

GUIDE

FOR FACILITATED PRESENTATION OF THE FILM “TO SERVE WITH PRIDE” ON PREVENTION OF SEXUAL EXPLOITATION AND ABUSE BY UNITED NATIONS AND NGO PERSONNEL

CONTENTS

1. Introduction	1
1.1 The objectives of the film and discussion	1
2. Notes for the Facilitator	1
2.1 Preparation and early considerations	2
2.2 Tools and resources	2
2.3 Handouts	3
2.4 Session Structure	3
2.5 Timing	3
2.6 Session Plan	3
3. Facilitated Discussion	4
3.1 Introduction	4
3.2 Presentation/Discussion	5

APPENDIXES

- Handout: Secretary-General’s Bulletin
- Handout: Key Points on Preventing and Responding to SEA
- Handout: Frequently Asked Questions
- Feedback Form



1 INTRODUCTION

This is a guide for facilitating a presentation and discussion of the training film “To Serve with Pride: Zero Tolerance for Sexual Exploitation and Abuse” launched in December 2006. The film addresses the problem of sexual exploitation and abuse by UN staff and related personnel¹ and NGO personnel² and is a useful tool to better understand our role and responsibilities in preventing and responding to such exploitation and abuse (SEA). The film was developed with the idea that it would be viewed by all UN staff and related personnel. As such, a screening and discussion of the film should normally form part of an induction programme and refresher sessions on sexual exploitation and abuse for all such personnel. The presentation and discussion may be facilitated by senior management, focal points for sexual exploitation and abuse, Conduct and Discipline Unit staff (from headquarters and/or missions), trainers or other nominated persons. Depending on the composition and size of the audience, they may be male, female, civilian, military, national or international. Wherever an inter-agency In-Country Network on Protection from Sexual Exploitation and Abuse exists, they will separately develop a communications campaign for the local community.

1.1 The objectives of the film and discussion are to:

1. Explain the principles of the Secretary-General’s Bulletin on *Special measures for protection from sexual exploitation and sexual abuse* (ST/SGB/2003/13) (the SGB);
2. Highlight the consequences of sexual exploitation and abuse and the importance of UN staff and related personnel complying with the SGB’s provisions; and
3. Raise awareness among UN staff and related personnel of the widespread occurrence of sexual exploitation and abuse, the seriousness of the problem and what should be done to prevent and respond to it.

The facilitator’s task is to get their audience to begin to think, or think differently, about sexual exploitation and abuse. It might be useful to bear in mind that each audience will be made up of different categories of staff members, each with different attitudes toward, and levels of knowledge or understanding of, SEA.

2 NOTES FOR THE FACILITATOR

¹ This includes: United Nations staff and related personnel such as United Nations Volunteers, personnel or employees of non-United Nations entities or individuals who have entered into a cooperative arrangement with the United Nations (including interns, international and local consultants as well as individual and corporate contractors), experts on mission including United Nations police officers, members of national formed police units, corrections officers and military observers, as well as military members of national contingents serving in United Nations peacekeeping missions).

² This includes: personnel as defined by international organizations and their membership bodies; and personnel of non-governmental organizations.

2.1 Preparation and early considerations:

- It is highly recommended that you prepare for the training session by watching the film in advance. Doing so with a colleague or friend might also provide an opportunity to discuss any issues or questions that arise and help you to clarify your thoughts before presenting the Organizational position to others.
- Discussions about sexual exploitation and abuse by UN staff and related personnel can be difficult for some people for a variety of reasons. There are also cultural issues and sensitivities born out of individuals' own experiences, all of which must be treated carefully and with respect. People will have their own personal views with which others might agree or disagree. It is important to respect one another's views, to be sensitive and not to harshly judge or criticise.
- If you are not sure of the extent of participants' awareness of the issue, asking a few key questions during the introduction will help you to tailor the presentation later. Sometimes you will be speaking to a very specific group and sometimes to a more mixed audience. Whilst the key messages should remain the same, the presentation should be tailored accordingly, both in terms of content and style.
- It may be helpful to you to work with a co-facilitator. This second facilitator might be a gender advisor, an expert trainer or perhaps someone who complements your background in a manner that fits the backgrounds of the participants.

2.2 Tools and resources:

- To conduct the discussion after showing the film, it is recommended that you have a strong understanding of the Secretary-General's Bulletin entitled *Special measures for protection from sexual exploitation and abuse* (ST/SGB/2003/13) (SGB) that is part of this guide package.
- Sometimes, complicated questions arise during question and answer sessions (Q & A) on the issue of sexual exploitation and abuse. The set of FAQs accompanying this guide should be read in advance of the presentation and used during its delivery to assist you in answering such questions. If in any doubt, it is better to admit to not knowing the answer to a question, offering to get back to the questioner with the relevant information. The relevant information can be sought from: the web pages listed below; or through your Focal Point (see information on Focal Points in the Handouts section below), your Conduct and Discipline Unit or the UN and NGO Task Force of the Executive Committees on Humanitarian Action and Peace and Security (ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse) at seatf@un.org.

- o Further information that might help you prepare the session can be found at <http://ochaonline.un.org/sea> and at <http://www.un.org/Depts/dpko/CDT/index.html>

2.3 Handouts:

- o The guide includes a short handout summarising the key points, as well as the FAQs and the SGB. Copies of all of these should be distributed to participants.
- o A list of the relevant field and headquarters Focal Points/Conduct and Discipline Units for the organizations represented at the session should also be prepared in advance and distributed either as a handout or written up on a board, flipchart or PowerPoint slide. To identify the Focal Points/Conduct and Discipline Units, contact the administrative office or Head of Office of the relevant organization or any member of the in-country network of Focal Points. Alternatively, you can seek this information from the ECHA/ECPS Task Force, either at seatf@un.org or through your own Focal Point/Conduct and Discipline Unit in mission.

2.4 Session Structure:

- o It is recommended to provide a short introduction (if possible by Senior Management) explaining the objectives of the session, then to show the film and then to facilitate a more or less participatory question and answer session that allows you to re-emphasise the main messages of the SGB. You can find a proposal for a structured session below.

2.5 Timing:

- o At least two hours should be devoted to the session, including time for watching the film and questions.

2.6 Session Plan:

This is a model session plan for the facilitated presentation of the film.

TIMESLOT	CONTENT	WHO	MATERIAL
9:00	Welcome words	Senior Management	Agenda of the training
9:10	Overview of the training (objectives)	Facilitator	Handouts: Key Points and FAQs
9:20	DVD on SEA	Facilitator	DVD, Computer, Screen
9:40	Discussion on the DVD – first impressions	Facilitator	
9:50	Discussion on the SGB	Facilitator	SGB
10:40	Summary of the Discussions	Facilitator	

10:55	Conclusion	Senior Management/Facilitator	
-------	------------	-------------------------------	--

3 TRAINING SESSION on Sexual Exploitation and Abuse

3.1 Introduction:

Welcome participants; remind people to turn off their mobile phones.

If possible, have a Senior Management Representative open the session to highlight the importance of the issue.

Facilitator:

The objectives of the session are to:

- Explain the principles of the Secretary-General's Bulletin on *Special measures for protection from sexual exploitation and sexual abuse* (ST/SGB/2003/13) (the SGB);
- Highlight the consequences of sexual exploitation and abuse and the importance of UN staff and related personnel complying with the SGB's provisions; and
- Raise awareness among UN staff and related personnel of the widespread occurrence of sexual exploitation and abuse, the seriousness of the problem and what should be done to prevent and respond to it.

Optional: To get a feel for the participants' current level of awareness and to elicit discussion afterwards, ask any or all of the following:

Using a show of hands, please indicate:

- How many of you have read the SGB?
- How many of you have already done training on sexual exploitation and abuse?
- How many of you have already done training on gender-based violence?
- How many of you have been contacted by a survivor of sexual exploitation or abuse?
- Should managers be responsible for the behaviour of off-duty staff? Am I responsible for the off-duty behaviour of my colleagues?
- Is the UN (NGO) any different from a "normal" employer?

Now we will watch a 20-minute training film. The film will be followed by a discussion and some explanations to expand on the topic and cover any concerns or questions raised.

Watch film: "To Serve with Pride: Zero Tolerance for Sexual Exploitation and Abuse."

3.2 Presentation/Discussion:

To generate discussion, ask some questions along the following lines:

- What do you think about the film? Is anything surprising? Confusing? Unclear? What images struck you the most? What did you get out of it? Did you learn anything new?
- Does the film raise any questions, concerns, doubts?
- What do you think is the impact of sexual exploitation and abuse on victims?
- As people working with the UN, we all have an obligation to create and maintain an environment that prevents sexual exploitation and abuse. How do you think you could personally contribute to such an environment?
- In your entire working career (not just this job), how many of you have had a feeling that someone you work with might be sexually exploiting or abusing someone? [*Using show of hands*] Have you ever experienced that someone reported this impression/observation to management?

If necessary to generate discussion, share one of your own impressions, e.g. “when I saw the film for the first time, what struck me the most was....”, and again ask what others thought.

SGB

Distribute copies of the SGB, the Key Point handout and the FAQs.

You may wish to state briefly that one of the handouts summarizes the key points on preventing sexual exploitation and abuse while another provides useful responses to frequently asked questions.

You may want to use the text below when you further elaborate on the issue.

- It is important that we understand the rules of the SGB and that we are able to make the link between the standards in this Bulletin and our working environment.
- The fundamental purpose of the SGB is not to place restrictions on our lives but to protect others from harm. It is already our mandate to protect and assist the most vulnerable and respect human dignity. The SGB sets out some specific standards on how to avoid harming those whom we have committed to protect.

Context

- Sexual exploitation and abuse by UN staff and related personnel is one form of gender-based violence. In nearly every place the UN works, gender-based violence is endemic. Such violence and exploitation are almost always linked to power.

Possible questions:

- What things give people power? *Elicit: money, position, authority, gender.*
 - What do we mean by power? *Elicit: Power is the ability to influence or control; it includes access to decision-making processes.*
- Those who have more power can exploit and abuse others. Those who have the least power – and very often they are women and children, especially girls – are most likely to be exploited and abused.

Possible questions:

- What are some common relationships in society where power imbalances exist? *Elicit a couple of examples, eg. boss to staff, teacher to student, person with social prestige to person with none.*
 - In your lives, what power imbalances exist between you and others? *Elicit: eg. beneficiaries .*
 - What things contribute to abuse based on power inequalities, what are some of the elements at play? *Elicit: poverty, social status, breakdown in social structures, culture, subordinate status of women and girls, social status as a single young woman, impunity for perpetrators.*
- This broader context of gender-based violence, particularly in conflict, often means that the population we serve has already been exposed to considerable sexual exploitation and abuse, is more vulnerable and has fewer defence or protection mechanisms to combat it. In some countries, some people regard a certain level of sexual exploitation or abuse as acceptable. It is not. The UN has adopted a “zero tolerance” policy for such behaviour of any kind and it is absolutely prohibited for anyone working with the Organization.

Definitions

- The SGB gives clear definitions of “sexual exploitation” and “sexual abuse” and prohibits all such acts.
- Taking a quick look at the definitions (this is a summary), *If participants have copies of the SGB, refer them to p. 1:*

Sexual Exploitation

“Sexual exploitation” means the ABUSE of a position of:

- (a) vulnerability

- (b) differential power; or
 - (c) trust
- for sexual purposes.

This covers any circumstance where UN staff or related personnel *take advantage* of someone else's vulnerability, lesser power or trust for sex. We are all aware of examples in the places where we live or work where power imbalances exist in society and lend themselves to abuse. As UN staff or related personnel working amongst vulnerable populations, we are almost invariably in a position of power or trust compared to those we are there to assist. It is this position that creates the potential for abuse and requires our judgment and vigilance.

Possible questions:

- What kinds of relationships might have this type of dynamic? *Elicit a couple of examples, eg.: relationships with beneficiaries living in refugee/IDP camps, victims of humanitarian crises, sex workers.*
- What if the person consents? Even if it is a vulnerable woman, if she is an adult and agrees to have sex is this okay?

Note that "consent" is not part of the definition of sexual exploitation. Even if someone agrees to have sex, it can still constitute sexual exploitation if the other conditions exist.

Possible question:

- Why do you think that is? Elicit: persons who are vulnerable or have less power may not know or feel that they can refuse to have sex; the vulnerable may see sex as a commodity to obtain survival items, such as food or security, but it is not for UN personnel to take advantage of their desperation.

Sexual Abuse

Possible question:

- Is it necessary to have force for sexual abuse to occur?

"Sexual abuse" occurs when there is a physical intrusion of a sexual nature:

- (a) by force
- (b) under unequal conditions; or
- (c) under coercive conditions.

This means that actual force isn't necessary for sexual abuse to occur. It can also occur where there are unequal conditions or coercive conditions.

Possible question:

- Can you provide examples of unequal conditions? *Elicit a couple of examples, eg. child-to-adult.*

- Examples of coercive conditions? *Elicit a couple of examples, eg. an aid worker refusing rations unless a beneficiary agrees to sex, an aid worker giving extra rations if a beneficiary agrees to sex.*

Under both definitions, sexual exploitation and sexual abuse can occur even if only an attempt is made or threatened but is not successful. Eg. Simply asking for sex with a sex worker or a child is a prohibited act.

- It is important to remember that the definitions are quite broad. Sexual exploitation and abuse can be committed by men and women and can be committed against men, women, boys and girls. However, the vast majority of cases are committed by men against women and girls.
- The aim of the SGB is not to prevent sexual relationships. It is about preventing exploitative or abusive sexual relationships. Its purpose is to protect the most vulnerable from harm.

Possible question:

- Do you have any questions about the types of relationships that are exploitative or abusive?

Consequences

- Sexual exploitation and abuse have real and serious consequences. These include physical, mental and emotional consequences. As the film demonstrates, these can be quite traumatic and long lasting. Whilst our primary concern rests with the direct victim, there are also consequences for the community, the perpetrator, the Organization and any children born as a result of the sexual exploitation or abuse.

Possible questions:

- What are some of the consequences for the victim? The community? The perpetrator? The Organization? *Elicit only a couple for each, such as (a) sexually transmitted diseases, stigmatisation, pregnancy, (b) breakdown of family structures, drain on resources, (c) loss of employment/income, loss of reputation, prison (d) loss of trust from community, security risk.*

Sex Work/Survival Sex

- One of the biggest areas of concern is sex work/survival sex. The lack of economic options for women in vulnerable circumstances may result in sex work/survival sex and exploitative sex being one of the few avenues they have for obtaining money to meet basic needs. It is not for UN personnel to take advantage of women's vulnerability.
- Nonetheless, it is well documented that in many countries, when a peacekeeping mission is established, the level of sex work/survival sex

increases dramatically, often with women who have been trafficked. We create the demand and become part of the problem.

- Therefore, even in countries where sex work is legally or socially acceptable, it is unacceptable and prohibited conduct for UN staff and related personnel.

Reporting obligation

- According to another Secretary-General's Bulletin (ST/SGB/2005/21) – this one on protection against retaliation for reporting misconduct – staff members have a duty to report any breach of UN rules and regulations. A staff member with knowledge of misconduct by another staff member should report the matter.
- It is a difficult idea for many of us to report on the behaviour of our colleagues, particularly when we have only heard rumours or only have concerns or suspicions and are unsure as to what is really going on. Often we are worried about what people will think of us if we report. We need to remember that sexual exploitation and abuse cause harm, often life-long damage. The reporting obligation is not about playing Big Brother, but about protecting the vulnerable. Numerous studies from around the world have shown that early intervention in cases of sexual abuse helps prevent such long-term damage and that delayed response, in some instances, means that the victim might never fully recover. As Steve Blight says in the film, the fear is often “what if I am wrong?” but the concern should be “what if I am right?”
- Note that the obligation is to report “concerns or suspicions”. It is not necessary to be sure or to have proof before reporting a concern. Even rumours should be reported as they may be a sign that there is a serious problem. However, it should be noted that fraudulent allegations or those made in bad faith are not acceptable and not protected by the whistle-blower SGB (ST/SGB/2005/21), which provides protection against retaliation for the individual who makes an allegation in good faith (see below).

Focal Points/Conduct and Discipline Units

Possible questions:

- Do you know to whom you can report?
- Do you know what is a Focal Point on sexual exploitation and abuse?
- Do you know who are your Focal Points, in [country] and at Headquarters?

If participants do not know, explain as follows:

(a) Reports can be made confidentially through established channels, such as the Focal Point on sexual exploitation and abuse or the Department of Field Support Conduct and Discipline Unit in mission. When making a report the aim is to get the information to headquarters as quickly and as confidentially as possible. You do not have to follow the normal chain of command or go

through your supervisor. Confidentiality is more easily preserved the fewer the number of people who deal with the report. You do not have to make the report locally. You can report to another organization's Focal Point or another Conduct and Discipline Unit if you are not comfortable speaking to your own. You can also report directly to headquarters or directly to the United Nations Office of Internal Oversight (OIOS). Reports can also be made through additional reporting channels offered by your agency. Several missions have established mechanisms to facilitate reporting of complaints, including locked drop-boxes, private meeting rooms, telephone hotlines, secure email addresses, outreach to civil society including local women's organizations and use of the local UN-NGO network of focal points on sexual exploitation and abuse to refer complaints received by other agencies.

(b) Focal Points on sexual exploitation and abuse and Conduct and Discipline Units have the responsibility to receive and channel complaints, conduct trainings and advise managers on prevention strategies, among other tasks.

(c) Here are the details for your Focal Points/Conduct and Discipline Units. *[Provide the name and contact information of the relevant field and HQ Focal Points. Have this ready on a board, flipchart or PowerPoint slide. Ask the Focal Points to identify themselves if they are present (most organizations should have more than one Focal Point in each office). If the participants are from different Organizations, list as many of the relevant Focal Points as possible. A longer list may also be distributed as a handout.]*

Protection from Retaliation

- There are some measures in place to protect those who report allegations of misconduct.
 - ST/SGB/2005/21 is known as the 'whistleblower' SGB. Namely, it provides protection for the individual who makes an allegation in good faith.
 - Specifically, the SGB states that any individual who cooperates in good faith with an audit or investigation has the right to protection from retaliation. This applies to all staff members. Retaliation is in itself seen as misconduct.

Follow-up to reports

- There are established systems for confidentially recording and channelling information on a "need to know" basis, conducting investigations, and implementing disciplinary measures. More information on this can be obtained from your Focal Point, your Conduct and Discipline Unit, OIOS, or your agency's specific reporting lines, such as hotlines, the United Nations Office of Human Resources Management (OHRM), the Department of Peacekeeping Operations' Conduct and Discipline Team or the UN and NGO Task Force of the Executive Committees on Humanitarian Action and Peace and Security (ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse).

- Similarly, systems are being put in place to provide assistance to victims of sexual exploitation and abuse, as this is also a vital part of preventing and responding to the problem.

Questions

Ask if there are any questions about the film, the presentation or sexual exploitation and abuse.

Summary

Summarise the session with the following:

In summary, the key messages are that:

- Sexual exploitation and abuse are unacceptable and cause serious harm;
- The purpose of the SGB is to protect the vulnerable, and
- We each, individually, can play a role in addressing the problem, principally by taking the issue seriously and reporting suspicions and concerns.

Draw attention to the OCHA and DPKO websites for those seeking more information ((a) <http://ochaonline.un.org/sea> ; (b) <http://www.un.org/Depts/dpko/CDT/index.html>) [These addresses can be written up on a board, flipchart or PowerPoint slide in advance. They are also included on the handout “Key Points for Preventing and Responding to Sexual Exploitation and Abuse by United Nations Staff and Related Personnel” at the end of this guide.]

Conclusion

Conclude with [or ask a participating senior manager to conclude with]:

- This is a difficult topic. We also need to remember that all around the world UN staff and related personnel are dedicated to assisting and serving the most vulnerable and *transforming their lives for the better*. In the most difficult of circumstances, the UN has managed to achieve great things and we can all be proud of this. But while acts of sexual exploitation and abuse continue the role and purpose of the UN is gravely undermined and we harm those we are there to help.
- Sexual exploitation and abuse are not inevitable. With compassion, discipline and bravery, we can work to eradicate sexual exploitation and abuse and restore the world’s pride, hope and faith in the UN.

Thank participants for attending.

This Facilitation Guide has been prepared under the auspices of the ECHA/ECPS Task Force on Protection from Sexual Exploitation and Abuse.

“TO SERVE WITH PRIDE”

KEY POINTS ON PREVENTING AND RESPONDING TO SEXUAL EXPLOITATION AND ABUSE BY UNITED NATIONS STAFF AND RELATED PERSONNEL³

- UN staff and related personnel are expected to uphold the highest standards of integrity and conduct. Working to assist needy populations requires a particular duty of care. Sexual exploitation and abuse by UN staff and related personnel represent a betrayal of the trust of those we serve.
- Sexual exploitation and abuse are never “victimless” behaviour. They cause harm and have potentially serious physical, mental and emotional consequences, which can be quite traumatic and long lasting. There are also consequences for the community, the perpetrator, the Organization and any children born as a result of the sexual exploitation or abuse.
- The Secretary-General’s Bulletin *Special measures for protection from sexual exploitation and abuse* (ST/SGB/2003/13) (the SGB) gives clear definitions of “sexual exploitation” and “sexual abuse” and states that such acts constitute serious misconduct and are grounds for disciplinary measures, including summary dismissal.
- In summary (these are not the full definitions):
 “**Sexual exploitation**” means the ABUSE of a position of:
 - (d) vulnerability
 - (e) differential power; or
 - (f) trustfor sexual purposes.

 “**Sexual abuse**” occurs when there is a physical intrusion of a sexual nature:
 - (d) by force
 - (e) under unequal conditions; or
 - (f) under coercive conditions.
- The two definitions overlap; it is not necessary to distinguish between them. Any and all acts that fall within one or both of the definitions are prohibited. Even if the person has consented to the act. Even if only an attempt is made

³ This includes: United Nations staff and related personnel such as United Nations Volunteers, personnel or employees of non-United Nations entities or individuals who have entered into a cooperative arrangement with the United Nations (including interns, international and local consultants as well as individual and corporate contractors), experts on mission including United Nations police officers, members of national formed police units, corrections officers and military observers, as well as military members of national contingents serving in United Nations peacekeeping missions).

or threatened but is not successful. E.g. Asking for sex with a prostitute or child is a prohibited act.

- The aim of the SGB is not to prevent sexual relationships. It is about preventing exploitative or abusive sexual relationships. Its purpose is to protect the most vulnerable from harm.
- The SGB also includes specific standards of behaviour:
 - Sex with children (persons under 18 years of age) is prohibited.
 - The exchange of money, employment, goods or services for sex is prohibited. This includes prostitution, even in countries where prostitution may be legal.
 - Sexual relationships with beneficiaries of assistance are strongly discouraged.
- The SGB:
 - Requires all staff members to create and maintain an environment that prevents sexual exploitation and abuse.
 - Places a particular responsibility on managers to implement the SGB.
- Most importantly, all UN personnel and partners are required to report any “concerns or suspicions”, including rumours, regarding sexual exploitation and abuse by a fellow worker.
- The reporting obligation is also about protecting the vulnerable. Early intervention in cases of sexual abuse helps prevent long-term damage to the victim. The fear about reporting is often “what if I am wrong?” but the concern should be “what if I am right?” Retaliation against a staff member because he/she made a good faith report of sexual exploitation and abuse is prohibited by the Secretary-General’s Bulletin on “Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations” (ST/SGB/2005/21) 19 December 2005. ST/SGB/2005/21 is known as the ‘whistle blower’ SGB. Namely, it provides protection for the individual who makes an allegation in good faith. Specifically, the SBG states that any individual who cooperates in good faith with an audit or investigation has the right to protection from retaliation. This applies to all staff members. Retaliation violates the fundamental obligation of staff members to uphold the highest standards of efficiency, competence and integrity. Retaliation is in itself therefore seen as misconduct.
- Reports should be made confidentially through especially established channels, such as your local or headquarters Focal Point on sexual exploitation and abuse, the Conduct and Discipline Units, the Office of Internal Oversight (OIOS), your supervisor or chain of command, or your human resources office. One of these channels is sufficient, e.g. directly to

headquarters. Normal reporting lines do not apply. Confidentiality is best preserved by limiting the number of people involved.

- If someone reports a complaint, listen carefully and respectfully, without any judgment or prejudice; reassure the person that they have done the right thing; record the information in their own words; and confidentially report it without further investigating it yourself.
- The complainant/victim of rape or sexual assault should be referred to health facility as soon as possible.
- Addressing the culture of complacency and the culture of impunity requires the effort of all of us.

Prevent sexual exploitation and abuse. Report suspicions and concerns.

- *For more information, see <http://ochaonline.un.org/sea> and <http://www.un.org/Depts/dpko/CDT/index.html> or contact your Focal Point, Conduct and Discipline Unit, or the Office of Internal Oversight for more information. Alternatively, you can seek information from the ECHA/ECPS Task Force at seاتف@un.org*

FREQUENTLY ASKED QUESTIONS ON SEXUAL EXPLOITATION AND ABUSE BY UN PERSONNEL AND PARTNERS

These FAQs are designed to assist facilitators with questions that commonly arise regarding sexual exploitation and abuse by UN personnel and partners. They are grouped into various categories to assist facilitators in providing responses throughout their sessions. Facilitators should use good judgment when answering questions. If they do not know or are unsure of an answer, they should say so and offer to check it and get back to the questioner.

General application of the SGB:

1. To whom does the SGB apply?

The SGB applies to:

- All internationally-recruited and locally-recruited UN staff, including staff of separately administered organs, funds and programmes of the United Nations;
- All categories of UN peacekeeping personnel (see General Assembly Resolution 59/300 of 22 June 2005), including military members of national contingents, experts on mission, including police officers, corrections officers and military observers; and members of national formed police units;
- Personnel or employees of non-United Nations entities or individuals that have entered into a cooperative arrangement with the UN, including interns, JPOs, international and local consultants, and corporate and individual contractors, including day labourers; and
- United Nations Volunteers.

2. “Sexual exploitation and abuse is a problem that exists primarily in the Democratic Republic of Congo. It is not likely to happen in my duty station.”

Sexual exploitation and abuse, in a variety of different forms, have been found to exist to a greater or lesser extent in all duty stations. Regardless of your perceptions of the problem in your duty station or the likelihood of it occurring, all UN personnel and partners have an obligation to create and maintain an environment that prevents sexual exploitation and abuse and to uphold the standards of conduct.

3. Aren't the rules on sexual exploitation and abuse an intrusion into my private life? Isn't what I do in the privacy of my own home, or outside of office hours, my own business?

When you are serving with the UN, you are a representative of the Organization during your free time as well as during your working day. You do not have the same freedoms in your “private life” as you do when you are in your home country or working for another organization. You accept this when you accept the job. You are held to a very high and very strict standard of conduct because

your behaviour, both professional and personal, is always associated with and reflects on the image of the Organization.

4. Are UN personnel expected to be celibate for the entire time they are on mission?

No, you are not expected to be celibate. However, working with the UN is not a “normal” job. Not everyone is suited for it. You are not completely prohibited from having sexual relations at your duty station, but they must not violate the SGB, i.e. they must not be exploitative or abusive as defined in the SGB.

5. We wish to respect the rules regarding sexual exploitation and abuse, but mission life is often lonely and not always easy. We are targeted by prostitutes and constantly solicited by them. What is the UN doing to protect me from this constant harassment?

Once again, working with the UN in some areas can be a very difficult occupation and it is not for everyone. You must have a great deal of personal discipline. You will be subject to a wide variety of dangerous, frustrating and awkward situations, including desperate people soliciting you to violate the UN standard of conduct. Your response is to continue to say no.

6. After all you have said, why doesn't the UN simply prohibit sexual relationships for mission staff?

The UN is not concerned with preventing sexual relationships but with preventing abuse, particularly of vulnerable populations. As long as a sexual relationship does not violate the SGB (or other UN policies), it is allowed.

7. If someone is in the field for a long time, it's not fair to prevent them from having sex.

The SGB does not prevent people from having sexual relations. It prohibits UN personnel and partners from engaging in acts that are sexually exploitative or abusive (as defined in the SGB). These rules are in place to prevent people from being harmed. It is not a question of fairness.

8. Why should we have to follow UN rules when the laws of [country] say something different? Shouldn't the UN respect local customs?

The SGB sets out the standards of behaviour expected of UN personnel and partners and forms part of our contractual obligations. The UN should respect local customs. Having an additional set of standards does not mean that the UN does not respect local laws and customs, it simply means it has adopted an additional higher standard and requires its staff to behave in a particular way. The two are not contradictory.

9. Is the SGB implying that everyone in the host country is vulnerable? Isn't this insulting?

No. The SGB does not imply that everyone in the host country is vulnerable. The SGB is concerned with the behaviour of UN personnel and partners and prohibits

them from engaging in sexual exploitation and abuse with anyone. Sexual exploitation includes abusing a position of vulnerability for sexual purposes. The SGB acknowledges that we frequently work amongst vulnerable populations and that there may be an inherently unequal power dynamic between staff and beneficiaries of assistance. If there is any risk that a sexual act might constitute exploitation or abuse, it is better to err on the side of caution.

10. Does sexual exploitation and abuse apply to staff members?

Sexual exploitation and abuse can be committed against UN personnel and personnel of partner agencies, as well as members of the community. The definitions are concerned with the behaviour of UN personnel and partners and not with the person against whom the act is committed. In addition to the SGB, a number of UN entities and partners have a policy regarding workplace harassment dealing with harassing, abusive behaviour at the workplace. Any act that constitutes sexual exploitation, sexual abuse or sexual harassment is serious misconduct and should be reported. The person reporting does not have to specify which category applies; they just need to report the relevant information.

Specific standards:

11. Do sexual exploitation and sexual abuse constitute serious misconduct?

Yes. Sexual exploitation and sexual abuse are considered acts of serious misconduct (SGB, section 3.2(a)) and constitute a basis on which:

- All staff members, whether internationally or locally recruited, may be summarily dismissed by the Secretary-General (staff regulation 10.2 and ST/AI/371 (Revised disciplinary measures and procedures), paragraph 9(c)).
- A military member of a national contingent, an expert on mission (including police officers, corrections officers and military observers), a member of a national formed police unit or a United Nations Volunteer may be repatriated.
- A cooperative arrangement with a non-United Nations entity or individual, including contractual arrangements with an intern, international or local consultant, or individual or corporate contractor, may be terminated.

12. Can I have sexual relations with a national from the host country?

Yes, as long as it is not exploitative or abusive and in violation of the SGB.

13. So you are saying no sex with prostitutes and no sex with under 18 year olds – then is it OK to have sex with a national who does not fall under the previous categories and she/he consents?

The focus is not on the individual or whether there is consent, but on the nature of the relationship. If the relationship is an abuse of a position of vulnerability,

differential power or trust for sexual purposes, it is sexual exploitation and is prohibited. UN personnel are often in a position of considerable power over the local population. UN personnel have money, food and shelter whereas the local population might often be very vulnerable and not always have easy access to these essentials. Because of the risk of abuse of power, sexual relationships between UN personnel and the local population are strongly discouraged.

14. How can I know if the person I am having sex with is over 18 or not?

That is your responsibility. People lie and even have false birth certificates or identity documents. If you are not sure, don't do it. If you have sexual relations with a person under 18 years old, it may not only be a violation of the SGB, but a criminal act as well.

15. Are there any exceptions to the prohibition on sexual activity with children?

No, there are no exceptions. Sexual activity with persons under the age of 18, regardless of the age of majority or age of consent locally is prohibited (section 3.2(b) of the SGB). Mistaken belief in the age of the child does not constitute a defence.

16. What does it mean to “strongly discourage” sexual relationships with beneficiaries of assistance?

Sexual relationships between United Nations staff or UN-related personnel and beneficiaries of assistance are “strongly discouraged” (SGB, section 3.2(d)). Sexual relationships between UN staff and beneficiaries of assistance are strongly discouraged because they are likely to be based on inherently unequal power dynamics. Where a UN peacekeeping operation has a mandate to serve the population at large, “beneficiaries of assistance” should be broadly interpreted to cover the local population.

However, the focus should be on whether the relationship is an abuse of a position of vulnerability, differential power or trust for sexual purposes. Because of the risk of sexual exploitation occurring, relationships between UN staff and beneficiaries are strongly discouraged. The SGB does not impose a blanket prohibition on such relationships but any relationship that is sexually exploitative or sexually abusive is prohibited by the SGB. The determination of whether a relationship with a beneficiary of assistance is sexually exploitative or sexually abusive is made by the employing organization on a case-by-case basis.

The standards in the SGB are minimum standards of behaviour. If there is any doubt, the relationship should not be entered into. UN personnel are expected to uphold the highest standards of conduct. Even the perception of sexual exploitation and abuse can result in damage to the credibility of the individual and the Organization.

17. I am a national staff member in a country where the legal age of consent for sexual activity is lower than 18 years of age. Do the UN standards apply to me?

Yes. The UN standards of conduct still apply to you. There is one standard of conduct for UN personnel regardless of what country or culture they are from and regardless of the country or culture in which they are serving. The SGB is the minimum standard of conduct, irrespective of local laws. When you agree to work for the UN, you agree to abide by its standards of conduct.

18. I am a national contractor working for the mission. Do the UN standards of conduct apply to me?

Yes. Under the SGB, the UN should receive a written undertaking from all contractors that they agree to abide by the standards. In case of breach of these contractual conditions, the contract may be terminated.

Prostitution:

19. What is wrong with having sex with a prostitute if the person is an adult and fully consents to it? I'm not harming anyone and in my home country/culture as well as the mission country/culture, prostitution is legal and using the services of prostitutes is accepted.

There is one standard of conduct for UN personnel regardless of what country or culture they are from and regardless of the country or culture in which they are serving. The SGB is the minimum standard of conduct, irrespective of local laws. When you accept an assignment with the UN, you accept to abide by its standards of conduct. The UN is held to a high standard of conduct.

Furthermore, prostitution in war-ravaged societies, developing countries and in countries hosting a peacekeeping mission frequently involves extremely vulnerable women and children, including persons who have been trafficked for sexual exploitation. In most communities, the vast majority of women in prostitution don't want to be there. Few seek it out or choose it, and most are desperate to leave it. The lack of economic options for women in vulnerable circumstances may result in prostitution and exploitative sex being one of the few avenues they have for obtaining money to meet basic needs.

20. Prostitution with an adult is a victimless crime. Why is the UN interfering with consensual sex between adults?

Prostitution is not a victimless crime. On the contrary, it is well documented that prostitution is inherently harmful and dehumanizing, and in certain communities may fuel trafficking in persons, a form of modern-day slavery. The vast majority of women in prostitution don't want to be there. Few seek it out or choose it, and most are desperate to leave it. Field research in nine countries concluded that 60-75 % of women in prostitution were raped and 70-95 % were physically assaulted. A recent study has revealed high rates of post-traumatic stress disorder (PTSD) in prostitutes stemming from physical and sexual assault. The study included male and female prostitutes aged from 12 to 61 who worked on

the street and in brothels in Africa, Thailand, Turkey and the United States. In the study, the measure of PTSD severity of prostitutes was higher than that of Vietnam War veterans.

21. Is it possible to enforce a prohibition on sexual activity with prostitutes? Is it realistic to have such strict rules on sexual conduct? How will the UN be able to enforce them?

Strictly upholding the UN standards of conduct is both realistic and necessary, including the prohibition against sex with prostitutes. Standards of conduct are now being applied, investigations are being stepped up and many colleagues involved in sexual exploitation and abuse are facing disciplinary action, including repatriation, and, where appropriate, also criminal action.

22. Is the solicitation of a prostitute also a violation of the Secretary-General's SGB?

Yes, the definition of sexual exploitation refers to actual or attempted abuse and thus includes solicitation.

Reporting:

23. When are staff members and UN-related personnel obliged to report sexual exploitation or sexual abuse?

Always. Staff members and UN-related personnel are obliged to report concerns or suspicions regarding sexual exploitation or abuse to the appropriate office within their organization or to the United Nations Office of Internal Oversight Services (OIOS). It is for the appropriate UN authorities, and not the individual, to investigate and confirm those concerns or suspicions.

However, reports should be made in good faith. The submission of allegations with knowledge of their falsity constitutes misconduct. Persons who report allegations that subsequently prove to be untrue will not face repercussions where the reports were made in good faith.

24. Can people complain anonymously?

Yes. Not all complainants may be willing to reveal their identity. This does not necessarily have any bearing on the truth of the complaint but may be an indication of fear of reprisal. Anonymous complaints should be treated just as seriously as complaints where the identity is known. Because of the reporting obligation, the substance of the allegation should still be reported through the proper channels, along with the identification of the alleged perpetrator, if known. The wish for anonymity only applies to the complainant and not to the subject of the complaint. The SGB addresses staff behaviour and preventing sexual exploitation and abuse. If a staff person is named in the complaint, this information should always be reported.

25. What if I report a rumour of sexual exploitation that is revealed to be

false?

Under the SGB, all staff are required to report their concerns and suspicions regarding sexual exploitation and abuse. All reports should be made in good faith. If you have made a report in good faith which turns out to be false, you will not face repercussions. If you submitted an allegation with knowledge of its falsity, you will be subject to disciplinary consequences.

Rumours must be taken seriously. If left unchecked, rumours may damage the individual(s) concerned and the mission. Rumours can serve as early warning of a greater problem. All rumours must therefore be reported and investigated. However, you should not conduct any investigations or try and find out more information; your obligation is only to report your suspicions or concerns.

Sexual harassment:

26. What is the difference between sexual harassment and sexual exploitation and sexual abuse?

In the UN Secretariat, ST/AI/379 (Procedures for dealing with sexual harassment) defines “sexual harassment” as any unwelcome sexual advance, request for sexual favours or other verbal or physical conduct of a sexual nature, when it interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Similar definitions exist in the UN Funds and Programmes.

The SGB defines the term “sexual exploitation” as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. It defines the term “sexual abuse” as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

There is often confusion about whether a particular action or conduct would constitute sexual harassment, sexual exploitation or sexual abuse. Sexual harassment is associated with the workplace. Not all sexual harassment involves an abuse of a position of vulnerability, differential power or trust or the actual or threatened physical intrusion of a sexual nature. If it does, it also constitutes sexual exploitation or sexual abuse. Sexual harassment and sexual exploitation and abuse are all considered serious misconduct. All three should be reported. The person reporting does not have to specify which category the conduct falls into.

Zero-tolerance:

27. What does zero-tolerance mean?

Zero-tolerance means that the culture of impunity and complacency toward sexual exploitation and abuse is no longer tolerated. Zero-tolerance for impunity

means that active measures are being introduced to prevent sexual exploitation and abuse and appropriate disciplinary action will be taken against all persons who are found to have violated the UN standards of conduct.

28. You talk about zero tolerance for sexual exploitation and abuse, but we know that nothing happens to people who violate the SGB.

People have been sanctioned for violating the standards of conduct on sexual exploitation and abuse. UN staff have been summarily dismissed, UNVs have had their contracts terminated and uniformed personnel have been repatriated and faced disciplinary measures instituted by their own states. Commanders have also been sent home for failing to take preventative action in relation to troops under their command. We still have a lot to do to eradicate the problem and the UN is currently improving the system for receiving and investigating complaints and ensuring appropriate action against everyone who is found to have violated the standards.

HIV/AIDS and condoms:

29. Why does the UN provide condoms in peacekeeping missions and at the same time tell us not to have sex?

The UN does not tell you to not have sex; the SGB tells you that it is prohibited to have sex in an abusive, exploitative context. The UN supplies condoms so that, in a sexual relationship under equal conditions, you and your partner can prevent the transmission of HIV. That means, the availability of condoms is a health and safety issue and not a license for sexual abuse. Condoms are made available to all peacekeeping personnel – international and national staff and uniformed personnel – to prevent the transmission of HIV.

Victim assistance:

30. What is the victim assistance strategy?

On 21 December 2007, the General Assembly adopted the “United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel” (A/RES/62/214). The strategy gives the United Nations an initial 2-year mandate to help victims to access the services they need as a result of the sexual exploitation or abuse. These services may include medical treatment, counseling, legal assistance, social support, or material care such as that which is needed for victim protection. In addition, the strategy commits the UN to helping children born as a result of sexual exploitation and abuse to access needed assistance.

31. How would victim assistance work under the strategy?

The intention of the strategy is to have one victim assistance programme in each country serving all victims of UN staff and related personnel, so that care remains consistent regardless of the agency associated with the perpetrator. In order to

provide the assistance established under the strategy, “victim support facilitators” would facilitate victims’ access to services on the ground, whether by way of referrals or a greater helping hand. In most contexts, personnel of implementing partners will serve as “victim support facilitators.”

32. Does the victim assistance strategy provide for financial compensation to victims?

No. UN Member States have not authorized direct UN-supported financial compensation for victims.

33. Why is the victim assistance strategy important?

Responding adequately to the needs of victims is a moral imperative given that, were it not for the UN’s presence, the abuse or exploitation would most likely not have occurred. It also restores the reputation of the UN as an organization that acts responsibly towards the communities it serves.

“To Serve With Pride”
Zero Tolerance for Sexual Exploitation and Abuse
Training Film and Facilitator’s Guide
Feedback Form

(All comments submitted will be kept on file with the interagency working group that developed the film and facilitator’s guide in anticipation of revised editions of these and other related products.)

Date: _____

1) What general comments or feedback do you have on any part of the Film and/or Guide? (These may include comments on both content and format.)

2) Were you able to respond to all questions raised during the session? If not, what more information would you have needed in order to do so?

3) Do you think that participants understood the following key messages?

- the definitions of sexual exploitation and sexual abuse
- why it is important that UN staff and related personnel do not engage in abusive or exploitive relations
- the prohibition against having sex with persons under the age of 18
- the prohibition against having sex with prostitutes
- the obligation to report

4) What improvements would you need to be able to better facilitate a session on SEA? (Please be specific.)

changes to the Film: _____

changes to the Guide: _____

changes to the Handouts (Ex: did you miss any answers to questions in the FAQs? were you able to access the online resources referenced in the Guide? etc.):

additional tools or resources that should be included or referenced: _____

If you would be willing to speak with someone regarding your feedback, please provide us with your contact information:

Name: _____ Job title and organization: _____
Address: _____
Phone/e-mail: _____

**Please send this form to: Sexual Exploitation and Abuse Focal Point, Conduct and Discipline Team, United Nations Department of Field Support, 2 United Nations Plaza, Room 880, New York, NY, 10017, USA
Fax: +1 917 367 4359, Email: seatf@un.org**