



IDLO POLICY ON THE PREVENTION OF SEXUAL EXPLOITATION AND ABUSE

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Introduction

1. IDLO is committed to applying an organization-wide “zero-tolerance” policy towards acts of sexual exploitation and abuse (“SEA”) by IDLO Personnel. IDLO’s Policy on the Prevention of Sexual Exploitation and Abuse (the “PSEA Policy” or the “Policy”) sets out the standards of conduct and provisions on SEA applicable to all IDLO Personnel.

Definitions

2. For the purposes of this Policy, the term *sexual exploitation* means any actual or attempted abuse of differential power, trust, or someone’s position of vulnerability for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
3. Similarly, the term *sexual abuse* means actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
4. *IDLO Personnel* includes employees as well as those individuals in the non-employee category, including individual consultants, interns, volunteers, and any other person in a similar relationship with IDLO.

Scope and Application

5. The PSEA Policy supplements and should be read in conjunction with IDLO’s Code of Conduct and other applicable policies, as well as the Employee Regulations and Rules (“ERR”) and Human Resources Manual (“HR Manual”).
6. The purpose of the Policy is to set out the fundamental principles, responsibilities and procedures related to the prevention of SEA.
7. This Policy applies to all IDLO Personnel. Employees alleged to have committed SEA are subject to possible disciplinary measures and/or other administrative action as stipulated in the ERR as well as the HR Manual. Non-employee personnel are subject to action in accordance with the terms and conditions of their contracts and of other applicable policies.
8. IDLO expects partners and vendors to abide by its “zero-tolerance” policy with respect to SEA in accordance with the relevant terms and conditions of their respective agreements with IDLO.

Basic Principles

9. SEA violates universally recognized international legal norms and standards and contravenes IDLO’s core values. It is an unacceptable behaviour and prohibited conduct for IDLO Personnel.
10. IDLO’s policy with respect to SEA is based on the following principles:

- a) Sexual activity with children (persons under the age of 18) is prohibited regardless of the local age of majority or age of consent. Mistaken belief in the age of a child is not a defence;
 - b) Providing money, employment, goods, services or technical or other support or assistance in exchange for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited; and
 - c) Any sexual relationship between IDLO Personnel and beneficiaries of IDLO support or assistance undermines the credibility and integrity of the work of IDLO and is to be avoided.
11. The principles set out above are not intended to be an exhaustive list. Appropriate action will be taken where any behaviour of IDLO Personnel is found to be sexually exploitive or sexually abusive.

Roles and Responsibilities

12. IDLO Personnel have an obligation to:
- a) Uphold the highest standards of personal and professional conduct at all times and never engage in any SEA;
 - b) Undertake the mandatory IDLO training applicable to them and familiarize themselves with the expected standards of conduct, organizational accountability, and individual responsibility towards preventing SEA; and
 - c) Report in good faith as soon as possible any allegations, suspicions, concerns of SEA of which they are aware, and fully cooperate in IDLO investigative processes.
13. The Ethics Adviser is responsible for:
- a) Promoting an ethics culture that prevents SEA;
 - b) Providing guidance to IDLO Personnel on the PSEA Policy in consultation with the Office of the General Counsel (OGC), where necessary; and
 - c) Acting as the focal point for receipt of reports of potential SEA-related misconduct.
14. The Department of Human Resources and Office Services (HROS) is responsible for providing global training opportunities and outreach on prevention of SEA for IDLO Personnel, including mandatory training on the prevention of SEA, in cooperation with the Ethics Adviser.
15. OGC is responsible for ensuring the correct interpretation and application of the PSEA Policy.
16. Managers and supervisors have a central role and responsibility in:
- a) Supporting and maintaining an environment that prevents SEA;

- b) Directing any reports of potential SEA-related misconduct to the Ethics Adviser.

Reporting, Confidentiality and No Retaliation

17. IDLO personnel shall submit reports of SEA either directly to the Ethics Adviser or to their respective supervisors.
18. Any external persons not affiliated with IDLO may submit reports of SEA involving IDLO Personnel to the dedicated email address ethics@idlo.int.
19. All reports of SEA shall be handled with sensitivity in order to protect the privacy of the individuals concerned and ensure confidentiality to the maximum extent possible, consistent with due process and the need to fairly investigate the allegation.
20. Any individual who reports allegations, suspicions or concerns of SEA in good faith is eligible for whistleblower protection as set forth in the Whistleblower and Anti-Retaliation Policy.

Referral to National Authorities

21. Where appropriate and in consultation with OGC, the Director-General may refer allegations of SEA to national authorities, including for criminal prosecution.

Implementation and Review

22. Human Resources and Office Services shall maintain statistical information with respect to instances of reported Sexual Exploitation and Abuse and the disposition of cases in order to monitor implementation of this Policy.
23. IDLO will provide regular mandatory training for all IDLO Personnel, including a dedicated part for individuals with supervisory responsibilities. IDLO will also conduct awareness building initiatives to further emphasize the Organization's zero tolerance approach to Sexual Exploitation and Abuse, provide useful guidance on the relevant policies and procedures, and foster a safe and harmonious working environment.
24. The Ethics Adviser should be contacted for additional guidance on this Policy, or to suggest improvements.
25. This Policy will be reviewed periodically by IDLO and may be revised as necessary, including as required by any modification to internal rules, regulations, and standards.