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POLICY

Prevention and Response to Sexual Exploitation and Abuse

Approved & Promulgated by: Joan Sawe, Director of Administration

1. Purpose and Objective

- 1.1 This Policy guides UNU and its personnel on the consistent application of the prohibitions in the United Nations relating to Sexual Exploitation and Abuse (SEA).
- 1.2 This Policy adopts a ‘human rights-based approach’, which integrates human rights considerations in accordance with international human rights principles, norms, and standards. A human rights-based approach to sexual exploitation and abuse places victims at the centre of efforts by UNU and guides UNU in addressing the root causes and consequences of SEA. This framework also reinforces the conduct and discipline and criminal accountability approaches by clarifying the responsibilities and obligations of UNU, derived from human rights principles and standards, to address SEA.

2. Application and Normative Frameworks

- 2.1 This Policy applies to all personnel, fellows, trainees, interns and gratis personnel at UNU, irrespective of service category or contract type, or whether they are on paid or unpaid leave (hereinafter “UNU personnel”). It also addresses reporting of wrongdoing by third parties engaged by UNU, such as consultants, implementing partners, vendors, as well as any employees or subcontractors of the foregoing.¹

¹ See [UN Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners](#).

- 2.2 The Secretary-General’s Bulletin on ‘Special measures for protection from sexual exploitation and sexual abuse’ ([ST/SGB/2003/13](#)) constitutes the legal and policy framework for UNU relating to SEA, including by providing definitions of this type of misconduct. All acts that amount to SEA constitute serious misconduct.

Sexual exploitation and abuse as a breach of United Nations standards of conduct

- 2.3 Any substantiated act of sexual exploitation or sexual abuse committed by UNU personnel amounts to serious misconduct, as defined under ST/SGB/2003/13 and/or other applicable frameworks. This provides grounds for disciplinary and other appropriate measures, including termination of contract and ineligibility for future recruitment in the United Nations system.

Sexual exploitation and abuse as a crime under national law

- 2.4 Some acts defined as sexual exploitation and abuse under ST/SGB/2003/13 may constitute crimes under national legal frameworks, requiring criminal investigation and prosecution accordingly. In other instances, acts of sexual exploitation and abuse prohibited under ST/SGB/2003/13 may not be categorised as a crime under national law, but constitute serious misconduct in the United Nations. For example, ST/SGB/2003/13 prohibits sexual activity with children (persons under the age of 18) regardless of the age of majority or consent in national legislation, although in some countries, the age of consent may be lower than 18 years of age.

3. Applying a Human Rights-Based Approach to Sexual Exploitation and Abuse

- 3.1 In addressing sexual exploitation and abuse committed by its personnel, UNU is committed to placing the rights of victims of sexual exploitation and abuse at the centre of prevention and response strategies and actions and to act in accordance with the principles guiding a human rights-based approach to preventing and addressing sexual exploitation and abuse, as adopted by the United Nations.

4. Responsibilities

Institutional responsibilities of UNU regarding sexual exploitation and abuse

- 4.1 In applying a human rights-based approach, actions taken by UNU to prevent and respond to SEA may include, but are not limited to:
- (i) **Prevention.** Through active vigilance, take steps to prevent sexual exploitation and abuse by conducting, inter alia:
 - a. risk assessments that map risks and outline plans to mitigate the risks identified;
 - b. screening of potential candidates for UNU posts for prior misconduct, including sexual misconduct, through the United Nations ClearCheck Database and OneHR;

- c. training and awareness-raising of UNU personnel;
 - d. raising awareness of relevant policies; and
 - e. setting up of oversight mechanisms.
- (ii) **Protection.** Place victims of SEA at the centre of UNU responses as well as prioritize the protection of the rights, dignity and well-being of victims by:
- a. ensuring that victims are duly informed of the United Nations standards of conduct and prohibitions against SEA and know their rights and UNU’s responsibilities towards them;
 - b. ensuring that victims are actively involved in processes and decisions affecting them (e.g., regarding the provision of services, avenues for protection, pursuing accountability and accessing remedies) and their views are duly considered;
 - c. ensuring that all measures taken to support victims take into account their age, gender identity and other factors specific to that individual (e.g., disability, ethnicity, sexual orientation), and thus prioritise actions that are based on a victim’s needs;
 - d. ensuring that victims have access to timely and adequate medical, legal and psychosocial assistance, including confidential services, in cooperation with other United Nations entities maintaining and/or supporting the necessary structures;
 - e. ensuring that institute Directors, as advised by the UNU focal point on the protection from sexual exploitation and abuse (PSEA Focal Point), coordinate the provision of assistance to victims with the competent United Nations Country Team, as applicable, in accordance with the United Nations Protocol on the Provision of Assistance to Victims of SEA;² and
 - f. assessing ongoing risks in consultation with victims and witnesses, and putting in place specific measures to ensure victim and witness protection, including during the process of investigations.
- (iii) **Holding accountable.** UNU will:
- a. pursue prompt and effective administrative investigations of allegations of sexual exploitation and abuse committed by UNU personnel through the Office of Internal Oversight Services of the United Nations (OIOS);
 - b. apply disciplinary and other measures, as applicable, and refer acts that may constitute crimes to States for investigation while giving due consideration for the confidentiality, safety and well-being of victims;
 - c. maintain consistent and accessible records of outcomes of investigations;
 - d. cooperate with and advocate for prompt and effective national criminal accountability where applicable; and

² See [UN Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse](#).

- e. conduct appropriate due diligence and risk assessment on UNU's potential implementing partners based on the United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners.³
- (iv) **Coordination.** UNU will act in a coordinated manner with the United Nations system, notably the Office of the Special Coordinator, which facilitates information sharing, in line with the principles of confidentiality and respect for informed consent, and effective and timely responses.

Individual responsibilities of UNU Personnel

- 4.2 **Maintain good conduct.** UNU personnel must never perpetrate sexual exploitation and abuse, as defined in ST/SGB/2003/13, UN Staff Regulations and Rules, and/or other applicable legal frameworks.
- 4.3 **Report.** All UNU personnel has an obligation to report any concerns or suspicions or become aware of allegations of SEA, regardless of who commits such wrongs. UNU personnel have an obligation to inform their immediate supervisor, institute Director, the PSEA Focal Point, the Victims' Right Advocate, and the most senior UN official in the country where the event occurred.
- 4.4 **Refer.** The PSEA Focal Point, in consultation with relevant institute Directors, will inform victims of their rights and of available services, and facilitate referral to such available services as requested.

³ See [UN Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners](#).