

Policy Title	Prohibition of Harassment, Sexual Harassment, Abuse of Authority and Discrimination
Previous title (if any)	Prohibition of Harassment, Sexual Harassment and Abuse of Authority
Policy objective	Ensure that all individuals working for UNFPA are treated with dignity and respect and work in an environment free from harassment, sexual harassment, abuse of authority or discrimination.
Target audience	All UNFPA personnel
Risk control matrix	Controls of the process are detailed in the <a href="#">Risk Control Matrix</a>
Checklist	N/A
Effective date	December 2018
Revision History	Revision 1: December 2018 Originally Issued: April 2013
Mandatory review date	December 2022
Policy owner unit	Division for Human Resources
Approval	Link to <a href="#">signed approval template</a>

## 1. Policy Statement

- 1.1. All individuals working for UNFPA have the right to be treated with dignity and respect and to work in an environment free from harassment, sexual harassment abuse of authority or discrimination.
- 1.2. Consequently, any form of harassment, sexual harassment, abuse of authority or discrimination is prohibited. For the purpose of this policy, harassment, sexual harassment, abuse of authority and discrimination are referred to collectively as “prohibited conduct”.<sup>1</sup>

## 2. Scope of Policy:

- 2.1. This policy applies to all UNFPA personnel.<sup>2</sup> Allegations of prohibited conduct can be made by any person irrespective of whether such persons have any contractual status with UNFPA.

## 3. Definitions:

- 3.1 Harassment is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures, actions or omissions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which create an intimidating, hostile or offensive work environment. It includes harassment based on any grounds, such as race, religion, color, creed, ethnic origin, physical attributes, gender or sexual orientation.
- 3.2 Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offence 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.
- 3.3 While typically involving a pattern of conduct, harassment and sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered.
- 3.4 Abuse of authority is the improper use of a position of influence, power, or authority against another person. This is particularly serious when a person uses, or threatens to use, his or her influence, power, or authority to improperly influence the career or employment

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<sup>1</sup> This policy is a revision of the UNFPA policy against harassment, sexual harassment and abuse of authority of April 2013. It incorporates the provisions of the “CEB Model Policy on Sexual Harassment”.

<sup>2</sup> For purposes of this policy, UNFPA personnel shall refer to: (i) UNFPA staff members appointed by on or behalf of the Executive Director under the United Nations staff regulations for service with UNFPA, (ii) individuals retained on individual consultant contracts or service contracts, and (iii) interns, gratis personnel, persons retained by commercial employment agencies with a contract with UNFPA who provide services in the UNFPA workplace and United Nations Volunteers assigned to UNFPA offices. With the exception of UNFPA staff members, nothing in or relating to this policy shall establish the relationship of employer and employee, or of principal and agent, between UNFPA or the United Nations and any individual listed above.

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conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation, promotion or demotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment, and may include the use of intimidation, threats, blackmail or coercion.

3.5 Discrimination is any unfair treatment or arbitrary distinction based on a person's race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.

3.6 The mere expression of disagreement, admonishment, criticism or similar expressions regarding work performance, conduct or related issues within a supervisory relationship shall not normally be considered harassment, discrimination, or abuse of authority within the meaning of this policy.

#### **4. Prevention:**

##### **4.1. Responsibilities of UNFPA**

###### **4.1.1. UNFPA will:**

- a) Take all appropriate measures to promote a harmonious work environment, and to protect personnel from exposure to any form of prohibited conduct through preventive measures and the provision of effective remedies when prevention has failed.
- b) Undertake diligent reference checks of candidates during recruitment processes to ensure that individuals who have a documented history of prohibited conduct are not hired.
- c) Request that contractors, suppliers and partners adhere to zero-tolerance for prohibited conduct and commit to taking adequate action if faced with such allegations, in the absence of which, contractual arrangements can be terminated.
- d) Provide ongoing training and awareness programmes for personnel on policies, procedures and mechanisms, including on bystander techniques for intervention as well as targeted training for managers on appropriate response actions.

##### **4.2. Responsibilities of Managers and Supervisors**

###### **4.2.1. Managers and supervisors shall:**

- e) Act as role models by upholding the highest standards of conduct without regard to the power their position holds.
- f) Promote a harmonious working environment and create an atmosphere in which personnel feel free to express concerns about inappropriate behaviors and to use, without fear of reprisal, all recourse mechanisms and services available to them.

- g) Monitor their work units for conduct that may be in violation of this policy, respond promptly to allegations, take them seriously, and ensure that the necessary actions for which they are responsible are taken.
- h) Ensure that personnel in their work unit undertake all mandatory trainings on the issue, regularly communicate this policy to their work unit and draw attention to any published information about the consequences of violating this policy.
- i) Implement this policy in their work unit and hold personnel accountable for compliance with its terms.

#### 4.3. **Responsibilities of personnel**

##### 4.3.1. All staff shall:

- j) Refrain from any form of harassment, sexual harassment, abuse of authority or discrimination.
- k) Treat all people in the workplace with courtesy and respect and demonstrate their commitment to the prevention of and response to prohibited conduct.
- l) Undertake mandatory training and attend other training opportunities to the extent possible.
- m) Familiarize themselves with this policy and related policies and resources, including the [Policy for Protection against Retaliation for Reporting Wrongdoing or for Cooperating with an Authorized Fact-Finding Activity](#) (“Protection against Retaliation Policy”).
- n) Take action where appropriate and, where possible, after consulting with the affected individual, if they become aware of incidents of prohibited conduct and support those impacted as appropriate.
- o) Report allegations of prohibited conduct in accordance with the [UNFPA Disciplinary Framework](#).

#### 5. **Complaint resolution mechanisms**

5.1. Individuals who believe they are victims of prohibited conduct may seek resolution through an informal or formal process, as explained below. The processes described in this policy are neither mandatory nor listed in priority order. An unsuccessful attempt to resolve the matter informally does not preclude it from being formally reported.

##### 5.2. **Informal Resolution**

5.2.1. Approaching the alleged offender: Affected individuals may, on a voluntary basis, if they feel comfortable doing so, approach the alleged offender directly and request that the alleged behavior cease.

5.2.2. Managerial intervention: Affected individuals may raise the issue with their supervisor if the situation allows and they feel comfortable doing so. Managers should provide advice,

assistance and/or information in a timely, sensitive and impartial manner regarding the availability of confidential advice, assistance or other options available under this policy. Managers should enact any appropriate protective measures available. If a manager cannot perform this role for any reason, the manager shall consult with the Division for Human Resources for alternative measures.

- 5.2.3. Involvement of a third party: Either the affected individual or the alleged offender may choose to involve a third party in trying to resolve the situation. This third party may be any neutral individual from within the UN System, without close connections to either party. The third party is expected to facilitate a calm and respectful discussion between the parties and to offer suggestions for a way forward. The third party should be fully familiar with this policy and ensure that confidentiality is respected at all times. No person shall be designated as a third party against his or her will and may refuse to be involved or withdraw at any time.
- 5.2.4. Involvement of the Office of the Ombudsman for United Nations Funds and Programmes: Affected individuals may ask for confidential advice or assistance of the Office of the Ombudsman for United Nations Funds and Programmes in seeking informal resolutions. The Funds and Programmes Ombudsman can advise on the various options in the dispute resolution processes and assist with resolution through mediation and other activities.

### 5.3. **Formal Resolution**

- 5.3.1. Any person may file a formal complaint of prohibited conduct. Formal complaints may be made anonymously. There is no deadline for filing a formal complaint. Complaints by an identified complainant as early as possible after the alleged incident/s of prohibited conduct are encouraged, as anonymity and passage of time may result in challenges to effective investigation and resolution.
- 5.3.2. Formal complaints shall be made to the Office of Audit and Investigation Services (“OAIS”). The complaint should state:
- p) the name of the alleged offender;
  - q) the name of the alleged victim if the complaint is made by a third party;
  - r) the date(s), location(s) and description of the alleged incident(s) of prohibited conduct;
  - s) the names of witnesses; and
  - t) any other relevant information.
- 5.3.3. If the complaint is filed anonymously, the complainant must provide sufficient information concerning the basis of the allegation(s), as described in paragraph 5.3.2, so that the matter can be pursued responsibly.
- 5.3.4. Anyone filing a formal complaint of prohibited conduct shall be informed about his/her rights under the [UNFPA Protection against Retaliation Policy](#), as applicable to them.

*Further action*

- 5.3.5. Upon receipt of a formal complaint, the Director, OAIS will take further action in accordance with the relevant provisions of the [UNFPA Disciplinary Framework](#).
- 5.3.6. In cases where the formal complaint is submitted by a person other than the alleged victim, the views of the alleged victim shall be considered during the preliminary assessment before deciding on whether to proceed with an investigation.
- 5.3.7. The alleged victim shall be informed as appropriate of the status and outcome of the investigation. The alleged offender shall also be informed of the outcome of the investigation.

**6. Support and Guidance**

- 6.1. UNFPA personnel may, at any stage while in service with UNFPA, consult the Office of the Ombudsman for United Nations Funds and Programmes, the UNFPA Ethics Office, the Division for Human Resources (“DHR”) and/or local staff counselors, where available, for confidential guidance and support on matters which could give rise to instances of prohibited conduct.
- 6.2. The affected individual and the alleged offender have the right to be accompanied by a staff member or other, reasonably available, third party for emotional support at any stage during the informal process. Such person shall not engage in legal representation or advocacy. He or she shall immediately disclose any conflict of interest and keep information relating to, or arising out of, the allegation(s) confidential except as may be appropriately disclosed during an investigation or in compliance with any required disclosures. The right to be accompanied by a third party does not apply during the investigative stage of the formal process.

**7. Data Collection:**

- 7.1. Data of individuals against whom a final determination of sexual harassment has been made, or whose working relationship with UNFPA ended pending allegation(s) of sexual harassment, shall be recorded in the UN-system wide screening database “clear check” as set forth in the “expanded guidelines on sexual harassment screening database”. Data of individuals with a record of sexual exploitation and abuse (SEA) shall be recorded in “clear check” as set forth in the “guidelines on the component related to sexual exploitation and abuse (SEA)”

**V. Process Overview Flowcharts**

No overview flowchart applicable

**VI. Risk Control Matrix**

[Please find risk control matrix available here.](#)