



Policy of AMAF-BENIN on Protection Against Sexual Exploitation, Abuse, and Harassment (PSEAH)

TO REPORT A CONCERN RELATING TO PREVENTION AND PROTECTION, YOU CAN:

- Visit: <https://amafbenin.org/contact/> to send us a message;
- Contact a member of the Board of Directors or the Management.

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1. SCOPE AND PURPOSE

This policy applies to all salaried staff of AMAF-Benin, its volunteers, stakeholders and partners, both during and outside normal working hours, and is aligned with national legislation; in such cases it is necessary to comply with national legislation only insofar as the latter is stricter than this policy, in accordance with the human-rights standards adopted by AMAF-Benin. This AMAF-Benin policy applies if it is more stringent than national legislation.

This policy sets out the approach taken by AMAF-Benin to prevent Sexual Exploitation, Abuse, and Harassment (PSEAH) and to respond if necessary. It includes:

- our commitments to prevent harassment, exploitation and sexual abuse and to take appropriate action when a problem arises;
- the principles on which we will base our decisions and actions; and
- our expectations of all people working on behalf of AMAF-Benin.

2. POLICY STATEMENT

AMAF-Benin has a zero-tolerance policy towards inaction in the face of harassment, exploitation and sexual abuse. At AMAF-Benin we believe that everyone has the right to live free from sexual violence and any abuse of power, regardless of their age, gender, sexual orientation, disability, religion or ethnicity. We recognise that there are unequal power relations within the organisation and towards the populations we work with, and we know that there is a risk of some people taking advantage of their position of strength for personal purposes. AMAF-Benin tolerates no form of harassment, exploitation or sexual abuse by its employees, volunteers, consultants, partners or any other representative involved in its activities. AMAF-Benin undertakes to support people who have faced violence, to improve its capacities in terms of prevention and protection against sexual misconduct and child abuse, to report cases, to conduct investigations and to prevent acts of harassment, exploitation and sexual abuse.

The leaders and teams of the governing bodies will rely on this policy while taking into account the legislation in force (notably labour law, the penal code and privacy law) and the duty of care in deciding how to respond to complaints and concerns raised. For more information, please contact the leaders of the governing bodies (see the online contact mechanism on the organisation's website) or your person in charge of prevention and protection at organisational level.

3. PRINCIPLES AND COMMITMENTS OF AMAF-BENIN IN TERMS OF PSEAH

AMAF-Benin undertakes to implement comprehensively and continuously the six core principles concerning sexual exploitation and abuse set out by the Inter-Agency Standing Committee (IASC) Task Force on protection from sexual exploitation and abuse, the minimum operational standards on PSEA established by the IASC and the Core Humanitarian Standard on Quality and Accountability.

3.1 Core principles of AMAF-Benin for PSEAH

- Sexual exploitation and abuse by AMAF-Benin employees and related personnel (volunteers, contractors, etc.) constitute serious misconduct and are therefore grounds for dismissal or termination of contract/agreement. Sexual harassment by AMAF-Benin employees and related personnel constitutes grounds for disciplinary action up to and including dismissal.
- Any sexual relationship with a child (anyone under 18 years of age) is forbidden, regardless of the age of majority or the child's consent. Ignorance of the child's actual age cannot be used as a defence.
- AMAF-Benin employees and related personnel are prohibited at any time from requesting sexual favours or imposing any other form of humiliating, degrading or servile behaviour in exchange for money, employment, goods or services. This includes paid sexual relations and the exchange of humanitarian aid owed to programme beneficiaries for sexual favours.

- Sexual relationships between AMAF-Benin employees or related personnel and members of the communities with which we work are prohibited. Given the contexts in which AMAF-Benin operates, such relationships may be based on a dynamic of inherently unequal power and may undermine the credibility and integrity of AMAF-Benin's aid and development work. AMAF-Benin employees and related personnel must report to their line manager or the person in charge of prevention and protection at organisational level.
- If an AMAF-Benin employee or related personnel has concerns or suspects acts of harassment, exploitation or sexual abuse by a colleague, whether within AMAF-Benin or not, he/she must immediately report these concerns using the existing reporting mechanisms (see section 5).
- AMAF-Benin employees and related personnel are required to create and maintain an environment that prevents any harassment, exploitation and sexual abuse and any mistreatment of children; this environment must also promote compliance with this policy. The person responsible for prevention and protection within AMAF-Benin has a particular responsibility to set up and support systems that maintain such an environment.

3.2 Commitments of AMAF-Benin

To prevent harassment, exploitation and sexual abuse or respond if necessary, AMAF-Benin is committed to upholding the commitments highlighted in the six core principles mentioned above.

a. A safe, respectful and inclusive internal culture:

AMAF-Benin will do everything in its power to establish and maintain a safe, equitable and inclusive organisational culture in which all people who work for and with it, as well as those in the communities in AMAF-Benin's areas of intervention, are treated with dignity, where their rights are respected and their voices heard. This implies applying AMAF-Benin's feminist values and its working principles on gender justice, including the sharing of power. This approach will give us the opportunity to discuss and reflect on current issues with a

diverse group of stakeholders—"nothing about us without us"—resulting in substantial prevention and response work, providing support to people who have faced violence and holding those who commit harassment, exploitation or sexual abuse accountable.

b. Reporting cases of harassment, exploitation and sexual abuse:

- We must ensure that multiple mechanisms exist so that AMAF-Benin employees, its related personnel and members of the communities we serve, or any other person, can safely report cases of harassment, exploitation and sexual abuse. These mechanisms must be designed in consultation with local communities and staff on the ground to ensure that they are safe and accessible.
- We must ensure that all people working on behalf of AMAF-Benin and those we assist know how to use these safe reporting mechanisms, by providing communications adapted to children and a diversity of people. To do this, the reporting procedures will be communicated in local languages and regularly explained.
- We must provide training and information to all AMAF-Benin employees and related personnel, particularly to those in charge of prevention and protection, to ensure that they understand their obligations and how to discharge their duties in the event of complaints or reports. Particular emphasis will be placed on confidentiality.
- We must observe a requirement for confidential reporting that preserves the identity of the person making the report. Only staff with delegated authority may report an incident to external donors and regulators. People who have faced violence/victims have the right to contact regulatory bodies locally or nationally directly. At their request, AMAF-Benin can assist people who have faced violence/victims in reporting.

c. Reacting when harassment, exploitation and abuse are reported:

AMAF-Benin will respond promptly and professionally to any matter of concern or allegation of harassment, exploitation or sexual abuse. Every matter of concern or allegation will always be taken seriously and will be investigated and acted upon if necessary, in accordance with our prevention and protection principles set out below:

- **Survivor-centred approach:** A survivor-centred approach creates a supportive environment in which the rights and wishes of those who have faced violence are respected and considered a priority. Such an approach also ensures the safety of these people and ensures that they are treated with dignity and respect. The survivor-centred approach is based on the following guiding principles:
 - **Safety:** The safety of the person who has faced violence, as well as that of her or his children, is the primary concern.
 - **Confidentiality:** Survivors have the right to choose to whom they want or do not want to disclose what happened to them. Furthermore, this information should only be disclosed with the survivor's informed consent. However, if a serious and imminent threat exists to a child or another person, the need for immediate action may override confidentiality.
 - **Respect:** All actions taken will respect the choices, wishes, rights and dignity of the person who has faced violence. The role of prevention and protection teams is to facilitate the recovery of the survivor and to help him/her by providing relevant resources.
 - **Anti-discrimination:** People who have faced violence will be treated on an equal basis, regardless of their age, gender, skin colour, religion, nationality, ethnicity, sexual orientation or any other characteristic.
- **A rigorous case-management system that holds the organization accountable:** All allegations of harassment, exploitation and sexual abuse, and

the measures that follow, will be documented and recorded in a secure and confidential database to ensure accountability. Receipt of a report will be formally acknowledged within 24 hours, and a prevention and protection team will organise a meeting on the case within 72 hours to assess immediate risks and decide on next steps.

- **Investigations:** AMAF-Benin will conduct independent, safe and discreet investigations through trained investigators who work with AMAF-Benin's prevention and protection teams, recognising the rights of all those concerned and the organisation's duty of care towards them, including the complainant and/or survivor, witnesses and the person who is the subject of the complaint.
- **An accountable decision-making process:** AMAF-Benin will take swift and appropriate action against any employee or related personnel found responsible for acts of harassment, exploitation or sexual abuse. This may include administrative or disciplinary measures and/or referral to local or judicial authorities if appropriate and safe. An independent decision-making committee composed of both men and women will be appointed for each investigation to ensure the impartiality, transparency and accountability of the process. The decision-making process will be overseen by the leaders and/or persons in charge of prevention and protection within the organisation.
- **Support for the person who has faced violence:** People who have faced harassment, exploitation or sexual abuse are entitled to specialised support services. AMAF-Benin undertakes to refer these people to competent, appropriate and available support services, according to their wishes and needs. This support may include specialised psychosocial support—such as psychological support—medical assistance, legal advice or access to AMAF-Benin employee assistance programmes (if applicable). Assistance will be offered whether or not a formal internal intervention is carried out (e.g. internal investigation).

d. **Integrating PSEAH into AMAF-Benin's work**

- **Safer recruitment:** In accordance with applicable law, AMAF-Benin undertakes to prevent anyone who has committed harassment, exploitation or sexual abuse from being hired, transferred or rehired. Leaders and the person responsible for prevention and protection will ensure that reliable recruitment screening procedures exist (e.g. pre-screening by means of a clean criminal record or similar) for all staff, including employees, volunteers, consultants and other representatives of the organisation. All application forms, interviews and references must therefore take account of the requirements and expected behaviour in terms of prevention and protection as well as equality.
- **Safe partnership agreements:** When concluding partnership agreements, subgrants or sub-recipient agreements, AMAF-Benin will ensure that these agreements: (i) attach this policy as an annex; (ii) use appropriate terms to require contracting entities and individuals, as well as their employees and volunteers, to comply with a code of conduct that aligns with the standards set out in this policy; (iii) expressly state that failure by these entities or individuals (as the case may be) to take necessary preventive measures against harassment, exploitation and sexual abuse, to conduct investigations, to report the facts or to take corrective measures in the event of proven incidents will constitute grounds for AMAF-Benin to terminate the agreement; (iv) AMAF-Benin will assess the capacity of partners, including their policies, procedures and training in place on prevention and protection or, in the absence thereof, will provide capacity-building and support as part of establishing any new partnership.
- **Training of staff and partners:** AMAF-Benin employees and related personnel must, as part of the induction training when they start at AMAF-Benin, receive training on prevention and protection (notably on harassment, exploitation and sexual abuse), including a session on AMAF-Benin's policies and values, a presentation of the code of conduct, information about the mechanisms for

reporting matters of concern and guidance on where to find further information on prevention and protection and safe practices within the organisation. Anyone who works directly with members of communities on behalf of AMAF-Benin must receive additional training on how to collect and handle complaints safely and confidentially.

- **Accountability to the communities we serve:** AMAF-Benin undertakes to promote accountability to individuals and communities in its intervention sites: (i) by ensuring the transparency of AMAF-Benin's programmes and activities and the services to which they are entitled; (ii) by raising awareness of the AMAF-Benin code of conduct, prevention and protection policies and reporting mechanisms; (iii) by actively seeking feedback from communities about AMAF-Benin's work, individual behaviour and complaints; (iv) by informing communities of changes made in response to their comments (ideally this will be done by a member of AMAF-Benin's management). The above actions must be carried out regularly throughout the cycle of a programme or activity.
- **Safe programming:** AMAF-Benin employees and related personnel must take proactive measures to avoid inadvertently causing harm to others. They must actively contribute to mitigating existing risks and must ensure that programmes take conflicts into account. This will include integrating best practices and measures to prevent harassment, exploitation and sexual abuse throughout the programme and project cycle, including in project design, grant proposals, assessments, complaints and feedback mechanisms and the monitoring and evaluation process.

4. ROLES AND RESPONSIBILITIES

- **All AMAF-Benin employees and related personnel:** Everyone working on behalf of AMAF-Benin must report any act or suspicion of harassment, exploitation or sexual abuse of others (see section 5 below). Failure to report to

the appropriate person any suspicions of harassment, exploitation or sexual abuse of others constitutes a violation of AMAF-Benin policies and may result in disciplinary action (against employees) and termination of the relationship with AMAF-Benin (in the case of non-employees). No reporting obligation rests on people who themselves have faced such violence.

- **Persons in charge of prevention and protection:** These persons must provide support to prevent acts of harassment, exploitation and sexual abuse and to respond if necessary, in addition to their assigned role. They must provide information on best practices and promote them by collecting reports of matters of concern, supporting people who have faced violence and confidentially reporting incidents through the mechanisms set up within the organisation.
- **Management staff:** These persons are responsible for increasing awareness of this policy among the employees under their responsibility and for supporting/designing systems to create and maintain a safe working environment. This also includes the responsibility to ensure that all employees and related personnel receive regular training on PSEAH, with a focus on staff in direct contact with beneficiaries of our programmes. Managers must make PSEAH awareness a priority for themselves, their divisions and each team or department. They must also budget for certain activities.
- **Programs teams:** They consult communities (in ways that are safe, accessible and culturally appropriate) to ensure that community members, as well as people working on behalf of AMAF-Benin, know AMAF-Benin's code of conduct and know how to lodge complaints and report matters of concern, and to ensure that AMAF-Benin intervenes if necessary. Programme teams must also clearly explain what goods and/or services community members are entitled to and how these people are selected.

The annual or periodic review and update of this policy is the responsibility of the leaders and the persons in charge of prevention and protection within the organisation. This process

will take into account legislative and organisational changes, feedback received and lessons learned.

5. FILING A COMPLAINT OR REPORTING A MATTER OF CONCERN

TO REPORT A MATTER OF CONCERN, YOU CAN:

- **Visit: <https://amafbenin.org/contact/> to write to us;**
- **Contact a member of the Board of Directors or Management.**

AMAF-Benin employees and related personnel have a duty to report any suspicion or matter of concern regarding acts of harassment, exploitation or sexual abuse. Anyone who is the subject of, has witnessed or has heard of wrongful behaviour may, if it concerns a member of AMAF-Benin staff or a partner (supplier, partner, subcontractor), report this matter of concern or file a complaint without fear of reprisal. The person in charge of prevention and protection will then examine how to proceed in accordance with AMAF-Benin's internal operational procedure for handling cases.

Except at the express request of investigators duly trained in prevention and protection, to assist them confidentially in their investigation, AMAF-Benin employees and related personnel must not investigate allegations made or alleged incidents on their own initiative. Investigations are conducted by professional investigators with training and proven experience in PSEAH. Any decision regarding an incident involving a child must be taken together with his or her parents or guardians where possible.

5.1 Reporting mechanisms

Anyone (including members of the communities with whom AMAF-Benin works) who has witnessed or has been the victim of wrongful behaviour may report the facts or file a complaint with AMAF-Benin without fear of reprisal. This can be done orally or in writing, to

a member of the Board, a member of the management team or the person in charge of prevention and protection, or by using the online contact form. For more details, please consult the information provided above. In the absence of a prevention and protection team or an online contact form, if you do not wish to use the online contact form or if you prefer to proceed differently, please note that you can send an email to one of the following addresses: amafbenin@yahoo.fr or contact@amafbenin.org. Employees may choose to report a matter of concern to their line manager or a member of the Board of Directors.

5.2 Confidentiality

Complaints may be lodged anonymously. Everything will be done to ensure that confidentiality is guaranteed throughout the complaint handling process. Only staff who absolutely need this information for the procedure will have access to information that identifies the people associated with a complaint, and this information will not be disclosed to others without the prior informed consent of the person who has faced violence, unless a human life is at risk, a child is in danger or the law requires it, after advice from legal counsel and only if this is risk-free.

Information that does not allow the people concerned to be identified will be transmitted in accordance with the reporting requirements imposed by donors and regulatory bodies.

Staff involved in the complaint handling procedure will be made aware of the importance of maintaining confidentiality and may be required to sign a confidentiality agreement. Employees who breach confidentiality will be subject to disciplinary measures that may lead to their dismissal, and others who work with AMAF-Benin may have their cooperation with the organisation terminated. In some cases, such a breach may be punishable by law.

5.3 Reprisals against complainants, survivors and witnesses

AMAF-Benin will take action against any person, whether or not they are the subject of a complaint, who seeks to retaliate against complainants, survivors, witnesses or the person

who is the subject of a complaint. Employees will be subject to disciplinary measures that may lead to their dismissal. Others who work with AMAF-Benin may have their cooperation with the organisation terminated.

5.4 Complaints concerning an AMAF-Benin partner

In the event of a complaint concerning a partner organisation, AMAF-Benin will require this organisation to respond in a safe, prompt and adequate manner. In addition, AMAF-Benin will assist the partner in fulfilling its reporting obligations.

Where possible, AMAF-Benin will help the partner address the problem through an independent and appropriate investigation. If the wrongful behaviour is proven, the person concerned will no longer be able to participate in ongoing projects. If there is reason to believe that a suspicion of abuse has not been properly addressed by a partner, it is possible to end the collaboration.

5.5 Complaints concerning external organisations/entities

Complaints relating to prevention and protection transmitted to AMAF-Benin concerning other organisations/entities must be communicated to the prevention and protection team, which will report these incidents to the Board of Directors or the executive management. When transmitting this information, account will be taken of circumstances that give rise to a potential risk to one or more people in the future. Complaints should be communicated to working groups and networks that act locally on PSEAH issues and/or to the police where such reporting is safe and appropriate and/or where circumstances give rise to a potential risk to one or more people in the future. AMAF-Benin will not investigate cases concerning other organisations, but has a duty to report them.

APPENDIX 1: DEFINITIONS

AMAF-Benin employees and related personnel: The expression “AMAF-Benin employees and related personnel” includes all employees of AMAF-Benin, from the head office in

Cotonou to those in regional/departmental offices. The expression also includes members of management, volunteers, interns, as well as local and international consultants and casual workers, as well as all subcontractors (companies or individuals) and their related personnel. Also concerned are entities other than AMAF-Benin and their employees and people who have concluded a partnership agreement with AMAF-Benin.

Sexual harassment: Sexual harassment refers to any unwelcome sexual advance, request for sexual favours or other verbal or physical behaviour of a sexual nature reasonably likely to be offensive or intended to shock or humiliate. Such behaviour will also be considered sexual harassment when it interferes with the proper running of the service, is presented as a condition of employment or creates a climate of intimidation, hostility or irritation in the workplace. Although it generally consists of a pattern of behaviour, sexual harassment can result from a single act. It can involve people of the opposite sex or the same sex. Both men and women may be targeted by or may be perpetrators of this behaviour.

Sexual exploitation: Sexual exploitation refers to taking advantage of or attempting to take advantage of a state of vulnerability, an unequal power relationship or relationships of trust for sexual purposes, including but not exclusively for financial, social or political gain. AMAF-Benin is aware that the terms “sexual abuse” and “sexual exploitation” encompass many behaviours and are not limited to sexual intercourse.

Sexual abuse: Any sexual assault committed with force, coercion or in the context of an unequal relationship, the threat of such an assault also constituting sexual abuse. Forced marriage and sexual slavery, as well as sexual activity with a child (anyone under 18 years of age), are examples of sexual abuse.

Sexual relations: This includes but is not limited to an AMAF-Benin staff member or related personnel having an intimate physical relationship or a sexual relationship online via social networks, SMS or telephone.

Child sexual abuse: Refers to the fact that a child is used by another child, an adolescent or an adult for his or her own sexual stimulation or gratification. Sexual abuse includes any sexual activity involving children, with or without contact, including exposing a child to

online child sexual exploitation material or taking photos or recording videos of children that constitute sexual exploitation.

Survivor: A person presumed to have suffered acts of harassment, exploitation or sexual abuse.

Complainant: The person who lodges a complaint (this may or may not be the person who has faced violence).

Person who is the subject of a complaint/person of concern: The person against whom an allegation has been made, a complaint has been filed or a matter of concern has been reported.

Suspicion of wrongdoing: Any concern reported through one of the reporting mechanisms in place. This suspicion is examined during an initial meeting on the case/by a group of stakeholders.

Allegation of wrongdoing: If, at the meeting on the case/organised with the group of stakeholders, the decision is made to investigate the suspicion of wrongdoing, the incident is dealt with as an “allegation of wrongdoing.”

Investigation findings: Once an allegation has been investigated and the investigation report has been examined, the recommendations arising from it are described as the “investigation findings.”