

Protection from Sexual Exploitation, Abuse and Harassment Policy

1. Introduction:

In recent times, it is not so much easy to work in humanitarian development because quality monitoring has to ensure in every developmental plan where both beneficiaries and humanitarian workers are involved. Both parties possess a huge difference in their power exercise where a sensitive issue like PSEAH can arise at any time and can hinder overall work. To ensure this protection issue, COAST has reviewed PSEAH policy based on UN-secretary General bulletin (2003) and the Supreme Court's directives delivered on May 14, 2009.

Since its inception, the COAST Trust has been working relentlessly to realize gender equality and to bring an end to gender discrimination inside the organization and at the same time in the community with beneficiaries. It takes it as a cross cutting issue in every program and project. One of the major objectives of the organization is to ensure balance and sustainable development for marginalized specially forcibly displaced people living in the Rohingya camps and coastal areas and COAST Trust, therefore, has been working for developing a gender sensitive and women friendly working environment to end discrimination among male and female colleagues and to end all sorts of gender-based violence to ensure women empowerment. We hope that the policy to PSEAH will help in gaining thematic ideas and guidance from all concerned. At the same time, it will play a role in the implementation of the goals and objectives of the organization.

2. Rationale:

This policy has been formulated with the aim of establishing gender equality at all levels. Various related international laws have been added to this policy. For example, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the International Covenant on Economic, Social and Cultural Rights.

For this, there should have a system to establish equality among male and female in the society. But our society's culture and practice are that man and women are different so their role and responsibilities are different. And it is happening traditionally and historically. Therefore, women have been identified slowly but surely as subservient to men socially. Social custom, belief, inherit continuation, even the socio-economic, cultural and religious norms are cherishing the same things in same way. Hence, discrimination and inequality still exist between men and women in the society. In this circumstance, COAST Trust has decided to formulate 'Protection from Sexual Exploitation, Abuse and Harassment' to continue strengthening this practice as women friendly environment within the organization. It believes that the policy will help decline women exploitation, harassment and end violence against women by implementing formulated policy which will also help women to get empowered.

3. Aim:

The aim of this policy is to create equal dignity among men and women as well as to create anti-sexual harassment environment for women and beneficiaries. And it helps to establish such atmosphere by eliminating gender discrimination. Another goal of the policy is to create proper workplace where safety, security and equal opportunity for women will be ensured.


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4. Objectives:

The core objective of the 'Sexual Exploitation, abuse and Harassment Protection Policy' is to implement organization's gender policy effectively and to ensure gender sensitive work environment within the organization. The other objectives of the policy are:

- 4.1. To create awareness about sexual exploitation, abuse and harassment;
- 4.2. To ensure equal dignity and to create atmosphere congenial for women inside the organization;
- 4.3. To create awareness about the consequences of sexual offences;
- 4.4. To create awareness about punishment of sexual exploitation, abuse and harassment;
- 4.5. To help female colleagues and beneficiaries to get legal support under the policy;
- 4.6. To build awareness among the colleagues, beneficiaries and others related people concerning women rights, dignity and gender equality as well;
- 4.7. To ensure equality among men and women within the organization and to identify it as a cross cutting issue in each project and program which would be reflected;
- 4.8. To take necessary steps to establish women's involvement at all levels inside the organization such as; making plan of action and decision-making process;
- 4.9. To ensure that respective authorities/employers take effective role in implementing recommendations received from the investigative committee;
- 4.10. To apply zero tolerance to sexual exploitation, abuse and harassment/torture;
- 4.11. To introduce two types of punishments-major and minor.
- 4.12. To ensure the quality services and SEA free environment for the beneficiaries.



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5. Definitions:

According to the UN Secretary-General Bulletin (ST/SGB/2003/13), the following standard definition for sexual exploitation and abuse, which applies to any sector and context:

5.1 “**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.

5.2 “**Sexual abuse**” is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It should cover sexual assault (attempted rape, kissing / touching, forcing someone to perform oral sex / touching) as well as rape.

SEA are forms of gender-based violence (GBV), which describes any harmful act perpetrated against a person’s will that is based on socially ascribed differences between women and men. Furthermore, SEA may also involve child safeguarding violations if the “conduct by (the organization’s personnel) causes significant harm to a child including any kind of physical, emotional or sexual abuse, neglect or exploitation”, highlighting the need for focused attention on children as part of PSEA efforts.

5.3 “**Sexual Harassment**” is the continuum of unacceptable and unwelcome behaviour and practices of a sexual nature that may include, but are not limited to, sexual suggestions or demands, requests for sexual favors and sexual, verbal or physical conduct or gestures, that are or might reasonably be perceived as offensive or humiliating.

5.3.1 According to directives from Supreme Court of Bangladesh; Sexual Harassment includes-

- 5.3.2 Unwelcome sexually determined behavior (whether directly or by implication) as physical contact and advances;
- 5.3.3 Attempts or efforts to establish physical relation having sexual implication by abuse of administrative, authoritative or professional powers;
- 5.3.4 Sexually colored verbal representation;
- 5.3.5 Demand or request for sexual favors;
- 5.3.6 Showing pornography;
- 5.3.7 Indecent gesture, teasing through abusive language, stalking, joking having sexual implication.
- 5.3.8 Insult through letters, ph calls, SMS, pottering, cartoon, writing wall of offices/centers, washroom having sexual implication.
- 5.3.9 Preventing participation in sports, cultural, organizational and academic activities on the ground of sex and or/ for the purpose of sexual harassment.
- 5.3.10 Making love proposal and exerting pressure or posing threats in case of refusal of love proposal.

6 Policies and procedures

6.1 Policies

Policy title: Protection from Sexual Exploitation and Abuse



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Policy's objective: To promulgate policy of zero tolerance for sexual exploitation and abuse (SEA) for all COAST Trust employees and related personnel and ensure that roles, responsibilities and expected standards of conduct in relation to SEA are known within COAST Trust. To create and maintain a safe environment, free from SEA, by taking appropriate measures for this purpose, internally and in the communities where COAST Trust operates, through robust prevention and response work.

Targeted Audience: All COAST Trust employees and related personnel along with the entities or institutions will be responsible under this policy.

Effective Date: June 2014

Last Amendment Date: February 2021

Next Revision Date: February 2026

7. Policy statement:

- 7.1. PSEA policies are universally recognized international legal norms and standards and violation of the policies are unacceptable behaviors and prohibited conduct for COAST Trust employees and related personnel including all humanitarian workers.
- 7.2. COAST Trust has a policy of zero tolerance towards SEA. All COAST Trust employees and related personnel are expected to uphold the highest standards of personal and professional conduct at all times, and to provide humanitarian assistance and services in a manner that respects and fosters the rights of beneficiaries and other vulnerable members of the local communities.

8. Scope of application:

- 8.1 This policy sets out COAST Trust approach to prevent and respond to SEA. The policy applies to all employees and related personnel, both on-and off-duty.

9. Commitment to PSEA:

- 9.1. COAST Trust will make every effort to create and maintain a safe environment, free from SEA, and shall take appropriate measures for this purpose in the communities where it operates, through a robust PSEA framework, including prevention and response measures.
- 9.2. This PSEA framework, affirms COAST Trust commitment to the UN Secretary General's Bulletin on Special Measures for protection from sexual exploitation and sexual abuse and to achieving full, ongoing implementation of the IASC Six Core Principles relating to SEA .

10. Six core principles:

- 10.1. SEA by COAST Trust employees and related personnel constitute acts of gross misconduct and are therefore grounds for termination of employment.
- 10.2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
- 10.3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.

- 10.4 Any sexual relationship between COAST Trust employees or related personnel and


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beneficiaries of assistance or other vulnerable members of the local community that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.

- 10.5 Where COAST Trust employee or related personnel develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same organization or not, he or she must submit a written report about such concerns via established reporting mechanisms.
- 10.6 All COAST Trust employees and related personnel are obliged to create and maintain an environment which prevents SEA and promotes the implementation of this policy.

11. PSEA framework:

11.1 Prevention:

- 11.1.1. **Vetting:** COAST Trust systematically vets all prospective job candidates in accordance with established screening procedures.
- 11.1.2. **Training:** COAST Trust holds mandatory induction and refresher trainings for all employees and related personnel on the Organization's SEA policy and procedures.

11.2 Response:


- 11.2.1. **Reporting:** COAST Trust has safe, confidential and accessible Complaint Response Mechanisms (CRM) and procedures for personnel, beneficiaries and communities, including children, to report SEA allegations and ensures that beneficiaries are aware of these.
- 11.2.2. **Investigation:** COAST Trust has a process for investigation of SEA allegations in place and shall properly and without delay conduct an investigation of SEA by its employees or related personnel or refer to the proper investigative body if the perpetrator is affiliated with another entity.
- 11.2.3 **Referral to relevant National Authorities:** If, after proper investigation, there is evidence to support allegations of SEA, these cases may be referred to Bangladesh law enforce authorities for criminal prosecution.
- 11.2.4 **Victim assistance:** COAST Trust has a system to promptly refer SEA survivors to available services, based on their needs and consent.

11.3 Cooperative contract arrangements:

- 11.3.1. All COAST Trust contracts and partnership agreements include a standard clause requiring contractors, suppliers, consultants and sub-partners to commit to a zero-tolerance policy on SEA and to take measures to prevent and respond to SEA.
- 11.3.2. The failure of those entities or individuals to take preventive measures against SEA, to investigate allegations thereof, or to take corrective action when SEA has occurred, shall constitute grounds for termination of any cooperative arrangement.

12 Implementation of the strategies:

Taking different types of implementation strategies to ensure women friendly and sexual harassment/torture free surroundings which bring the organization one step forward as well as

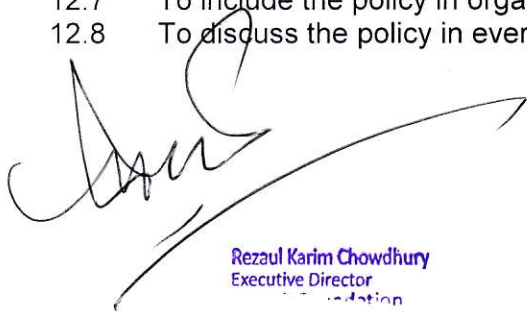

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women empowerment. Also taking steps against the individuals accused of offences and to ensure exemplary punishment to offenders.

The implementation strategies are given below:

- 12.1 To initiate/update organization's all kinds of policy, strategic plan, directives/circulars that would be gender sensitive;
- 12.2 To fix responsibilities for gender focal person along with regional responsibilities and to empower her to discharge the responsibilities;
- 12.3 To find out victims in the organization by regular monitoring and evaluation system. And to ensure fear and free atmosphere for submitting complaints and to give them solutions as well;
- 12.4 To aware employees about the policy and ensure its implementation and practice at all level;
- 12.5 To take necessary steps according to the policy on investigation into any alleged incident (if proved);
- 12.6 To circulate widely the policy at all branches and project offices and keep a copy of this policy at all branches;
- 12.7 To include the policy in organizations induction process for new employee;
- 12.8 To discuss the policy in every monthly coordination meeting.



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13 Concern Authority:

Concerned Authority means an authority of any institution or work place in both public and private sectors, which is authorized under the relevant disciplinary rules to take action in case of misconduct.

14 Complaint receiving committee:

- 14.1 Committee will be formed according to the Supreme Court's PSEA directives delivered on May 14, 2009.
- 14.2 according to the Supreme Court's directives, it will have five members and majority of the members will be women. The head of the complaint committee should be gender focal of the organization;
- 14.3 It should have at least two members from outside of the organization concerned, preferably from organizations working on gender issues and sexual abuse;
- 14.4 Members of the committee are:
 - a) One from holding the position of Gender Focal and training of the organization (female)
 - b) One from holding the position of Regional Team Leader in the organization (female)
 - c) One from holding the position of Director in the organization
 - d) Two will be come from outside of the organizations working for stopping violence against women;
- 14.5 The members will work honorary basis and they will be given only conveyance allowance according to organization's policy.

15 Functioning procedure of SEA complaint receiving committee

- 15.1 The Committee will sit regularly once a quarter;
- 15.2 Presence of at least head of the committee and minimum 2 other member would be considered as coram for the meeting;
- 15.3 Considering the importance and necessity of the complaints the committee will call its meeting at any time and will take measures;
- 15.4 The committee takes the complaints regarding SEA into account through the organization's regular gender relation review meeting and takes necessary measure;
- 15.5 The committee investigates the SEA complaints submitted to any members of the committee, if found true, following the rules of the organization the committee will take measure within 30 working days;
- 15.6 In case of minor issue, the committee will resolve the matter with the consent of both parties. For other cases committee will conduct investigation over the issue;
- 15.7 The committee will send notice to both parties using registered postage. Moreover, the committee is mandated to sending to the witnesses, conduct hearing of the complaints, gathering information and evidence and to review the related papers. In such kind of complaints in addition to the verbal evidence the situation would be given importance. The committee will decide- what kind of evidence would be accepted;



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- 15.8 The committee is accountable to the executive director for such kind of actions. In case of complaints against executive director the committee will discuss with the chairperson of the executive board;
- 15.9 The committee will publish annual report on implementation of the policy and submit to the government authority.

16 Complaints receiving mechanism:

According to the definition of sexual harassment, abuse and exploitation if any woman staff/beneficiary became affected or victimized she will file the complaints to the authority in line with the following procedure:

- 16.1 **Digital Process:** after experiencing any harassment /violence the victim (staff/beneficiary) can submit complaints using phone/fax/sms/e-mail to any member of the committee who is comfortable to the victim to communicate;
- 16.2 **Verbal process:** the complaints could be placed to the supervisor, project head, gender focal person, assistant director (HRM), director and/or executive director, central gender focal, regional gender focal, gender relation review meeting, central gender relation meeting by victim or in person or lawyer on behalf of the victim;
- 16.3 **Complaint Box:** Gender complaints box is installed at all offices including principal office of the organization; the box will be open by the supervisor/project head/gender focal/regional focal person and will be reviewed on the last working day of each week. Later the committee will set the next actions. All staffs are allowed to submit all kind of complaints relating to sexual harassment into the box;
- 16.4 **Written Process:** The victim (i.e. woman staff/beneficiary) are welcome to submit her written complaints to the member of the committee as mentioned in section 16.2 with physical presence /or through postage/ courier service.

The complaints will be accepted in all process mentioned above.

17 Timeframe of complaints submission:

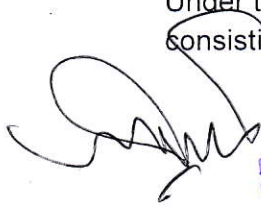
In case of any sexual harassment/violence, the complaint has to be placed to the designated committee using any process as mentioned above within 30 working days from the occurrence. But if there is any acceptable cause the complaints could be accepted within more 15 working days later.

18 Privacy:

Highest privacy would be ensured considering the social position and overall security concern of the victim. The incident of sexual violence will never be disclosed in any condition without the permission of victim; privacy will be maintained as much as possible in evidence gathering process. During the hearing no question and/or behavior is allowed which intend indignity and harassment of victim. Security of complainant has to be ensured by concern authority.

19 Investigation Report:

Under the leadership of the head of the committee, it will form investigation committee consisting minimum three members after receiving complaint within 30 days. After the



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investigation, the committee will take/collect oral evidence from relevant persons and witnesses as written documents. Then the committee will submit a report with the recommendations to concern authority (Executive Director) based on written speeches, relevant interrogations, observations and opinions by 30 working days. If any complaint is raised against the Executive Director, the report will be submitted to chairperson of the organization. The period of 30 days may be extended up to 40 days if needs. If any question is raised about impartiality, new investigation committee may be formed by following proper procedure for reinvestigation.

If it is proved that a false complaint has been filed intentionally then a report will be submitted to the concern authority recommending appropriate action for the complainant/s. The complaint committee will take decisions on the basis of the view expressed by the majority of its members.

20 Punishment:

The concerned authority may suspend temporarily the SEA accused person on the receipt of the recommendation of the complaint committee. If the accused is found guilty of sexual harassment, the concerned authority shall treat it as misconduct and take proper action (minor or major) according to the disciplinary rules of the organization. The punitive measures will be taken in this regard are given below:

20.1 If the committee finds the complains true, it will recommend punishment according to the policy; shall be terminated if offence is proved to be serious. Section 5.1 and 5.2 will be considered to be serious offence.

20.2 If the complaint is proved as minor offence, necessary actions will be taken according to the disciplinary rules of the organization such as show cause notice, issuing warning notice, financial punishment, transfer etc. Section 5.3.2 to 5.3.10 will be considered as minor offence.



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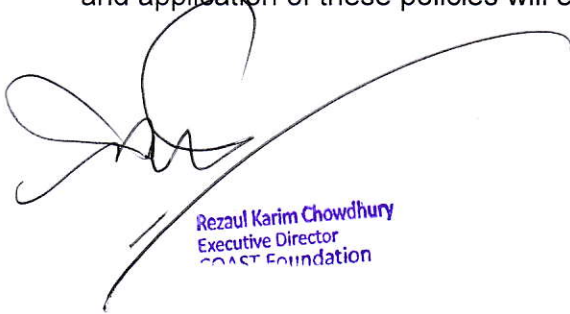


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- 20.3 If the complaint is found as an offence under any penal law shall refer the matter to the appropriate court or tribunal;
- 20.4 If the complaint is found false and the complaint was filed intentionally, the complainant will be punished accordingly. Also, he will be handed over to law and enforcement agency.
- 20.5 The revised 'Protection from Sexual Exploitation, Abuse and Harassment Policy' has been approved in 83th meeting of BoT dated June 26, 2014. The policy will be updated after every five years to keep up to date. In case of emergency, it can be changed or amended. However, BoT approval is mandatory in all cases. The last amended copy has been approved in 108th meeting of BoT dated 24 April, 2021.

Conclusion:

COAST Trust is working to ensure a women-friendly work environment in its work area and at all levels of the organization. In addition to all the existing policies of the organization, the PSEA policy will play an important role in following the zero-tolerance policy towards women. Proper use and application of these policies will enhance the reputation of the organization.



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