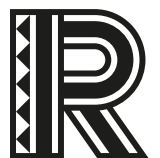


**RAINFOREST
FOUNDATION
NORWAY**
**PROTECTION
FROM
SEXUAL
EXPLOITATION,
ABUSE AND
HARASSMENT
POLICY**



RAINFOREST FOUNDATION NORWAY PROTECTION FROM SEXUAL EXPLOITATION, ABUSE AND HARASSMENT POLICY



Policy owner:
Senior Management Team

Policy lead:
Organisational Director

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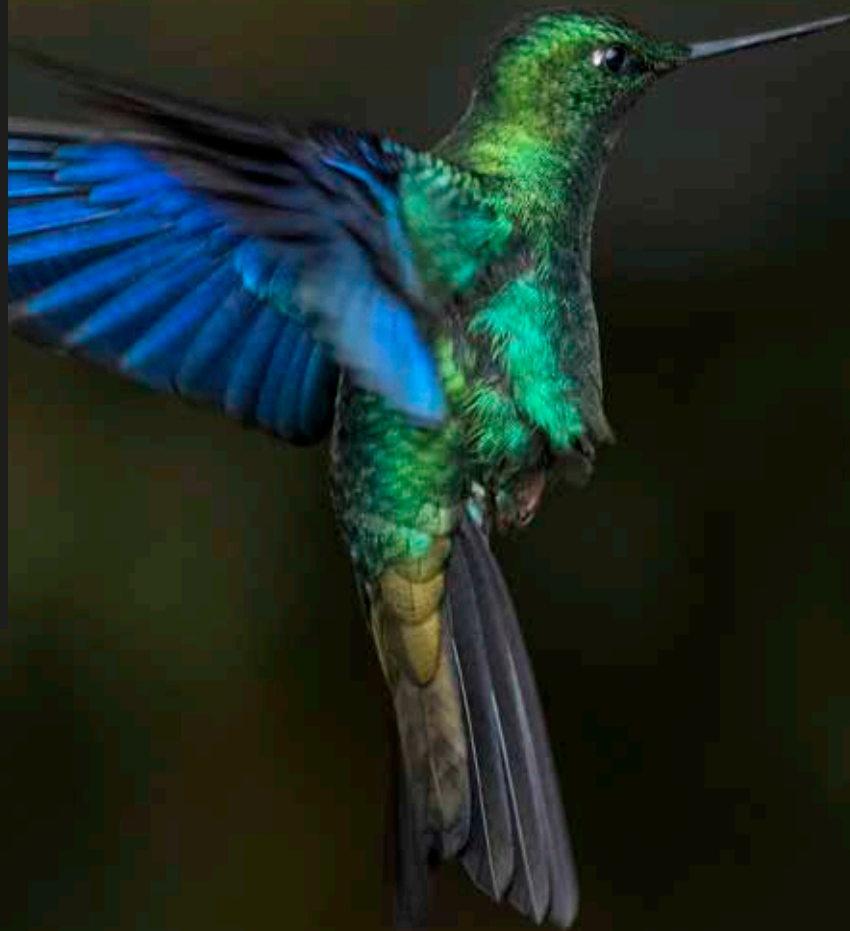


Photo: Thomas Marent

1. Introduction: Policy Statement

Rainforest Foundation Norway (RFN) does not tolerate sexual misconduct in any form. All people have the right to live free from sexual exploitation, abuse, and harassment. Such misconduct, based on unequal gender relations and power dynamics, is unacceptable. As a rights-based organisation, RFN is accountable for safeguarding the people we work for and with. We are committed to combat and counteract sexual exploitation, abuse, and harassment by RFN staff and representatives in all areas of our work.

This Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment (PSEAH) Policy sets out our principles and standards to prevent sexual misconduct;

to enable and address complaints and reports; to respond and investigate when sexual misconduct is suspected or has occurred; and to ensure accountability for breaches of this policy. This policy reflects RFN's efforts to institutionalise an ethical culture of respect for human rights, gender equality and accountability among our staff and representatives, and vis-à-vis rainforest communities and stakeholders. Grounded in equitable partnerships and our shared commitment to accountability, we expect a similar commitment from our partners.

This policy is part of a framework of governing documents, including the RFN Code of Conduct, RFN Anti-Corruption Policy, RFN Gender Policy and RFN Human Rights Policy. Operational plans, and practical procedures and guidance for policy implementation are developed and updated separately.

2. Purpose and Scope

The purpose of this policy is to safeguard targeted local communities, project participants, other stakeholders, and RFN and partner staff and representatives from sexual exploitation, abuse, and harassment, and to ensure accountability for such misconduct.

This policy covers all forms of sexual misconduct by RFN staff and representatives, including:

1. Safeguarding people (rights-holders), particularly children and at-risk adults, from sexual harassment, exploitation, and abuse *by RFN staff and representatives*.
2. Safeguarding RFN staff and representatives from sexual harassment, exploitation and abuse *by their colleagues, managers, or representatives*.

This policy applies to all RFN staff and representatives, during the time they work for and represent their organisation, including in the workplace, during workhours, at work-related events and situations, and always when on mission.

In the context of this policy, “staff” includes RFN employees, consultants, volunteers, trainees, or interns, and “representatives” includes Board members, goodwill ambassadors or other persons representing RFN. The policy applies to visitors to RFN supported projects, e.g., media personnel, researchers, donor representatives and others during RFN commissioned, supported, or facilitated visits.

3. Definitions

Sexual exploitation, abuse, and harassment represent a wide range of behaviours and are not limited to physical acts. Persons of any gender identity and expression, and sexual orientation can be either survivors or offenders. For this policy, RFN uses the following definitions:

Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions¹.

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 another².

Sexual harassment³ is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident⁴.

Sexual misconduct⁵ is an overarching term that refers to all types of sexual abuse, sexual exploitation, or sexual harassment. Sexual misconduct may occur between persons of different or same gender. Persons of any gender identity and expression, and sexual orientation can be either the victims or the offenders.

Survivor refers to an individual who has experienced actual and/or attempted sexual abuse, sexual exploitation, or sexual harassment. The term can be used interchangeably with ‘victim’ and it is often used to imply resilience. It is the individual’s choice how they wish to identify themselves. The term survivor is used in place of both terms in this document.

Subject of complaint refers to an individual who is accused of carrying out sexual abuse, sexual exploitation, or sexual harassment (including attempted or threatened). The term is considered more balanced than ‘alleged perpetrator’. It emphasises the need for a fair and objective process through which it is decided whether, on the balance of probabilities, an individual has carried out the actions they have been accused of.

1) 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>

2) Ibid.

3) See also Norwegian law on equality and prohibition of discrimination: <https://lovdata.no/dokument/NL/lov/2017-06-16-51>

4) Secretary-General's Bulletin: Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (ST/SGB/ 2008/5): <https://www.undocs.org/st/sgb/2008/5>

5) RFN Code of Conduct prohibits employees from engaging in any form of sexual exploitation and abuse.

4. Principles and Minimum Standards

RFN's minimum standards help us practice policy and principles and guide implementation through prevention, reporting, and response to sexual exploitation, abuse, and harassment.

Prevention

Organisational culture

RFN will take all reasonable measures to prevent sexual exploitation, abuse, and harassment, upholding everyone's right to live free from sexual misconduct and abuse of power.

RFN commits to uphold an ethical organisational culture and a safe work environment. At the core, this is to respect and protect the dignity, personal integrity and well-being of all staff, representatives, stakeholders, and individuals we work with and to inspire the enthusiasm and potential of staff and partners. An ethical organisational culture must ensure safe and credible complaints mechanisms and accountability for policy breaches. Management and staff will be sensitised and trained to understand what constitutes sexual misconduct and RFN's standards and procedures for reporting and response, including accountability and disciplinary measures.

Risk management

Risks of sexual exploitation, abuse, and harassment within organisations, in the contexts we work and in programmes and projects, will be assessed and mitigated through RFN's risk management system. This includes analysing potential unintended, negative effects of programmes and projects, such as risks of sexual misconduct occurring, and implementing safeguarding measures to mitigate identified risks and reduce their impact on individuals and communities to avoid causing harm. Identified risks must be included in risk registers.

Reporting

Obligation to report

All RFN staff and representatives are obliged to report any suspicion, concern, incident, or complaint raised to them, of sexual misconduct as soon as possible through RFN reporting mechanisms. Reports about sexual misconduct should be made in good faith. Due to the sensitive nature of sexual misconduct, staff and representatives are not authorised to undertake any action on their own that is not in line with policies and procedures and/or without guidance from RFN's PSEAH committee/focal point. If unsure about whether a behaviour might constitute sexual misconduct, advice should be sought from a senior manager or RFN's whistleblowing/PSEAH committee (see Complaints and feedback mechanisms).

Individuals are not obliged to report their own experiences of sexual misconduct to RFN. Someone subjected to harassment may choose to talk directly with the person concerned to explain that the behaviour is unwelcome and should not be repeated. However, they are *never* expected to do this and can choose to report. (See also [Survivor-centred and supportive response](#)).

Complaints and feedback mechanisms

RFN will put in place safe, accessible, confidential, responsive, and transparent complaints and feedback mechanisms. This should enable communities, project participants, other stakeholders, and RFN and partner staff and representatives, to raise complaints about alleged or suspected sexual misconduct or other policy breaches.

RFN will receive confidential complaints and reports directly and through a third-party platform which enables anonymous reports and confidential communication (see [How to raise a complaint or report an incident](#)). A whistleblowing committee assigned by RFN senior management is responsible for receiving and responding to complaints and reports, including case management and investigations.

Meaningful information about this policy, the prohibition of sexual misconduct, and how to raise a complaint and receive feedback, should be made accessible to stakeholders, including communities RFN and partners work with.

Confidentiality and privacy

RFN has a duty to ensure confidential complaints and feedback mechanisms and protect the confidentiality and privacy of those involved in the response, including complainant, survivor, witnesses, and subject of complaint. This is important to ensure that survivors and witnesses feel safer to share their experiences and to protect the rights of subjects of complaint. In certain cases, RFN may not be able to provide feedback to complainants about the steps taken to address their report or the outcome of investigations or other processes. RFN staff and representatives receiving a report or complaint have a duty of confidentiality. Confidentiality breaches during reporting and response may lead to disciplinary actions.

All documents and information related to cases reported to RFN will be registered and securely stored. Access to information, including personal data, will be restricted to a need to know-basis, such as the whistleblowing committee. Personal data will be protected in line with EU data protection regulations and deleted after a set amount of time. Personal data will not be shared in reporting to RFN's Board or donors.

Response

Case management and investigations

RFN will take complaints and reports of suspected or occurred sexual exploitation, abuse, or harassment seriously and take all reasonable steps to respond quickly and appropriately.

In RFN, the whistleblowing committee will lead the response to complaints and reports received by or referred to the organisation, seeking expert and independent advice as needed. In case of suspected sexual misconduct, the committee may decide to conduct or commission an investigation. This may include investigating suspected or alleged sexual misconduct by RFN partners or overseeing partners' response to specific complaints or cases. RFN staff, representatives, and visitors are expected to cooperate in investigations and not withhold information.

RFN investigations must be sensitive to the needs and concerns of those affected by suspected sexual misconduct. Consent for an investigation should always be sought from the survivor.

Complainants will receive feedback from RFN without delay. Complainant, survivor, and subject of complaint will receive regular feedback on steps taken to address the complaint and potential investigations, as far as confidentiality permits. Once a case is concluded, concerned persons will be informed immediately about the outcome.

Survivor-centred and supportive response

RFN's response will be survivor-centred, respecting their dignity and right to self-determination and considering their perspective and needs. Survivors should be allowed to decide if and how they want to proceed with complaints. RFN will seek to ensure they have needed information and support to make these decisions and receive feedback about the outcome of their (potential) complaints. Survivors of sexual misconduct must not be made to feel responsible for any misconduct nor be discriminated against. Support will be offered to persons affected by sexual misconduct within the scope of this policy as far as possible and is not dependent on the submission of a formal complaint. This may include psycho-social counselling, medical care, or legal assistance.

Respect for fair and due process

Due process and the right to be heard will be respected for all those involved in a case. The subject of complaint has the right to a due process. RFN will provide them with the opportunity to be heard, present their version, and respond to allegations against them, and protect their confidentiality.

Malicious allegations will not be tolerated, and all reports should be made in good faith. If RFN staff are found to report false information knowingly and wilfully about another RFN or partner staff, they will be subject to disciplinary actions. No action will be taken against those who raise complaints in good faith, even if investigations find the report to be unfounded.

Protection of whistle-blowers and survivors

Any retaliation or threat of such, whether by the subject of complaint or others, against a whistle-blower/complainant, survivor, witnesses, or others involved in, responding to, or affected by a complaint or incident is strictly prohibited and may lead to disciplinary action for RFN staff.

RFN will take all reasonable measures to protect whistle-blowers/complainants, survivors and others involved in a case. If their identity is revealed to any unauthorised persons, and/or there is a risk of retaliation, RFN will take appropriate measures to protect them to the extent possible and avoid further confidentiality breaches. If RFN staff face threats or retaliation, RFN will take necessary and possible measures to protect them. This may include adjusting responsibilities and tasks in consultation with the affected person(s).

Sanctions and disciplinary actions

RFN will hold staff and representatives to account for sexual misconduct and breaches of this policy. In substantiated cases against RFN staff or representatives, RFN will take disciplinary actions proportional to the scope and gravity of sexual misconduct, up to and including dismissal. Based on investigation findings and recommendation of the whistleblowing committee, RFN may take one of the following actions: No action (if no misconduct found); verbal warning; written reprimand; dismissal.

Safe and timely referral

Concerns for or suspected cases of sexual misconduct by other organisations' staff, community members or others, e.g. raised by communities, should be referred to appropriate actors, such as the organisation in question, protection actors or relevant national authorities⁶.

Allegations that may amount to a criminal offence in the country concerned, such as sexual assault and abuse, will be reported to law enforcement/national authorities by RFN unless doing so would expose affected persons to risk or harm, or there are other serious concerns or legal challenges with referral. A justification for not making a referral should be documented. Consent from the survivor and other affected persons must be sought before any referral or report is made.

6) See RFN Human Rights policy and RFN Gender policy for referral of protection concerns and incidents.

5. Roles, Responsibilities, and Resources

Accountability is fundamental to combatting sexual misconduct. RFN is accountable to communities we work with, our partner organisations, donors, and the public at large. All RFN staff and representatives are accountable for adhering to the principles and standards of this policy.

RFN staff

All RFN staff have a responsibility to contribute to a safe work environment and prevent sexual misconduct where possible. They have a duty to report suspected or alleged sexual misconduct (see [Obligation to report](#)) and failure to do so may lead to disciplinary action. By signing the RFN Code of Conduct, RFN staff state their acknowledgement and compliance with this policy.

RFN senior management is accountable for ensuring operationalisation and implementation of this policy. Necessary capacity and resources will be allocated to prevention, reporting and response measures according to policy standards and related procedures. This includes functioning RFN complaints and feedback mechanisms, a qualified whistleblowing committee with capacity to receive and respond to complaints, and accountability through disciplinary actions or other reactions to policy breaches.

RFN line management will ensure that this policy is disseminated to all RFN staff and representatives. They will be presented with policy, standards, and procedures, including how to raise a complaint, and issues relevant to their roles and responsibilities, through orientation sessions or trainings.

Senior management will submit annual reports describing number and categories of complaints and response to RFN's Board and donors, with case-by-case reporting as requested, and efforts to implement this policy. Reporting will protect the confidentiality of those involved.

All RFN managers are responsible for promoting an organisational culture and environment free from sexual misconduct. They should ensure that staff are aware of and have access to complaints mechanisms and receive necessary information and training to support policy implementation in their work. Unless it is inappropriate, managers will be informed of allegations against staff in their line management.

RFN Board

The RFN Board oversees adherence to and implementation of this policy, receiving annual reports from the RFN senior management.

RFN Partnerships

RFN recognises that protection from sexual exploitation, abuse and harassment requires concerted, sensitive, and on-going efforts in close dialogue and collaboration with our partners in rainforest countries, and the communities and stakeholders we work with. RFN will work with partners to operationalise this policy while recognising that experience, expertise and organisational capacity and systems vary among partners.

RFN will disseminate this policy to all partners in our five working languages (English, French, Bahasa Indonesia, Portuguese, and Spanish). Information and training materials will be shared and RFN staff will present the policy, standards, and procedures to partners online, or in-person when possible, to make sure this policy is known and understood.

RFN will assess new and existing partners' systems and procedures, and capacity and efforts, to prevent, detect, enable reporting, and respond to sexual misconduct, based on our PSEAH policy standards. Policy standards will be integrated into RFN procedures and tools for systematic partner assessment and follow up, and through other relevant measures, such as supporting partners to put in place necessary guidelines and procedures.

This policy is signed as an annex to partnership contracts. Consistent lack of will and failure to put in place necessary safeguarding measures and procedures may eventually lead to sanctions from RFN, up to and including withdrawal of funding or termination of partnership.

6. How to Raise a Complaint or Report an Incident

All RFN and partner staff and representatives, and any other individual, can report breaches of this policy and suspected or alleged sexual misconduct to RFN in the following ways:

Directly to RFN:

- a) E-mail to whistleblowing@rainforest.no
- b) To line manager, programme adviser, Human Resources representative, or other staff.

Concerns, complaints, or reports from outside the organisation received by RFN staff must be referred to the whistleblowing committee as soon as possible and normally within 24 hours. The complainant should be informed about this referral.

Through RFN's external, third-party whistleblowing channel:

Report incident, submit complaint or raise concern online via our reporting channel, managed by third-party WhistleB: <https://report.whistleb.com/rainforestfoundationnorway>

The external whistleblowing channel allows for anonymous reports and can be reached on any device, including smart phones. The information required is specified on the platform. WhistleB is a joint system for reporting and case management of different types of misconduct and mismanagement (e.g. sexual, financial, environmental, discriminatory).

Directly to Norad (RFN's main donor):

Report through Norad's whistleblowing channel: <https://norad.no/en/front/about-norad/whistleblowing/>. This includes direct reporting to Norad on email: varsling@norad.no or to their external whistleblowing channel.

Further information

Complaints or incidents of sexual misconduct that fall outside the direct scope of this policy, such as misconduct against RFN staff by someone outside the organisation or partners, may also be reported through these channels, for referral e.g., to RFN Human Resources or other organisations.

Information about RFN's whistleblowing channels is available on the RFN website: <https://www.regnskog.no/en/about-rainforest-foundation-norway/whistleblowing>



Photo: Araquém Alcántara

Rainforest Foundation Norway supports indigenous peoples and traditional populations of the world's rainforests in their efforts to protect their environment and secure their customary rights. RFN was established in 1989 and works with local environmental, indigenous and human rights organisations in the main rainforest countries in the Amazon region, Central Africa, Southeast Asia, and Oceania. RFN is an independent organisation, and part of the international Rainforest Foundation network, with sister organisations in the United Kingdom and the USA.



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rainforest.no/en