

# Guidance note on the prevention and elimination of sexual exploitation, abuse and harassment in development cooperation and humanitarian assistance

This guidance note is for the use of the staff at the Ministry for Foreign Affairs of Finland and its missions. The guidance note is a public document adopted by the Ministry's Development Policy Steering Group on 1 March 2023.

## 1 Introduction

The purpose of this guidance note is to provide practical information and guidance on the prevention and elimination of sexual exploitation, abuse and harassment (SEAH) in development cooperation and humanitarian assistance. The guidance note is based on the OECD's Development Assistance Committee's (DAC) [Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance](#). The note aims to increase awareness and knowledge on the topic as well as to provide advice and tools to prevent, address and eliminate SEAH.

The guidance note starts with stating how important it is that the leadership commit to preventing and eliminating SEAH in development cooperation and humanitarian assistance. Next, the key principles and Finland's international commitments to the issue are briefly explained. The second part of the document explains how to integrate prevention and elimination of SEAH throughout the development cooperation project cycle. It also contains a description of the measures the Ministry has taken to prevent, address and eliminate (sexual) harassment at the Ministry as well as the process if (sexual) harassment occurs at the Ministry as well as resources for the prevention of sexual exploitation, abuse and harassment (PSEAH). A list of terminology on SEAH and as well as a background note and speaking points on PSEAH are attached.

This note should be considered as a living document, as additional tools and advice will be included as they are developed. Any feedback on the guidance note can be sent to keo-20@gov.fi.

## 2 Commitment of the leadership

**Commitment from all levels of the organisation, especially from the senior management**, is crucial. Studies show that when senior management publicly convey the seriousness of SEAH, employees, too, take it more seriously. Leaders also play a key role in setting the organisational culture. It is an important driver because it reflects the attitudes, values and expectations of the organisation.



Leaders should address SEAH by taking measures to improve diversity and inclusion. This can include strong, actionable human resources procedures that embed gender equality and PSEAH, the inclusion of PSEAH discussions on board meeting agendas, having senior champions responsible for PSEAH and promoting staff gender balance in senior roles, particularly. Leaders should encourage scrutiny of their own behaviour and that of senior management.

### 3 Key principles

The prevention and elimination of SEAH is a priority for the Ministry. The Ministry has **a zero tolerance policy** on sexual exploitation, abuse and harassment. The Ministry has also a zero tolerance policy on inaction to SEAH. Zero tolerance is not the same as zero incidents. The Ministry for Foreign Affairs of Finland has a duty as an employer to address workplace SEAH in accordance with the Act on Occupational Safety and Health (738/2002), the Act on Equality between Women and Men (609/1986) and the Act on Non-discrimination (1325/2014). It is the policy of the Ministry to include this obligation in all its agreements and government grant conditions.

**The rights, needs and safety of those who have experienced SEAH** must be at the centre of actions to prevent, respond to and eliminate SEAH. Privacy and confidentiality must be ensured. It is important to note that women and girls in vulnerable situations, such as IDPs, refugees, women and girls with disabilities and women belonging to ethnic or sexual minorities, are at a higher risk for SEAH.

The root causes of sexual exploitation, abuse and harassment originate in gender inequalities, including discriminatory social norms and gender stereotypes and other power imbalances. These must be addressed to ensure a gender equal and inclusive **organisational culture**. The role of **leadership** is crucial in this.

Effective **reporting and investigations mechanisms** must be in place and function efficiently.

**Awareness raising and training** on SEAH and on the prevention, response to and elimination of SEAH among the staff at the Ministry, missions and partners is crucial to enhance understanding and to build capacity to address the problem.

Monitoring, reporting and evaluation on SEAH prevention and response is also crucial. Finland follows up closely this topic in the governing boards of UN agencies and development banks, among other forums. We also encourage partners to consider to adhering to the DAC Recommendation mentioned below.



Any gender can experience sexual exploitation, abuse and harassment. Perpetrators of SEAH can be of any gender. Sexual exploitation, abuse and harassment constitute sexual and gender-based violence. SEAH can also occur online.

Preventing sexual exploitation, abuse and harassment is everyone's responsibility.

## 4 Finland's international commitments

At a Summit held in London 2018, a number of donor countries adopted [the London commitments \(2018\)](#) that were designed to achieve four long-term changes:

- Ensure support for survivors, victims and whistle-blowers, enhance accountability and transparency, strengthen reporting and tackle impunity
- Incentivise cultural change through strong leadership, organisational accountability and better human resource processes
- Agree minimum standards and ensure we and our partners meet them
- Strengthen organisational capacity and capability across the international aid sector, including building the capability of implementing partners to meet the minimum standards

The DAC Recommendation on Ending Sexual Exploitation, Abuse, and Sexual Harassment in Development Co-operation and Humanitarian Assistance, adopted in 2019, sets out the first international standard for the DAC members, donors and international stakeholders. It presents six key pillars of prevention of and response to SEAH: 1) Policies, professional conduct standards, organisational change, and leadership; 2) survivor/victim-centred response and support mechanisms; 3) reporting, response and procedures; 4) training, awareness raising, and communication; 5) international coordination; and 6) monitoring, evaluation, shared learning, and reporting.

Monitoring of the implementation of the Recommendation is carried out through a specific monitoring report and through peer reviews of the DAC members. Multilateral organisations, too, can adhere to the Recommendation. As of January 2023, four UN agencies, UNICEF, UNHCR, UNFPA and UNOPS, have adhered to the Recommendation. Finland encourages the UN agencies and development banks to adhere to it. The DAC Secretariat is available to support members in the implementation of the Recommendation through their expertise (e.g. training).



These two commitments are political, not judicial, in nature. A working group has been established for both the London commitments and the DAC Recommendation, respectively. Finland is represented by KEO-20 in both working groups.

Finland is a member of the [Call to Action to End Gender Based Violence in Emergencies](#) network. Under the current 2021–2025 roadmap, the prevention of sexual exploitation and abuse (PSEA) is an issue that every Call to Action partner must address in their organisational policies and accountability mechanisms. However, as stronger policies and systems are put in place to address sexual exploitation and abuse (SEA), there must also be commensurate attention to ensuring that comprehensive gender-based violence (GBV) response services are in place for survivors at every phase of a humanitarian response or other activity carried out by the members of the network and their partners. As such, every member organisation must adopt, implement, evaluate, and report on policies and systems to ensure institutional accountability on GBV, PSEA, and gender equality. Finland is expected to report on its efforts on the matter.

The [Multilateral Organisation Performance Assessment Network](#) (MOPAN) has developed a [SEAH Note for Practitioners](#) in multilateral organisations to identify and remedy gaps in the prevention of sexual exploitation and abuse (SEA) and sexual harassment (SH) as well as to ensure appropriate, victim-centered responses to them. The Note is also designed for member states, donors, and other stakeholders interested in developing benchmarks for monitoring the progress of organisations they fund or govern.

## **5 Prevention of and response to SEAH in practice**

### **5.1 Applying prevention and elimination of SEAH in development co-operation**

Applying prevention and elimination of SEAH in project cycle:



Formulation	Agreements	Implementation and monitoring
<ul style="list-style-type: none"><li>• Include SEAH risk(s) (including description, probability, impact(s), risk management measures, responsible person(s)) in the risk matrix of a project document</li><li>• Assess SEAH risks in AHA-KYT as a part of the Quality Assurance Board procedure</li></ul>	<ul style="list-style-type: none"><li>• Include a SEAH clause in the funding agreement</li></ul>	<ul style="list-style-type: none"><li>• Include PSEAH discussions in Annual Reviews'/ Governing Boards'/Steering Committees' agendas</li><li>• Conduct trainings for staff and consider a trained PSEAH focal point</li><li>• Raise awareness on SEAH and the Ministry's reporting mechanism (<a href="http://www.vaarinkayttoilmoitus.fi">www.vaarinkayttoilmoitus.fi</a>) in cooperation with local partners</li><li>• Include a review of the implementation of PSEAH actions in the annual and final reports</li><li>• Include an assessment of PSEAH actions in evaluations</li></ul>

### 5.1.1 Risk management

The risk management policy of the Ministry for Foreign Affairs of Finland defines the general objectives, principles and responsibilities of risk management at the Ministry. The risk management policy for development cooperation (PF11LUAF-21) defines the general objectives, principles and responsibilities of risk management related to development cooperation as well as its operating model. Risks related to sexual abuse and violence and sexual harassment are recognised in the overall framework and operating model for risk management for preventive actions, monitoring and reporting, among others, in accordance with the Norm for Misuse of Funds (Norm 5/2023, VN/8285/2023).

### 5.1.2 Funding agreements and decisions

Make sure that **all** relevant agreements and decisions include provisions on the prevention of and response to SEAH and on the associated reporting requirements. When in doubt, consult the legal advisors (Juristit.KEO-80@gov.fi).

Such provisions need to be included in, for example:



- Bilateral agreements with other countries, memoranda of understanding, joint financing instruments<sup>1</sup>;
- Agreements with international governmental organisations (IGOs) and financial institutions<sup>2</sup>. With the UN system entities, the harmonised text agreed between donor Member States and UN system entities should be used, see Annex 3;
- Grant decisions and grant agreements with non-governmental organisations, companies and other private actors<sup>3</sup>, and
- Procurement agreements<sup>4</sup>.

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<sup>1</sup> A model provision: *“The Parties shall have zero-tolerance policy towards sexual exploitation and abuse and sexual harassment as well as discrimination and abuse of authority. Such zero-tolerance policy applies to all levels of project implementation. Robust and prompt action will be taken in response to any such allegations.”*

See e.g. Finland – Nepal agreement <https://www.finlex.fi/fi/viranomaiset/normi/130001/47014>

<sup>2</sup> See model provision in the Ministry’s model agreement (PC0TQ3XT-16, 08.10.2021): *“The Agency shall implement zero-tolerance policy towards sexual exploitation and abuse and sexual harassment as well as discrimination and abuse of authority. Such zero-tolerance policy shall also apply to cooperative arrangements with non-Agency entities and individuals. The Agency shall take robust and prompt action in response to any such allegations.”* For the latest version of the model provision, consult the legal advisors at Juristit.KEO-80@gov.fi.

<sup>3</sup> A model provision to be included in the grant decision and/or agreement: *“The Agency shall implement zero-tolerance policy towards sexual exploitation and abuse and sexual harassment as well as discrimination and abuse of authority. Such zero-tolerance policy shall also apply to cooperative arrangements with non-Agency entities and individuals. The Agency shall take robust and prompt action in response to any such allegations. In case any allegations arise, the Agency shall immediately inform the Ministry.”* For the latest version of the model provision, consult the legal advisors at Juristit.KEO-80@gov.fi.

Ethical Code of Conduct should also be annexed to grant decisions, [see an example \(PDF\)](#)

<sup>4</sup> A model provision: *“The Consultant shall implement zero-tolerance policy towards sexual exploitation and abuse and sexual harassment as well as discrimination and abuse of authority. Such zero-tolerance policy shall also apply to cooperative arrangements with third parties. The Consultant shall take robust and prompt action in response to any such allegations. In case any allegations arise, the Consultant shall immediately inform the Ministry.”*



### 5.1.3 Notification of a case

Allegations of misuse (sexual exploitation, harassment, abuse) are reported through the Ministry's [website](#) on misuse in development cooperation or through the Ministry's case management system AHA-KYT, in accordance with the Norm for Misuse of Funds (Norm 5/2023, VN/8285/2023).

## 5.2 Addressing sexual harassment by a colleague

What to do if you feel that you are sexually harassed by a co-worker:

- You can contact [hal-13@gov.fi](mailto:hal-13@gov.fi) in any situation, if you want support or advice
- You can also contact the Ministry's occupational health and safety representative (please check the e-mail address in Kampus)
- If you are employed by the Ministry you can also contact the Ministry's occupational healthcare provider Terveystalo online at [www.terveystalo.com](http://www.terveystalo.com) or by phone +3584577349974.

<b>Discuss the situation with the person who is harassing you</b>	<ul style="list-style-type: none"><li>• Make it clear to the other person(s) that you find their behaviour inappropriate</li></ul>
<b>Discuss the situation with your supervisor</b>	<ul style="list-style-type: none"><li>• If harassing continues or you feel uncomfortable talking directly with the person who is harassing you, you should discuss it with your supervisor</li><li>• Discuss the situation together with your supervisor and with the person who is harassing you and make an agreement that the harassment has to stop</li></ul>
<b>Fill in a written report using the form <a href="#">“Report to the employer of harassment experienced at work”</a></b>	<ul style="list-style-type: none"><li>• If the harassment still continues, fill in the form for your supervisor</li><li>• Filling the form starts an official process to end the inappropriate behaviour</li></ul>



## 5.3 Trainings

The Ministry organises training courses on Finland's development policy and development cooperation two to three times a year. These courses include a session on PSEAH titled "Preventing and eliminating SEAH in development cooperation and humanitarian assistance". The courses are obligatory for the entire staff that work on themes related to development policy and development cooperation. In addition, the Ministry organises more advanced training on PSEAH on an annual basis. These courses are open for the entire staff. Consult KE0-10 on further information on PSEAH training.

## 6 SEAH terminology

Sexual exploitation, abuse<sup>5</sup> and harassment<sup>6</sup> may be defined as follows:

**Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another. Examples of sexual exploitation include requiring sexual favours as a condition for giving assistance to a person.

**Sexual abuse:** The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Examples of sexual abuse include attempted rape, forcing someone to perform oral sex/touching, and rape.

**Sexual harassment:** Verbal, non-verbal or physical conduct of a sexual nature that is unwanted and by which a person's psychological or physical integrity is violated intentionally or factually, in particular by creating an intimidating, hostile, degrading, humiliating or offensive atmosphere. Examples of sex-

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<sup>5</sup> The definitions of sexual exploitation and abuse are based on UN Secretary-General's bulletin "[Special measures for protection from sexual exploitation and sexual abuse](#)", 9th October, 2003.

<sup>6</sup> The definition of sexual harassment is based on [the definition by Ombudsman for Equality of Finland](#).





ual harassment include gestures and other non-verbal communication with sexual undertones, comments of sexual nature about individuals and/or their body, conduct, sex life or gender identity, pornographic material, and sexually suggestive letters, e-mails, text messages or phone calls.

It is important to note that **in the UN context, sexual exploitation and abuse** is something that takes place **between the actors of the organisation and external actors** (partners, beneficiaries), while sexual harassment takes place **inside a workplace/an organisation**.