



Protection from Sexual Exploitation and Abuse Policy

Introduction

As Anera works to advance the well-being of refugees and vulnerable communities in the Middle East, we, as Anera employees and representatives, must always uphold and practice the highest standards of behavior, accountability, and integrity with everyone we encounter.

Anera is committed to the protection from sexual exploitation and abuse (PSEA) by its staff and humanitarian workers. We recognize both the particular vulnerability of women, girls, and boys to sexual exploitation and abuse as well as the inherent power dynamics evident within humanitarian and development partnerships. Humanitarian workers and managers hold positions of power over the population they serve, their staff and implementing partners.

We have an obligation to use our authority respectfully and must not abuse the power and influence we have over the lives and well-being of the participants of our programs and others in the communities where Anera works. “Do no harm” is a core principle of humanitarian action, and Anera is committed to giving this principle the adequate resources and attention to be implemented at all levels and ensure that this policy is adhered to.

Anera’s Code of Conduct highlights that abuse, harassment and discrimination based on gender, gender identity, and sexual orientation are not acceptable in the workplace and in our contacts with others.

Sexual exploitation and abuse of program participants or others in the communities we serve constitute acts of gross misconduct and are therefore grounds for termination of employment, partnership, and association with Anera.

The PSEA Guidelines apply to:

Anera

- Board Members
- Employees
- Volunteers
- Interns
- Service providers

Partners

- Volunteers/community-based workers
- Committee members associated with Anera funded projects
- Community leaders associated with Anera funded projects
- Service providers associated with Anera funded projects

The PSEA Procedures and Guidelines are supported and complemented by the following Anera policies:

- Code of Conduct Policy
- Whistle Blower Policy
- Employee Handbook

Purpose

The purpose of the Anera PSEA Policy is to remind all Anera employees and related personnel to make ethical decisions in their professional and personal lives to ensure the protection of all against sexual exploitation and abuse (SEA) by Anera staff and related personnel.

Women, girls, boys, and men with whom Anera interacts are protected from SEA. Anera acknowledges that no document can offer complete protection. However, adherence to these standards endeavors to minimize risk.

The Anera PSEA Policy has been developed in accordance with the six core principles adopted by the Inter-Agency Standing Committee Task Force on Prevention and Response to Sexual Exploitation and Abuse (2002), and the principles of the United Nations Secretary General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13).

As local laws and customs differ widely across the world, the Anera PSEA Policy is informed by International Human Rights Law, United Nations' standards, and best practice guidelines from the humanitarian sector. It applies regardless of location, local law, and local customs.

The Anera PSEA Policy covers:

- Sexual exploitation and abuse of and/or by Anera staff which is addressed in Anera's Code of Conduct.
- The process of ensuring that SEA victims are referred to/receive medical and psychological care. This should be addressed by the Country focal point who will have received training on how to deal with victims in these situations.
- If SEA is committed by one program participant on another program participant. However, Anera would encourage staff to report all cases of concern, suspicion, and disclosures made to allow Anera management to deal with the appropriate authorities in such cases.

Scope

The Anera PSEA Policy applies to everyone associated with Anera. This includes the Anera Board and all Anera employees, whether part-time or full-time and to any paid or unpaid consultants, contractors, interns, and volunteers who provide services to Anera worldwide.

Any violation of the Anera PSEA Policy will be treated seriously and will be dealt with in accordance with Anera's disciplinary procedures detailed in the Employee Handbook and applicable laws as appropriate. This may result in a disciplinary sanction up to and including termination of employment, as well as legal action.

Those in positions of authority with Anera have a particular duty to take steps to ensure adherence to the Anera PSEA Policy by both themselves and others and to support and develop appropriate systems to facilitate compliance, disclosures, and follow up.

Anera will require that partner organization employees read and agree to the Anera Code of Conduct and the PSEA Procedures and Guidelines. Some Anera partners/agents have comprehensive Code of Ethics, Code of Conduct, and/or PSEA Policies that espouse the principles of Anera's Code of Conduct and PSEA Procedures and Guidelines and may, in some cases, exceed Anera's guidelines and procedures as outlined in this document. In such cases, Anera partners/agents should share their Code of Conduct with Anera and jointly discuss and agree on how to address any inconsistencies in policies.

Anera will include in all Memorandums of Understanding, Funding Agreements, and Contracts a clause that stipulates that partners/agents:

- commit to the prevention of sexual exploitation and abuse
- establish accessible, transparent, and confidential complaint handling mechanism processes within their own organizations and programs
- ensure that all their employees and volunteers are trained on PSEA and to identify and mitigate potential risks of SEA
- raise beneficiary awareness and community-level confidential mechanisms for reporting SEA

Definitions & Acronyms

- Abuse is defined, generally, as any action that intentionally harms or injures another person, in the case of this policy, based on gender, gender identity, or sexual orientation. In many cases, it is characterized by unbalanced power relationships between stakeholders (the abuser and the victim).
- A disclosure is defined as a specific allegation of abuse made against a named individual.
- Harassment is defined as an unwelcome behavior of offensive nature severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. This includes discrimination based on gender, race, religion, sex (including pregnancy), ethnicity, age, disability, or genetic information. It includes bullying, stalking, sexual harassment, personal harassment, and harassment based on any characteristics listed above.
- PSEA means Protection from Sexual Exploitation and Abuse.
- Sensitive cases are cases where individuals or groups are harmed, discriminated against, exploited, or neglected by individuals, based on gender, gender identity, or sexual orientation. This includes, but is not limited to:
 - a. Non-compliance with the Anera Protection Against Sexual Exploitation and Abuse Policy.
 - b. Any harm caused by an individual or organization contracted by Anera (employee, volunteer, trainee, consultant, partner, sub-grantee etc.). Harm done can be physical, sexual, emotional, and/or discriminatory means and can lead to situations of exploitation and abuse of power
- Sexual Abuse means the actual or threatened physical intrusion of a sexual nature, including inappropriate touching or harassment, which can occur
 - a. by force;
 - b. under unequal conditions; or

- c. under coercive conditions.
- Sexual exploitation are practices by which a person achieves sexual gratification, financial gain, or advancement through the abuse or exploitation of a person's sexuality by abrogating that person's human right to dignity, equality, autonomy, physical, and mental well-being; i.e. trafficking, prostitution, prostitution tourism, bride trade, pornography, stripping, battering, incest, rape, and sexual harassment.
- Suspicion is when a concern is expressed about abuse that may have taken place or concern that abuse may take place.
- Exploitation shall include, at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs.
- Trafficking in Persons is the recruitment, transportation, transfer, harboring, or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Policy Statement

Anera staff and all clients to this Policy must never:

- a. Sexually exploit or sexually abuse any individual.
- b. Engage in any sexual activity with a child or children regardless of the local age of majority or age of consent. Mistaken belief in the age of a child is not a defense.
- c. Act in ways that may place a child at risk of abuse, including not giving due consideration to assessing and reducing potential risks to children as a result of implementing activities. Behaviors and actions that are prohibited include, but are not limited to, using inappropriate language or behavior when dealing with a child or children, bullying and harassing a child verbally or physically, physical punishment, exposing a child to pornography including on-line grooming and trafficking. Whenever possible avoid being alone with a child.
- d. Consume, purchase, sell, possess, and distribute any forms of child pornography.
- e. Exchange money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior. This includes the buying of or profiting from sexual services as well as exchange of assistance that is due to right holders for sexual favors.
- f. Exploit the vulnerability of any target group in the context of development, humanitarian and advocacy work, especially women and children, or allow any person(s) to be put into compromising situations.
- g. Never abuse a position to withhold development or humanitarian assistance or give preferential treatment in order to solicit sexual favors, gifts, payments of any kind, or advantage.
- h. Engage in sexual relationships with members of crisis-affected populations given their increased vulnerability and since such relationships are based on inherently unequal power dynamics and undermine the credibility and integrity of aid work.

Anera staff must:

Inform his or her line manager when engaging in a long-term relationship with a member of the community, that is benefitting from a development or advocacy program, to prevent the perception of a conflict of interest in countries where Anera and its partners undertake long-term development work.

When an Anera employee develops concerns or suspicions regarding sexual abuse or exploitation by a client to this Policy, whether in the same agency or not, he or she must report such concerns through Anera's established reporting mechanisms.

Anera employees are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of the Anera PSEA Policy. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

The Anera PSEA Policy encompasses all types of SEA and exploitation and organized abuses of power, including exploitation, forced labor, slavery, and trafficking.

Anera condemns exploitation, slavery, and forced labor and has a zero-tolerance policy towards anyone who is exploiting human beings for their benefit based on gender, gender identity, or sexual orientation. These principles are embedded in the Anera Employee Handbook and the Code of Conduct.

Reporting

It is the obligation of all Anera staff and related personnel to raise any concerns or suspicions they have, actual or perceived, of any breach of the Anera PSEA Policy by any colleague or client to the Policy.

This should be done through:

- a. Anera's internal and external mechanism as laid out in the [Whistleblowing Policy](#);
OR
- b. To a senior manager with whom they feel comfortable;
OR
- c. The Country team focal point for PSEA.

When made aware of an alleged breach of the Anera PSEA Policy, Anera will:

- Take appropriate action to the best of its capacity to protect persons from retaliation when allegations of sexual exploitation and abuse are made in good faith.
- Investigate allegations of sexual exploitation and abuse involving Anera staff and related personnel in a timely and professional manner, and to the best of its capacity encourage all designated stakeholders to do the same.
- Inform donors and relevant regulatory authorities as required by contracts and law, respectively.
- Use appropriate interviewing practices with complainants and witnesses, particularly with children. This may include engaging professional investigators or securing investigative expertise as appropriate.
- Take swift and appropriate action, including legal action when required, against employees and related personnel who commit sexual exploitation and/or abuse.

- Take swift and appropriate action against those who were aware of such abuse/exploitation but did not report it.
- Support survivors of SEA, including but not limited to medical assistance, if required.

All Anera staff should be made aware of the reporting mechanisms for PSEA by ensuring that reporting lines on how to raise concerns are displayed in an accessible location in all Anera offices. This display must contain the contacts of all focal points, the internal and external whistleblowing contacts, the complaints response process.

Training and Communication

All staff, related personnel and visitors are to be informed about the Anera PSEA Policy during their employment/volunteer on-boarding. It is the responsibility of the field office where staff are stationed to ensure that all staff members receive training on the Anera PSEA Policy. Each country's Protection Focal Point will also conduct regular updates and specific training to meet the needs of particular staff roles within the local context and its accompanying risks.

Anera will audit its operations annually to ensure that PSEA is being addressed correctly in 4 components:

- Policy:** the Anera PSEA policy is applied in all Anera country programs it is easily accessible to all staff and fully understood by all Anera staff and related personnel.
- Processes:** systems are in place to reduce risks of abuse, rumors, and the possibility of harm.
- People:** staff are recruited, managed, and work in an environment that addresses PSEA through support, training, information, and response.
- Accountability:** systems are in place to receive and respond to concerns, and to recognize and limit risks.

Non-compliance

Any concern regarding PSEA or suspicion of SEA or a breach of the Anera PSEA Policy, at any level is treated with the utmost seriousness by Anera. The disciplinary actions are detailed in Anera's Employee Handbook and include investigation into gross misconduct and breach of Policies.

Anera appreciates that cases of sexual abuse or exploitation can be exceptionally difficult to discover and/or prove. Survivors of sexual abuse and exploitation often face enormous social and cultural barriers to reporting any abuse or exploitation. In many cases alleged perpetrators may wield power or position over their victims, and/ or live in close proximity to them.

Anera recognizes that these factors may interfere with any investigation into cases of sexual abuse or exploitation. Anera also recognizes the significant damage that can be caused by malicious or unfounded accusations and will endeavor to provide protection for staff who may be wrongly accused.

Appendix 1 - Acknowledgement

I acknowledge receipt of the Anera Protection from Sexual Exploitation and Abuse Policy and Procedures.

I have read the policy; I understand it, and I accept the contents as part of my condition:

- of employment with Anera,
OR
- volunteer association with Anera contracting to Anera,
OR
- contracting to Anera.

I acknowledge that I must attend all training related to the Anera PSEA Policy. Failure to complete the training program will result in the termination of my employment, volunteer association, or contracting ability with Anera. All new hires and associations with Anera must complete their initial training within 90 days of acknowledging this form. I understand that it is my responsibility to ensure this training is complete.

Name

Signature

Date