

**Defence for Children International**

**POLICY AGAINST  
SEXUAL  
EXPLOITATION  
AND ABUSE  
(PSEA)**

**July 2023 Update**



**Defence for Children International**

**POLICY AGAINST**

**SEXUAL EXPLOITATION AND ABUSE**

**(PSEA)**

July 2023

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# DCI POLICY AGAINST SEXUAL EXPLOITATION AND ABUSE (PSEA)

## I. Introduction

### 1. Mission of Defence for Children International (DCI)

[DEFENCE FOR CHILDREN INTERNATIONAL \(DCI\)](#) is a child rights independent international organisation and a membership-based grassroots movement, founded in 1979, the first International Year of the Child. DCI promotes and protects the human rights of children at the local, national, regional and international level, in accordance with international standards, as set out in its [Statutes](#).

DCI has National Sections in [30 countries worldwide](#), and an international secretariat (IS) in Geneva, together referred to as “the Movement”. As set out in Article 10 of the statutes, National Sections are legally and financially independent from the international organisation and the Movement as a whole. At the same time, each National Section, whilst abiding by institutional requirements of respective national legislation, must comply with the principles, guidelines, objectives, and policies established by the Movement.

All people have the right to live their lives free from sexual violence and any abuse of power, regardless of their age, gender, sexuality, sexual orientation, disability, religion or ethnicity.

Unequal power dynamics exist in various spheres of interaction, and there is a risk that some people may want to exploit their position of power for their own benefit.

DCI has its own [Child Safeguarding Policy](#) and in paragraph 1.2.10 of the [Code of Ethics and Gender Policy](#), DCI commits to abide by the standards of the [Keeping Children Safe](#) network of which it is a member.

### 2. Objectives of the DCI Policy Against Sexual Exploitation and Abuse (PSEA)

The aim of this document is to set out the DCI policy and principles applicable to the DCI organisation registered in Geneva, Switzerland, under Swiss law (hereafter referred to as “DCI”) and to encourage DCI National Sections to develop or update their own PSEA Policy. This policy does not apply to DCI National Sections as they must adopt their own policy adapted to their context. This policy will help ensure that DCI representatives, operations and programmes comply with their commitment to do no harm to children (persons under the age of 18) and adults, and to protect children and adults against acts of sexual exploitation and abuse committed by any person working directly or indirectly with or otherwise representing DCI. It also aims to prevent and respond fully to incidents of sexual exploitation and abuse and to assure that any concerns DCI has about sexual exploitation and abuse within the communities in which it works are reported to the appropriate authorities.

This document has been adopted by the International Executive Council (IEC) meeting virtually on 5 July 2023 and is complemented by the individual PSEA policies of DCI’s National Sections.

### 3. PSEA Policy statement

Given that the relationship between DCI representatives and persons belonging to the Movement’s target populations are unequal in terms of power and potentially characterised by high levels of trust on behalf of the beneficiaries, DCI representatives must avoid any actions that may suggest, imply, or create the perception that sexual activity can be expected in exchange for assistance or other services of any kind.

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DCI acknowledges that in the communities in which they work it is confronted with gender inequalities and/or unequal power structures and dynamics. These inequalities may also be linked to other factors of marginalisation, such as age, disability status, ethnic identity, creed, sexuality, or religious affiliation, etc. These factors may reinforce dependency and vulnerability.

DCI works with both children and adults. In this regard, both populations are considered as potential victims and therefore both require protection from sexual exploitation and abuse.

DCI adopts a zero-tolerance approach towards sexual exploitation and abuse. DCI's Policy Against Sexual Exploitation and Abuse promotes prevention and early detection, sets out a clear investigation procedure, and a mechanism of sanctions.

Prevention is a core concern both within the organisation and within the framework of DCI programmes and beneficiary populations. DCI representatives will be vigilant and avoid any action that could imply a sexual act detrimental to the rights of the population subject to DCI intervention/action. This preventive approach is based on the following elements:

- Promote and ensure a strong commitment at all levels of the organisation regarding the fight against cases of sexual exploitation and abuse,
- Contribute to the fight against silence, taboos, and abuse of power by establishing a culture of transparency and respect for oneself and others,
- Carry out regular monitoring of the rules on sexual exploitation and abuse to keep internal rules on the subject up to date, and
- Provide training opportunities for staff and other DCI representatives.

This Policy is aimed at guiding DCI representatives and partners, and must be considered together with:

- DCI's [Statutes](#),
- DCI's [Strategic Framework \(2022-2026\)](#),
- DCI's [Child Safeguarding Policy and Principles](#), Annex 2: [Code of Conduct](#),
- DCI's [Code of Ethics and Gender Policy](#), and the
- United Nations [Special measures for protection from sexual exploitation and abuse: a new approach](#), (2017)

## II. Interpretation and application

### Article 1 – Scope of application

1. This Policy applies to anybody who represents DCI. This means that all the following persons must implement and uphold the Policy and adhere to its requirements in their DCI activities and in their private life: all staff – whether permanent, temporary, or interim -, all contractors, interns, volunteers, visitors to DCI premises/projects/events or activities, Regional Desk coordinators, the World Service Foundation Coordinator, as well as all International Executive Council and Advisory Committee members.
2. The provisions of this Policy may also be applied to any person employed by an entity that carries out missions for DCI.
3. In particular, this Policy applies to implementing partners based on specific clauses and conditions of the grant agreement, suppliers, sub-grantees, beneficiaries, stakeholders, consultants, and other associated entities.

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## Article 2 – Definitions

For the purposes of this Policy, the term “sexual exploitation and abuse” includes the following definitions:

**Sexual exploitation:** Abuse or attempted abuse of a person in a position of vulnerability, differential power, trust, or dependency for sexual or sexualised purposes, including, but not limited to the offer or promise of monetary, social, political, or other benefits as an incentive or form of coercion. It may also include prostitution, even when legal, when an individual is an intermediary for the abuse, or trafficking.

**Sexual abuse:** Actual or threatened physical intrusion of a sexual nature, including by force, under unequal or coercive conditions or a breach of trust. This includes, but is not limited to, unwanted touching, harassment, coercion, child sexual abuse material, non-consensual sexual acts, or any other sexual offence. It may also include threatened or actual nonphysical intrusion, including uninvited exposure to pornographic material, the sharing of indecent images and the request for sexualised photographs.

### i. Sexual harassment

“Sexual harassment” is characterised by the non-consented, usually repeated, imposition of sexual comments or behaviours on a person that:

- are degrading because of their sexist, sexual or humiliating nature; or
- create an intimidating, hostile or offensive situation for the person concerned.

Any form of pressure with the real or apparent aim of obtaining a sexual act for the benefit of the perpetrator or a third party is considered as sexual harassment. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. Sexual harassment may occur in the workplace or in connection with work. There is also harassment when no hierarchical relationship between the victim and the offender exists.

It is specifically prohibited to sexually harass any DCI representative or other person employed by the entities referred to in Article 1 of this Policy, any adult with whom DCI representatives have contact, or any child during or outside working hours.

Sexual harassment includes many prohibited behaviours such as:

- physical assaults of a sexual nature, sexual assault, attempts to commit such acts or physical intent such as touching, pinching, fondling or any other gesture against the body of another individual,
- sexual advances, sexual proposals or comments with sexual connotations such as equivocal gestures, noises, remarks, jokes or comments about a person’s sexuality or sexual experiences,
- repeatedly asking a person for dates or asking for sex, name-calling or using slurs with a gender/sexual connotation; making derogatory or demeaning comments about someone’s sexual orientation or gender identity,
- preferential treatment or promise of preferential treatment in exchange for sexual favours from a person, including but not limited to solicitation only, or explicit request for sexual intercourse in exchange for any reward,
- intimidation, threats, or barriers to career progression because of the gender of the person concerned,
- reprisals in response to a sexual harassment complaint.

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### ii. Abuse of power for the purpose of obtaining sexual favours

The “abuse of power to obtain sexual favours” is characterised by a sexual relationship imposed by force or by a relationship of social or economic dependence or subordination.

Any sexual relationship with a child is considered as sexual exploitation or abuse.

Abuse of power to obtain sexual favours may also be included in instances of rape and sexual assault.

### iii. Rape

“Rape” is defined as any act of sexual penetration, of any kind, committed against another person, whether a child or an adult, by violence, coercion, threat, or surprise. Sexual penetration includes vaginal, anus or mouth penetration through the penis or any other part of the body, including penetration with an object.

### iv. Sexual assault

“Sexual assault” is defined as any sexual activity through intimidation or of a non-consented or forced nature committed against another person, whether a child or an adult, by violence, coercion, threat, or surprise, or when that person was coerced or under the influence of drugs or alcohol.

### v. Sexual relation with a child

“Sexual relation” with a child is defined as sexual penetration (as defined in section iii above) or sexual assault (as defined in section iv above) against a child.

Any sexual relation with a child is considered as sexual abuse.

Any sexual activity with a child is prohibited since the minority age implies a lack of consent. A child is defined as any person under 18 years old in accordance with the United Nations Convention on the Rights of the Child. Not knowing the person’s age is not a valid defence.

### vi. Paid sexual relations

“Paid sexual relations” is defined as the payment of a sum of money, an offer of employment, the provision of services or products in exchange for a sexual relationship or sexual favours from both children (under 18s) and adults.

Solicitation alone is also prohibited.

“Sexual exploitation of children in/for prostitution” is frequently referred to as “child prostitution”, both in legal instruments adopted in the 21<sup>st</sup> century and in mass media. This form of exploitation consists of a child performing a sexual act in exchange for (a promise of) something of value (money, objects, shelter, food, drugs, etc). It is not necessarily the child who receives the object of exchange, but often a third person. Moreover, it is not necessary that an object of exchange is actually given; the mere promise of an exchange suffices, even if it is never fulfilled<sup>1</sup>.

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<sup>1</sup> Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse Adopted by the Interagency Working Group in Luxembourg, 28 January 2016 <https://ecpat.org/wp-content/uploads/2021/05/Terminology-guidelines-396922-EN-1.pdf>



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### **vii. Human trafficking of a sexual nature**

“Human trafficking of a sexual nature” or procuring is defined as the recruitment, transportation, transfer, or concealment of persons by the provision of means, threat or any other form of coercion, fraud, or abuse of power or by taking advantage of or coercing the sexual activity of a child or an adult.

### **viii. Other terms pertaining to this policy**

- PSEA Focal Point or Focal Point: Under the terms of this policy, DCI has appointed a PSEA Focal Point to centralise expertise and processes relating to the PSEA policy. This person is monitoring a dedicated strictly confidential mailbox: [abuse@defenceforchildren.org](mailto:abuse@defenceforchildren.org).
- Governance: Under the terms of this Policy, “governance” refers to any person elected by decision-making bodies to participate in the various managerial and administrative bodies of DCI, as well as Advisory Committee members.
- Implementing partners: Under the terms of this Policy, an “implementing partner” is a partner to whom the implementation of one or more projects or activities has been delegated, and to whom a budget has been allocated for this purpose. In particular, this refers to National Sections of DCI and NGO partners.
- Stakeholders: Under the terms of this Policy, “stakeholders” are individuals or groups, with or without a legal personality, who directly or indirectly, voluntarily, or involuntarily, contribute to, participate in or benefit, in any way, from the actions, programmes and activities of DCI.
- DCI representatives: Under the terms of this Policy, “DCI representative” refers to any person employed by DCI whether permanent, temporary, or interim, interns, volunteers, visitors to DCI premises, projects, events, or activities, Regional Desk Coordinators, and the DCI World Service Foundation staff or interns.
- Beneficiaries: Under the terms of this Policy, “beneficiary” refers to any person who benefits, directly or indirectly, from the programmes of DCI, including persons of concern such as survey respondents.
- Sub-grantee: Under the terms of this Policy, a “sub-grantee” is an individual or a group, with or without legal personality, who receives a budget to carry out a project or activity.
- Consultant: Under the terms of this Policy, a “consultant” is a third party, individual or group, with or without legal personality, who directly or indirectly provides any type of consulting services to DCI, whether for a fee or not.

### **Article 3 – Prohibition of all sexual exploitation and abuse**

1. Any direct or indirect participation in sexual exploitation and abuse as defined in this Policy is prohibited for DCI representatives and the other entities mentioned in Article 1 of this Policy.
2. Under no circumstances shall DCI representatives and the other entities mentioned in Article 1 of this Policy take undue advantage of their professional position to obtain a favour of a sexual nature.

### **Article 4 – Information and compliance with the Policy**

1. This Policy is published under the authority of DCI. DCI representatives, as well as the other entities referred to in Article 1 of this Policy, are required to conduct themselves in

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accordance with this Policy and must therefore be aware and have sound understanding of its provisions and of any changes. When they are unsure on how to proceed, they should seek the advice of the PSEA Focal Point.

2. DCI representatives, as well as the other entities referred to in Article 1 of this Policy, who are responsible for negotiating the terms and conditions of employment of any DCI staff, must ensure that staff is aware of and commits to the full respect of this Policy.
3. It is the responsibility of DCI staff with managerial responsibilities, as well as of the other entities referred to in Article 1 of this Policy, to ensure that staff under their supervision comply with this Policy, and to take or propose appropriate disciplinary measures as sanction against any violation of its provisions.
4. It is the responsibility of DCI staff with managerial responsibilities to properly gatekeep and/or to supervise all visitors to DCI premises, projects, events, or activities to ensure respect for this PSEA.
5. This Policy shall form part of the working conditions of DCI staff and the conditions for the performance of the missions of the other entities referred to in Article 1 of this Policy from the moment they certify that they have read it and commit to comply with it.
6. DCI will review the provisions of this Policy every three years.

### Article 5 – Purpose of the Policy

The purpose of this Policy is to:

1. Implement the prevention, reporting and sanction mechanisms necessary to comply with the rules relating to prohibited sexual behaviours and applying them to DCI representatives as well as to the other entities referred to in Article 1 of this Policy.
2. Define the rules relating to prohibited sexual behaviours that apply to DCI representatives as well as to other entities referred to in Article 1 of this Policy.
3. Inform third parties of the conduct they are entitled to expect from DCI representatives as well as from other entities referred to in Article 1 of this Policy.

## III. General principles

### Article 6 – Neutrality

DCI representatives, as well as the other entities referred to in Article 1 of this Policy, must fulfil their duties in a neutral and apolitical manner, in accordance with the law, legitimate instructions and ethical rules relating to their roles.

### Article 7 – Non-discrimination

All victims should be treated equally and fairly, regardless of their age, sex, race, religion, religion, nationality, ethnic origin, sexual orientation, or any other characteristic.

### Article 8 – Impartiality

In the context of their professional roles and/or their missions, DCI representatives, as well as the other entities referred to in Article 1 of this Policy, must act in accordance with the law and exercise their discretionary power in an impartial manner, taking into consideration only relevant circumstances.

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### Article 9 – Confidence of stakeholders

DCI representatives, as well as the other entities referred to in Article 1 of this Policy, have a duty to conduct themselves at all times in a way that reflects and upholds DCI's values of integrity, impartiality, and efficiency and that contributes to strengthen the confidence of all stakeholders.

### Article 10 – Protection of privacy

All the necessary measures must be taken to ensure that the privacy of DCI representatives and of the other entities referred to in Article 1 of this Policy, is appropriately respected; declarations provided for this Policy must thus remain confidential, unless otherwise provided for by law. Information about the complaint should only be disclosed on a need-to-know basis (in principle only with the Focal Point, the Executive Director as well as with the IEC).

### Article 11 – Confidentiality

1. Considering the general framework of international law regarding access to information held by private individuals, DCI representatives and the other entities referred to in Article 1 of this Policy should disclose information only in respect to the rules and requirements applicable to DCI.
2. The facts and the nature of the complaint, the identity of the parties concerned, and the content of the investigation must remain confidential.
3. DCI representatives and the other entities referred to in Article 1 of this Policy must take appropriate measures to guarantee the security and private life of the complainant, the person under suspicion, any witnesses, and the subject of the complaint.
4. DCI representatives and the other entities referred to in Article 1 of this Policy must not seek access to information which would be inappropriate for them to have.
5. DCI representatives and the other entities referred to in Article 1 of this Policy must not retain professional information that may or should be legitimately circulated, or circulate information they know, or have reasonable grounds to believe, is inaccurate or misleading.
6. Access to and dissemination of all related information will be restricted to a limited number of authorised people for the sole purpose of conducting the necessary investigations. DCI representatives must not make inappropriate use of the information they may obtain in, or as part of, the exercise of their duties.
7. Any breaches of confidentiality may lead to disciplinary action.
8. All incident reporting forms must be kept in a safe place in accordance with these confidentiality rules.

### Article 12 – Responsibility of managers

1. DCI staff in charge of supervising or managing other DCI staff must do so in accordance with the policies and objectives of DCI. They are responsible for responding to acts and omissions of staff under their supervision who violate these policies and objectives, and to take due diligence measures expected from a person in their position to prevent such acts or omissions.
2. DCI staff tasked with supervising or managing other DCI staff must take the necessary measures to prevent staff under their supervision from engaging in acts likely to generate sexual exploitation or abuse. These measures may include to: draw attention to, and

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implement, the relevant laws and regulations; ensure adequate training related to sexual exploitation and abuse; and set an example of integrity through their personal conduct.

### IV. Mechanisms to fight sexual exploitation and abuse

#### Article 13 – Importance of prevention and training

DCI is fully aware that sexual exploitation and abuse can be most effectively avoided by creating an organisational culture which rejects and effectively acts upon any form of sexual exploitation and abuse. Therefore, DCI will ensure that all new staff, volunteers, IEC members and other representatives will be provided with induction on PSEA like on the other DCI fundamental policies, the DCI [Child Safeguarding Policy](#), and the [Code of Ethics and Gender Policy](#).

#### Article 14 – Prevention and identification mechanism

Although, through its international actions, DCI interacts with the most diverse cultures and belief systems, DCI fully upholds principles of freedom of speech and of protection of victims/survivors of sexual abuse and exploitation. As such, DCI has developed mechanisms that can contribute to prevent sexual exploitation and abuse such as:

1. The signing of the *Policy Compliance Form* by all its staff to make a commitment and clarify unacceptable behaviours such as sexual exploitation and abuse,
2. Provision of information to DCI representatives on relevant existing mechanisms, including a complaint mechanism (see Annex 3),
3. Implementation of trainings and awareness-raising sessions to inform and empower the teams, and particularly for staff exposed to working with children or with the most vulnerable population, and
4. Identification of risk factors in an ongoing basis and in particular throughout the project cycle.

#### Article 15 – Action to be taken in the event of sexual exploitation and abuse (including reporting to DCI-IS and the IEC)

1. In the case of sexual exploitation and abuse committed in the implementation of DCI activities:
  - If any person involved with DCI activities or any DCI representative believes that s/he is a victim, or witness to any inappropriate behaviour in light of the conduct set out in Article 3 of this Policy (prohibition of all sexual exploitation and abuse), these facts must be reported immediately, in accordance with Article 16 of this Policy (obligation to report).
  - It is advisable to note the day and time as well as details related to the facts and the names of any witnesses.
  - In any case, DCI-IS must immediately notify the IEC of the facts, therefore enabling the Council to take appropriate measures and to conduct an internal investigation in a timely manner.
2. In the case of sexual exploitation and abuse committed against a beneficiary of DCI's action:

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- If sexual exploitation and/or abuse committed are noted by a DCI representative, it must always be treated as a matter of urgency and immediately brought to the attention of the PSEA Focal Point respectively the DCI-IS Executive Director via [abuse@defenceforchildren.org](mailto:abuse@defenceforchildren.org).
- It is advisable to note the day and time as well as details related to the facts and the names of any witnesses.

### Article 16 – Obligation to report

1. To bring an appropriate response to any action of sexual exploitation and abuse, DCI has established a confidential complaints mailbox: [abuse@defenceforchildren.org](mailto:abuse@defenceforchildren.org).
2. DCI representatives or other persons interacting with them who consider to be a witness or victim/survivor of sexual exploitation and abuse which may be in violation of or contravenes the present Policy, must immediately report it via the mailbox.
3. DCI representatives or other persons interacting with them must report via the mailbox any evidence, allegation or suspicion of sexual exploitation and abuse of which they are aware of as part of their work or in the course of their duties. The investigation of the reported facts is DCI's responsibility, in accordance with the provisions of Article 17 of this Policy.
4. DCI representatives or other persons interacting with them will use the reporting template to report (Annex 4).
5. DCI must take all necessary measures to ensure that DCI representatives or other persons interacting with them who report a case, based on reasonable suspicion and in good faith, do not suffer any harm as a result.
6. Misuse of complaint mechanisms may be subject to sanctions.

### Article 17 – General principles concerning handling of complaints

#### i. Complaint mechanisms

In general, persons involved in DCI activities or DCI representatives in any capacity can submit a complaint (as shown in the Reporting flowchart diagram in Annex 3) by email to [abuse@defenceforchildren.org](mailto:abuse@defenceforchildren.org).

#### ii. Minimum requirements for the complaint mechanisms

- DCI management/ should send an acknowledgement of receipt in response to any complaint submitted, as rapidly as possible, and ideally within a maximum of 5 working days of receipt.
- All complainants are entitled to a rapid response explaining the action being taken on their complaint, ideally within 15 working days of receipt of the complaint. If more time is required because of the complexity of a complaint, DCI management will send a second message explaining that further investigations are required and giving an approximate timeframe.
- DCI management should log all complaints in a confidential register for monitoring purposes. Where NGO consortium mechanisms exist, they should also be informed of the complaint, while always maintaining confidentiality.
- DCI must treat all complainants with respect, whether their complaint appears to be justified or not.

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- DCI management will classify complaints according to the following criteria which will determine the investigation procedure: gravity of the complaint; urgency of the complaint; project/activity/event to which the complaint relates.
- It is DCI's duty to protect those members of staff who speak out to report reprehensible acts. DCI will take disciplinary measures against anyone targeting genuine whistle-blowers, whether with malicious allegations or any other forms of abuse. DCI will examine in full any allegations of professional misconduct in the workplace; this may lead to disciplinary measures and/or legal proceedings (civil and/or criminal).

### Article 18 – Investigation mechanisms

1. DCI (DCI-IS) is responsible for the implementation of the Policy Against Sexual Exploitation and Abuse and is also the investigating authority for the purpose of this Policy unless the IEC decides otherwise.
2. The management of a complaint is done either at DCI-IS or at IEC level depending on the seriousness of the reported facts and the persons involved.
3. DCI representatives and other entities mentioned in Article 1 of this Policy must:
  - cooperate in any investigation conducted by DCI,
  - keep all records of any suspected involvement that may be required for further investigation, and
  - preserve the confidentiality of all allegations.
4. See Article 11 for confidentiality rules.

### Article 19 – Sanctions against sexual exploitation and abuse

#### i. Disciplinary sanction

The violation of the present Policy, which constitutes in turn a violation of DCI's Code of Conduct ([Child Safeguarding Policy and Principles](#), Annex 2), may result in sanctions ranging from warning to termination of the employment contract for serious misconduct, without notice or payment of compensation.

#### ii. Other sanctions

DCI reserves the right to use the full range of contractual sanctions, up to the termination of any contractual relationship, in the event of a breach of this Policy by any entity referred to in Article 1.

#### iii. Reporting to competent authorities

DCI has the right and the obligation, depending on the seriousness of the facts found, to report the facts constituting sexual exploitation and abuse to the competent prosecution authorities.

### Article 20 – Protection of victims

When responding to sexual exploitation and abuse, and sexual harassment, DCI is committed to adopt a victim/survivor-centred approach.

In the context of sexual exploitation and abuse and sexual harassment, a victim/survivor-centred approach is a way of engaging with victim(s) that prioritises listening to the victim(s), avoids re-traumatisation, and systematically focuses on their safety, rights, well-being,

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expressed needs and choices, thereby giving back as much control to victim(s) as feasible and ensuring the empathetic and sensitive delivery of services and accompaniment in a non-judgmental manner<sup>2</sup>.

DCI undertakes to do everything possible, in agreement with the victims of prohibited practices, to protect them, in particular by:

1. maintaining all required confidentiality on the handling of reports made in accordance with this Policy,
2. starting without delay an investigation regarding the facts reported in accordance with this Policy,
3. offering personalised support to victims of incidents reported in accordance with this Policy,
4. informing the victim of the action taken in response to the reported incidents in accordance with this Policy, and
5. adapting the present Policy, to ensure a better understanding and compliance of DCI representatives with these principles.

## V. Implementation of the Policy

### Article 21 – Implementation date

This Policy Against Sexual Exploitation and Abuse comes into effect after adoption by the International Executive Council.

### Article 22 – Compliance

DCI staff certify that they will comply with these principles by signing the DCI PSEA Compliance Form (Annex 2) and/or by signing their employment contract.

### Article 23 – Responsibilities of DCI-IS

1. The International Secretariat will raise awareness, publish its Policy Against Sexual Exploitation and Abuse online, and implement measures to inform children, communities, National Sections and DCI representatives of the Policy.
2. The International Secretariat must immediately notify the IEC of any cases reported to the relevant national, regional, or local authorities, where a DCI representative is suspected of sexual misconduct (sexual exploitation and/or abuse, and/or sexual harassment).
3. The International Secretariat must ensure that where applicable clear measures are put in place for working with partners (assessment, agreement on which policy applies when and on accountability mechanisms, support, capacity-building and monitoring and evaluation).
4. The International Secretariat is required to carry out a review of its Policy on Sexual Exploitation and Abuse every three years. Peer-to-peer assessments may additionally be considered by the Movement.

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<sup>2</sup> [Policy on a Victim-Centred Approach in UNHCR's response to Sexual Misconduct - Sexual Exploitation and Abuse and Sexual Harassment](#)

## DCI POLICY AGAINST SEXUAL EXPLOITATION AND ABUSE (PSEA)

### Article 24 - Appointment of PSEA Focal Points to centralise expertise and facilitate implementation

Each DCI National Section is strongly encouraged to adopt their own PSEA policy if not yet done and to appoint a PSEA Focal Point. Each DCI National Section should send a copy of their PSEA Policy and a notification of the contact details of the Focal Point to DCI once these are in place.

Contacting the DCI-IS Focal Point: [abuse@defenceforchildren.org](mailto:abuse@defenceforchildren.org)



## ANNEXE 1: PSEA DEFINITIONS

### Annex 1: Review of existing PSEA definitions

	Sexual exploitation	Sexual abuse	Other
<b>WHO</b>	Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another.	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.	<p>Sexual exploitation and abuse also includes sexual relations with a child.</p> <p><b>Examples of acts of sexual exploitation and abuse</b></p> <ul style="list-style-type: none"> <li>• <b>Sexual assault</b> (defined as “any unwanted or forced sexual act committed without consent”) or threat thereof.</li> </ul> <p>Sexual assault can occur either against a person’s will, by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol.</p> <p><u>Force includes:</u></p> <ul style="list-style-type: none"> <li>– actual physical aggression, including but not limited to: rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing);</li> <li>– threats of physical aggression;</li> <li>– emotional coercion; and/or</li> <li>– psychological blackmailing.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Unwanted touching</b> of a sexual nature</li> <li>• <b>Demanding sex</b> in any context</li> <li>• <b>Making sex a condition</b> for assistance</li> <li>• <b>Forcing sex</b>, forcing someone to have sex with anyone</li> <li>• <b>Forcing a person to engage in prostitution or pornography</b></li> <li>• <b>Refusing to use safe sex practices</b></li> </ul>

## ANNEXE 1: PSEA DEFINITIONS

	Sexual exploitation	Sexual abuse	Other
			<ul style="list-style-type: none"> <li>• <b>Videotaping or photographing</b> sexual acts and posting it without permission</li> <li>• Alleging or <b>threatening</b> to allege that anyone already has a history of prostitution on legal papers</li> <li>• <b>Name-calling</b> with sexual epithets</li> <li>• <b>Insisting on anything sexual</b>, including jokes that may be uncomfortable, frightening or hurtful</li> <li>• Telling someone that they or anyone else are obliged to have sex as a condition for anything</li> </ul>
<b>UNSG<sup>3</sup></b>	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.	Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.	<b>Abuse of authority</b> is the improper use of a position of influence, power or authority against another person. This is particularly serious when a person uses their influence, power or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation, working conditions or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment which includes, but is not limited to, the use of intimidation, threats, blackmail or coercion. Discrimination and harassment, including sexual harassment, are particularly serious when accompanied by abuse of authority.
<b>UNICEF<sup>4</sup></b>			<b>Sexual Exploitation and Abuse</b> is the abuse or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes or the actual or threatened physical intrusion of a sexual

<sup>3</sup> Secretary-General's bulletin "Addressing discrimination, harassment, including sexual harassment, and abuse of authority" (ST/SGB/2019/8) <https://undocs.org/ST/SGB/2019/8>; Secretary-General's Bulletin "Special measures for protection from sexual exploitation and sexual abuse" (ST/SGB/2003/13) <https://undocs.org/ST/SGB/2003/13>

<sup>4</sup> UNICEF Strategy to Prevent and Respond to Sexual Exploitation and Abuse and Sexual Harassment, January 2019, <https://www.unicef.org/sites/default/files/2019-05/UNICEF-Strategy-Prevent-Respond-Sexual-Exploitation-Abuse-Sexual-Harassment-January-2019.pdf>

## ANNEXE 1: PSEA DEFINITIONS

	Sexual exploitation	Sexual abuse	Other
			<p>nature by UN personnel, their implementing partners or other aid workers, against the people they serve.</p> <p><b>Sexual Harassment</b> is any unwelcome conduct of a sexual nature when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment by UN personnel against each other, or against any other individual.</p>
<b>Save the Children<sup>5</sup></b>	<p>Any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualised purposes. This includes the offer or promise of monetary, social, political benefits as an incentive or form of coercion.</p>	<p>The threatened or actual physical intrusion of a sexual or sexualised nature, including inappropriate touching, by force or under unequal or coercive conditions, sexual assault and rape. It may also include threatened or actual nonphysical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, and so on, the sharing of images, texts and so on, demands for sexualised photographs etc.).</p>	<p><b>Sexual favours</b> Any sexual or sexualised acts, in exchange for something such as money, goods, services, opportunities and so on. Also includes demands for inappropriate photographs, filming, and exposure to pornography and so on.</p> <p><b>Grooming</b> The cultivation of emotional relationships with those in positions of vulnerability or inequitable power, with the intention of manipulating these relationships into sexualised dynamics in the future</p>
<b>Terre des Hommes<sup>6</sup></b>	<p>Any actual or attempted sexual abuse of a person in a position of vulnerability, trust or where there is a power differential including, but not limited to, profiting financially, socially or politically from the sexual exploitation of another. Prostitution, even when legal, is a form of sexual exploitation. This means that exploitation can also occur when an individual is an intermediary for the abuse.</p>	<p>Actual or threatened physical abuse of a sexual nature, which may take place by force, coercion, violence or in situations of inequality, hierarchical relations or a breach of trust. This term includes, but is not limited to, acts of rape, harassment, coercion, child pornography, non-consensual sexual acts or any other sexual offence. This means that physical force is not necessary for sexual abuse to be considered. Such an act may also occur in situations where apparent</p>	

<sup>5</sup> Save The Children's Protection From Sexual Exploitation and Abuse (PSEA) Policy, August 2019, [https://www.savethechildren.net/sites/www.savethechildren.net/files/SCI\\_HR\\_POL\\_PSEA%20External%20policy\\_EN.docx.pdf](https://www.savethechildren.net/sites/www.savethechildren.net/files/SCI_HR_POL_PSEA%20External%20policy_EN.docx.pdf)

<sup>6</sup> Policy on the Protection from Sexual Exploitation and Abuse (PSEA), November 2018, [https://www.tdh.ch/sites/default/files/peas\\_en.pdf](https://www.tdh.ch/sites/default/files/peas_en.pdf)

## ANNEXE 1: PSEA DEFINITIONS

	Sexual exploitation	Sexual abuse	Other
		consent has not been given, in situations of inequality, psychological pressure or coercion. Consent to drink alcohol or use drugs must not under any circumstances be considered consent to sexual activity and in no way diminishes the perpetrator's responsibility.	

## ANNEXE 2: COMPLIANCE FORM

### Annex 2: DCI PSEA Policy Compliance Form for staff

***In effect: (Date) until further notice***

*I have read and been informed about the content, requirements, and expectations of the Policy against Sexual Exploitation and Abuse (PSEA) for DCI Staff. I have received a copy of the Policy and agree to abide by the Policy guidelines as a condition of my employment and my continuing employment at DCI.*

*I understand that if I have questions, at any time, regarding the PSEA Policy, I will consult with the Focal Point.*

*Please read the PSEA carefully to ensure that you understand the Policy before signing this document.*

*DCI Staff Printed Name: .....*

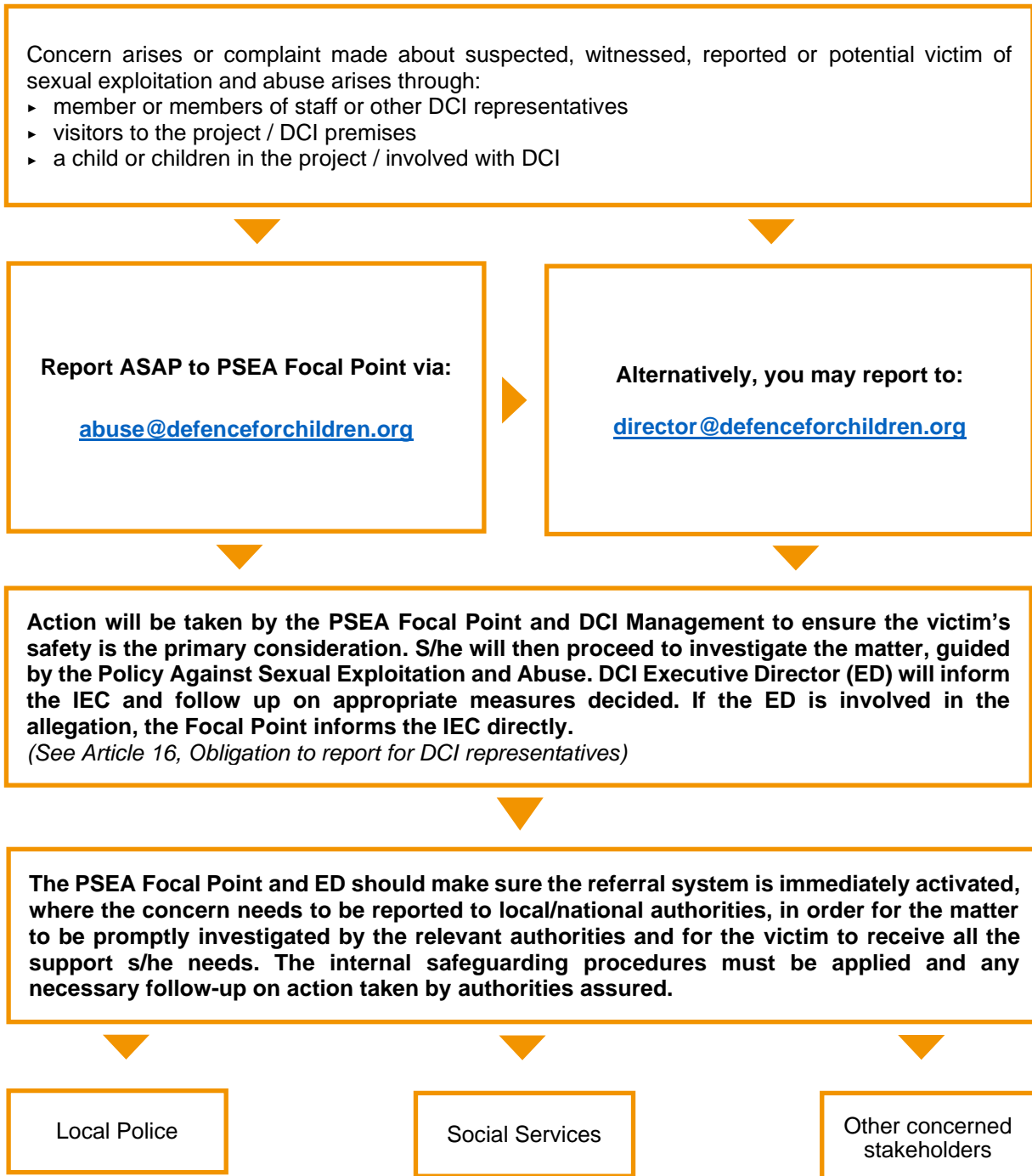
*DCI Staff Signature: .....*

*Receipt by: .....*

*Date and Place: .....*

## ANNEXE 3: REPORTING FLOWCHART

### Annex 3: DCI PSEA Reporting flowchart



## ANNEXE 4: REPORTING TEMPLATE

### Annex 4: DCI template to report on a PSEA concern

This report is to be used as a tool to develop the most un-biased information-based report possible.

If you are concerned about or know that the safety of a person might be in danger or that s/he might be victim of sexual exploitation and abuse, please complete this form without delay to the best of your knowledge.

Please note that any PSEA concerns must be reported immediately to the PSEA Focal Point via the confidential mailbox [abuse@defenceforchildren.org](mailto:abuse@defenceforchildren.org). You may wish to complete this form before making contact, or you may wish to complete the report after contacting them, according to the “Do No Harm principle”.

For confidentiality reasons, the report should be written and signed solely by you. It should be delivered exclusively to the designated persons or to the next most appropriate person. The PSEA report will be held in a safe and secure place and treated in the strictest confidence.

A log of incidents/reports will be maintained, including when a decision is taken to not refer to the local or national authorities.

Case number xxx
202x – 0xxxx (to be filled in by the PSEA Focal Point)

#### 1. About you

Your name .....

Your job title .....

Workplace .....

Your relationship to the child .....

Contact details .....

#### 2. About the victim

Victim's name .....

Victim's gender / gender identity .....

Victim's age .....

Victim's parents / guardians, if the victim is a child .....

#### 3. About your concern

What is the concern? .....

How do you know about the abuse? .....

## ANNEXE 4: REPORTING TEMPLATE

Did the victim disclose the abuse to you? .....

Date of the alleged incident .....

Location of the alleged incident .....

Name of alleged perpetrator .....

Job title / relationship with the victim .....

Nature of the allegation .....

### **4. Your personal observations (visible injuries, victim's emotional state, etc.)**

*[N.B. Make a clear distinction between what is fact and what is opinion or hearsay.]*

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### **5. Report exactly what the victim or other source said to you about the incident, and how you responded.**

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### **6. Note if there were any references to a digital or online component which may be important for any subsequent investigation.**

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### **7. Action(s) taken**

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**ANNEXE 4: REPORTING TEMPLATE**

**8. Where is the victim / where does the victim stay, and who is responsible for him/her?**

Name .....  
Title .....  
Location .....  
Contact details .....

**Is this place safe? Why? If not, alternative arrangements need to be organised by xxx.**

**9. Were there any other victims, children, persons involved in the alleged incident?**

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**10. Who else knows about the incident?**

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.....

**11. What would the victim like to happen next?**

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.....

**12. Additional information not previously covered:**

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.....  
.....

*I declare that the information provided by me on the above form is true  
and correct to the best of my knowledge and belief.*

.....  
Date and Place / Signature

**Received by DCI-IS**

.....  
Date and Place / Signature

## ANNEXE 5: SAFE RECRUITMENT

### Annex 5:

#### DCI guidance on safe recruitment processes

The process of recruitment of staff, interns, volunteers, and consultants is crucial to ensuring effective prevention of sexual exploitation and/or abuse, and/or sexual harassment within the organisation, by hiring qualified and skilled persons capable of fulfilling their position in a manner safe to children and peers.

Having a safe recruitment in place is a vital first step towards keeping the children and young people who have contact with staff and volunteers safe. It is also important to establish clear written procedures and make sure everyone who is involved with any form of recruitment knows how to follow them. These will ensure that staff and volunteers are recruited safely and fairly.

Plan the whole of your recruitment process in advance to make sure you have a consistent approach every time you recruit a new staff member or volunteer. Taking a planned and structured approach will help:

- minimise the risk of appointing someone unsuitable,
- ensure you select the right person for the role,
- make sure the process is fair, and
- make sure there are records of the process for future reference.

Following a written procedure also means you are less likely to miss anything out and that each time you recruit you are consistently adhering to legislation and guidance.

The following should be considered and applied consistently when planning recruitment<sup>7</sup>:

- **Job descriptions for all positions** - make reference to PSEA responsibilities and/or the Code of Conduct ([Child Safeguarding Policy and Principles](#), Annex 2), in all job descriptions and include the mission and values of the Movement or link to them. Include a link to the Policy in all job descriptions and your job description template.
- **Vacancy notices** – make clear reference to PSEA in all vacancy notices. Include the link to the Policy in the vacancy notice.
  - Vacancy notice template suggestion: All DCI staff are required to respect the DCI-IS PSEA in their position and in their private life.
- **Advertisement** - make clear the Movement's commitment to PSEA.
- **Shortlisting** - obtain and scrutinise information in applications and CVs - resolve any gaps, discrepancies or anomalies in employment history.
- **Interviews** – always include one or two questions around PSEA and working with people in vulnerability contexts.
- **Checks** - verify the successful applicant's identity, their employment history and qualifications. Offers should not be confirmed until all checks are in place.
- **Independent professional references** – always and consistently ask for references and include a question as to whether there are any PSEA concerns – references should be obtained, and any concerns followed-up (at least two employment referees should be submitted, one of which should be the applicant's current or most recent employer). Where

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<sup>7</sup> See also: [Safer Recruitment Guidelines](#) (Transforming Surge Capacity)

## ANNEXE 5: SAFE RECRUITMENT

references reveal any inconsistencies or doubts about the person's suitability, the issues should be followed-up and explored with the referee or the candidate. It is important to keep written records of any telephone conversations and where the issues are significant, more detailed information should be sought in writing from the referee if possible.

- **External checks** – conducted according to organisational policy – this could be a request for a criminal record extract, a police clearance check or equivalent.
- **Contracts** – Link to the Policy Against Sexual Exploitation and Abuse and ensure that PSEA responsibilities are included in all employment contracts and your employment contract template, e.g.: “Everyone working for DCI-IS is required to respect the Policy against Sexual Exploitation and Abuse and Code of Conduct in their position and in their private life. Breaches of this Policy may incur sanctions including disciplinary action leading to dismissal, termination of all relations including contractual and partnership agreements, and where relevant, appropriate legal or other such actions. Breaches of this Policy may also result in a referral being made to statutory authorities for criminal investigation under the law of xxx (country), where DCI is based.”

**Induction** - include a briefing on PSEA, the [Child Safeguarding Policy](#), the [Code of Ethics and Gender Policy](#) for all new recruits (staff, interns, volunteers, consultants...).