

**Advancing
a Common
Understanding of
a Victim-centred
Approach to
Sexual Harassment**

**Within the Organizations
of the United Nations
System**



CEB

UN System Chief Executives Board for Coordination

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1. Preamble

- (a) The Chief Executives Board (CEB) Task Force on Addressing Sexual Harassment within the Organizations of the United Nations System was established in 2017 by the Secretary-General to develop a system-wide approach towards preventing and responding to sexual harassment. This document sets out a common understanding of a victim-centred approach to sexual harassment. It is based on general principles designed to assist United Nations System Organizations to adopt and implement a victim/survivor¹-centred approach in their formal and informal processes, policies and procedures², through the provision of support for victims/survivors, and through protective, investigative and accountability measures. The principles are intended to be read together. While every United Nations System Organization is expected to operationalize the principles in this document in practice, it recognizes that United Nations System Organizations have differing legal, administrative and policy frameworks. The document must therefore be interpreted in light of each Organization's regulations, rules, administrative issuances and investigation policies.
- (b) This document defines a victim-centred approach to sexual harassment as engaging with a victim/survivor in a way that respects their rights, needs, wishes and dignity, protects them from retaliation, re-traumatization and discrimination, keeps them informed, and supported. It underscores the fact that this approach is essential to ensuring respect for the victim's/survivor's dignity, empowering victims/survivors, and creating a working environment free from sexual harassment. It also recognizes that the way the rights, needs, wishes and dignity of victims/survivors are approached is critical to their safety and well-being, and implementing United Nations System Organizations' core values.
- (c) Sexual harassment in the workplace or in connection with work may be perpetrated by, against, or between staff members, non-staff personnel³ and external parties⁴. Individuals need not be contractually engaged by the United Nations for the principles to apply. However, this document recognizes that United Nations System Organizations' processes for addressing allegations of sexual harassment may vary in light of the terms of any contractual relationship between the Organization and the victim/survivor and the Organization and the offender/alleged offender which may limit the applicability of the principles.

2. Definitions

For the purposes of this document:

- (a) the term 'victim/survivor' means the person, or persons, in the workplace, or in connection with work, towards whom conduct constituting possible sexual harassment is directed.
- (b) the term 'offender/alleged offender' means the person, or persons, in the workplace, or in connection with work, whose conduct constitutes sexual harassment or possible sexual harassment, if established under applicable policies.

¹ The CEB Task Force recognizes that United Nations System Organizations may use different terms in lieu of 'victim,' for example 'victim/survivor.' The latter terminology is used in this document.

² CEB Task Force on Addressing Sexual Harassment within the Organizations of the United Nations System, 'Workplan 2020-2021' (2020) [2.3.2].

³ For example, in the United Nations and its Funds and Programmes, non-staff personnel are those individuals performing services in a direct or other agreed relationship with the Organization and other than through a letter of appointment under the Staff Regulations and Rules of the United Nations, and include, without limitation, United Nations Volunteers, individual consultants and contractors, interns and persons providing services under arrangements with the United Nations Office for Project Services: United Nations Secretariat, *Secretary-General's bulletin: Addressing discrimination, harassment, including sexual harassment, and abuse of authority*, UN Doc ST/SGB/2019/8 (10 September 2019) [1.13].

⁴ Includes external parties within the United Nations' purview such as independent experts appointed by intergovernmental bodies and United Nations System Organizations who undertake United Nations mandates *pro bono*.

- (c) consistent with the uniform definition in the CEB Model Policy on Sexual Harassment, ‘sexual harassment’ means:

“any unwelcome conduct of a sexual nature that might reasonably be expected, or be perceived to cause offence 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.

...

Sexual harassment is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications. Sexual harassment may occur between persons of the same or different genders, and individuals of any gender can be either the targets or the perpetrators. Sexual harassment may occur outside the workplace and outside working hours, including during official travel or social functions related to work. Sexual harassment may be perpetrated by any colleague, including a supervisor, peer or a subordinate. A perpetrator’s status as a supervisor or a senior official may be treated as an aggravating circumstance... Sexual harassment can take a variety of forms – from looks and words to physical contact of a sexual nature.”

- (d) The CEB Task Force recognizes that there is an increased risk of sexual harassment occurring online since the pandemic redefined the workplace. Sexual harassment may occur in physical or digital workplaces and may be mediated by various electronic means. All behaviour reasonably perceived to be offensive or humiliating is considered inappropriate and unacceptable. Such behaviours can escalate into sexual harassment and should be addressed as early as possible.

3. Core Principles

Respect

- (a) Respect the inherent dignity of the victim/survivor and their culture, values and individual needs, and consider their informed choices as a central priority. Treat the victim/survivor with courtesy, empathy, professionalism and fairness.
- (b) Listen to and hear the victim/survivor without judgment. Do not blame or hold the victim/survivor responsible for the sexual harassment. Do not minimize or excuse the offender/alleged offender’s conduct.
- (c) Deal with information about victims/survivors with the utmost care and discretion.

Non-discrimination

- (d) Be gender-sensitive and inclusive. Do not discriminate on the basis of race, ethnicity, nationality, class, caste, religion, belief, sex, language, sexual orientation, gender identity, age, health, disability, residence status or any other ground, and be aware of intersectional discrimination.

Safety

- (e) Do no harm. Do not take any actions that may jeopardize the safety and well-being of the victim/survivor.
- (f) Protect the victim/survivor from retaliation irrespective of the follow-up to, and/or outcome, of the report of sexual harassment. Consider implementation of protection measures in consultation with the victim/survivor, and monitor the status of the victim/survivor, the offender/alleged offender and the work unit(s) to promptly detect and address any suspected retaliation.
- (g) Protect the victim/survivor from stigmatization, re-traumatization and discrimination.

Confidentiality

- (h) Have conversations with the victim/survivor in a safe, confidential place and format of their choosing.
- (i) Explain the Organization's policy and/or principle of confidentiality throughout the process, including confidential reporting. Outline the information that may be transmitted to whom, and for what purpose. Explain any implications on the scope and conduct of a possible investigation of a victim's/survivor's choice to keep information confidential.

Informed Consent

- (j) Provide the victim/survivor with the information necessary to enable them to make informed choices and to manage their expectations. Information should include, but is not limited to, the existence and nature of support services and how to access them, applicable policies on protection against retaliation and discrimination, options available to address the allegations and related procedures, and the due process rights of the victim/survivor and the offender/alleged offender in applicable accountability processes.
- (k) Provide information in a language that the victim/survivor understands, and in a way that it is clear and accessible to them, taking into account their personal circumstances such as any hearing, visual or intellectual disability, and the impact the sexual harassment may have had on their mental or physical health.
- (l) Actively seek the victim's/survivor's informed consent and choices including in relation to their participation in addressing and resolving the matter. The victim's/survivor's informed consent and choices are a central priority in assessing and determining protection and accountability initiatives, and the provision of support.

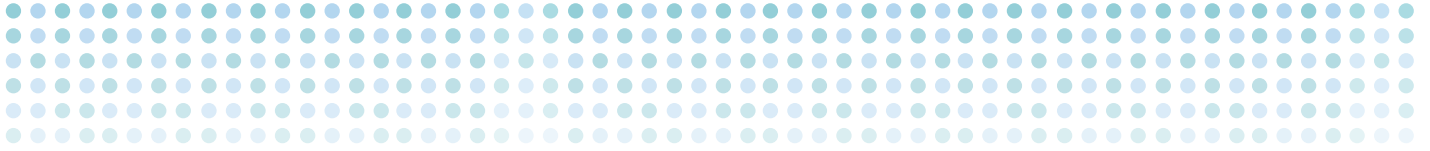
Support

- (m) Provide support from the moment the Organization is made aware of a disclosure, report, incident or situation concerning a victim/survivor and throughout the follow-up. Where necessary, provide support beyond the conclusion of any informal or formal process undertaken to address the matter.
- (n) Offer the victim/survivor assistance to promote their well-being and support them to move forward.
- (o) In line with their wishes, refer the victim/survivor to competent and accessible support services including medical, psychological, socio-economic support, and legal services.
- (p) Offer a range of actions and solutions, including informal resolution mechanisms. Inform the victim/survivor that they may report conduct which may amount to criminal conduct to national or local authorities.

- (q) Offer the victim/survivor the option of having a support person of their choice, and where feasible, accompany them throughout the informal or formal process. Discuss with the victim/survivor their need to share information with any additional person to receive support.
- (r) Communicate clearly and promptly, the status, progress and outcomes of actions or processes that concern the victim/survivor to the extent possible so that the victim/survivor understands the actions taken and those to be taken.
- (s) Adjust the offender/alleged offender's and/or victim's/survivor's work schedule and work environment and provide adequate leave and other forms of protections deemed necessary to prevent retaliation, retraumatization or re-occurrence of the sexual harassment, prioritizing the wishes of the victim/survivor. Uphold confidentiality principles when communicating any accommodation to a victim's/survivor's supervisors or colleagues.
- (t) Follow up with the victim/survivor as to whether their work may have been adversely affected by the offender/alleged offender's actions. Provide support in consultation with the victim/survivor, including on modifications to the work programme, flexible working arrangements or special leave with pay.
- (u) Monitor and assess the victim's/survivor's case and circumstances at, and following, the resolution of any informal or formal process, at regular intervals, to keep track of the victim's/survivor's well-being, protect them against retaliation, and confirm that any measures taken as a result of the informal or formal process have been implemented. Regularly follow up with the victim/survivor on these factors, including to confirm that the sexual harassment has not continued.

Prevention

- (v) Take robust measures to promote a working environment free of sexual harassment and other unwelcome behaviours which may lead to sexual harassment in which all people are treated with respect, where bystanders are active, and where victims/survivors feel comfortable to come forward with allegations of sexual harassment, for assistance and support, and have confidence that their allegations will be addressed seriously, and the Organization's policies will be implemented. Design and assess measures in consultation and with participation of victims/survivors.
- (w) Take measures, including through ongoing dialogue with staff and others, to build trust and address structural and systemic barriers faced by victims/survivors, such as the persistence, prevalence and impact of stigma, sex and gender-based discrimination, and stereotypes and stereotypical attitudes.



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