Stichting Green Destinations

Policy on the Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment

Leiden, January 2024 – Version 1.0
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<th><strong>Version</strong></th>
<th>1.0</th>
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<td><strong>Date approved</strong></td>
<td>January 2024</td>
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<td><strong>Approved by</strong></td>
<td>President Stichting Green Destinations (foundation)</td>
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<td><strong>Applicable to</strong></td>
<td>All members of the Board, Board Commissions, Team, Consultants, Auditors, Formal Partners and Representatives for GD programs, Volunteers (Support Team), Trainees and Interns of Stichting Green Destinations, hereafter jointly indicated as “GD”</td>
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<td><strong>Purpose</strong></td>
<td>Ensure that GD provides a professional, respectful and harassment- free atmosphere for its board and workers and imposes on its partners to also take actions with this regard</td>
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<tr>
<td><strong>Is part of</strong></td>
<td>GD Ethics and Compliance Policy</td>
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<td><strong>Distribution</strong></td>
<td>To be sent to all members of the Board, Board Commissions, Team, Consultants, Formal Partners and Representatives, Volunteers (Support Team), Trainees and Interns, and available publicly on request.</td>
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<tr>
<td><strong>Date of effect</strong></td>
<td>After approval by the GD Board, upon its issuance by the CEO.</td>
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Introduction

1. Sexual exploitation, abuse, and harassment (SEAH) are among the most egregious failures of accountability in the aid sector. Current measures have emerged from compliance processes often developed with the needs of the organisation – rather than the perspective of the victim/survivor – as a starting point.

2. Stichting Green Destinations strives to ensure best practices in its everyday operations, and this is why GD takes a victim/survivor centered approach to protection from SEAH. Therefore, the highest standards of conduct and professional ethics are expected from all members of the Board, Board Commissions, Team, Consultants, Auditors, Formal Partners and Representatives for GD programs, Volunteers (Support Team), Trainees and Interns members when conducting their work for GD.

3. GD is committed to providing a safe environment for its community, free from discrimination on any ground and from harassment at work including sexual harassment. GD has zero tolerance for all forms of sexual wrongdoing, including Sexual Exploitation, Sexual Abuse, and Sexual Harassment (SEAH) in all its activities. Sexual Exploitation and Sexual Abuse violate human dignity and universally recognised international legal norms and standards and have always been unacceptable behaviour. Sexual Harassment results from a culture of discrimination and privilege based on unequal relations and power dynamics. It creates hostile work and work-related environments, which limit the ability of affected persons to thrive and GD to achieve its mission. SEAH has no place at GD, and GD recognises the imperative to prevent and respond effectively to SEAH and to protect persons, especially vulnerable individuals and victims of SEAH in related activities. These protections are essential to strengthen integrity throughout GD.

Policy Aims

4. This Policy explains the steps GD will take to provide a safe environment free from sexual harassment and violence. GD recognises the need to challenge any tacit or explicit acceptance of sexual harassment or sexual violence to prevent escalation. GD also undertakes to improve the understanding of sexual harassment across GD’s community to prevent it from occurring, as well as providing a supportive culture which encourages reporting of incidents and ensures that they are dealt with sensitively and appropriately. It is recognised that it can be distressing for all those affected by a sexual harassment disclosure; this Policy aims to ensure that all parties are treated with dignity and respect and provided with appropriate support.

Scope and Applicability of the Policy

5. This Policy establishes GD’s zero tolerance of SEAH.

6. This Policy applies to all members of the Board, Board Commissions, Team, Consultants, Auditors, Formal Partners and Representatives for GD programs, Volunteers (Support Team), Trainees and Interns members when conducting their work for GD, regardless of location.

7. In the absence of an overarching and explicit sexual abuse, exploitation and harassment Policy for the GD Board and the GD Commissions, both Board and Commissions are also requested to comply with this Policy until such a time that distinct policies are in place for the Board and the Commissions.

8. This Policy complements the general principles established in the GD Code of Conduct for GD Auditors and clarifies the expected standards of conduct and professional ethics, including respect for other people’s dignity and integrity. In particular, it sets clear obligations for GD’s Team, Board and Commission members to prevent and respond to SEAH and to refrain from
condoning, encouraging, participating in, or engaging in SEAH. This may go beyond the physical premises and normal business hours of GD, such as conduct at meetings, events, workshops, training, or on social media.

9. While issues relating to SEAH may arise as a result of a power differential, they are not necessarily confined to the behaviour of any particular group of Team members to another, e.g. senior towards more junior. It can take place between persons at the same level or involve Team members behaving inappropriately towards more senior members.

Definitions

10. For the purposes of this Policy, the following definitions apply:

a) ‘Consent’ is providing permission for something to happen or agreement to do something with a full understanding of the facts and without coercion. In cases of sexual activity, consent cannot be presumed but must be explicitly given, verbally or non-verbally. Consent cannot be deemed to have been given if it is provided under pressure or in situations where someone is not capable of providing it. Consent can be withdrawn at any time.

b) ‘False or Malicious Report’ means an inaccurate or misleading report that is made recklessly, or knowingly or deliberately for the purpose of gaining undue advantage or causing harm to a person or entity;

c) ‘Implementing Party/Partner’ is for the purposes of this Policy, any party that contributes to, executes, implements, bids for, or in any way participates in GD-related Activities, including any form of financing or support from GD;

d) ‘GD Team members’ means any individual who is a party to a work, internship or employment contract with GD and subject to the Human Resources Policy. This includes interns and volunteers working for GD, all of the above, regardless of location;

e) “GD Individuals” means GD Team members, Board and Commission members.

f) ‘GD-related Activity’ means any activity which is financed, administered, or supported by GD, either with its own resources or those of others, any activity that materially affects or may affect or otherwise be relevant to GD or any activity undertaken under the name of GD or using the GD logo.

g) ‘GHRR’ - Global Human Resources Responsible;

h) ‘Partners’ means implementing partners, consultants or any other type of partners involved in GD-related activities.

i) ‘SEAH’ means Sexual Exploitation, Sexual Abuse, and Sexual Harassment;

j) ‘SEAH Check’ means a recruitment practice whereby job applicants are required to provide a SEAH Declaration and whereby the information contained in the Declaration is checked, as far as possible, through Reference Checks;


l) ‘Sexual Abuse’ means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;

m) ‘Sexual Exploitation’ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially, or politically from the sexual exploitation of another;

n) ‘Sexual Harassment’ is any unwelcome sexual advance, request for sexual favour, or other verbal, non-verbal, or physical conduct of a sexual nature that interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive environment in connection with a GD-related activity, and, for the avoidance of doubt, Sexual Harassment may occur between or amongst persons of different sexes or genders or of the same sex or gender, and may be initiated by any gender or sex;

ο) ‘Reference Checks’ mean the part of a selection and employment process whereby checks are performed to verify the accuracy and authenticity of references, statements, or declarations
made by external job applicants on their educational, professional, and other background;
p) ‘Survivor’ or ‘Victim’ means the person who is, or has been, sexually exploited, abused, or harassed.

Policy Principles

11. GD will not tolerate any form of Sexual Exploitation, Sexual Abuse, or Sexual Harassment (SEAH).
12. GD will take all available measures to prevent, mitigate, investigate and remedy SEAH in GD-related activities. GD will actively promote equality to provide a collegiate, lawful, harmonious working and learning environment.
13. GD will endeavour to raise awareness of SEAH among GD Individuals and its implementing partners, consultants or any other type of partners (“Partners”) involved in GD-related activities. At the GD Management level, this will be done across all Regions and in conjunction with GD’s Team members Representative Groups where they exist. All Senior Managers, with the support of GHR, will play a leading role in organising such awareness raising through meetings, workshops, posters, town halls, etc. The Commissions Chairs are also expected to raise awareness among Commission members through appropriate means.
14. GD will take steps to encourage its Partners involved in GD-related activities to abide by this Policy or adopt policies and procedures that are consistent with this Policy, with the purpose of safeguarding against SEAH in GD-related activities.
a) Partners must have policies and/or procedures designed to ensure prevention to those set out in this SEAH Policy.
b) Partners must have policies and/or procedures designed to ensure prevention, detection, investigation, remedial action and, where appropriate, sanctions and reports to state agencies with authority over criminal prosecution of SEAH offences in GD-related activities. This includes protection against retaliation for actual and apparent victims of SEAH, witnesses of and whistleblowers with respect to SEAH; and procedures to identify risks related to SEAH and to prevent, report, investigate and remedy SEAH in GD-related activities;
c) Partners must have carried out all due diligence as necessary or desirable in accordance with their own internal rules and usual practice when dealing with funds for which they have management or investment responsibility in relation to GD-related activities of risks of SEAH and the establishment, as necessary, of SEAH protection plans and procedures.

15. GD will reserve the right to terminate a contractual relationship with a partner in case of a breach of those policies and procedures. GD will apply sanctions, disciplinary, or other remedial measures if this Policy is violated (further described in paragraph 31 below).

Obligations

16. GD should uphold the guiding principles of this SEAH Policy and contribute to creating and maintaining an environment which prevents SEAH.
17. GD Individuals should not condone, encourage, participate in, or engage in SEAH in GD-related activities. In particular, they should not:
a) Use their position to sexually abuse, exploit, or harass any person implementing, engaged in, or benefitting from GD-related activities; or,
b) Engage in sexual activity with a child (as defined in Article 1 of the United Nations Convention on the Rights of the Child). A mistaken belief regarding the age of a child is not a defence. Any such activity will be deemed to constitute Sexual Exploitation and/or Sexual Abuse.
18. Subject to the availability of protections against retaliation, GD Team members have a duty to report any suspected SEAH in GD-related activities as soon as possible after becoming aware of it to the Global Human Resources Group and to cooperate with the Global Human Resources Group in the context of an investigation, proactive integrity review, or other inquiry in accordance with GD's policies on protection against retaliation and whistle-blowers.

19. Subject to the availability of protections against retaliation, any supervisor, manager, or other such person of GD who receives a report of suspected SEAH which is made in good faith, is obligated to transmit such report without delay to the Global Human Resources Group.

20. GD Individuals should not engage with any third party that condones, encourages, participates in, or engages in SEAH.

21. Partners should not directly or indirectly condone, encourage or tolerate participation or engagement in SEAH or any conduct substantially equivalent to SEAH;

   a) To the extent permitted by any national law applicable to it, inform GD through established channels, without delay, of SEAH or any conduct substantially equivalent to SEAH, suspected or alleged in connection with GD-related activities;
   b) To the extent permitted by any national law applicable to it, cooperate with GD in any investigation by any donor of reports of suspected SEAH or any conduct substantially equivalent to SEAH, and take all appropriate measures to ensure the cooperation of relevant persons and entities within their control that are subject to such investigation; and
   c) Contractually require all its partners including subcontractors implementing GD-related activities to comply with this paragraph (20 a), b) and c)) and act accordingly.

Prevention and Due Diligence

22. GD will ensure, as soon as practicable following the adoption of this Policy, that its recruitment, procurement, employment, or any other onboarding processes include SEAH Checks.

Awareness Raising, Communication, and Training

23. GHRR will prepare as soon as practicable a communication plan to support the dissemination and implementation of this Policy and to raise awareness across GD on the issue of SEAH and its potential ramifications. The plan will include:
   a) Making this Policy available on GD’s website;
   b) Developing through consultative processes with stakeholders and making available training, guidance, and communication materials for GD Individuals and implementing partners to raise awareness and support the implementation of this Policy;
   c) Supporting Senior Managers and Commission Chairs in their responsibilities for awareness raising and training activities for and/or in collaboration with persons covered under this Policy, partners, and relevant stakeholders in GD-related activities; and
   d) Ensuring that all GD Team members undertake mandatory training to ensure compliance with this Policy and relevant operating procedures.

Reporting and Investigations

24. Any person or entity should report to the GHRR any actual or suspected SEAH. Persons with information concerning suspected SEAH, particularly when it involves GD Individuals in GD-related activities, are strongly encouraged also to report such information to the GHRR. If the report is not related to GD Team members, GHRR will advise if the report should be transmitted to the Chair of the Commission concerned, the Chair of the GD Management of the Board or the GD partner concerned, subject to the agreement of the person concerned.
25. Reports of actual or suspected SEAH from or against GD Team members shall be sent to the GHRR through any of the following points of contact on the proviso that any changes regarding the contact details shall be communicated and disseminated appropriately:

   Email: ethics@greendestions.org

   Mail address: Ethics Responsible in confidence, Green Destinations, Rapenburg 8, 2311 EV Leiden, The Netherlands

26. Persons or entities reporting actual or suspected SEAH shall do so in good faith and provide, where possible, any information or evidence in their possession that would support a reasonable belief that SEAH may have occurred. Prior to making a report, such persons or entities are not required to evaluate or to determine whether a report that they intend to make meets any threshold of seriousness or gravity. Reporting persons or entities are not required to prove the suspected SEAH or to meet any evidentiary requirements.

27. Reports of actual or suspected SEAH against GD Team members by a Board or Commission member or by an implementing partner should be investigated by the GHRR in view of the responsibility for the duty of care that GD has to its Team members and in accordance with the relevant GD policies and standards. The GHRR will treat this seriously and thoroughly investigate reports of suspected SEAH in a manner that is independent and objective by conducting investigations free of control or influence by any person or entity and with scrupulous adherence to the principles of fairness and due process.

28. Following any GHRR investigation; the GD Management will take measures to monitor the situation regarding the status of any Victims and alleged perpetrators of SEAH, to ensure that they are protected against retaliation as a consequence of the investigation, its findings or its outcome, and to ensure that any administrative or disciplinary measures taken as a result of the investigation have been duly implemented.

**Protection and Remedies**

29. Any Victim who reports attempts to report, is believed to be about to report, or is believed to have reported suspected or actual SEAH (including concerns of suspected SEAH) in GD-related activities will be entitled to all the protections (which include anonymity and confidentiality, and protection from retaliation), and remedies afforded to whistleblowers as set out in the *Code of Conduct and Professional Ethics of the GD Management, Section 9, Protection against retaliation*.

30. Any other person who reports, attempts to report, is believed to be about to report, or is believed to have reported actual or suspected SEAH in GD-related activities, or cooperates, attempts to cooperate, is believed to be about to cooperate, or is believed to have cooperated with a GD investigation concerning a report of suspected SEAH, will be deemed a whistleblower or as a witness, as appropriate, and will be entitled to all the related protections (which includes anonymity and confidentiality, and protection from retaliation), and remedies, as set out in GD’s policies.

31. Any GD Individual who is a Victim of an act of SEAH perpetrated by a GD Team member or any Team member who is a Victim of an act of SEAH perpetrated by any GD Individual (i.e., another Team member, Board or Commission member) or a Partner in connection with a GD-related activity and regarding whom a report of SEAH has been made in accordance with Reporting and Investigation Section of this Policy, may request that GD provide the following guidance and support:

   a) In emergency situations, any GD Team members who are a victim of Sexual Exploitation or Sexual Abuse perpetrated by another GD Individual or Partner in connection with GD-related Activity may request interim medical relief or other support services as required to address
the immediate harm.

b) Any person who is a victim of SEAH perpetrated by a GD Individual on GD premises or during an activity or event hosted or facilitated by GD, regarding whom a report of SEAH has been made in accordance with the Reporting and Investigation Section of this Policy, may request that GD provide the protections provided for in paragraphs 26 to 29.

32. Acts of SEAH or retaliation against an actual or suspected SEAH Victim committed by GD Team members or Partners will amount to misconduct or breach of contract. It will be subject to disciplinary or other remedial measures as provided in the relevant GD policies, rules, and procedures.

33. Any person or entity who makes a False or Malicious Report may be subject to sanctions or disciplinary action in accordance with relevant GD policies and the provisions of any contractual agreements existing between GD and the person or entity.

34. Where an act of SEAH or retaliation against an actual or suspected Victim has been found in a GD-related activity, GD will endeavour to apply its good offices with appropriate authorities to secure necessary protection and to employ other reasonable measures for the Victim.

35. Where an act of SEAH or retaliation against an actual or suspected Victim is perpetrated by a Partner against a GD Team member in a GD-related activity has been substantiated through an investigation conducted by GD, and corrective or disciplinary measures have been imposed against the Partner, or sanctions have been imposed against the Partner, the GHRR, in consultation with the GD Management of the GD Management, may recommend that GD or the Partner take appropriate remedies for the benefit of the Victim. For acts of SEAH committed by GD Team members against a Partner, GD must ensure that such remedies are implemented by the GD Management without undue delay.

Policy Implementation, Monitoring, Reporting, and Review

36. The GD Management is responsible for the effective implementation, monitoring, and reporting obligations under this Policy. The Chief HR Officer will develop guidelines and procedures to operationalise and implement this Policy promptly following its adoption. The Commissions are also responsible for taking the necessary measures to implement this Policy.

37. The Chief HR Officer will regularly review the Policy and recommend improvements to this Policy and related procedures and controls to mitigate opportunities for SEAH in GD-related activities and ensure that GD Individuals adhere to the Policy. The GHRR will maintain a case registry of reports filed regarding SEAH.

38. When appropriate, the CEO will present annual findings related to the implementation of this Policy to the Board.

Effective Date

39. This Policy shall come into effect.