

# NIGERIA. GUIDANCE FOR AID WORKERS ON PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA) & SEXUAL HARRASSMENT

## Introduction:

**Sexual Exploitation** is the actual or attempted abuse of 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 the another. While **Sexual Abuse** is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**Sexual Exploitation and Abuse (SEA)** is essentially a term used to describe inappropriate sexual conduct perpetrated by aid workers against recipients of assistance and other members of vulnerable communities.

SEA is abuse of power. Aid workers virtually always have more power over those they're there to serve. Hence, victims are often abused because of their vulnerable status.

SEA violates fundamental human rights and is a betrayal of the core values of the UN and the humanitarian principles.

Given that we work in a context where

women and girls are regarded as the gatekeepers of community's honour, SEA towards women/girls can result to both loss of life on grounds of honour, and attacks on the lives and assets of the aid community.

**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, it may take the form of a single incident

Sexual harassment takes many forms, from inappropriate jokes to rape and attempted rape; words, gestures, or actions, also includes emails, text messages or social media messaging.

## CORE PRINCIPLES relating to Sexual Exploitation and Abuse

- ⇒ SEA constitute acts of gross misconduct and are grounds for termination of employment. **[No Second Chances]**
- ⇒ Sexual activity with children (18years) is prohibited. **[No Sex with Children]**
- ⇒ Exchange of money, employment, goods, or services for sex is prohibited, including hiring prostitutes. **[Don't Hire/Bribe Anyone for Sex]**
- ⇒ Any sexual relationship with beneficiaries that involves improper use of position is prohibited. **[No Sex with Beneficiaries]**
- ⇒ Aid workers have an obligation to report any concerns regarding SEA by fellow workers. **[Always Report SEA]**
- ⇒ Aid workers have an obligation to create and maintain an environment which prevents SEA. **[Discourage SEA Around You]**

**Sexual Exploitation and Abuse (SEA) & Sexual Harassment (SH)** both constitute acts of gross misconduct. Every aid organization has a fundamental responsibility to take action.

## What differentiates SEA from other forms of GBV?

The presence of a **legal contract** (a Code of Conduct, an Implementing Partner contract, or other duty of care). The contract is where accountability for the aid worker and agency comes from.

**Different response** because a breach of contract is involved. There is a specific response that includes investigation and administrative review by the employing agency (in addition to and separate from potential national prosecution).

**Mandatory reporting:** All aid/humanitarian workers and their affiliates are obliged to report any known or suspected cases of SEA through the established reporting mechanisms. They are obliged NOT to stay silent or cover up any breach of the PSEA policies and code of conduct.

### Obligations of Personnel are:

- ◆ To **know** the standards of conduct on sexual exploitation, abuse, and harassment
- ◆ To **comply** with the standards
- ◆ To **report** sexual exploitation and abuse by aid workers
- ◆ To **cooperate** with investigations into allegations

## GUIDING PRINCIPLES for PSEA

**System-wide approach:** Sexual exploitation and abuse are system-wide concerns that require a coordinated response. Through an inter-agency process, anyone (community member or personnel/staff) can bring an SEA allegation to any complaint and feedback mechanism and the complaint will reach the concerned agency while the complainant receives services that they need.

**Survivor Centred Approach** actively ensures that the survivor's wishes, safety, and well-being remain a priority in all matters and procedures. Victim protection is at the forefront of preparedness and response.

**Maintaining the privacy and confidentiality** of the alleged victim(s), witnesses and perpetrator(s) is vital to their safety, security, and well-being. Disclosure of information is done on a strict need to know basis. Where physical records are kept documents should be stored safely to prevent accidental disclosures.

**Safety & Well Being:** The safety of all parties involved should always be ensured including during reporting, investigation by the concerned agency, and victim assistance provision.

In all cases, it's important to facilitate **informed consent** of the complainant/victim, whilst upholding the **mandatory requirement for reporting**. The complainant/victim has the right to or not to be involved in the reporting and investigation process of the case. In the event the complainant/victim wishes not to be involved, the victims' access to services should still be prioritised and facilitated while the incident referral should clearly spell out the CONSENT PREFERENCES.

**Commitment to Assistance:** Immediate assistance is not dependent on the review or investigation of a complaint. Provision of immediate basic assistance and support begins upon the receipt of the initial complaint.

### At minimum, an aid worker should:

Understand what constitutes sexual exploitation and abuse (SEA) & Sexual Harassment (SH).

Have knowledge of what to do if disclosures of SEA/SH do arise in the context of their work and referrals need to be made.

Recognize what should be reported as suspected or alleged SEA/SH, and how to report.

## Responding to Sexual Exploitation & Abuse (SEA) & Sexual Harassment (SH) Allegations

There must be a **formal report** for Suspicions, concerns, rumours or complaints about sexual exploitation and abuse. Informal options are not applicable to SEA.

**Formal and informal options are available for Sexual Harassment in the work environment:** staff members who have experienced sexual harassment in the workplace can opt for a formal complaint leading to investigations or an informal resolution if they feel safe to choose this process.

The purpose of an informal resolution is not to put in place disciplinary/penalty measures but to encourage the accused staff member to change their behaviour.

If the sexual harassment claim cannot be resolved informally, or the behaviour persists, it can still proceed to a formal complaint.

### HANDLING DISCLOSURE, INTAKE & REFERRALS

You may be made aware of an SEA or SH incident/complaint: -

- Through receiving a direct report from the survivor/victim or a complainant - who maybe a staff or community member
- While supporting or providing assis-

tance to a survivor or victim (though service provision)

- By witnessing some trends or events yourself.

**Suspicions, concerns, rumours or complaints** about sexual exploitation and abuse or sexual harassment by any actor (aid personnel, security officers, social workers, teachers, etc.) include:

- \* Sexual activity with a child (any person under 18years old)
- \* Exchange of money, food, employment, goods, assistance or services for sex or sexual favours
- \* Paying to have sex with sex workers
- \* Relationship with a person benefiting from assistance and protection that involves improper use of rank or position
- \* Sexual activity that is forced upon another individual
- \* Use of a child or adult to procure sex for others.

### If the complaint is from the victim/survivor

- ⇒ Provide a safe, caring environment and respect the confidentiality and wishes of the survivor.

⇒ Explain the mandatory reporting requirement and the complaint process, the reporting policy, and procedures, explaining survivor/complainant's involvement in the process, rights and what protections can be offered.

⇒ Reassure complainant that information will be kept private and shared strictly on a need-to-know basis.

⇒ Support the survivor to receive immediate assistance, when relevant by referring to a GBV or child protection specialist.

### If the complaint is by SOMEONE ELSE different from the survivor/victim

⇒ Provide up-to-date and accurate information about any services and support that may be available to the survivor.

⇒ Encourage the individual to share this information safely and confidentially with the survivor so that they may seek support.

DO NOT seek out survivors, even if you feel that you want to

When in doubt, call the toll-free hotline 0800-000-2022 for guidance on how to facilitate victim/survivor assistance.

**What information do you receive & document?** Use [the inter-agency SEA intake and referral form](#) to Report:

**WHO** was involved (**Survivor & complainant details**: Name, age, sex, address, contact details – including that of the guardian if a child is involved. **Alleged perpetrator details**: Name, organisation, contact/address – if this information is not known, make descriptions as much as possible to help with the identification)

**WHAT** happened: Brief description of incident(s) in the words of the survivor/

complainant.

Indicate if there is pregnancy involved?

**WHERE** did it happen: Location of incident?

**WHEN** did it happen: Date and time of incident?

**WHAT assistance has been provided**: Briefly describe service(s) provided or referral made for service provision to survivor.

Is the perpetrator **a continuing threat to the safety of** the survivor or complainant, ? Please explain any safety concerns:

**DO NOT attempt to investigate the matter.** Investigations are conducted by trained personnel only.

**REFER THE ALLEGATION**

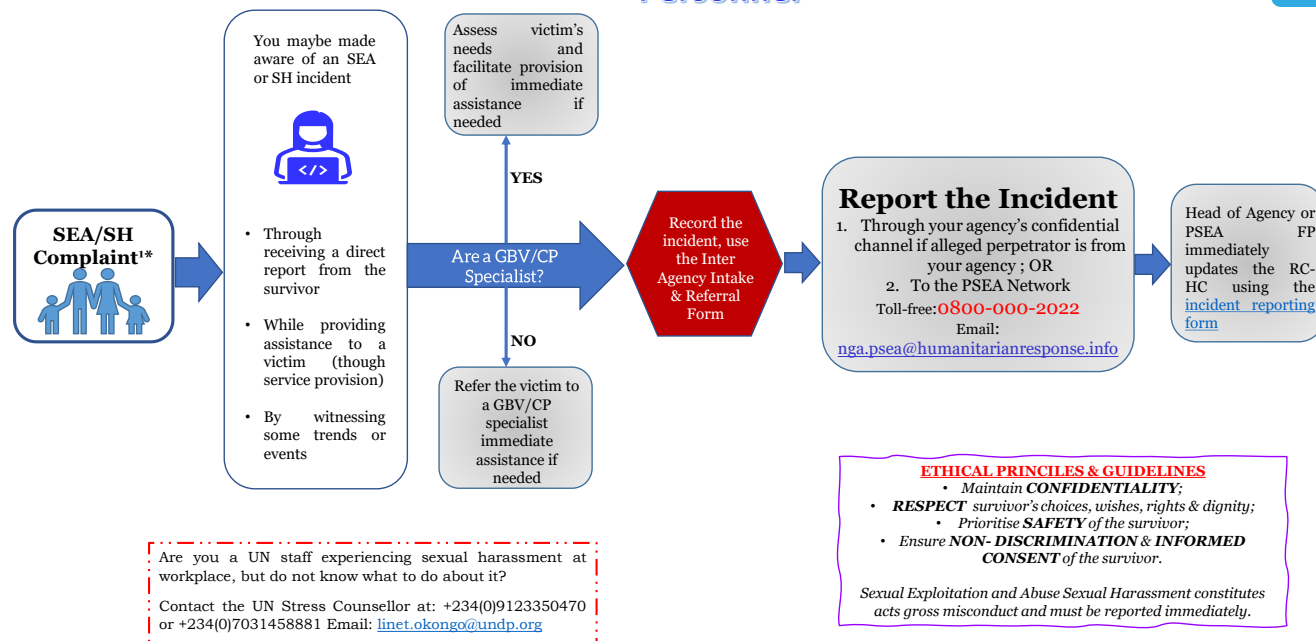
**WHEN**: Immediately/ as soon as safely possible

**HOW**: Using the [inter-agency SEA intake and referral form](#)

**WHERE: Confidential Inter Agency SEA Reporting Channels Hotline: 0800-000-2022. Email : [nga.psea@humanitarianresponse.info](mailto:nga.psea@humanitarianresponse.info)**



**Sexual Exploitation and Abuse (SEA) Referral Pathway for Personnel**



**Service Provision Referral Pathways**

For gender-based violence response services in Borno, Adamawa and Yobe States, access the following GBVSS Interactive [Referral Service Directory](#)

For other locations, access contacts for confidential services through the following link <https://nomoredirectory.org/nigeria/>

Are you a UN staff experiencing sexual harassment at workplace and do not know what to do? Contact the UN Stress Counsellor for guidance at: +234 (0)9123350470 or +234(0)7031458881 Email: [linet.okongo@undp.org](mailto:linet.okongo@undp.org)