



International Catholic Migration Commission

POLICY TO PREVENT AND RESPOND TO SEXUAL HARASSMENT, EXPLOITATION AND ABUSE

Approved by the ICMC Governing Committee on 15 December 2021

Policy Title	ICMC POLICY TO PREVENT AND RESPOND TO SEXUAL HARASSMENT, EXPLOITATION AND ABUSE
In Country Approver	
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INTRODUCTION

As a Catholic-inspired organization working with and on behalf of uprooted and migrant populations, including refugees, asylum seekers, internally displaced people, victims of human trafficking, and migrants, the International Catholic Migration Commission (ICMC) is committed to hold itself accountable to people and families it assists and specifically aims to prevent misconduct and to safeguard vulnerable populations. For purposes of this policy, ICMC staff are personally and collectively responsible for upholding and promoting the highest ethical and professional standards possible. As such, ICMC staff shall serve humbly and professionally, striving for excellence and working with integrity, dignity, honesty, impartiality, transparency and incorruptibility, and are expected to demonstrate loyalty and commitment to the organization, its reputation and its welfare. They also should be engaged in promoting justice, solidarity, and integral human development in the world and in contributing to a supportive, harmonious workplace. In such a work environment, the unique dignity, equality and universally recognized human rights, strengths and skills of each individual are recognized and utilized to create positive change for the people we serve.

ICMC management and senior leadership will make all necessary and possible efforts to ensure that all staff, implementing partners and their staff, community members, beneficiaries and other parties working with ICMC are aware of this policy, that they understand the implications of their individual and collective behavior and how this applies in the context of ICMC programming. Dissemination of this policy is supported by the ICMC management, particularly ensuring that sufficient resources are committed so that staff will be fully informed, trained and understand the policy, both during induction trainings when joining the organization as well as during annual refreshers and / or during staff performance appraisals. It is equally important to commit resources for a wide dissemination of this policy and its key messages, adapted to each context in a contextualized manner to ensure that beneficiaries have full access to the organization's behavioral standards and to the relevant complaint channels.

This policy applies to all work performed by all staff members and is supported by other guidance and policy documents. It defines required staff behavior, applies on and off duty and to all staff as defined above.

This policy must be read and applied in conjunction with ICMC's Code of Conduct as well as ICMC's Whistle-blowing policy. It applies to all ICMC Staff, defined for the purpose of this policy as all permanent and temporary employees, consultants, persons related to governance bodies and/or related to ICMC affiliated offices, subsidiaries and branches, interns, volunteers and all individuals working for or representing ICMC, both during working and off-duty hours.

PSEA focal points in Greece are:

Mrs. Tanja Zwack Georgakopoulou Head of Office Greece (zwack@icmc.net)
and

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The
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DEFINITIONS

This policy applies to all work performed by all staff members on and off duty

Beneficiary: Recipient of humanitarian aid and protection.

Child or minor: A person under the age of 18 (regardless of the legal age of majority or the age of consent under national legislation).

Community members: Any member of a given community, village, settlement in any location. Community members can be recipients of humanitarian aid. Within each community, some groups of individuals are more vulnerable to sexual exploitation and abuse than others and less able to protect themselves from harm, more dependent on others for survival, less powerful and less visible. They include, but are not limited to, vulnerable adults, single-headed households, separated/unaccompanied children, orphans, disabled and/or elderly (adapted from IASC Guidelines for Gender-based Violence Interventions in Humanitarian Settings, 2005).

Corruption: Abuse of trust, power or position for improper gain. Actions taken to instigate, aid, abet, attempt, conspire or cooperate in a corrupt act, also constitute corruption.

Exploitation: Using inappropriately one's position of authority, influence or control over people and resources, to pressure, force or manipulate someone by means of threat or coercion, such as withholding aid or unduly threatening people with negative repercussions.

Misconduct: Contraventions of ICMC's internal rules or policies including this policy, regulations or other instructions issued by the relevant manager or authority including contextualized security provisions and sexual harassment.

Sexual abuse: The actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions (United Nations Secretary General's Bulletin 2003/13).

Sexual exploitation: Any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, sexually or politically from the sexual exploitation of another. This includes any exchange of money, goods or services against sexual activities and favours (United Nations Secretary General's Bulletin 2003/13).

Sexual harassment: any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual, including co-workers and managers. This definition includes sexual harassment that is directed at members of the same or opposite sex, harassment based on sexual orientation and sexual advances becoming a term or condition of employment or a basis for employment decisions.

OBJECTIVE AND SCOPE OF THIS POLICY

The need for this policy flows from a recognition that ICMC's work often puts its staff in positions of power in relation to the beneficiaries and the communities where we work, especially vulnerable women, children, disabled and elderly persons. We have an obligation to use our power respectfully and must not abuse the power and influence we have over the lives and well-being of the beneficiaries of our programs and others in the communities where we work. Therefore, the main purpose of this policy is to promote and strengthen prevention, accountability to affected populations and compliance, and to outline key responsibilities with regard to staff behavior in order to prevent violations or sexual harassment, exploitation and abuse (SHEA). ICMC is determined to prevent, respond to and combat sexual harassment, exploitation and abuse of beneficiaries and members of the community committed by ICMC staff and, by this policy, seeks to protect community members, partners, beneficiaries, implementing partners and any other stakeholders.

The objective of this policy is to prevent misconduct, including (sexual) harassment, exploitation and abuse by providing clear guidance on expected standards of behavior and to ensure that effective protection policies and accountability structures are in place that are safe, confidential, transparent and accessible to all. ICMC does not tolerate any form of sexual misconduct and is committed to enhancing accountability and transparency, improving its support to complainants, survivors and whistle-blowers and driving cultural change to address structural inequities through its strong leadership at the highest governance and management levels in the organization.

When the minimum standards in this policy are higher than national laws and regulations in a given country, the provisions of this policy shall apply.

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OBLIGATIONS

ICMC strictly prohibits and applies a zero-tolerance policy toward any form of sexual harassment, exploitation and abuse



PROHIBITION OF SEXUAL EXPLOITATION AND ABUSE

ICMC strictly prohibits and applies a zero-tolerance policy toward any form of sexual harassment, exploitation and abuse, including emotional, verbal, physical or sexual, by its staff, in all the organization's activities and responsibilities, at the organizational or program level. Sexual harassment, exploitation and abuse is experienced in a disproportionate way by women and girls. However, it is also experienced by men, boys, people with disabilities, ethnic and other minorities. ICMC staff are expected to act professionally, to uphold the organization's dignity, integrity, and honor, and to project a positive public image for ICMC as we work to improve the lives of people we serve. In addition to articulating the above-cited prohibitions and a clear zero tolerance stance, this policy also should contribute to the identification of groups most affected by unequal power relations and, therefore, most at risk of sexual harassment, exploitation and abuse.

CORE PRINCIPLES ¹

The following Core Principles apply to all ICMC staff. These principles define the rules of conduct expected on and off duty, at all times, and in all locations.

1. Sexual harassment, exploitation and abuse by humanitarian workers are acts of gross misconduct. They will result in the immediate dismissal of the concerned staff. ICMC is committed to seeking legal advice with regard to informing the relevant and competent authorities and cooperating in investigations, when applicable and as necessary.
2. Sexual activity with children (persons under the age of 18) is strictly prohibited regardless of the age of majority or age of consent locally, i.e. the local or national laws where respective ICMC Offices or duty stations may be located. Ignorance or mistaken belief regarding the age of a child is not a defence.
3. Exchange of money, employment, goods, or services for sexual activity, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, by ICMC staff, is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Sexual relationships between ICMC staff and beneficiaries, where ICMC services are being provided, are prohibited. Such relationships undermine the credibility and integrity of ICMC's humanitarian aid work.
5. When an ICMC staff member develops concerns or suspicions regarding sexual harassment, exploitation or abuse by another ICMC staff member, or related individual, he or she must report such concerns to a senior manager through the existing whistle-blowing channel.
6. During their respective employment with ICMC, staff members must notify ICMC management of any accusations and/or criminal charges that may arise in relation to provisions and standards of this policy.
7. ICMC staff are obliged to create and maintain an environment which prevents sexual harassment, exploitation and abuse and promotes the implementation of this policy and the code of conduct. ICMC managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

¹ based on the Core Principles defined by the Inter Agency Standing Committee, June 2002

OBLIGATIONS



ENSURING THAT VICTIMS AND SURVIVORS ARE CENTRAL TO OUR SAFEGUARDING SYSTEM

ICMC recognizes the sensitivity of SHEA allegations and, therefore, the importance of a victim-centred approach when receiving, investigating and responding to safeguarding concerns. It is therefore key to share good practice models, experiences, and resources on survivor support approaches with and from other key stakeholders and to learn and benefit from survivors' experiences to improve the support we can provide and the procedures we implement.

Cooperation with other organizations for providing in-country support services for survivors of sexual violence, should be explored, recognizing the potential added value of providing legal support to potential victims and survivors during and after the administrative or legal investigation process. Victim's assistance and support, including psycho-social support, should be provided in the event of a confirmed SHEA incident involving ICMC staff.

ICMC leaders, managers, and staff must understand and fully adhere to the organisation's standards and policies



RECRUITMENT PROCEDURES

To prevent SHEA as effectively as possible, all ICMC job vacancy announcements must include a statement of commitment to PSHEA and all shortlisted candidates will be required to provide references and must agree to appropriate vetting procedures.

Short-listed candidates for employment with ICMC must notify ICMC of any criminal convictions or charges in relation to provisions and standards of this policy. Short-listed candidates must also notify ICMC of any findings by any previous employer that he/she has committed acts of misconduct related to sexual exploitation, sexual abuse or sexual harassment.

During the interview process, a specific set of questions will be posed to short-listed candidates in relation to expectations for ICMC staff conduct, accountability, and reporting, as related to PSHEA and other appropriate conduct by staff. Candidates whose responses are not in conformity with the principles and expectations in ICMC's PSHEA policy and Code of Conduct will not be accorded further consideration in the interview process.



DRIVING CULTURAL CHANGE

ICMC leaders, managers, and staff must understand and fully adhere to the organisation's standards and policies. At times, these standards might challenge different cultures, but it is key to hold all ICMC stakeholders from all backgrounds accountable to the organization's standards. Therefore, it is important to provide tools to monitor the establishment of an effective safeguarding culture and to promote further research related to prevention of sexual harassment, exploitation and abuse in different cultural contexts to support awareness-raising and understanding, not only of ICMC's PSHEA policy but also about additional policies and practices across the humanitarian and faith-based sectors.

OBLIGATIONS

All staff are individually responsible to familiarize themselves with this policy as well as with the Code of Conduct and its purpose.



REPORTING OBLIGATIONS

All staff have a duty to report any concern or suspicion of sexual exploitation, harassment and abuse of which they are aware, and to do so through the appropriate channel identified in the Whistle-blowing Policy.

If an ICMC staff member does not fulfill this obligation, s/he will also be considered to be in breach of this policy.



AWARENESS-RAISING AND RESPONSE

ICMC will raise awareness related to the prevention of sexual harassment, exploitation and abuse consistently throughout its work. In order to operationalize the core principles of PSHEA and the standards identified in its Code of Conduct and this policy, ICMC has adopted a three-pronged approach involving (a) building the capacity of its staff, (b) raising awareness among beneficiaries and other related parties and individuals and (c) establishing a complaint mechanism adapted and contextualized to the context ICMC is working in. The subject will be thoroughly addressed, including consequences of misconduct as a mandatory element during induction periods and throughout employment.

All staff are individually responsible to familiarize themselves with this policy as well as with the Code of Conduct and its purpose.

Capacity building of staff: Within 3 months of their employment, and to ensure that ICMC staff are sensitized to the importance of preventing sexual harassment, exploitation and abuse, staff will be required to complete the AGORA PSEA online training (www.icmc.net/safeguarding/AGORA-PSEA-training). Managers are requested to supervise the training and collect individual signatures of staff who attended the training.

The Interaction Step by Step Guide to Addressing Sexual Exploitation and Abuse is shared with Field Managers so as to give them a full overview of the prevention and response to sexual harassment, exploitation and abuse (www.icmc.net/safeguarding/IA-PSEA-Guide).

Awareness raising of beneficiaries, partners, other related parties: To prevent potential exploitation and abuse of beneficiaries by staff or other related parties, communities, partner organisations and their staff, beneficiaries as well as other related parties are included in awareness-raising sessions and information-sharing on expected behaviour. Messages need to be displayed to inform all stakeholders that ICMC assistance is free of charge, and that no money or services can be requested from them. These messages need to be accessible and understandable to all, translated into relevant languages and placed in visible locations. Consideration should be given to illiterate populations through drawings communicating that ICMC services are free of charges and including details on how to submit a complaint.

Feedback and complaints mechanism for community members: To facilitate the reporting of potential misconduct, including SHEA, all ICMC field offices have been requested to put in place a feedback and complaints mechanism that is easily accessible to all beneficiaries and other stakeholders irrespective of their sex, age and other background characteristics. The complaint mechanism follows standards set by ICMC Headquarters but is adapted to the social and cultural context of each field office. The beneficiaries and other stakeholders can make a complaint through multiple channels, including email, phone and anonymous complaint boxes. All ICMC staff should also act as entry

OBLIGATIONS

points to the ICMC complaints mechanism and are required to report any knowledge or concerns of breaches to the relevant designated focal point. Focal points are appointed for each field office and are mandated to follow up on complaints received, including on SHEA-related matters.

Whistle-blowing concerning violations of the PSHEA policy: Any breach in relation to SHEA and reported to ICMC affiliated offices, subsidiaries and branches must also be shared with the appropriate and responsible senior staff manager in ICMC Headquarters (Secretary General and/or Directors of Operations, Policy, Finance and Administration, or Communications).



NON-RETALIATION AND CONFIDENTIALITY

Staff and other related parties and individuals, community members, beneficiaries and any other stakeholders must be able to raise their concerns without fear of reprisal or unfair treatment as a consequence of lodging such a complaint. As far as possible, ICMC will do its best to ensure that complaints received are dealt with and handled in confidentiality without causing any risks to the continuing employment, or any other form of reprisal/harassment, toward the employee who lodged such a complaint.

The related facts and nature of any complaint, the identities of those involved, and the documentation resulting from the investigation will remain confidential, and only will be shared on a needs-to-know basis, to a limited number of people, and with the aim of performing the necessary investigation, care, advice or disciplinary action.

In case of breach of confidentiality, ICMC may take disciplinary action.



DISCLOSURE TO THIRD PARTIES

Confidentiality is paramount to guarantee safety to complainants, victims, whistle-blowers, witnesses and subjects of complaint. Therefore, all complaints will be handled in a confidential manner and information with regard to complaints and related investigations will only be shared with third parties when absolutely necessary, taking into consideration specific requirements and any risks to parties involved. This will be done, as far as possible, with the agreement of the complainant and/or victim, and clearly identified for each case.

It is understood that disclosure may be necessary when:

- required by law
- required by management in the best interest of all parties involved
- is needed in order to obtain specific expertise (medical, legal, other).

Staff,
community
members,
beneficiaries
and any other
stakeholders
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ACKNOWLEDGEMENT AND SIGNATURES

ADHERENCE TO ICMC'S POLICY TO PREVENT AND RESPOND TO SEXUAL HARASSMENT, EXPLOITATION AND ABUSE

This Policy reflects internal ICMC values and standards. Employment and any other formal association with ICMC are contingent upon agreeing to, and abiding by, this Policy.

The signatory below has read, understood and is in agreement with the provisions and standards of behavior of this policy.

The policy shall be subject to periodic revisions and review. The signatory accepts that any breach of this policy will result in possible disciplinary action in accordance with the respective laws, labor customs, ICMC terms of employment, conditions and guidelines.

Place and date _____

Signature staff member _____

Name of staff member _____

**Signature Supervisor
or responsible Human
Resources person*** _____

*Not applicable to members
of Governance bodies

Name of Supervisor _____

**ICMC Department/Office
or other organization (if
working for a partner
organization, a contractor
or any other third party):** _____