made available in a format that is understandable to all staff. This means that policies should not just be made available in English or French, but also be translated into local languages where possible. We would not expect an expatriate staff to understand a document in Dinka, and we cannot set a different standard for national staff. Further, illiteracy can be a concern in some countries, and where there are illiterate staff members, accommodations must be made to ensure that they too understand their rights and obligations for creating safe and healthy workplaces. This may require creative thinking, but to meet both legal and moral duty of care it is essential.

Human Resources has a role to ensure that all staff also understand the contents of any policies they are provided, and that staff know where to ask questions if needed. Organisations should consider yearly or otherwise regular reviews of all internal policies with staff members, and perhaps keep a record of signed copies to demonstrate that they have provided informed consent to be held to the standards set by all policies in the organisation.

Policies on their own might not be enough to stop an incident of sexual violence from occurring, but a good, clear, comprehensive, and holistic policy will logically be infinitely more helpful from a poor policy, or a lack of policy



altogether. It is also the first step towards establishing that an organisation takes the issue of sexual violence experienced by its staff seriously.

### Defining Sexual Violence

Currently, particularly within the UN system, reference is made to the UN Secretary-General's 2008 Bulletin on discrimination, harassment, and sexual harassment<sup>28</sup>. The publication of this Bulletin was an excellent step in the right direction, and did result in the development of policies over the last decade. However, by explicitly stopping at sexual harassment, it does limit the scope and impact of those policies. It also sends the message that more serious incidents do not occur, and survivors who experience more violent sexual acts may be less likely to feel they can come forward.

Rather, it is suggested that policies use a broader definition of sexual violence, one that does not stop at sexual harassment. As noted earlier in the document, the currently accepted definition within the gender-based violence community is the Inter-Agency Standing Committee's definition<sup>29</sup>.

Humanitarian organisations might also want to include a list of potential acts that might fall under their policy, such as

unwanted sexual comments, stalking, etc. Any such list should be non-exhaustive though, to leave space for new or varied types of sexual violence acts, such as those involving rapidly changing technologies. The list should also highlight any examples that are particularly common or prevalent in the country or region, such as stoning or honour killings.

### Scope

It is necessary that the scope of any policy on sexual violence be clearly defined to include all types of staff, including, but possibly not limited to, interns, volunteers, consultants, and contractors. Similarly, the policy must be provided equally to expatriate and national staff, across all hierarchies in the workplace.

Restricting such policies to anything less than all staff sends the message that protection and safety is only for certain populations of the organisation. This inevitably results in work environments that are less open and communicative, where hierarchies are automatically created, and where incidents of sexual violence are in fact more likely to occur.

### Code of Conduct

Many humanitarian organisations have a Code of Conduct, which sets out expected or prohibited actions for staff members. This is an excellent way to start establishing the boundaries of behaviour. It also provides organisations with an avenue for disciplinary action, should staff members step outside of these boundaries.

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<sup>28</sup> *Secretary-General's Bulletin: Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority*, UN Secretariat, ST/SGB/2008/5, 11 February 2008.

<sup>29</sup> IASC, *Guidelines for Integrating Gender-Based Violence*, fn. 4.



In most cases, staff members are expected to sign a Code of Conduct during the on-boarding process. Some humanitarian organisations require re-signing on a regular basis, yearly perhaps, or upon the signing of new contracts.

Regular re-signing of a Code of Conduct can be an excellent and low-cost way to remind staff what actions are expected of them, and deter them from behaving inappropriately. Through obtaining their informed consent about the behaviours expected by the organisation, not only will staff be more aware of the risks they might face in the workplace, but also the measures taken to address these risks.

### Contracts

While it would be unusual to note in a contract itself that sexually violent acts are prohibited, this is certainly a possibility for organisations to consider. Most contracts in the humanitarian community incorporate a promise to adhere to the human resources policies of the organisation broadly, which would include those related to sexual violence. Combined with a strongly worded Code of Conduct, this should be an adequate start to establishing the base of expected behaviour.

Nonetheless, organisations may consider adding to contracts, within currently existing frameworks of language about misconduct, language around liability: the organisation's ability to conduct internal investigations, place notes regarding serious misconduct in files, and communicate to future employers

regarding allegations or investigations of misconduct during the staff member's employment.

In the course of many conversations with Human Resources staff, they have repeatedly raised legitimate concerns about the legality and liability associated with placing notes in the files of individuals who have had allegations or internal investigations conducted into their behaviour. It is true that, unless there is a legal investigation with a legal determination into someone's actions, saying someone may have behaved inappropriately in communications to future employers could be construed as defamation or libel. This would open humanitarian organisations to legal action, particularly if it was later determined that such allegations were unfounded or unsubstantiated.

The result of this situation is that suspected or actual perpetrators of sexual violence – be it against their colleagues or the local population – float around the humanitarian system, without legal or administrative consequences. This is a significant issue, as there is emergent evidence of serial perpetrators in the humanitarian community<sup>30</sup>.

However, it should be said that any steps towards indemnification of humanitarian organisations must be accompanied by investigative or inquiry bodies that are trained, professional, and transparent in their actions. Without this, organisations

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<sup>30</sup> Report the Abuse has been informally monitoring the progress of three investigations of serial perpetrators in the humanitarian community between 2016 and 2017.



would only be further degrading the lack of trust in their structures and procedures.

### Monitoring and Evaluation

All these pieces help to create a structure for addressing sexual violence against humanitarian aid workers. However, it is also necessary to monitor whether these structures are impactful.

It is becoming increasingly common for humanitarian organisations to conduct staff welfare surveys; those who do not already request information about sexual violence issues should consider doing so. Asking staff to provide anonymous feedback on the following, for example, will help to develop clear directions for an organisation to go:

- Do they trust the organisation to take allegations of misconduct seriously?
- Do they believe the organisation will investigate sexual violence incidents with professionalism and transparency?
- Do they believe the organisation will keep incidents and survivors safe and confidential, should this be desired?

It is further suggested that humanitarian organisations consider making some of the data from these internal surveys available publically<sup>31</sup>, as well as the steps

being taken to address any identified issues, demonstrating a commitment to taking the problem of sexual violence in their workplaces seriously. This can also allow an organisation to share good practices, lessons learned, increase the transparency of their operations, and build trust with their staff.

Humanitarian organisations also need to consider developing measurements to track their progress in addressing sexual violence. Creating a work plan – which should include benchmarks, timelines, and indicators – may guide organisations towards their goals. It can also help staff and outside bodies hold the organisation accountable to its promises.

Setting clear markers may also help to institutionalise efforts to address sexual violence internally, as it makes the goal a result all staff members are held towards, rather than the mission of a few; this may increase overall buy-in within an organisation to create change.

### *Ethics or Ombudsman<sup>32</sup> functions*

Larger humanitarian organisations, including the UN, often have internal Ethics or Ombudsman functions that provide an avenue for reporting issues relating to sexual violence. These roles can be important for creating trust in the humanitarian system, as they provide a

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<sup>31</sup> UNHCR, for example, has made some of their internal analysis on internal organizational culture publically available, to the benefit of the larger humanitarian community to learn from:

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Barb Wigley, *The state of UNHCR's organization culture*, UNHCR, May 2005.

<sup>32</sup> For further analysis on the role of Ombudsman services: Joint Inspection Unit, *Review of the Organizational Ombudsman Services across the United Nations System*, United Nations, 2015.



confidential opportunity for survivors of sexual violence to have a conversation with trained staff about their experiences and options for pursuing accountability.

In particular, these roles often are not required to pursue investigative or inquiry avenues, providing the space to discuss problems without requiring further action before a survivor is ready. This can be particularly important when trust has not been built in the structures of a humanitarian organisation.

However, the role of these bodies is often not widely understood, and organisations should consider internal messaging to inform their staff about the existence, importance, and function of Ethics and Ombudsman functions.

Humanitarian organisations should also consider whether Ethics or Ombudsman roles may accept reports of misconduct, including sexual violence, perpetrated by their staff members from individuals who are not staff members. Making this line of reporting available, open, easily identified, clear, and transparent will help to build an overall atmosphere of accountability.

### *Partnership Agreements*

Humanitarian organisations should reflect not only on protections provided to its staff, but what their expectations are of those organisations they partner with, contract with, or acts as a donor to. Most organisations have requirements for these types of partners to adhere to financial transparency, environmental regulations, and prohibitions on acts of sexual exploitation and abuse.

However, it is quite rare to include regulations regarding sexual violence in the workplace, including having an operational policy and procedure or taking organisational accountability for acts of sexual violence committed by their employees. Where organisations do not have their own policy in place, a gray area of impunity is created, and it may be the case that no agency has responsibility for the acts of perpetrators. If the local justice system does not function, no avenues for accountability may exist for survivors of sexual violence.

This is a particular problem for vendors and contractors, which are often not held to the standards of humanitarian organisations. In many conflict areas, they may also not have the resources to appropriately address incidents of sexual violence. Their offices might be quite small and, in some countries, such organisations may be able to dissolve and reform in short periods of time without consequences.

Humanitarian organisations should first consider requiring that appropriate prevention and response structures be created for their partners. Secondly, they must consider whether there is a duty to take on a responsibility for the actions committed by their smaller partners, including vendor or contractors, to ensure that impunity is not allowed to exist.

*Recommendations for Improving Policies on Sexual Violence against Humanitarian Aid Workers*

- Policies meet both legal and moral duty of care, are holistic, and integrated through the cycle of employment;
- Policies are comprehensive and address all staff, including staff with diverse profiles;
- Staff members, in particular national staff, are consulted in the development or revision of policies, and their concerns are integrated;
- Policies are survivor-centred, and, where possible, survivors of sexual violence are consulted in the development or revision of the policy, and their concerns are integrated;
- Policies are accessible to and understood by all staff, and available in all relevant local languages;
- Code of Conduct explicitly prohibits sexual violence against all types of individuals, including colleagues;
- Staff are required to allow Human Resources to place notes on their file regarding sexual violence issues, use these notes for decisions regarding further employment with the organisation, and communicate these notes to future employees;
- Ethics or Ombudsman like roles are created within the organisation, provided with appropriate training, and information regarding their role is shared with and understood by all staff;
- Staff feedback on internal prevention and response structures for all types of misconduct, including sexual violence, is routinely sought and integrated;
- Organisational benchmarks, timelines, and indicators to address issue are set and monitored for progress; and
- Contractual requirements that all partner agencies, including contractors and vendors, have survivor-centred prevention and response strategies to address sexual violence incidents are implemented.





## PROCEDURE

Procedure refers to the way we address incidents of sexual violence after they occur. How a humanitarian organisation responds to these incidents dictates to a strong degree in what way survivors will recover. If handled well, an otherwise horrible situation can be made marginally better.

It can be easy to deal with an incident of sexual violence in a manner that is responsive and healing, when the requisite knowledge and tools have been made available. It is also equally easy to set a survivor on a destructive and blame-filled path, with repeated traumatisation.

The key difference between those two dramatically different outcomes comes down to the approach humanitarian organisations take; more specifically, whether their approach is survivor-centred. Having prevention strategies and policies in place is essential, but how an organisation responds in the event of an incident is the real test of its commitment, professionalism, and transparency.

### *Survivor Care and Support*

Following an incident of sexual violence, the priority should be the care and support provided to a survivor<sup>33</sup>. There are three broad categories we typically provide in post-sexual violence cases: safety, medical care, and psychosocial support.

The thread that runs through all of these categories is that they must be survivor-centred. This requires asking survivors what they want and need, respecting their decisions, and making options available until and if they are ready to make decisions. This can be difficult, as survivors may not be quickly ready to

make decisions, take longer to decide or change their mind. They also might make decisions that those in supporting roles would not make; this does not make the decisions of survivors wrong. The job of those in supporting roles is to provide survivors with as much information as possible so that survivors can make informed decisions on their own, not to make the decisions for them.

We must quell the instinct to make the 'right' choice for survivors, because there is genuinely no right choice. There is no right way to react to sexual violence; it is deeply personal and often instinctual. A survivor's reaction may run counter to how they would react in other security incidents, and it might be the opposite of how they would think or expect themselves to react.

Respecting their decisions is also key to helping survivors move further along the path to healing. It is important to remember that sexual violence is a crime

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<sup>33</sup> Report the Abuse maintains a series of resources on its website, including psychosocial and legal resources, which may further assist humanitarian organisations and survivors: <http://www.reporttheabuse.org/help-for-survivors/>

of control, power, and violence. It removes the ability of an individual to say yes or no; it strips their dignity, sense of safety, and trust. Placing decisions back in the hands of survivors can be incredibly empowering, and it can help them to start regaining control and re-creating their narrative of survivorhood, be it internal or external.

It is also important to reflect on how the organisation structures its response strategies, and whether they are appropriate for all contexts and survivors (i.e. national vs expatriate). Being flexible and, most importantly, listening and reacting to the needs of those experiencing sexual violence are not just necessary; they are vital. When in doubt, ask sensitive and gentle questions, but do not pressure survivors to disclose more than they are willing. Be present. React when requests are made, insofar as they are actionable. Reflect. When you are unsure how to proceed, ask questions or seek additional help.

### Safety

One of the primary concerns following an incident of sexual violence is the safety of the survivor. Preventing a subsequent injury – sexual violence or otherwise – should be the first action, with some cautionary caveats.

Most people instinctively assume that when someone has experienced sexual violence, the survivor should be moved to a secondary location. In the case of humanitarian workplaces, this might

involve moving someone from the field to the country capital or a regional location. This may be an appropriate reaction, provided that it is the desire of the survivor to be moved.

Imagine you have been violated in one of the most intimate ways possible. You want to stay in a location where you feel safe. Safety and security personnel say that this request has been denied – you are being moved to capital.

You interpret this as your needs and opinions do not matter, that your ability or need to make a decision is not relevant. This can be highly re-traumatising and disempowering. Unless there is a valid safety and security concern, it is more beneficial to leave a survivor in a location where they feel safe to avoid or reduce re-traumatisation.

That said, there are scenarios where organisations make legitimate and justified decisions to evacuate or move their staff members, typically based on objective concerns for their safety and security; at times this is done despite the desires of staff to remain in the field location. In such an event, the overall security situation and need to move should be explained carefully, clearly, in detail, and with sensitivity, so that the survivor understands the decision is not done in violation of their desires, but out of concern for the safety and security of them and other team members.

The safety of the survivor in relation to the perpetrator must also be taken into consideration. If there is a risk of sexual violence occurring again, or another type of retaliatory action, then strong consideration should be put into where

the survivor may be most safely located. This analysis and concern should be discussed with the survivor before a decision is made.

Where survivors are moved or need to be evacuated, it is important to reflect on how this process is implemented, particularly in cases of more serious incidents of sexual violence. Many humanitarian organisations will simply call this a medical evacuation; however, a culture of curiosity exists amongst humanitarian aid workers, particularly where they treat medical issues as badges of honour or rites of passage. It is important to bear in mind that saying a survivor has been medical evacuated may raise innocent questions from their colleagues that the individual may be unprepared to answer.

Instead, organisations should consider framing such evacuations as being for professional or administrative reasons – for example to address paperwork or a dull meeting – so to reduce the number of questions the movement might raise. When discussing the incident internally, relevant staff should consider using code words in internal documentation, as well as avoiding discussing the issue in non-private work or personal spaces.

### Medical care

After ensuring the safety of sexual violence survivors, getting access to medical care should be the next priority, assuming it is needed. This is particularly important for more severe cases sexual violence, as there are strict timelines for accessing lifesaving medical care that humanitarian organisations need to be

aware – with a 24-72 hour window for many medications.

Medical care should address all external and internal physical injuries. Medical staff should also assess whether certain medications are necessary, which may include medication for preventing HIV, treating sexually transmitted infections, and preventing pregnancy<sup>34</sup>.

Medication for preventing HIV is most effective when taken no more than 72 hours after acts of sexual assault or rape. Emergency contraception to reduce the change of a pregnancy can be taken up to 120 hours after an incident in which vaginal penetration occurs<sup>35</sup>.

The ideal scenario is that humanitarian organisations would all have post-sexual violence kits available in locations where they have staff members. As we build towards this future, organisations must look at how they can fill gaps until kits can be provided to all their field locations.

Given the strict timelines, it is important that humanitarian organisations think in

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<sup>34</sup> In some settings, these medications are contained in a pre-assembled kit, such as UNFPA's Reproductive Health (RH) Kit #3, which is sometimes referred to as a post-exposure prophylaxis (PEP) kit due to the inclusion of a drug designed to reduce the likelihood of contracting HIV, and UNFPA RH Kit #9. For additional information: Report the Abuse, *Fact Sheet: Post-Sexual Violence Kits*, August 2017.

<sup>35</sup> WHO and UNHCR, *Clinical management of rape survivors: developing protocols for use with refugees and internally displaced persons -- Revised ed.*, 2004.

advance how and whether they will make post-sexual violence medication available to their staff members<sup>36</sup>. Can they get a kit to staff in the field within 72 hours? How many individuals will a survivor need to speak to for access to such a kit? Who will be the guardian of the kit and are they comfortable administering it?

If there is any concern this may not be possible, sourcing medications should be a priority, particularly for more remote field locations. It is possible that other humanitarian organisations on the ground will have post-sexual violence kits that can be used<sup>37</sup>, but this should not be relied upon in the event there is a situation where multiple kits are required or the other organisation has allowed some of the medication to expire. Further, if one is going to rely on another organisation to provide them with the necessary drugs if a sexually violent act occurs, this must be clearly communicated in advance to ensure said drugs will actually be available.

Another aspect of medical care that should be considered is the collection of forensic evidence that might potentially support a survivor if she/he chooses to seek legal redress. Forensic evidence can support a survivor's story, confirm recent

sexual contact, show that force or coercion was used, and possibly identify the perpetrator for investigation or inquiry processes. From the start, it should be made clear that the likelihood of local health facilities having necessary supplies and training to collect forensic evidence in the field is low<sup>38</sup>. There is also the concern about whether there would be an appropriate legal system to provide such forensic evidence to, which will be considered below.

In locations where formal forensic evidence collection is not possible, but survivors still want to try, there are options - bearing in mind that there will still be issues regarding chain of custody and the purity of the evidence. If survivors do want to try collecting forensic evidence though, it is first advised that survivors not shower after the incident. If possible, their first urination should be done into a container that can be sealed and kept cool, so that it might be tested for foreign substances. All clothing, bedding, or other important textiles should be kept in sealed bags, without first being washed. If possible, use a swab, cloth, or other textile to wipe the body, in particular the

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<sup>36</sup> Developing a policy, which meets the requirements set out in the previous section, on this issue is something organisations should also consider.

<sup>37</sup> UNDSS is required to have such kits available; however, information on the procedure for requesting and accessing such kits, as well as their expiration date, should be gathered in advance of the medications being needed.

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<sup>38</sup> Note that this section is directed at incidents of sexual violence that involve penetration. For additional information on how to react or address sexual harassment incidents in humanitarian workplaces, as well as how to navigate reporting processes for sexual violence issues: Report the Abuse, *Guidance Note: Reporting Incidents of Sexual Violence in Humanitarian Workplaces - As a Survivor*, August 2017; Dr. Linda Wagener, *Sexual Harassment in the Humanitarian Context*, Headington Institute, 25 April 2017.



mouth, genital openings, and anus<sup>39</sup>, collecting potential bodily fluids or DNA, and keep these swabs, clothes, or textiles in sealed bags as well. If it is possible to collect a blood sample (as some drugs are better identified through blood samples), this is also advised.

### Psychosocial support

Provision of psychosocial care can be essential, particularly in the wake of traumatic incidents<sup>40</sup>. This applies not just for the survivor, but also to their colleagues, friends, family, and anyone who has interacted with the survivor post-sexual violence. Vicarious trauma can be as impactful as primary trauma.

Seeking psychosocial support, much like medical care, is inherently personal and the decision on how or whether to proceed down this path is for the survivor to make on their own. For some, psychosocial support may not be needed or desired. Others may initially refuse such support but later ask for it. Humanitarian organisations need to ensure they continually make support available for when survivors and those affected by an incident of sexual violence request it.

When considering the type of support organisations can make available, in-

person is typically most effective. This may be difficult or unavailable in many locations, however online and phone support serve as viable and impactful alternatives, particularly with the growth of qualified phone or Skype therapists.

Working in conjunction with appropriate insurance companies, organisations must also consider how they will provide services to national staff, taking into account language, movement, cultural, gender, and social barriers. Increasingly, services are available in languages other than English, French, and Spanish, which is a welcomed move for ensuring more humanitarian aid workers can discuss difficult issues of their work in the languages they are most comfortable. As has been recommended throughout this tool, consulting with national staff before a critical incident occurs will allow time and space for preparation and a smoother post-incident response.

It is also vital to think about the duration of psychosocial support that is provided. Insurance companies may cap the number of psychosocial or counselling sessions at three or four; in the event of a serious incident of sexual violence, this may be significantly inadequate. In such an event, humanitarian organisations should be prepared to find other means of covering psychosocial support. If a staff member experiences sexual violence and remains employed by the organisation, it will likely be easier to guarantee coverage for the support they may need. However, if the staff member decides to leave their employer, a dilemma arises.

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<sup>39</sup> If possible, use a different swab, cloth or textile for each of these locations on the body and keep them in separate sealed bags, as well as a separate swab, cloth, or textile for an overall body wipe.

<sup>40</sup> Antares Foundation, *Managing stress in humanitarian workers: Guidelines for good practice*, 2012, pgs. 27-28.

For a variety of reasons, humanitarian organisations may not choose to provide extensive healthcare coverage post-contract; the amount of coverage can range from none to six months, with the mean being around eight weeks. Shorter periods of healthcare coverage will place survivors in two different situations: they will either have to cover costly support services themselves, which is difficult given lower humanitarian salaries; or they will stay in or return to work before they are prepared in order to get healthcare coverage, placing their well-being and humanitarian operations in jeopardy. When working with insurance companies, it is important organisations reflect on what they can provide to their staff after critical incidents, and how gaps will be filled.

There are also options for outside psychosocial support services that can serve as longer-term support avenues, such as those through Antares<sup>41</sup> and the Headington Institute<sup>42</sup>. These bodies are not only qualified to address critical incidents, but since they have in-depth knowledge about the realities of humanitarian action, might be able to provide more holistic support. They can also be contracted under various agreements to provide longer-term psychosocial support following sexual violence incidents, even if a survivor needs to take time off from the employer to recover.

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<sup>41</sup> Antares Foundation, available at: <https://www.antaresfoundation.org>

<sup>42</sup> Headington Institute, available at: <http://www.headington-institute.org>

Finally, humanitarian organisations need to think about the barriers staff might face to accessing psychosocial support. Does Human Resources need to facilitate requests for care and provide referrals? Is the information for accessing psychosocial support made widely available in multiple languages? While it will not be possible to navigate all of local and social stigma's associated with seeking psychosocial care, organisations should make it a clearly accessible and available right for all of their staff, in a confidential and transparent manner.

### *Compassionate Leave*

After serious incidents of sexual violence, it is possible that a survivor will need or want to take time off to process the event. This may include going to a secondary location – home or another place they feel safe. Where possible, humanitarian organisations should provide paid compassionate leave to facilitate this break, assuming this is what the survivor desires.

The decision to take compassionate leave must be survivor-centred. The survivor may not immediately request it, though staff supporting the survivor should remind them the option is available, without any consequence to future or continued employment. National staff, especially, often experience high levels of financial uncertainty in humanitarian settings, and the fear of losing one's job when disclosing trauma, seeking care, or taking time off inhibits help seeking and recovery.

This may pose concerns for budgets and programming; however, providing a

survivor with the time needed to safely process can place them on a path to healing more quickly. This also increases the chances a survivor will remain with the organisation, and contributes to the creation of overall safer and healthier workplaces. As such, requests by survivors for compassionate leave should be honoured and accommodated.

### *As a Friend, Colleague, or Focal Point*

This section looks to assist those friends, colleagues, or Focal Points that interact with survivors of sexual violence. It is natural to be worried about how to react to survivors or how to provide support. Few people are born with the skills or tools necessary to appropriately support survivors of sexual violence. Seeking help and asking questions should not be shameful, but rather encouraged.

When interacting with survivors of sexual violence, there are some key actions that one can take to make the process easier and to help reduce the trauma the survivor may be feeling:

- Active listening, without judgement or editing the survivor's narrative;
- Open-ended questions that do not suggest blame or shame;
- Let the survivor know they are not alone – by your presence and words;
- Tell them you believe them;
- Thank them for sharing what they have been through with you;
- Remind them that what happened is not their fault;

- Ask what they need and help them obtain it;
- Place small decisions in their hands – such as where to go or what to eat – to build back up their confidence and trust; and
- Accompany them, if they desire, to the doctor or other appointments.

Every survivor is going to react differently, and perhaps not in the manner that they thought they would react to sexual violence. Some may want contact, others not. Some survivors will prefer to be alone, while some will need company to feel safe. Some survivors might cry or be outwardly emotional, others might internalise their feelings and shut down. There is no right or wrong way to react to sexual violence, and it is important to reassure survivors that how they react and how they are feeling is understandable and not abnormal.

It is also important to keep in mind that all of us – regardless of our background – carry some victim-blaming and rape myths within us. Reflecting on what we believe about how survivors of sexual violence should react or do is important to ensure that we do not impose these beliefs on others. It is also important for personal growth and to be better friends, colleagues, or Focal Points.

In addition to the list of actions one must not do when interacting with survivors, is the following: walk away or ignore them. Building on the instinct of many people to want to not do or say the wrong thing to a survivor of sexual violence, many



will avoid the individual, thinking this eliminates the concern. In reality, this isolation can actually deepen the impact and trauma for survivors, making them

organisations should consider not just formal reporting mechanisms (though they too are needed) but also informal mechanisms.

Just as importantly, never do the following:

- Ask if they are sure or question the narrative of their experience;
- Express disbelief or support for the perpetrator's behaviour or character;
- Suggest the survivor should feel shame for experiencing sexual violence;
- Suggest that reporting the incident will damage the survivor or perpetrator's life or career; and
- Threaten to harm or retaliate against the survivor for reporting.

Informal mechanisms can take several different forms and may not be suitable in all situations. The first form is to provide mediation or interventions when less serious forms of sexual violence incidents are reported, through trained designated Focal Points, ideally located in Human Resources. When the situation involves sexual harassment, such lower-key interventions may be more effective, as they can stop

feel more alone and ashamed.

behaviour before it escalates. However, this will not be appropriate for all situations and robust formal processes must also exist.

Also, it is worth noting that, as a friend, colleague, or Focal Point, confidentiality should be a core principle when interacting with survivors of sexual violence. This is essential to keep the trust and bond that may have developed, and which should not be taken lightly. Violating that trust could be damaging to the survivor, and have a negative impact on their recovery process.

The second informal reporting avenue is the creation of internal platforms – offline and online – where staff members can have discussions about issues they are facing in the workplace, regarding sexual violence, discrimination, or other forms of harassment. Some organisations are piloting these types of on-ground groups for females, with an emphasis on the inclusion and leadership of national staff, to positive effect. While is not an overt reporting mechanism, such groups can actually facilitate the reporting of issues, as well as providing support and care to staff members facing violence, hostile, or demeaning workplaces.

### *Reporting Mechanisms*

Established, transparent, professional, and confidential reporting mechanisms are essential for ensuring that incidents of sexual violence are appropriately addressed. They are also essential for stopping would-be serial perpetrators, as unreported incidents are more likely to result in escalated or repeated acts.

Formal mechanisms for reporting should be clearly delineated. They must allow for multiple entry points for submitting reports, ideally through individuals of

To address these concerns, as well as establish trust for reporting mechanisms,





varying genders, races, ethnicities, religions, and sexual orientations. This will be easier in some workplaces, but, when considering who to make a Focal Point on this issue, it is vital to consider whether staff at all levels of the organisation will feel comfortable reporting to that individual. Anyone selected to be a Focal Point must also have training<sup>43</sup> to undertake this role comfortably and in a manner that will not result in re-traumatisation for staff members coming forward.

We should also be conscious that not all women will want to speak to women, or men speak to men. There are many intersectionalities between expatriate and national roles, genders, sexual orientations, nationalities, ethnicities, races, religions, etc., that may impact who a survivor wishes to interact with during the reporting process.

Further, it is essential that organisations consider reporting processes that can bypass Senior Management at the field level, particularly as emerging evidence suggests they are often implicated – as perpetrators or for dismissing incidents of sexual violence being committed by others.

Formal reporting mechanisms must be clear on what the process involves, how

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<sup>43</sup> Such trainings should include not only information on what is sexual violence, but also rape myths and victim-blaming attitudes. They should prepare focal points to interact with a survivor, through role plays and other interactive training tools. A list of potential trainers is available on RTA's website: Report the Abuse, *Trainers and Investigators*, fn. 12.

and what information will be used (expectations of confidentiality, who would need to be notified about the incident, details provided to that person, etc.), and who will be involved at each step. This information must be clear, accessible, and widely provided to all staff members. All individuals involved in the process must have the requisite training to address sexual violence compassionately, and only absolutely necessary individuals should be provided with pertinent details to undertake their role in responding to the incident or providing support to the survivor.

This mechanism must be survivor-centred, wherein the survivor's experiences, needs, rights, and decisions are at the centre of the process. At all times, survivors must be informed of the steps to-be taken, updated regularly, and consent to identifying details to be shared. Inasmuch as possible, the confidentiality of the survivor should be maintained, unless they have provided their explicit and informed consent otherwise.

It is also important to be conscious of the impact of reporting mechanisms on survivors, ensuring they have space and support during the process. While it is difficult for reporting mechanisms to not involve some level of re-traumatisation for the survivor – as any re-telling or re-living of their experience may involve traumatisation – the process can be made easier if it is survivor-centred.

Discussions about the incident of sexual violence should be in locations where the survivor feels safe and where privacy can be guaranteed. As much as possible, they



should not take place in locations where other staff members are likely to raise questions or create rumours. Giving the survivor agency, as well as reducing the number of people and times they have to discuss their experience, can significantly reduce the trauma of reporting.

Humanitarian organisations need to also reflect on whether survivors have the opportunity to halt or pause the reporting process once it has begun, and whether they have the option to decline further investigative or inquiry actions. The role of Ethics or Ombudsman functions can be important in this reflection process.

### Whistleblowing

Whistleblowing is perceived to be a difficult structure to put into place, and organisations are continuously grappling with how to do whistleblowing better.

On one hand, whistleblowers should have the right to be anonymous. On the other, it is believed that investigators require the identifying details of a whistleblower to ascertain the veracity of the information they have provided. Balance between these two concerns has not yet been found.

There is a belief that an investigation when the whistleblower does not provide their name and contact details will be more difficult to investigate. Combined with the issue of sexual violence, for which there is a global myth that false

reports are common<sup>44</sup>, this becomes even more pronounced: 'if individuals do not have to put their name to an allegation, how can we be sure it's real?' Concerns about false allegations have led some organisations to refuse anonymous whistleblower submissions when it comes to reports of sexual violence. However, this concern with anonymous whistleblowing fails when we realise that most humanitarian organisations do not place such a restriction on allegations relating to fraud and corruption, which are typically accepted in anonymous form.

Rather than starting from the point that anonymous allegations of sexual violence incidents could be falsified, we should start from the assumption that all are true, and address those false allegations as they occur. We should also reflect on why individuals reporting on sexual violence might prefer to report anonymously, and reduce those barriers to encourage more open reporting processes.

As a last note, when working to improve whistleblowing structures, humanitarian organisations should consider whether and how they would allow those outside

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<sup>44</sup> To untrained personnel, typical behaviour for a sexual violence survivor is commonly misperceived as being contrived, inconsistent, or untrue. These beliefs and biases help explain why the rate of false allegations tends to be inflated and why many inaccurately believe false reports are commonplace. The prevalence of false reporting is likely between 2 percent and 10 percent according to US-based research: National Sexual Violence Resource Center, *False Reporting*, 2012.



their own organisation to whistleblow on serious incidents. It is vital we ensure that any survivor can report an incident, regardless of their employment status or association with the humanitarian organisation of the perpetrator. Allowing those from the outside the organisation to report incidents also helps to reduce impunity, creating more open and transparent humanitarian operations.

### *Investigative and Inquiry Bodies*

Appropriately addressing incidents of sexual violence will necessarily involve some form of investigative or inquiry process. Some organisations will have internal bodies to address these issues; others may outsource the procedure or make this role as part of their Human Resources duties<sup>45</sup>. The staff responsible for investigating reports may be different from the staff who receive the initial report from the survivor; in such cases it is essential that the various roles are made clear for all staff.

All individuals involved in investigative or inquiry processes must have the training to respond to, question, and investigate sexual violence incidents. These types of experiences must be approached differently than fraud or corruption, and as such require specialised training. If there are concerns about whether an individual can professionally respond to an incident of sexual violence – whether this concern is self-identified or raised by someone else in the organisation – that individual

should not be involved further. This is absolutely crucial, as the investigative or inquiry process can severely deepen trauma, put the survivor at risk of harm or retaliation, deter future reporting, and promote impunity, if not properly conducted.

Professionalism and confidentiality are absolute essentials if humanitarian organisations wish to have trusted structures. This means that transparency and impartiality be modelled at all times during and after investigative or inquiry processes. If there are any concerns about the ability of those involved to maintain these standards, organisations must consider bringing in individuals from other field sites, HQ, or from outside the organisation. There are inherent dangers and perceptions to organisations investigating themselves, so the highest of standards must be kept.

This part of the process must also involve the perpetrator and getting information on their version of the incident of sexual violence; perpetrators should be updated on the progress of the investigation or inquiry process, and treated impartially. It is important to mindfully balance the need to believe survivors who come forward with not treating perpetrators as guilty until so proven, a challenging endeavour.

Humanitarian organisations should also reflect on whether to keep the perpetrator in their role during the investigation and inquiry process. Many organisations will send a perpetrator to another location, with pay, during the investigative or inquiry process; this option must be weighed with similar

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<sup>45</sup> Report the Abuse, *Trainers and Investigators*, fn. 18.

benefits for the survivor. Further, consideration must be put into the risk that a perpetrator may commit another act of sexual violence if they remain in their current position<sup>46</sup>.

Further, organisations must be cognisant that the survivor, from their perpetrator or others within an organisation, may experience retaliation. It is still a reality that most survivors of sexual violence are fired or quit their jobs due to hostile work environments; keeping this reality in mind is essential for changing the status quo. As such, organisations must take steps to ensure that perpetrators are not allowed to retaliate, that information is shared in a responsible manner, and that impunity is not allowed to thrive.

During the investigative or inquiry process, we must consider how data will be collected, stored, and managed, as well as the passwords or numbers used on files or in conversations and lines of information sharing. Confidentiality must be the aim.

Survivors must also be updated at all stages of an investigative or inquiry process, and provide informed consent to the sharing of information about their experience. Organisations must further consider internal data privacy protocols that dictate how paper data on incidents, reports, and investigations should be stored (e.g., locked filing cabinets) and who has access. Computer records should be password protected and

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<sup>46</sup> For further analysis, consult: UNDSS, *Immediate Response to Gender-Based Security Incident*, Security Management Operations Manuel, Annex A, pg. 4.

similar thought be put into maintenance and storage of electronic files<sup>47</sup>.

At the end of the investigative or inquiry process, fair and impartial decisions must be implemented. Where possible and safe, cases should be turned over to the local legal authorities<sup>48</sup>, though this is not realistic in many places where humanitarian organisations operate. Any decision should be clearly explained to both the perpetrator and survivor, with additional steps outlined in full. The rights to appeal should also be presented.

A further measure that investigative or inquiry bodies should consider is regular publication of its statistics, including types of reported incidents and status updates on open or closed processes. It is not necessary to provide identifying details, but by showing a record of progress to address issues of misconduct, including sexual violence, organisations can begin to prove they are transparent in their procedures.

These statistics should also be made publically available to model good behaviour and growth to other members of the humanitarian community. They can be used to show donors the steps and efforts being taken to address sexual violence, sexual exploitation and abuse, fraud, and corruption.

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<sup>47</sup> For more guidance: UNFPA, et al., *Interagency Gender-Based Violence Case Management Guidelines*, 2017; Oxfam, *Responsible data management*, 2017.

<sup>48</sup> See below section on *Justice and Accountability* for further analysis on local legal justice.

### *Justice and Accountability*

One of the biggest concerns raised in conversations about how to address incidents of sexual violence experienced by humanitarian aid workers is our conception of justice and accountability, and adjusting this expectation to meet the reality of places where humanitarian operations take place.

It is an unfortunate truth that many places where humanitarian action occurs do not have functioning justice systems. Sometimes, sexual violence may not be regulated or illegal under local laws. Humanitarian organisations must be prepared – in advance of an incident – to provide feedback on whether local justice is a probable or safe option for survivors of sexual violence. Do no harm must be weighed with the desire for accountability.

In some locations, survivors of sexual violence who report to the local authorities may be placed in danger; they could be arrested, raped, or murdered. There are intersectionalities that should be further weighed: whether local justice is possible is may be dependent on the gender, sexual orientation, nationality, religion, or race of the survivor.

Accountability may also be dependant on these same factors for the perpetrator, or the perpetrator's standing and perception in the local community. This analysis will be context specific, and the opinions and concerns of national staff should be sought.

Any engagement with law enforcement and the local justice system must be done based on the informed consent of the survivor. Where at all possible, local legal advice and assistance should be sought.

In light of this reality, humanitarian organisations should reflect on what accountability they may try to create. The investigative and inquiry processes previously discussed are not substitutes for criminal procedures. However, if there is a likely absence of professional and transparent criminal procedures, organisations need to be prepared to step in, so that impunity does not thrive in the vacuum.

Humanitarian organisations should also consider what support they can give to those staff members who want to pursue criminal justice, including whether funds can be provided to reduce or cover the cost of legal counsel. It is advisable that organisations consider keeping a list of pre-screened local lawyers that might be consulted, in the event of an incident of serious violence<sup>49</sup>.

### *Off-boarding*

Under the Prevention section, we discussed the idea of on-boarding being a measure for reducing sexual violence incidents in humanitarian workplaces. Similarly, off-boarding plays a role in addressing incidents of sexual violence.

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<sup>49</sup> Some Government Embassies keep such lists locally, should humanitarian organisations need guidance.

Off-boarding can be a good space for humanitarian aid workers to raise or address concerns they experienced in the field, but were not able to do so at the time. This exercise can be even more useful when done at a regional or HQ level, as the distance from staff on the ground can create a safer and more honest space for discussion about a variety of problems, including sexual violence. Many Human Resources staff state that experiences of discrimination, harassment, and sexual violence are often brought up in the off-boarding due to worries about retaliation, lack of professionalism from on-ground staff, fear of non-confidentiality, or lack of transparency from Senior Management or relevant Focal Points at the field level.

Humanitarian organisations should also consider encouraging off-boarding with Staff Welfare, staff psychologist, outside psychosocial support, or other mental health professionals<sup>50</sup>. This suggestion has two main purposes. First, burnout, and post-traumatic stress disorder (PTSD) are still stigmatised in the humanitarian community, though there has been great progress in the last decade<sup>51</sup>. By openly encouraging visits to

mental health professionals, staff will be less likely to feel judged and more likely to seek support.

Second, there is evidence to suggest that off-boarding that includes mental health professionals have better outcomes for the staff member and the organisation<sup>52</sup>. It can help to make the transition smoother, identify concerns or issues before they grow (e.g. potential PTSD), and allow the staff to be supported during an often difficult and emotional time, particularly if they are transitioning from a field position to HQ or home.

Finally, it provides the space to discuss problems related to sexual violence with confidentiality, and with someone who is better trained to support survivors. The staff receiving this information can also pass it on in a confidential, non-identifying manner to those in a position to make changes to policies, procedures, and personnel, which can help prevent future incidents.

It would certainly be simpler if incidents of sexual violence could be discussed contemporaneously, when they could be more fully addressed. Perhaps in the future this ideal will be a reality. In the meantime, survivors speaking about their experiences with sexual violence in any forum should be encouraged and seen as a positive sign that trust can be rebuilt in our reporting systems.

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<sup>50</sup> For further interesting analysis on the benefits of psychosocial off-boarding: Benjamin Porter and Ben Emmens, *Approaches to Staff Care in International NGOs*, InterHealth and People in Aid, September 2009 (InterHealth and People in Aid, *Approaches to Staff Care in International NGOs*).

<sup>51</sup> Inter-Agency Standing Committee, *Mental Health and Psychosocial Support in Humanitarian Emergencies: What Should Humanitarian Health Actors Know?*, 2010; Courtney E. Welton-Mitchell, *UNHCR's*

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*Mental Health and Psychosocial Support: For Staff*, UNHCR, July 2013.

<sup>52</sup> InterHealth and People in Aid, *Approaches to Staff Care in International NGOs*, fn. 50.



### *Sharing information*

Although RTA has created a separate Guidance Note<sup>53</sup> to assist humanitarian organisations with communicating about incidents of sexual violence internally, between organisations at the field level, and globally, it is nonetheless important to flag the issue shortly in this space.

Throughout this document, the importance of confidentiality has been repeatedly mentioned. Confidentiality is an essential principle to sexual violence responses, particularly if survivors wish to have their identifying details remain private.

It is necessary, however, that we reflect on the balance between maintaining confidentiality and sending the message that survivors should keep their identities confidential. There may be survivors who wish to speak more openly about their experiences with sexual violence, and they are brave, as this does not happen often. Where it is safe, we should move towards an atmosphere of openness about these types of experiences.

Similarly, humanitarian organisations should reflect on being open about their vulnerabilities and struggles to address sexual violence issues internally. There is power in sharing lessons learned.

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<sup>53</sup> Report the Abuse, *Guidance Note: Communicating about Sexual Violence Incidents as Humanitarian Organisations*, August 2017.



*Recommendations for Improving Procedures to Address Sexual Violence against Humanitarian Aid Workers*

- All procedures are survivor-centred, including safety, medical care, and psychosocial support;
- Post-sexual assault kits are made available at all field sites;
- Developed and routinely updated referral pathways for both medical care and psychosocial support services are available in all field sites;
- Psychosocial support is offered to all individuals affected by an incident of sexual violence;
- Where possible, reasonable periods of compassionate leave are provided to survivors of sexual violence;
- Resources and knowledge are provided to all staff about how to address incidents of sexual violence, in particular those roles expected to act as Focal Points in the event an incident occurs;
- Reporting process allows for multiple entry points and avenues for pursuing accountability;
- All staff involved in the reporting process have appropriate training to receive information on incidents of sexual violence and are comfortable interacting with survivors;
- Whistleblowing processes explicitly allow for reports of sexual violence, and allow for such reports to be submitted anonymously;
- All staff involved in the investigative or inquiry process have appropriate training to receive information on incidents of sexual violence and are comfortable interacting with survivors;
- Analysis has been conducted regarding the probability of receiving accountability and justice in different contexts, taking into account the intersectionalities in each location, and is shared with all staff;
- Off-boarding process explicitly provides the opportunity to report incidents of sexual violence, ideally through the use of psychosocial support sessions; and
- Information on incidents of sexual violence is shared – with appropriate confidentiality measures put in place – within organisations, and at the field level, as is appropriate.





## ORGANISATIONAL ROLES

Knowing the role that a specific individual plays within a humanitarian organisation can be an important piece to understanding how they contribute to the creation of safer workplaces. It should be noted that, if there is a concern that capacity amongst existing staff has not yet been built, external resources should be drawn upon.

### *Humanitarian Country Teams and Security Management Teams<sup>54</sup>*

- Setting appropriate and survivor-centred tone for reactions to incidents at the country level;
- Facilitating the sharing of information on sexual violence incidents at the country level that might affect the broader safety and security of humanitarian operations;
- Advocating at the global level for better protection of humanitarian action, as well as for improved prevention and response strategies by humanitarian organisations; and
- Arranging for trainings, workshops, and other forms of briefings on issue of sexual violence against humanitarian aid workers to de-stigmatise the issue and encourage humanitarian organisations to take it seriously.

### *Senior Management – HQ, country, and field*

- Establishing organisational culture with zero tolerance for incidents of sexual violence against humanitarian aid workers, through messaging and actions;
- Setting appropriate and survivor-centred tone for reactions to incidents of sexual violence;
- Ensuring that appropriate resources are found and allocated for implementing internal prevention and response strategies for addressing sexual violence incidents against staff;
- Ensuring trainings, workshops, and other forms of briefings on the issue of sexual violence against humanitarian aid workers are conducted; and
- Sharing information on incidents at the country or field level, should there be a risk of an impact on the broader safety and security of humanitarian operations.

### *Human Resources*

- Establishing organisational culture with zero tolerance for incidents of sexual violence against humanitarian aid workers, through messaging and actions;

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<sup>54</sup> For further insight, consult: UNDSS, *Gender Considerations in Security Management*, Chapter IV: Security Management, 18 April 2016.



- Establishing and enacting clear policies and procedures that are reactive, accessible, and accountable to staff at all levels of the organisation;
- Ensuring training, workshops, and other forms of briefings on the issue of sexual violence against humanitarian aid workers are conducted at appropriate level;
- Receiving information on incidents of sexual violence against staff members, including directly from survivors of such incidents; and
- Helping survivors to get access to care and support, in as easy and non-traumatising manner as possible, and ensuring that information about how to access care and support is widely available to all staff members.

### *Safety and Security*

- Establishing organisational culture with zero tolerance for incidents of sexual violence against humanitarian aid workers, through messaging and actions;
- Providing on-boarding and regularly communicated information about safety and security risks, including the risk of sexual violence incidents;
- Conducting risk analysis of all levels of humanitarian actions and operations, including the safety and security of the workplaces and guesthouses, to prevent or reduce the risk of sexual violence to staff;
- Receiving information on incidents of sexual violence against staff members, including directly from survivors of such incidents;
- Helping survivors to get access to care and support, in as easy and non-traumatising manner as possible; and
- Sharing information on incidents at the country or field level, should there be a risk of an impact on the broader safety and security of humanitarian operations.

### *Ethics and Ombudsman*

- Establishing organisational culture with zero tolerance for incidents of sexual violence against humanitarian aid workers, through messaging and actions;
- Receiving information on incidents of sexual violence against staff members, including directly from survivors of such incidents; and
- Helping survivors to get access to care and support, in as easy and non-traumatising manner as possible.

### *Focal Point*

- Helping survivors to get access to care and support, in as easy and non-traumatising manner as possible; and



→ Providing information on reporting and investigative or inquiry processes, including accompaniment or presence during reporting process, if desired by survivors.



## CONCLUSION

Work to address sexual violence against humanitarian aid workers is not done – quite far from it. There is a long path to addressing the issue in a comprehensive and holistic way. This should not be seen as daunting though, as the progress made in the last two years has been remarkable and encouraging.

This good practices tool is the first leap towards holistic, comprehensive, accessible, and survivor-centred prevention measures, policies, and procedures to addressing sexual violence against humanitarian aid workers. In addition to the indicators set out by RTA in this document and the other tools and notes, humanitarian organisations are encouraged to look at the recommendations created by the Feinstein International Center<sup>55</sup>, who have also provided interesting and relevant analysis on both the issue at hand and what needs to be done to improve the status quo.

Organisations have expressed that they need help to push forward on this problem, and RTA believes that the foundational tools now exist. It is for humanitarian organisations to now build on what has been created. We encourage organisations to share their vulnerabilities and strengths, to talk about their lessons learned.

*I expected my organisation would provide an easy path to getting medical and psychosocial support, provide the space and resources to heal, and support my attempts to get justice. Instead, the opposite happened, in nearly every way.<sup>56</sup>*

We can do better than this for humanitarian staff. We can provide safe and health workplaces throughout the humanitarian community. The information is available; it is now time for implementing it.

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<sup>55</sup> Feinstein International Center, *STOP the Sexual Assault against Humanitarian and Development Aid Workers*, fn. 2.

<sup>56</sup> Report the Abuse, *Survey Data*, fn. 8.



## **ADDITIONAL OR RECOMMENDED RESOURCES**

ACT Alliance, *ACT Gender Security Guidelines: Threats to men, women and LGBTI staff*, 2017.

Alicia Jones, *FAQ's about Sexual Assault in Humanitarian Contexts*, Headington Institute, 19 August 2016.

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Report the Abuse, *Guidance Note: Duty of Care*, August 2017.

Report the Abuse, *Fact Sheet: Post-Sexual Violence Kits*, August 2017.

Report the Abuse, *Guidance Note: Reporting Incidents of Sexual Violence in Humanitarian Workplaces - As a Survivor*, August 2017.

Report the Abuse, *Prevention, Policy and Procedure Checklist*, August 2016.

Report the Abuse, *Survey Data*, August 2017.



Report the Abuse, *Trainers and Investigators*, available at: <http://www.reporttheabuse.org/help-for-organisations/trainers-and-investigators/>

*Secretary-General's Bulletin: Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority*, UN Secretariat, ST/SGB/2008/5, 11 February 2008.

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UNDSS, *Immediate Response to Gender-Based Security Incident*, Security Management Operations Manuel, Annex A.

UNFPA, et al., *Interagency Gender-Based Violence Case Management Guidelines*, 2017.

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## ANNEX 1

### ***Recommendations for Reducing Risk Factors for Sexual Violence against Humanitarian Aid Workers***

- Organisational culture promotes and protects whistle-blowers;
- Organisational policies and procedures are clear, widely available in multiple languages, and understood by all staff at all levels of operations;
- Messaging is done on the prohibition of sexual violence acts;
- Incidents of sexual violence are appropriately responded to and addressed;
- Perpetrators of all types of misconduct are held accountable;
- Active engagement and feedback is sought from staff members, including constructive criticism;
- Displays of hyper-masculinity and homophobia are actively prohibited;
- Regular messaging and trainings on sexual violence, accepted behaviour in the workplace, and gender equality are conducted;
- Supportive and encouraging workplace is created with the cooperation of all staff members and based on model set by senior management;
- Both legal and moral duty of care adhered to within the organisation; and
- Sexual violence is factored into all levels of risk analysis.



## ANNEX 2

### *Recommendations for Improving Prevention Measures to Address Sexual Violence against Humanitarian Aid Workers*

- Human Resources checks the backgrounds of potential recruits for incidents of sexual violence or other forms of misconduct, including through the use of criminal record and reference checks;
- Potential recruits are asked about their knowledge and background regarding gender equality and sexual violence;
- Potential recruits agree to indemnify the humanitarian organisation from placing notes on their files relating to misconduct, using these notes to make decisions about future employment, and communicating said notes to potential future employers;
- Sexual violence – organisation’s definition, related policies and structures, mechanisms for investigating, and accountability measures – is clearly explained to on-boarding staff, and all related materials are made available to all staff in relevant languages;
- Staff regularly sign Codes of Conduct or similar statements that prohibit acts of sexual violence and other forms of misconduct;
- Pre-deployment and other trainings include information regarding sexual violence against humanitarian aid workers;
- Trainings, discussions, and other forms of presentations on the prevention of sexual violence against humanitarian aid workers is done in a non-victim-blaming manner and combat rape myths;
- Training is provided to all staff on the reality and impact of sexual violence;
- Staff in key roles – such as Focal Points, Senior Management, Human Resources, Safety and Security, and Staff Welfare – feel equipped to receive information on incidents of sexual violence and interact with survivors;
- Regular, clear, and consistent messaging on the prohibition of acts of sexual violence, reporting procedures, zero-tolerance, and accountability mechanisms;
- Messaging is contextualised and takes into account feedback from national staff;
- Sexual violence is integrated as a risk into all safety and security mechanisms, and information about the risk of sexual violence is communicated to all staff; and
- Leadership models appropriate behaviour and zero-tolerance of sexual violence acts, in both words and actions.

### ANNEX 3

#### ***Recommendations for Improving Policies on Sexual Violence against Humanitarian Aid Workers***

- Policies meet both legal and moral duty of care, are holistic, and integrated through the cycle of employment;
- Policies are comprehensive and address all staff, including staff with diverse profiles;
- Staff members, in particular national staff, are consulted in the development or revision of policies, and their concerns are integrated;
- Policies are survivor-centred, and, where possible, survivors of sexual violence are consulted in the development or revision of the policy, and their concerns are integrated;
- Policies are accessible to and understood by all staff, and available in all relevant local languages;
- Code of Conduct explicitly prohibits sexual violence against all types of individuals, including colleagues;
- Staff are required to allow Human Resources to place notes on their file regarding sexual violence issues, use these notes for decisions regarding further employment with the organisation, and communicate these notes to future employees;
- Ethics or Ombudsman like roles are created within the organisation, provided with appropriate training, and information regarding their role is shared with and understood by all staff;
- Staff feedback on internal prevention and response structures for all types of misconduct, including sexual violence, is routinely sought and integrated;
- Organisational benchmarks, timelines, and indicators to address issue are set and monitored for progress; and
- Contractual requirements that all partner agencies, including contractors and vendors, have survivor-centred prevention and response strategies to address sexual violence incidents are implemented.

#### ANNEX 4

##### *Recommendations for Improving Procedures to Address Sexual Violence against Humanitarian Aid Workers*

- All procedures are survivor-centred, including safety, medical care, and psychosocial support;
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- Psychosocial support is offered to all individuals affected by an incident of sexual violence;
- Where possible, reasonable periods of compassionate leave are provided to survivors of sexual violence;
- Resources and knowledge are provided to all staff about how to address incidents of sexual violence, in particular those roles expected to act as Focal Points in the event an incident occurs;
- Reporting process allows for multiple entry points and avenues for pursuing accountability;
- All staff involved in the reporting process have appropriate training to receive information on incidents of sexual violence and are comfortable interacting with survivors;
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- All staff involved in the investigative or inquiry process have appropriate training to receive information on incidents of sexual violence and are comfortable interacting with survivors;
- Analysis has been conducted regarding the probability of receiving accountability and justice in different contexts, taking into account the intersectionalities in each location, and is shared with all staff;
- Off-boarding process explicitly provides the opportunity to report incidents of sexual violence, ideally through the use of psychosocial support sessions; and
- Information on incidents of sexual violence is shared – with appropriate confidentiality measures put in place – within organisations, and at the field level, as is appropriate.



## ANNEX 5

### ORGANISATIONAL ROLES

Knowing the role that a specific individual plays within a humanitarian organisation can be an important piece to understanding how they contribute to the creation of safer workplaces. It should be noted that, if there is a concern that capacity amongst existing staff has not yet been built, external resources should be drawn upon.

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- Sharing information on incidents at the country or field level, should there be a risk of an impact on the broader safety and security of humanitarian operations.

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### *Human Resources*

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- Helping survivors to get access to care and support, in as easy and non-traumatising manner as possible, and ensuring that information about how to access care and support is widely available to all staff members.

### *Safety and Security*

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### *Ethics and Ombudsman*

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- Helping survivors to get access to care and support, in as easy and non-traumatising manner as possible.



*Focal Point*

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