



## **Protection from Sexual Exploitation and Abuse (PSEA) Policy**

### **1. Introduction**

Sexual exploitation and abuse are a violation of fundamental human rights. It can also be a criminal act. The Earth is committed to upholding the highest standards of integrity and ethical conduct in all our operations. This includes a zero-tolerance policy for sexual exploitation and abuse. All have the equal right to protection regardless of any personal characteristic, including their age, gender, ability, culture, racial origin, religious belief and sexual identity. This policy applies to all persons working for us or on our behalf in any capacity, including employees at all levels, Board Members, volunteers, interns, Vendors, external consultants, third-party representatives, and business partners. It applies during or outside of working hours, every day of the year.

### **2. What is Sexual Exploitation and Abuse?**

Sexual Exploitation and Abuse refers to all forms of inappropriate conduct of a sexual nature. This includes, but is not limited to:

- Exchanging money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior.
- Sexual activity with commercial sex workers in countries where The Earth is delivering programming whether or not prostitution is legal in the host country.
- Use of a child or adult to procure sex for others.

### **3. Definitions**

Sexual Exploitation: Any actual or attempted abuse of a position of vulnerability, differential power, trust, or dependency, for sexual or sexualized purposes. This includes the offer or promise of monetary, social, political benefits as an incentive or form of coercion.

Sexual Abuse: The threatened or actual physical intrusion of a sexual or sexualized 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 sexualized photographs etc.).

Sexual favors: Any sexual or sexualized 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.

Grooming: The cultivation of emotional relationships with those in positions of vulnerability or inequitable power, with the intention of manipulating these relationships into sexualized dynamics in the future.

Beneficiaries: Individuals, groups, or communities who receive assistance, support, or services from The Earth including children.

Zero Tolerance:

- At The Earth, we have a culture of zero tolerance for all forms of abuse and mistreatment, including Sexual Exploitation and Abuse, Harassment, Intimidation and Bullying.
- This means that every single concern is fully responded to and where necessary prompt action (including conducting an investigation and taking disciplinary action, if applicable) is taken.

- It means that we will hold our people to account against the same standards and subject them to the same processes, as everyone else regardless of their position or reputation within the organization.

#### **4. Six (06) Core Principles**

1. “Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
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 defence.
3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support.

#### **5. Commitment**

The Earth expects the same standards from employees at all levels, Board Members, volunteers, interns, Vendors, external consultants, third-party representatives, and business partners working with us, including taking measures to prohibit their staff and representatives from engaging in any sexual exploitation and abuse in their working and person lives.

Employees at all levels, Board Members, volunteers, interns, Vendors, external consultants, third-party representatives, and business partners of The Earth must adhere to a clear commitment that includes:

- Treat all persons regardless of their position with fairness and respect, courtesy and dignity, in accordance with the international legislation on Human Rights and Children's Rights and The Earth PSEA policy.
- To provide assistance to the affected populations/beneficiaries of the organization and ensure safety, dignity and effective access to the services provided, in line with the “Do No Harm” approach.
- Help create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of the Code of Conduct.
- Immediately report any allegations, suspicions or concerns regarding failure to meet the standards.
- Not intentionally make false accusations against another worker for violating the provisions of the PSEA policy, Code of Conduct, nor disseminate false statements about co-workers or personnel of other agencies.
- To attend mandatory training courses (in person or online) for protection from sexual exploitation and abuse.

**understand and acknowledge that it is strictly forbidden/prohibited to:**

- Engage in sexual activity with children (persons below the age of 18 years), regardless of age of majority or local consent. Lack of knowledge of the actual age of the child is not a defense.
- Engage in any sexual relationship between those providing humanitarian assistance and protection and a person benefiting from such humanitarian assistance and protection that involves improper use of rank or position. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behaviors. This includes exchange of assistance that is due to beneficiaries.
- Accept any sexual favor(s) in exchange for food or non-food assistance provided to beneficiaries/recipients.
- Abuse authority, position or influence by withholding protection, assistance or humanitarian services, or giving preferential treatment in order to solicit sexual favors, gifts, payments of any kind or any other benefit.
- Engage in sexual activity with sex workers, regardless of the legislation in the country.
- Use children or adults to get others to engage in sexual activity.
- Aware of that all individuals working for The Earth have the right to approach a higher authority at The Earth about abuses or any breaches of this policy.
- Understand that all suspected breaches of the policy will be thoroughly investigated and treated with the utmost confidentiality in accordance with the appropriate The Earth procedures.
- Comprehend that failure to comply with any aspect of The Earth's policy may result in disciplinary action up to and including termination of employment or association with The Earth.
- Aware that The Earth may choose or (and in some cases be obliged) to report to the relevant professional or government authorities any instances wherein the law has been or suspected to have been broken.
- By joining or associating with The Earth, they agree to adhere to organization's PSEA policy and its associated policies.

**6. Our approach to preventing abuse and exploitation.**

The Earth is committed to preventing the sexual exploitation and abuse of adults & Children, including through the following means:

Awareness

Ensuring that employees at all levels, Board Members, volunteers, interns, Vendors, external consultants, third-party representatives, and business partners connected to The Earth are aware of the standards of behavior and conduct expected of them to protect everyone from any form of sexual abuse and exploitation in their private and working lives.

The Earth will:

- Provide PSEA training to employees at all levels, Board Members, volunteers, interns, Vendors, external consultants, third-party representatives, and business partners.

- Raise awareness of the PSEA policy and principles among all stakeholders.
- Foster a culture that encourages the reporting of concerns related to sexual exploitation and abuse.

### Prevention

Ensuring, through awareness and good practice, that staff and those who work with The Earth minimize the risks of any form of sexual exploitation and abuse, including but by no means limited to conducting relevant vetting and background checks of staff as part of their recruitment process.

### Reporting and Investigation

Ensuring that all staff and those who work with The Earth are clear on what steps to take where suspicions or concerns arise regarding allegations of sexual exploitation or abuse in vulnerable populations where we work. The Earth will:

- Establish clear and confidential reporting mechanisms for concerns and allegations.
- Investigate all reported cases promptly, fairly, and impartially.
- Take appropriate disciplinary and legal action as necessary.

### Responding:

Ensuring that immediate action is taken to identify and address reports of sexual exploitation and abuse and ensure the safety and well-being of the both the person being sexually exploited or abused and the suspects.

To identify SEA incidents the following are examples of prohibited behavior:

- a. Engaging in relationships, which could be an abuse of trust, are abusive and/or exploitative.
- b. Your employees engaging in commercial sexual exploitation of a person, for example a hotel employee facilitating sexual abuse by hotel guests.
- c. Sexual assault.
- d. Forcing sex or someone to have sex with anyone.
- e. Forcing a person to engage in prostitution or production of pornography.
- f. Unwanted touching of a sexual nature.

### Confidentiality and Protection

The Earth will protect the confidentiality and safety of those who report concerns and allegations of sexual exploitation and abuse and will provide support to victims as needed.

### Cooperation with Authorities

The Earth will cooperate with local authorities and relevant stakeholders in cases of sexual exploitation and abuse.

## **7. Compliance**

Failure to comply with this PSEA policy may result in disciplinary action, including termination of employment or partnership.

## **8. Review and Approval**

This policy will be reviewed and updated as needed and must be approved by The Earth's governing body.

By adhering to this PSEA policy, The Earth demonstrates its commitment to the well-being and dignity of the beneficiaries it serves and to maintaining the trust and integrity of its operations.