

BRIDGING THE GAP: SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (SEAH)



This publication is issued by the office of the Executive Coordinator and Spokesperson on Addressing Sexual Harassment and other Forms of Discrimination.

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EXECUTIVE SUMMARY

This advocacy paper contributes to dialogues on sexual exploitation, abuse and harassment (SEAH) that see, and propose practice that recognize, commonalities. They are both human rights violations based on gender discrimination, intersecting with all forms of social inequalities, and are part of a continuum of violence (mainly) against women and girls and almost always committed by men. They are both expressions of and contributors to structural power inequalities that render the targeted persons less able, if at all, than perpetrators to control the sexual engagement. Starting from the experiences of survivors – as a victim-centred approach requires – also recognises that the same behaviors are involved across SEAH. Organisations in the development and humanitarian sectors, including the United Nations and peacekeeping missions, have tended to address these two forms of violence as separate and independent, often flowing into distinct procedural and policy domains. This publication advocates rethinking of the frameworks established to address SEAH in order more fully to reflect linkages between them. Recognising and uprooting the gendered, racialised and all power inequalities that shape them is necessary for their elimination.

No organisation should consider itself immune to

SEAH taking place within it or in its name; likewise, gender inequality and hierarchical power structures are pervasive across organisations, including those with laudable mandates. Entrenched patriarchal systems exist in most if not all international organizations and men have historically made up an overwhelming majority of decision-makers. Women’s movements have always demanded an end of all forms of sexual violence (calls that have been wider and stronger since 2017) and rightly expect to those who seek to do good to be good by living the values they advocate, to be non-discriminatory and ensure the absence of abuse.

This paper draws its content from the following two UN Women publications: *Towards an end to sexual harassment: The urgency and nature of change in the era of #MeToo* (2018) and *What it will take? Promoting cultural change to end sexual harassment* (2019) as well as practitioners and victims-rights advocates who have generously shared their time during its drafting. It draws from the specifics of the United Nations system, acknowledging it can be and is a model for other inter-governmental and civil society organizations working in this sector and/or that other organisations have very similar policies on SEAH.

I. DEFINING THE CONCEPTS: SEXUAL HARASSMENT, EXPLOITATION AND ABUSE

1.1. Sexual harassment

In UN Women’s publication *Towards an end to sexual harassment: The urgency and nature of change in the era of #MeToo* (2018), Professor Catharine A. MacKinnon¹ outlines the core principles and elements of adequate policies and procedures on addressing sexual harassment.

An effective policy needs to start by defining sexual harassment for what it is:

“a human rights violation of gender-based discrimination, regardless of sex, in a context of unequal power relations such as a workplace and/or gender hierarchy. It can take the form of various acts including rape, other aggressive touching, forced viewing of pornography, taking and circulation of sexual photographs, as well as verbal sexual conduct”².

Data shows (see box 3 below) that gender inequality is the primary axis in patterns of sexual harassment - where women are targets and men primary perpetrators. Sexual harassment is intersectional: gender is the primary axis at play, and it combines with all dimensions of inequality, such as race and ethnicity, immigration status, age, socio-economic status, disability, sexual orientation and gender identity, religion. Ensuring intersectional approaches is key in responses to sexual harassment³ as these recognise and address the multiple power dynamics that underpin it.

The central element of the definition of sexual

harassment is “**unwelcomeness**” as distinct from “consent”. The unwelcomeness of sexual conduct is determined by the victim-survivor whereas the consent standard fails adequately or consistently to acknowledge that someone may acquiesce to sexual conduct that they may not welcome, in a context of inequality. The latter would still be read as consent. Consent allows acquiescence “whether or not a choice is real”⁴.

Definitions of sexual harassment should avoid making moral judgments - such as requirements of the sexual misconduct to “cause offense”, and engaging in demeaning psychologizing – for example, by using concepts such as “humiliation”, to define sexual harassment.⁵

Sexual harassment comes in two forms:

- **Quid pro quo:** when the employment or employment benefits or detriments are based on the acceptance or rejection of unwelcome sexual behavior.
- **Hostile environment:** when sexual harassment creates an intimidating or hostile working environment for the recipient of unwelcome sexual attention or atmosphere.⁶

BOX 1

The United Nations' System Model Policy on Sexual Harassment

The United Nations' System Model Policy on Sexual Harassment⁷, adopted in 2018, shows the United Nations' commitment to a zero-tolerance approach and to strengthening and harmonising sexual harassment policies throughout the United Nations system. This Policy recognises that “sexual harassment results from a culture of discrimination and privilege, based on unequal gender relations and other power dynamics”.

It provides the following uniform definition of sexual harassment:

“Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered”.

Similar definitions of sexual harassment are used by other organisations in development and humanitarian sectors.⁸

1.2. Sexual exploitation and abuse

Sexual exploitation and abuse (SEA) are defined in the *United Nations Secretary-General's Bulletin on Special measures for protection from sexual exploitation and sexual abuse* (2003)⁹ as follows:

Sexual exploitation is “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”.

Examples of behaviours that constitutes sexual exploitation include transactional sex (the exchange of money, employment, goods or services for sex, including sexual favours), solicitation of

transactional sex, exploitative relationship, human trafficking, etc¹⁰.

Sexual abuse is “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”.

Examples of sexual abuse include rape, sexual assault, sex or sexual activity with anyone under the age of 18¹¹.

This definition recognises that “differential power” forms part of the dynamic of SEA though it does not use the word inequality. The definition is also used by different organisations in development and humanitarian sectors¹². All efforts to eradicate it must start by its conceptualisation as a human rights violation and ensure that gender perspectives and intersectional approaches are reflected in definitions (see section 1.4. below).

1.3. Distinction between sexual harassment and SEA

The United Nations, and other organisations working in development and humanitarian sectors, makes a procedural distinction between the protection of their own personnel and the obligations they have towards those being served by the United Nations (known as “beneficiaries”)¹³. This is the foundation for the separation of sexual harassment and sexual exploitation and abuse (SEAH). Behaviours are divided based on the location/status of victim-survivors: whether or not they are United Nations personnel/operating under its name (or from any given organisation working in the development and humanitarian sectors). This distinction, including in the policies and procedures addressing them, implies that they are discrete and separate problematics, encouraging these forms of sexual violence to be understood as distinct, not as connected expressions of (predominantly) male sexual entitlement to (predominantly) women¹⁴.

Conduct tends to be categorised as sexual harassment if the victim-survivor is part of United Nations personnel. Sexual harassment, as per the United Nations, constitutes a behaviour that “interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment”¹⁵. SEA tends to be defined as occurring when victim-survivors are “beneficiaries” of a service provided by the United Nations, or are vulnerable members of the community¹⁶. There needs to be clarity and consistency in these categorisations which mystify many, including survivors and personnel; at present the definitions can be confusing and applied inconsistently.

The definitions of SEAH conceptually and procedurally divide the abuse by categorizing victim-survivors based on their employment status and their connection with the perpetrators, despite the commonalities and overlaps in the behaviours. For example, both sexual harassment and SEA may take the form of attempted or actual

sexual assault, including rape.

1.4. Rethinking current frameworks

SEAH fall along the continuum of violence perpetrated (mainly)¹⁷ by men against women and girls – the centring of women’s experiences will strengthen work to address them; procedural separation risks conceptual separation, which in turn risks extinguishing the structural connections between them. Framing them as part of this continuum of violence is necessary to adequately address the root causes of gender inequality that enable them (see section 2.1. below). It also permits addressing SEAH for what they are: forms of sexual violence independent of the employment conditions or service receiving status of the victim-survivor. There is no difference **to the person raped** between *rape* classified within a sexual harassment framework from a case of *rape* happening within the SEA framework.

Although SEAH are connected through the underlying causes, the specificities of the context within which SEAH take place are relevant. For example, a perpetrator’s status as a supervisor or a senior official can be pertinent in the pursuit of justice for victim-survivors. This is not equivalent to reducing the entirety of case management to this single criterion. Current frameworks for addressing SEAH render contextual and relational factors as determinative of processes, and potential actions to take.

SEAH are human rights violations based on gender inequality intersecting with all social inequalities. Only with this understanding of these forms of violence against women will policies and practices address the core problematics and reflect the relevant normative standards (see Annex I below).

- Framing SEAH as **human rights violations** recognises that violence against women is a result of structural discrimination and a manifestation of historically unequal power relations between men and women¹⁸. The **Committee on the Elimination of Discrimination against Women (CEDAW Committee)** recognises violence against women as a form of discrimination¹⁹ and that the right to a life free from gender-based violence is “indivisible from and interdependent with other human rights”²⁰. This framing also puts an end to widespread beliefs that such abuse is simply an unavoidable fact of life, including in the world of work.
- Incorporating a **gender perspective** centres recognition that such abuse has predominant sex and gender inequality dimensions and requires conceptualising SEAH as part of the continuum of violence against women (see section 2.1. below).
- An **intersectional approach** requires the range of experiences of victim-survivors across inequalities to be centred, furthering the [Agenda 2030](#) commitment to leave nobody behind. Ending the marginalisation of those who experience intersectional discrimination brings fuller comprehension of SEAH and improves efforts towards elimination (see section 2.2. below).

II. THE CONTINUUM OF VIOLENCE AGAINST WOMEN: POWER AND INEQUALITY

All forms of violence against women are linked to and expressions of cultures of sexism that discriminates against and seeks to silence women²¹. The CEDAW Committee considers violence against women to be “one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated”²². Addressing behaviours shaped by sexism and tolerated by the prevailing rape culture is paramount for its elimination.

BOX 2

International definition of sexism

In March 2019, the Committee of Ministers of the Council of Europe adopted a Recommendation on Preventing and Combating Sexism²³. This recommendation contains the first ever internationally agreed definition on sexism:

“Any act, gesture, visual representation, spoken or written words, practice or behaviour based upon the idea that a person or a group of persons is inferior because of their sex, which occurs in the public or private sphere, whether online or offline, with the purpose or effect of:

- i. violating the inherent dignity or rights of a person or a group of persons; or
- ii. resulting in physical, sexual, psychological or socio-economic harm or suffering to a person or a group of persons; or
- iii. creating an intimidating, hostile, degrading, humiliating or offensive environment; or
- iv. constituting a barrier to the autonomy and full realisation of human rights by a person or a group of persons; or
- v. maintaining and reinforcing gender stereotypes.”

Discriminatory gender stereotypes, cultural assumptions and tolerance of these are some of the factors that contribute to normalizing a culture of inequality and discrimination. The global mobilisation of the #MeToo movement, as well as other social media campaigns such as #NiUnaMenos (Not One Fewer), Argentina²⁴, #BalanceTonPorc (Rat Out Your Pig), France²⁵, The First Time I Got Harassed I Was ..., Egypt²⁶, #WithYou, Japan²⁷ and #PrimeiroAssedio (First Harassment) Brazil²⁸, showed how sexual harassment, and sexual violence more generally, are more common than they are exceptional.

“Sexual violence against women and girls is rooted in centuries of male domination. Let us not forget that the gender inequalities that fuel rape culture are essentially a question of power imbalances.” — United Nations Secretary-General António Guterres²⁹

The dominance of rape culture has produced societies with prevailing attitudes that excuse and promote sexual violence³⁰. Rape culture silences victim-survivors from naming their experiences and creates an environment of disbelief and/or victim-blaming. Cultural assumptions impregnated in all societies privilege abusers, sustain the codes of silence that protect them and denigrate those who name abuse or discrimination³¹. SEAH are cultural concerns.

The United Nations Secretary General has recognized that we live in a “male-dominated world with a male-dominated culture”³². Gender equality is fundamentally a question of power; power that has been jealously guarded by men for millennia³³. Transforming the balance of power and redistributing power are essential for the elimination of violence against women, including SEAH.

Elimination requires behavior change: efforts towards this must create environments where these changes happen and organizations play an important role in changing culture³⁴. UN Women’s

publication *What will it take? Promoting cultural change to end sexual harassment*, outlines the following six areas of work to bring the necessary cultural change: (1) leadership and messaging; (2) understand and practice zero tolerance; (3) understand and embed victim-centred approaches; (4) update training; (5) practice and promote collective ownership; and (6) organizational transparency³⁵.

2.1. Continuum of violence

Acts of violence against women are not isolated occurrences; they are connected and form a continuum of violence that women and girls experience across their lifetime, including sexual, physical, psychological, emotional and economic violence³⁶. The continuum of violence sits at odds with laws and policies that separate acts of sexual violence as distinct, isolated or random; this is as true of SEAH as it is of rape, child abuse and domestic violence³⁷.

All sexual violence, no matter their perceived severity, should be taken seriously. Hierarchies of abuse are not always helpful³⁸. The continuum of violence provides a framework to respect women’s understanding of violence. It also recognizes that women’s different experiences of violence originate from the same patriarchal structures that promise male sexual entitlement and privilege men over women. While common forms of sexual violence “are more likely to be defined by men as acceptable behaviours (for example, seeing sexual harassment as ‘a harmless bit of fun’), they are connected to the forms of violence which are currently defined as crimes within the law”³⁹.

BOX 3

Illustrative data on sexual harassment

- **Australia:** A study on the prevalence of sexual harassment and assault at Australian Universities found that women were almost twice as likely as men to have been sexually harassed and that the majority of perpetrators were male⁴⁰. (2016)
- **African Union:** A High Level Committee investigating allegations of harassment against women at the African Union Commission confirmed sexual harassment within the organisation stating that “senior departmental staff, who position themselves as ‘gatekeepers’ and ‘kingmakers’, are well-positioned to make believable promises to young women that they will be offered contracts (...) according to interviewees, the young women are exploited for sex in exchange for jobs”⁴¹. (2018)
- **European Union:** A study conducted by the European Union Agency for Fundamental Rights found that 55% of women experienced some form of sexual harassment since the age of 15. 71% of them indicated that the perpetrator was a man⁴². (2015)
- **Mexico:** The vast majority of reports of sexual harassment in the Mexican Public Federal Administration were made by women (91%) and 90% of the alleged perpetrators were men⁴³. (2016)
- **United Kingdom:** A workplace survey found that 68% of LGBT respondents experienced sexual harassment at work. Compared to white women, black and minority ethnic (BME) women were more than twice as likely to report being sexually assaulted at work (45% BME, 18% white)⁴⁴. (2019)
- **Uganda:** A survey conducted in over 2,910 organisations found that 90% of women have been sexually harassed at work by their male seniors⁴⁵. (2014)
- **Morocco:** A study to inform UN Women Rabat’s Safe City Programme found that 92% of women had experienced sexual harassment in their lifetime⁴⁶. (2017)
- **USA:** 81% of women and 43% of men reported experiencing sexual harassment in their lifetime. Of those who reported sexual harassment in the previous six months, 32% were women aged between 18 and 24 years old, 35% were black women, and 39% were lesbian or bisexual women⁴⁷. (2019)

2.2. Intersectionality

Sexual violence can be experienced by anyone, but it is not likely that everyone is equally targeted nor a perpetrator. SEAH are subject to such interplays of inequalities; not exempt from them. The above data shows the gendered characteristics of sexual violence: sexual violence disproportionately affects those, especially women and girls, who belong to historically marginalized groups, including those who experience intersecting inequalities of race, sexual orientation and gender identity, disability, age, class, immigration status, etc⁴⁸.

The term intersectionality, coined by Kimberlé Crenshaw, draws attention to the interplay of inequalities that makes a person experience specific forms of discrimination, which cannot be understood when analysing the discrimination experienced separately by single vectors of inequality⁴⁹. Following Crenshaw, the discrimination suffered by white women or black men, is different from that experienced by black women. Black women may experience discrimination based on their gender and race, like women or black men, yet the combination of these shapes their lives in specific ways.

Intersecting inequalities shape the form of violence, the experiences of women and how their reports (if made) are handled. Targets are often those habitually denied equality rights and justice; perpetrators tend to be those who enjoy privilege and power and are shielded from accountability⁵⁰. Intersectional discrimination also plays a role in shaping whose voices are worthy of being heard, respected and believed; often downplaying or denying credibility to victim-survivors. For example, data in the USA shows that reports of sexual violence by black women are less likely to be believed than those of white women⁵¹. Similarly, patriarchal and ableist attitudes diminish the testimonies of women with disabilities who speak of sexual violence, including sexual harassment⁵².

BOX 4

Sexual harassment: gender intersects with race

A study from **Harvard Business Review**⁵³ debunked the standard image of a senior male perpetrator and junior female victim. Referring to a problem of asymmetric power and disrespect, the study found that one in three Asian women who had been harassed said that the perpetrator was a junior colleague. Further, it found that more than one in five black men had been sexually harassed by a colleague, compared to 13% of white men. Nearly one in four black women who had been sexually harassed said that the perpetrator was a more junior colleague (22%) or another woman (23%).

Disaggregation of data in this way permits improved understandings of intersectional patterns that build a foundation for effective policies and practices to end sexual harassment.

Attempts to address SEAH from a single categorical axis risks leaving behind far too many women and girls – those whom the Agenda 2030 for Sustainable Development has promised to put at the forefront of all work. “Leaving no one behind” obliges us to find, hear and respect the lives of those on the margins and place them at the centre of all efforts towards elimination. This means recognising victim-survivors as knowledge-holders who are core to improving policies and practices towards the elimination of SEAH. Raising the status of their accounts shifts some of the power imbalance in favour of the hitherto marginalised.

III. A VICTIM CENTRED- APPROACH

A victim-centred approach (VCA) ensures that victims' wishes, safety and wellbeing are prioritized and shape any actions that are taken in their name⁵⁴. It requires reorienting the organisation's corporate culture to identify the interests of the organisation with the interest of victim-survivors⁵⁵.

Experiences and knowledge of victim-survivors should lead efforts to end SEAH. When properly understood and applied, a victim-centred approach (VCA), together with efforts to making reporting rational, can encourage victim-survivors to use institutional reporting systems⁵⁶ though they have the right not to do so or to use national (rather than organisational) justice options. It implies refusing to pre-judge the veracity of an account (particularly prominent in rape culture, where assumptions of malice or fabrication filter the hearing of women's accounts), empowers victim-survivors and provides legal, medical psycho-social services by experts. Following a VCA, investigating procedures – whether for SEA or sexual harassment - should avoid making prejudicial assumptions and begin by acknowledging the possibility that what is being reported might have happened.

“The dynamics of sexual violence commonly lead victims to have feelings of powerlessness and a loss of control in their lives. Shame, self-blame, fears of others' reactions, threats by the abuser, and cultural norms that condone violence or blame victims create an environment that is isolating and silencing. As such, survivors may experience what is referred to as ‘loss of choice and voice’”⁵⁷.

Victim-survivors' decision to report (or not) is highly dependent on their trust in the organisation's handling of their report and their understanding of how the process will be conducted. There is a variety of offices involved in the management of cases of SEAH, complex procedures, impenetrable language and papers that set out policy and procedures: any and all of these can hinder understanding of processes, marginalise or confuse the abused and require multiple re-telling of the abuse. UN Women recommends that organisations tasked with responding to and ending SEAH must ensure that:

- Procedures are simplified and made accessible to non-specialists.
- There are clear timelines for each step in the process.
- Limits are established on the number of investigators and other personnel with whom the involved parties need to speak.
- Investigation services are independent from the organization and perceived as such.
- Victim-survivors are kept informed of the developments (or lack of developments) in their case; this is essential to building individual and collective trust. For example, they need to be made aware of steps

taken, including when the alleged perpetrator is told about any allegations against them.

- Wishes of victim-survivors are heard during the process, including in the

disciplinary process. Their wishes need to be respected alongside the duty of care of the organisation; conflicts between these require organisational review and agreement on handling.

BOX 5

Core elements of a victim-centred approach for addressing sexual harassment⁵⁸

1. Give control.
2. Clarify issues of privacy and confidentiality.
3. Ask and listen, without judgement.
4. Keep victim-survivor informed throughout any processes and before any action.
5. Protect / ensure safety.
6. Have procedures and regulations to ensure timeliness in communications and investigations, if any.
7. Regulate for and ensure equal treatment of victim and alleged perpetrator during any process, including investigation.
8. Have a range of administrative actions ready as response, use swiftly as appropriate with victim preference taken into account.
9. Assume neither guilt nor innocence: start from the possibility that what the victim is reporting may indeed have happened.

3.1. Duty to report versus duty of care

In numerous organisations, including at the United Nations, personnel have an obligation to report any and all misconduct of which they become aware, including cases of SEAH. This duty constitutes an area of discussion among practitioners and policymakers advocating for a VCA. The preference of victim-survivors to report (or not) should be ascertained, acknowledged and respected in the main, though in a number of circumstances this will not be possible, for example, in cases involving minors or rape perpetrated by a senior manager.

A duty to report might be at odds with a victim-survivor's preference yet understandable in the pursuit of accountability and prevention efforts: organisations have a duty of care to protect their employees or so-called "beneficiaries" and need to act upon knowledge of SEAH. Targets of SEAH have necessarily experienced a lack of control; disregard of their wishes risks fuelling that disempowerment. Consultation, negotiation and regular, transparent communication will help to navigate this area of complexity and potential tension. Targets do have a right not to report.

BOX 6

Steps taken by the United Nations to address SEAH

The United Nations has stated commitments to a zero-tolerance approach to SEAH and strengthening a victim-centred approach to both prevention and response efforts.

In 2017, the United Nations established a system-wide task force on addressing sexual harassment which has:

1. Promulgated a system-wide Model Policy on Addressing Sexual Harassment⁵⁹.
2. Promulgated a Model Code of Conduct to Prevent Harassment, including Sexual Harassment, at United Nations System Events⁶⁰.
3. Created a system-wide screening database that includes the names of personnel against whom allegations of SEAH were substantiated following an investigation or those who resigned while the subject of a pending investigation and/or disciplinary process; the database is intended to prevent re-hiring by any United Nations agencies.
4. Established a specialized team of investigations for cases of sexual harassment.

The United Nations has a four-part strategy to improve its response to SEA⁶¹:

1. Elevating the voices of victim-survivors and putting their rights at the forefront, including by improving the medical, social, legal and financial assistance provided to them.
2. Ending impunity of perpetrators and establishing greater transparency on reporting and investigations, as well as on administrative and judicial processes and outcomes, including by clarifying the limitations on the United Nations to ensure criminal accountability.
3. Building a multi-stakeholder network to support the United Nations efforts to prevent and respond to SEA.
4. Reorienting strategic communications to address the stigma and discrimination faced by victim-survivors.

In 2017, the United Nations appointed the first Victims' Rights Advocate. The post holder is responsible for putting the rights of victims, their experiences and their needs at the forefront of the United Nations' fight against SEA⁶². To maintain contact with victim-survivors on the ground, there are also Field Victims' Rights Advocates in Central African Republic, the Democratic Republic of Congo, Haiti and South Sudan.

IV. POTENTIAL AVENUES FOR CHANGE

Experts and practitioners from the United Nations system, inter-governmental and civil society organisations and academia working on SEAH, were invited to contribute to this paper. Their contributions have been incorporated in the following list of actions. These recommendations are specific to the United Nations but may have relevance to other organisations. Equality was identified as the key route to ending sexual violence by all those consulted.

Develop an integrated approach. SEAH involves similar patterns of behaviours and are part of the continuum of violence against women and girls. They should not be understood or treated as distinct. Compartmentalising these forms of sexual violence through different policies and practices leads to thinking about them as separate, unconnected abuse. Unifying and simplifying policies on SEAH is central to dismantling the root causes of sexual violence.

Prioritize gender. To achieve lasting and substantive change, the root causes of gender inequality and intersecting forms of discrimination must be recognised, named and addressed. A gender perspective should be included in all policies, procedures and initiatives in order adequately to address SEAH. Gender intersects with all forms of inequality to shape uniquely experiences of violence. An intersectional approach is necessary to ensure a fuller understanding of these forms of violence against women and centre the voices of marginalised women (see section 2 above).

Reconnecting to United Nations values and principles. The United Nations system, as well as organisations in the development and humanitarian sectors, should lead by example and live up to the obligations and principles enshrined in international and regional human rights treaties. These include the Convention on the Elimination of All Forms of Discrimination against Women

(CEDAW), Convention on the Elimination of All Forms of Racial Discrimination (CERD) and Convention on the Rights of Persons with Disabilities (CRPD).

Challenge power structures. Identifying and challenging the existing unequal power dynamics is fundamental to eradicating SEAH. All perpetrators abuse the power that derives from their structural positioning and the authority vested in them by their organisational position. As the Secretary General has stressed, power must be urgently transformed and redistributed⁶³.

Create a chain of accountability. Organisations have a duty of care towards their employees (and “beneficiaries”), including prevention and protection from gender-based violence. Managerial responsibility is to be exercised, and held to account, in the adequate and timely response to sexual abuse, as well as in prevention efforts. Transparency. The United Nations should be transparent about cases of SEAH, while always maintaining the confidentiality of victim-survivors. Victim-survivors’ trust in the organisation increases when confidentiality and independence of investigation procedures is ensured (see section 3 above).

Simplify reporting procedures. Reporting and referral procedures should be as simple as possible, to ensure that victim-survivors (and their

advocates) clearly understand and can navigate them. Organisations should also provide different routes for reporting. When different departments in the same organisation (or outside) are involved in addressing SEAH, it can create fragmentation and confusion. Guidance and leadership should shape and ensure delivery of effective strategies. Personnel's duty to report SEAH remains debated by the advocates of a VCA (see section 3 above).

Ensure professional assistance to all victim-survivors. Support for victim-survivors SEAH, including those without access to legal, medical, economic or psychosocial assistance, is to be provided and resourced. This is especially important when abuses occur in locations with security threats or remote locations; areas where victim-survivors might not have access to these services. Experts with knowledge and experience on the prevention of SEAH should be deployed to assist affected individuals (see section 3 above) and advise on organisational developments towards elimination.

Deliver onboarding training. Experts on gender-based violence, including sexual violence, should be in charge of delivering in-person training. UN Women's publication *Stepping up to the challenge: Towards international standard on training to end sexual harassment (2020)*⁶⁴ provides further guidance on effective training on sexual harassment, including addressing discriminatory cultural norms on gender.

Include SEAH in all aspects of security operations, including in security training, the vetting of security policies/personnel and the shaping of a gender-balanced security workforce.

End impunity and abstain from applying diplomatic immunity. Perpetrators must be held accountable with appropriate sanctions. Diplomatic immunity must not serve as an obstacle to achieving accountability and should not be exploited for this purpose. This is in line with Sustainable Development Goal 5.2 which pledges to eliminate all forms of violence against all women and girls in the public and private spheres and does not have an exclusion clause for diplomats.

Recognise victim-survivors as knowledge-holders. Practitioners and policymakers will benefit from listening to and learning from victim-survivors. All efforts to eliminate SEAH need to be shaped with the knowledge of victim-survivors, emanating from their lived experiences. Their needs should be centre stage in all policies, procedures and practices for improved responses to SEAH and prevention efforts.

V. CONCLUSION

The United Nations, including peacekeeping missions, and other organisations in the humanitarian and development sectors address sexual violence using different pathways determined by the location of victim-survivors: whether they are United Nations (organisational) personnel or “beneficiaries” of a service. This paper proposes revisions of these approaches to provide effective and comprehensive responses and prevention efforts. There are tangible commonalities across SEAH including the root causes of gender inequality and discrimination, including their recognition on the continuum of violence against women and girls. Unifying and simplifying policies on SEAH will progress work collectively to address root causes of sexual violence.

Agenda 2030 includes a commitment to end violence against women and girls and leave no one behind. Ending SEAH requires institutional commitment to recognize and end structural inequalities. Cultures that sexualize subordination create space for gender-based discrimination that is antithetical to the mission of development or humanitarian work. It is the responsibility of organisations that promote equality, peace, development and rights to end inequality and associated discrimination not only in the world but also inside their organisations and their work. This is a matter of rights and justice.

ANNEX I: INTERNATIONAL AND REGIONAL NORMATIVE STANDARDS

Global

The **CEDAW**, adopted in 1979, provides that discrimination against women is “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”⁶⁵.

General Recommendation 19 (1992) recognises that gender-based violence is form of discrimination under the CEDAW and, as such, is a violation of women’s human rights⁶⁶. This recommendation is updated by **General Recommendation 35** (2017)⁶⁷, which recognises the intersecting forms of violence that women experience.

The **Declaration on the Elimination of Violence against Women**, adopted in 1993, provides an international definition for violence against women and urges States to condemn violence against women and “not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination”⁶⁸. The **Beijing Declaration and Platform for Action**, adopted in 1995,

includes violence against women as one of the twelve critical areas of concern. Both documents recognise the continuum of violence against women and girls, that includes sexual harassment and SEA.

The **Sustainable Development Goals (SDGs)**, adopted in 2015, launched a call to eliminate all forms of violence against all women and girls in the public and private spheres. SDG 5 commits to achieve gender equality and empower all women and girls, and has a specific target, 5.2, on ending all violence against and exploitation of women and girls.

Regional

The **Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa (Maputo Protocol)**, adopted in 1995 by the African Union, obliges States Parties to take measures to eliminate all forms of discrimination against women, including gender-based violence. The African Commission has also development Guidelines for Combating Sexual Violence and its Consequences that addresses the elimination of sexual violence⁶⁹.

The **Inter-American Convention on the Prevention, Punishment and Eradication of**

Violence Against Women (Belem do Para Convention), adopted in 1995 by the Organization of American States (OAS), enshrines the right of women to live free from violence in both the public and private spheres. The OAS adopted the **Inter-American Model Law to Prevent, Punish and Eradicate the Violence Death of Women (Femicide/Feminicide)** ⁷⁰ (2018), which recognises that the root causes for killing women are the cultures and traditions sustaining a patriarchal system that subordinate women to men.

The **Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)**, adopted by the Council of Europe in 2011, obliges States Parties to take the necessary measures to eliminate gender-based violence.

ENDNOTES

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Oxfam, *One Oxfam Policy on protection from sexual exploitation and abuse (PSEA)*, available at: https://www-cdn.oxfam.org/s3fs-public/one_oxfam_psea_policy_en.pdf;

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Nations, 24 July 2017, available online at: https://hr.un.org/sites/hr.un.org/files/SEA%20Glossary%20%20%5BSecond%20Edition%20-%202017%5D%20-%20English_0.pdf

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¹² For example, the International Federation of the Red Cross (IFRC): the IFRC Secretariat Policy on Prevention and Response to Sexual Exploitation and Abuse provides that sexual harassment is between IFRC personnel, and SEA refers to exploitation and abuse of affected persons (persons who look to or benefit from the IFRC's protection or assistance). Available at: <https://media.ifrc.org/ifrc/wp-content/uploads/sites/5/2018/06/IFRC-Secretariat-Policy-on-Prevention-and-Response-to-SEA-final.pdf>; Danish Refugee Council. Available at: <https://drc.ngo/media/4288841/policy-briefing-sexual-misconduct-2018-final.pdf>; Oxfam, One Oxfam Policy on protection from sexual exploitation and abuse (PSEA). Available at: https://www-cdn.oxfam.org/s3fs-public/one_oxfam_psea_policy_en.pdf.

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¹⁷ The majority of those targeted in sexual harassment and SEA are women and girls, however there are other groups that can form part of this continuum, such as LGBTQI+ people or men and boys.

¹⁸ The majority of those targeted in sexual harassment and SEA are women and girls, however there are other groups that can form part of this continuum, such as LGBTQI+ people or men and boys.

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received several comments accusing her that her personal story about sexual harassment was not true. Later, when a 12-year-old girl who was the subject of sexual comments on the internet during her participation in a Brazilian reality cooking show, Think Olga created the hashtag #primeiroassedio and, in Juliana's words "started a cathartic and gigantic women's movement" inviting readers to share their stories of their first harassment. It went viral and they had 82,000 tweets and retweets. In the 3,111 analysed stories, the medium age of the first harassment in Brazil is 9.7 years and 67% of women were harassed by people they already knew. Available at: <https://thinkolga.com/projetos/primeiroassedio/>; Enough with Catcalling site, <http://chegadefiufiu.com.br/> Enough with Catcalling documentary, <https://www.youtube.com/watch?v=S-P-tfkGAeQ> - Accessed

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