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# REGULATIONS ON RESPONSE TO SEXUAL EXPLOITATION, ABUSE AND HARASSMENT (SEAH), MOBBING & ABUSE OF AUTHORITY

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## 1. Purpose and Principles

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These regulations reflect the principles and responsibility of HELVETAS Swiss Intercooperation<sup>1</sup> to prevent and address sexual exploitation, abuse and harassment (PSEAH), mobbing, and abuse of authority.

All forms of SEAH, mobbing and abuse of authority are explicitly forbidden. Such behaviour or conduct manifest a considerable encroachment on the basic principles of equality and fundamental rights of those affected and is contrary to the principles and values of HELVETAS as stated in the Human Resource Policy, Code of Conduct, Gender and Social Equity Diamonds and Policy and our mission statement.

HELVETAS promotes the respect and protection of all its employees, partners and primary stakeholders against all forms of emotional, physical and sexual misconduct and/or aggression. Everyone has a right to their physical and mental integrity, while those in breach will be held accountable. Employees of HELVETAS or any other person involved in our activities responsible for such behaviour or conduct shall be subject to sanctions and/or disciplinary measures.

### **HELVETAS is committed to the following principles:**

#### **Zero tolerance**

HELVETAS prohibits all forms of SEAH, mobbing and abuse of authority.

#### **Protection**

All employees of HELVETAS or any other person involved in our activities have a right to work in a harassment-free and respectful environment.

#### **Prevention**

HELVETAS consciously promotes a positive work environment to prevent inappropriate behavior in the workplace.

#### **Reporting**

HELVETAS establishes appropriate reporting mechanisms to respond to suspicions and formal allegations of SEAH, mobbing and/or abuse of authority and to protect whistleblowers, preventing retaliation related to the reporting of allegations.

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<sup>1</sup> In the following HELVETAS

**Rigorous sanction**

HELVETAS is committed to address inappropriate behavior by or towards its employees, by or towards partners and/or towards primary stakeholders. If a case of SEAH, mobbing and/or abuse of authority is proven, involved employees or any other person contracted by HELVETAS are to be sanctioned.

**Neutrality**

Measures to deal with inappropriate behavior will be based on principles of fairness and impartiality.

**Confidentiality**

Whistleblowers who express a suspicion of inappropriate behavior are protected. Information concerning a suspicion is confidential. The presumption of innocence applies to suspicious persons.

**Adequate information**

All persons directly involved are informed openly about cases of SEAH, mobbing, and/or abuse of authority while protecting the whistleblowers.

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## **2. Definitions**

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### **2.1. Mobbing**

Mobbing means to pick on, pester and exclude a person or a group systematically and to harass a person repeatedly and over a longer period of time at work. Mobbing can be expressed in verbal or non-verbal attacks which affect the physical or mental health as well as the self-esteem of the person(s) concerned.

### **2.2. Sexual harassment**

Sexual harassment is an action with sexual references unwelcome to the person addressed. It can happen between peers, between a supervisor and subordinate level, between members of the opposite or same sex, between an older and younger person among others.

Sexual harassment can be expressed in the following ways (non-exhaustive list):

- remarks about physical advantages or weaknesses or about sexual orientation
- suggestive remarks
- sexist talk and jokes, in any form of verbal, written or non-verbal communication
- sharing suggestive material over email or social media
- ambiguous invitations
- making bodily advances
- making advances together with promises or threats of advantages or disadvantages

### **2.3. Sexual exploitation and abuse**

Helvetas and its partners must fully adhere to the IASC<sup>2</sup> six core principles as defined as follows:

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
- 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.

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<sup>2</sup> The Inter-Agency Standing Committee

- 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.
- Any sexual relationship between those providing humanitarian assistance and protection and a person benefiting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms
- Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

HELKETAS applies these principles across all areas of its work, including both humanitarian and development contexts. Reporting and enforcement follow HELKETAS' established reporting mechanisms and align with the HELKETAS' Code of Conduct.

## **2.4. Abuse of authority**

Abuse of authority means the improper use of a position of influence, power or authority by an individual against another colleague or group of colleagues, stakeholders or beneficiaries. This is particularly serious when an individual misuses his/her influence, power or authority to negatively influence the career or employment conditions (including - but not limited to - assignment, contract renewal, performance evaluation or promotion) of another. It can include a one-off incident or a series of incidents. Abuse of authority may also include misuse of power that creates a hostile or offensive and/or submissive work environment, which includes - but is not limited to - the use of intimidation, threats, blackmail or coercion.

## **2.5. Conclusion**

SEAH, in addition to any and all other forms of abuse and harassment including mobbing, and abuse of authority violate universally recognized international legal norms and standards and as such are unacceptable and prohibited behavior for all HELKETAS employees. SEAH and mobbing constitute acts of serious misconduct and are therefore reasons for disciplinary measures, including dismissal and legal prosecution.

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# **3. Prevention & Responsibility**

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## **HELKETAS as employer**

HELKETAS at Head Office and in partner countries consciously promote a safe, respectful and equitable working atmosphere at all levels and across all offices, teams and programmes and all its activities.

HELKETAS carefully screens possible partners and employees in key functions as defined by the vetting concept before starting collaboration. The "Regulations on response to sexual exploitation, abuse and harassment (SEAH), mobbing and abuse of authority" as well as any other policies and regulations are actively discussed with all partners.

In implementing the present regulations, HELKETAS shall act consistently and undertake the appropriate investigative and disciplinary actions required. HELKETAS ensures that persons who report alleged incidents in good faith (whistleblowers) are not put at a disadvantage. Their identity is kept anonymous as far as possible and if necessary, also after the ending of an investigation. HELKETAS ensures that in cases of alleged SEAH, mobbing and/or abuse of authority the reputation of suspects is not damaged unnecessarily. Persons who maliciously raise suspicions or damage the reputation of others are liable to face sanctions. HELKETAS ensures full adherence to its whistleblower policy at all times.

HELKETAS provides training to their employees regarding prevention of SEAH, mobbing and abuse of authority. All employees are required to participate in the training.

### **Supervisors**

All supervisors should act as role models by upholding only the highest standards of conduct in order to achieve a harassment-free environment. All supervisors are responsible for ensuring that new collaborators are made aware of the SEAH, mobbing and abuse of authority regulations and guidelines during their introduction and/or on-boarding. They provide guidance on prevention and respond to such form of misconduct.

Supervisors commit themselves to both prevent and address SEAH, mobbing and abuse of authority within their sphere of responsibility. They follow up any signs of SEAH, mobbing and/or abuse of authority according to HELKETAS organizational principles, policies and regulations, and governing legal framework as relevant. Should an incident occur during or after work, the supervisors ensure that the incident is promptly and adequately addressed. Failure to do so may result in disciplinary action.

### **Employees**

HELKETAS demands that all employees value and safeguard basic principles of equality and fundamental rights. Reporting of incidents is essential to prevent the continuation of SEAH, mobbing and abuse of authority. Cases are normally detected quickest in the immediate environment where they occur. Any concerns or suspicions regarding SEAH, regardless whether or not within HELKETAS, must be reported through the established mechanisms in the guidelines.

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## **4. Confidential advice and initial support**

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Collaborators subjected to or witnessing SEAH, mobbing and/or abuse of authority are encouraged to seek emotional, professional and legal support, first and foremost from a person of trust. This person can be internal to the organization (Supervisor, People & Culture Director at Head Office, HR responsible in the country or Personnel Committee (PEKO) where existing and/or external (e.g. Be-Trieb in Switzerland offers confidential advice in English and German). Supervisors and the Human Resource Team have a duty of care to take action if required.

The person of trust can provide direct or indirect assistance by means of emotional support, accompanying support, information support, redirecting to relevant services or authorities and more. The internal as well as the external confidants are bound by confidentiality. In all cases across the organization, the People & Culture Director at Head Office is to be informed.

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## 5. Investigation and Sanctions

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Employees have the right to seek informal advice or lodge a formal complaint. For feedback and complaints HELKETAS has established reporting and investigation mechanisms (see “Guidelines on reporting of sexual exploitation, abuse and harassment (SEAH), mobbing, child abuse and abuse of authority”). In case of a formal complaint and depending on the severity of the incident the Management (Management Board member at Head office or Country Director) can decide about building a grievance committee with internal and/or external specialists. The grievance committee leads the investigation. To the extent possible, safety, impartiality, and confidentiality during the course of the investigation is ensured.

In case of a proven incident, pending its severity, different types of sanctions are applicable; from apologies to warnings to summary dismissals.

The right to civil or criminal prosecution is reserved. The same sanctions apply to anyone knowingly accusing someone falsely of SEAH, mobbing, and/or abuse of authority.

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## 6. Area of applicability and date of enforcement

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These regulations apply to all employees worldwide in any contractual relationship with HELKETAS (including interns & volunteers, Board of Directors and its Advisory Council as well as consultants) at all times during their assignment with HELKETAS – both during and after working hours. The regulations are an integral part of the employment contract.

These regulations will be supplied to all employees and become effective from July 01, 2025.

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