

A HUMAN RIGHTS FRAMEWORK FOR PREVENTING AND RESPONDING TO SEXUAL EXPLOITATION, ABUSE, AND HARASSMENT

Introduction

Sexual Exploitation, Abuse, and Harassment (SEAH) are human rights violations. As a form of gender-based violence (GBV), SEAH is a violation of international human rights conventions, including the [Convention on the Elimination of All Forms of Discrimination Against Women](#), the [Declaration on the Elimination of Violence Against Women](#), the [Violence and Harassment Convention](#), and others. The communities with whom we work have a fundamental right to receive assistance and interact with our organizations' activities without being subject to this form of violence. Likewise, NGO staff have the right to work in an environment free from SEAH. These fundamental rights are violated when the power imbalances inherent in an NGO's presence in a community are exploited or abused.

The [United Nations](#) asserts that gender-based violence "refers to harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms." SEAH analogously occurs when power imbalances between NGO workers and the communities that they serve are abused. NGOs control access to vital resources and services, which creates a power imbalance between those affiliated with the organization and program participants and community members. Further, many NGOs are funded by governments in the Global North, which re-creates power imbalances along historical colonial and imperial lines. These power imbalances are further exacerbated by existing, structural inequities around gender, race, age, ethnic background, religious affiliation, disability, LGBTQ identity, class, and other factors of discrimination. Not only do these dynamics occur between NGOs and communities, but they are present within NGOs, affecting staff as well.

These abuses of power are not one-off instances caused by bad apples within the system, but rather all stem from similar root causes and systemic factors of inequality. As such, NGOs should use a human-rights-based approach to PSEAH and apply an intersectional lens to PSEAH practice. This approach allows organizations to develop SEAH prevention measures that take into account the ways in which key factors of people's identities can exacerbate SEAH risks and have a compounded impact when SEAH does occur. It allows us to ensure our PSEAH approach analyzes and addresses the root causes of discrimination and inequality attuned with the diversity of people's experiences to ensure that everyone has the right to live without being subject to SEAH.

The assertion that protection from SEAH is a human right is embedded in internationally recognized human rights conventions. These conventions uphold a simple principle: **that every human is born free and equal in dignity and rights without distinction of any kind.** To protect our program participants and staff from SEAH is to protect the inherent dignity within each and every one of them.

While these conventions are designed to hold states accountable for protecting the human rights of their citizens, NGOs have an equal responsibility to protect the human rights of the communities which we serve and the staff for whom we are responsible. These conventions put forth internationally agreed-upon norms to prohibit abuses of power. NGOs must hold ourselves to this standard.

¹ "Gender-based violence is a general term used to capture any type of violence that is rooted in exploiting unequal power relationships between genders. This can include gender norms and role expectations specific to a society as well as situational power imbalances and inequities." [New York City Mayor's Office](#)

The Framework

Sexual Exploitation and Abuse

As a form of GBV, SEA is a human rights violation regardless of one's age, gender, sexual orientation, or gender identity. Organizations have a mandate to effectively promote the right to a life without sexual exploitation and abuse.

1. The power dynamics and structural inequities that allow SEA to occur must be understood from an intersectional lens, acknowledging how power asymmetries are built and replicated as a result of racialized and gendered relations.
2. Individuals who experience marginalization are at higher risk of SEA. Throughout the program cycle, NGOs must consult with these individuals to ensure that their rights are defended and fulfilled, and that people are able to safely participate in our programs and access all services.
3. Survivors of SEA have the right to effective remedies, inclusive of support services. When an NGO inflicts harm on a community member, the organization must be accountable to the survivor by providing these remedies and services.
4. Communities have a right to employment free of stipulations of SEA.

Sexual Harassment

Sexual harassment is a human rights violation and unaddressed incidents enable further abuse. The workplace naturally creates imbalances of power that can easily exacerbate the risk of sexual harassment and other forms of abuse. To adhere to International Labor Organization Convention 190 and to protect the rights of personnel, NGOs have the responsibility to create and maintain a workplace² culture that prevents, addresses, and responds to sexual harassment.

1. Individuals have the right to work and to live in an environment free from sexual harassment.
2. Staff have a right to safe, confidential, objective, and effective internal grievance mechanisms without fear of retaliation. Employment should never be jeopardized due to a grievance.
3. Organizations must address sexual harassment holistically- including holding both perpetrators of sexual harassment and those who enable it accountable.
4. Communities have a right to receive assistance without being subject to harassment.

Child Abuse

Children have the right to be free and grow up without facing exploitation, abuse, or neglect perpetrated by those in power, including NGO workers.³ Organizations should utilize a child-rights-based approach when designing and implementing programs and policies that affect children. In addition to the principles laid out above, special considerations for children include:

1. Children have the right to be heard. Organizations must uphold children's rights to meaningful participation and involvement in decisions affecting their lives.
2. Children who are survivors of SEA have the right to be supported in their recovery. Organizations have a responsibility to ensure that the response includes the input of the child and is tailored to each child appropriately based on their age, gender, and maturity.

² This workplace extends beyond the physical workspace to include the communities with which we work. It also includes the virtual workplace.

³ All forms of physical or mental violence, including sexual violence, are violations of the human rights of children.