



Policy on the Protection from Sexual Exploitation and Abuse (PSEA)

1. INTRODUCTION

1.1. DIFFERENZA DONNA (hereinafter DD) is committed in exposing, combating, preventing and overcoming gender-based violence. Since the beginning, DD has held the view that discrimination, marginalization and oppression of women are a widespread, complex and serious social phenomenon that can be effectively fought through specific competences only.

1.2. Consistently with this mission, DD is committed to applying a 'zero tolerance' policy towards acts of sexual exploitation and abuse against/by its personnel, which includes only women.

1.3. DD provides a trustworthy, respectful and inclusive environment within which the people we serve and who work for the organisation can feel safe, listened to and empowered to claim their rights and take appropriate, robust and visible action to eliminate sexual exploitation, abuse and harassment.

2. ZERO TOLERANCE POLICY

2.1. All forms of sexual exploitation and abuse (SEA) are prohibited and constitute serious misconduct. These are therefore grounds for initiating disciplinary proceedings, which may ultimately lead to summary dismissal or termination of contract, and other serious measures in accordance with the legal framework applicable to the different categories of DD personnel and all personnel of other partners of projects and activities with DD (public entities, social services, civil society organizations, legal enforcement agencies, etc.)

2.2. Sexual exploitation and sexual abuse violate universally recognized international and national legal norms and standards and are prohibited under DD staff regulations and rule.

2.3. DD has a policy of zero tolerance towards SEA. All DD employees and related personnel are expected to uphold the highest standards of personal and professional conduct at all times, and to provide humanitarian assistance and services in a manner that respects and fosters the rights of beneficiaries and other vulnerable members of the local communities.

3. POLICY OBJECTIVE

3.1. To promulgate policy of zero tolerance for sexual exploitation and abuse (SEA) for all DD employees and related personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SEA are known within DD. To create and maintain a safe environment, free from SEA, by taking appropriate measures for this purpose, internally and in the communities where DD operates, through robust prevention and response work.

4. SCOPE

4.1. The present Policy on the Protection from Sexual Exploitation and Abuse (hereinafter “the Policy”) applies to all persons employed by DD, both on-and off-duty, namely staff members and non-staff members such as “contractors”, interns, volunteers and occasional workers. The term “contractor” covers any person who is employed by DD under a service contract, a short-term contract, or a consultancy contract.

4.2. Staff members who are alleged to have committed SEA are subject to possible disciplinary proceedings and/or other administrative action, while non-staff personnel are subject to action in accordance with the terms and conditions of their contract.

4.3. Implementing partners and vendors are also expected to abide by the standards set in this policy. Failure to do so shall result in the immediate termination of any existing agreement between DD and the implementing partner or vendor. DD reserves the right to refer any credible allegations of criminal conduct to national authorities.

5. DEFINITIONS

5.1. For the purposes of the present Policy, DD refers to definitions contained in Warsaw Convention (2005); Istanbul Convention (2011); directive 2011/36/EU; directive 2012/29/EU and agrees that the term “sexual exploitation” means 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 a beneficiary of assistance or any other individual or group of individuals external to DD. Similarly, the term “sexual abuse” means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

5.2. DD prefers, however, considers the term 'sexual abuse', legally and socially inappropriate to define the different forms of behavior that undermine the sexual freedom of women, girls and all people. Consequently, in our papers we will use the expression: Sexual exploitation and sexual violence (also in Italian).

6. COMMITMENT TO PSEA

6.1. DD will make every effort to create and maintain a safe environment, free from SEA, and shall take appropriate measures for this purpose in the communities where it operates, through a robust PSEA framework, including prevention and response measures.

6.2. This PSEA framework, affirms DD commitment to the UN Secretary General’s Bulletin on Special Measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and to achieving full, ongoing implementation of the IASC Six Core Principles relating to SEA.

7. SIX CORE PRINCIPLES

7.1. SEA by DD employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.

7.2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.

7.3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.

7.4. Any sexual relationship between DD employees or related personnel and beneficiaries of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.

7.5. Where a DD employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must report such concerns via established reporting mechanisms.

7.6. All DD employees and related personnel are obliged to create and maintain an environment which prevents SEA and promotes the implementation of this policy.

7.7. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment

8. SPECIFIC ROLES, OBLIGATIONS AND RESPONSABILITIES

8.1. **Duty to report and cooperate:** All DD personnel have an obligation to timely report SEA allegations, suspicions or concerns to the board and all personnel likewise have a duty to fully cooperate in investigations.

8.2. **Confidentiality:** All allegations of SEA are to be treated with the highest degree of confidentiality to protect the identities of victims, witnesses and alleged perpetrators.

8.3. **Training:** Mandatory training will be made available to all DD personnel on how to prevent and respond to SEA.

8.4. **Protection:** DD is committed to a women's rights and victims' rights response to all allegations of SEA as well as to facilitate victims' access to specialized services and assistance.

8.5. In addition to the roles and responsibilities that apply under other relevant rules and policies, including but not limited to investigations and disciplinary process, under the present policy DD personnel have an obligation to uphold the highest standards of personal and professional conduct at all times and never engage in any SEA; Report to THE BOARD, in good faith, any allegations, suspicions or concerns of SEA of which they

are aware, and fully cooperate in investigation processes; Undertake training and familiarize themselves with the PSEA Policy.

8.6. The PRESIDENT is responsible for:

- a. Ensuring that information and appropriate mechanisms are in place to prevent and address cases of SEA by DD personnel;
- b. Reporting all allegations of SEA to DD'S BOARD.

9. PSEA FRAMEWORK

9.1. Prevention

9.1.1. **Vetting:** DD systematically vets all prospective job candidates in accordance with established screening procedures.

9.1.2. **Training:** DD holds mandatory induction and refresher trainings for all employees and related personnel on the DD's SEA policy and procedures.

9.2. Response:

9.2.1. **Reporting:** DD has safe, confidential and accessible mechanisms and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations that and ensures that beneficiaries are aware of these.

9.2.2. **Investigation:** DD has a process for investigation of SEA allegations in place and shall properly and without delay conduct an investigation of SEA by its employees or related personnel or refer to the proper investigative consultant if the perpetrator is affiliated with another entity. DD refers to external capacity using pro-bono legal services provided by specialized lawyers selected among the internal lawyers and legal experts. The investigation team is integrated by an external legal expert.

9.2.2.1. **Referral to National Authorities:** If, after proper investigation, there is evidence to support allegations of SEA, these cases may be referred to national authorities for criminal prosecution.

9.2.2.2. **Victim assistance:** DD has a system to promptly refer SEA survivors to available services, based on their needs and consent.

9.3. Cooperative arrangements:

9.3.1. All DDs contracts and partnership agreements include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero-tolerance policy on SEA and to take measures to prevent and respond to SEA.

9.3.2. The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations thereof, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.

10. ENTRY INTO FORCE

10.1. The present act shall enter into force on 16/11/2022

Rome, 15/11/2022

Elisa Ercoli- President of Differenza Donna NGO