



**COOPERATION
DIALOGUES
PSEA SESSION**

**FREQUENTLY ASKED
QUESTIONS**

COOPERATION DIALOGUES

February 22-25, 2021

A SERIES OF CONSTRUCTIVE AND MUTUALLY
BENEFICIAL CONVERSATIONS BETWEEN
CIVIL SOCIETY AND GLOBAL AFFAIRS CANADA

PSEA SESSION

On February 24th, 2021, Digna, the Canadian centre of expertise on the prevention of sexual exploitation and abuse (PSEA), hosted a dialogue with GAC's PSEA unit and departmental focal points. The objective of the PSEA dialogue session was to provide a space where sector partners and GAC could discuss PSEA requirements and expectations. It was also an opportunity to discuss current challenges and opportunities to strengthen sector PSEA capacity, compliance and accountability in the delivery of international assistance, and Digna's role in these efforts.

The answers to the below Frequently Asked Questions (FAQ) document are derived from the content of the dialogue.

Contents

Definitions.....	5
What is sexual exploitation?	5
What is sexual abuse?.....	5
What is sexual harassment?	5
Canada and PSEA	5
How is the government of Canada preventing and responding to SEA in the delivery of international assistance?	5
Global Commitments	5
National efforts	6
Digna	6
The GAC PSEA Unit.....	7
GAC’s PSEA Requirements	7
What are GAC’s PSEA requirements?	7
Codes of conduct	7
If my organization has a specific PSEA policy, does that count towards the code of conduct requirement?	8
Our organization needs a code of conduct that explicitly prohibits SEA, but I don’t know where to start. Where can I find examples?	8
We also want a specific PSEA policy. Are there examples of PSEA policies that will help us write our own?.....	8
Reporting allegations to the PSEA unit.....	8
Why does GAC require NGOs to report allegations to the PSEA unit?.....	9
Who should report to Global Affairs Canada (GAC)?.....	9
I am an individual, not an organization, can I report an incident to GAC?.....	9
When to report?	9
What makes an allegation credible?.....	9
Is the 48-hour reporting window realistic?.....	9
What types of cases should be reported to GAC?	10
What about sexual harassment of organization’s staff/volunteers, safeguarding or SGBV more generally?.....	10

Where and how to report?	10
What does the form include?	10
Who oversees and receives the allegations?	10
What happens when an allegation is reported to GAC?.....	10
Should personal information be provided when reporting an allegation to GAC?	11
Can reporting allegations to GAC impact our access future funding?.....	11
Am I violating privacy laws from the country where programs are implemented by reporting an incident to GAC?	11
Should we report the incidents that happened among our partners even if they are not directly funded by GAC?	11
What do you mean by reputational risk?	12
Investigations	12
Who is responsible for conducting SEA investigations?	12
Sexual Harassment.....	12
Why does Global Affairs Canada exclude sexual harassment from their work on PSEA?	12
What should an organization do if they receive a sexual harassment report?	13
Survivor-centered approach	13
What is a survivor-centered approach and why is it important?	13
Funding for PSEA.....	13
How does GAC envision that organizations include PSEA in budgets and financing?	13
To what extent can an organization use GAC’s funding for PSEA related costs (i.e. investigations, survivor support, etc.)?	14
Canadian Staff and Volunteers – Incidents Abroad.....	14
How can organizations prevent incidents from happening to Canadians overseas?	14
What support does GAC provide when there are incidents involving Canadians who are overseas for GAC-funded projects?	14

Definitions

According to the U.N. Secretary-General's bulletin on protection from sexual exploitation and abuse¹:

What is sexual exploitation?

Sexual exploitation is any actual or attempted abuse of a 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 another.

What is sexual abuse?

Sexual abuse is any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child is considered as sexual abuse.

Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Not knowing or mistaking the age of a child is not a defence.

What is sexual harassment?

Sexual harassment is not SEA. Sexual harassment refers to prohibited conduct in the work context and can be committed against UN staff and related personnel. In context of the United Nations, sexual harassment primarily describes prohibited behaviour against another UN staff or related personnel, which may also include nationals of the host state. It is defined for UN staff by ST/SGB/2008/5 and similar directives for uniformed personnel and involves any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

Canada and PSEA

How is the government of Canada preventing and responding to SEA in the delivery of international assistance?

Canada has zero tolerance for SEA in the context of international assistance, and zero tolerance for inaction. Canada expects their partners to use survivor-centered approaches.

For more information, [please click here](#).

Global Commitments

Canada continues to participate in global PSEA efforts and is committed to working with other donors and partner organizations to prevent, address and respond to SEA in the delivery of international assistance.

¹ [Definitions can be found here](#).

In June 2018, Canada used the G7 presidency platform to negotiate the [Whistler Declaration on Protection from Sexual Exploitation and Abuse in International Assistance](#). Under this declaration, G7 development ministers committed to working together with their partners to protect individuals from, and respond to, sexual exploitation and abuse in international assistance. Canada is also a signatory to the [Tidewater Joint Statement on Combating Sexual Exploitation and Abuse in the Development and Humanitarian Sectors](#).

Canada is a member of the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD-DAC) Reference Group on SEA. Building on the commitments Canada made with other donors, the Reference Group prepared the OECD-DAC [Recommendation on Ending Sexual Exploitation, Abuse, and Harassment in Development Co-operation and Humanitarian Assistance](#), adopted in July 2019.

Finally, in October 2018, Canada endorsed donor commitments at the Safeguarding Summit hosted by the United Kingdom's Department for International Development, and is a member of the United Kingdom's Technical Working Group on Safeguarding.

Canada continues to work with the UN to support initiatives that strengthen the international response to SEA. Canada has supported the UN's efforts by providing financial support to the UN Office of the Special Coordinator on improving the United Nations response to SEA and to the UN Trust Fund in support of victims of these acts. Prime Minister Justin Trudeau is a member of the UN Secretary-General's Circle of Leadership and supports the Collective Statement of its members. Canada is also a signatory to the UN Secretary-General's Voluntary Compact on preventing and addressing SEA and the Action for Peacekeeping Declaration.

National efforts

Global Affairs Canada has established two mechanisms for ensuring the PSEA remains a top priority in the Canadian context: **Digna**, and the **GAC PSEA Unit**.

Digna

Global Affairs Canada funds Digna, the Canadian Centre of Expertise on the Prevention of SEA. This partnership aims to share best practices and increase partner capacity for SEA prevention and response, especially among smaller organizations.

What is Digna's mandate?

Digna's mandate is to help Canadian international development and humanitarian organizations improve their ability to PSEA in the delivery of international assistance towards their program participants - particularly women and girls. Digna aims to increase awareness of, access to, and use of gender-responsive policies and good practices to PSEA.

Digna has no mandate to monitor compliance for whether organizations are meeting GAC requirements, but instead supports organizations in living up to their responsibilities and accountability requirements.

Does Digna provide support to survivors?

Digna is not a survivor support centre, and cannot offer intervention, legal advice, or serve as a reporting agency on behalf of survivors. However, our mandate includes examining the feasibility of establishing support services in the future. In addition, Digna has and will continue to produce resources that provide information on support services to both survivors and Canadian organizations. In addition, a list of identified Canadian resources and professionals that can offer support services will be published on their site in the coming months.

To learn more about Digna [please click here](#).

The GAC PSEA Unit

The PSEA unit provides several functions related to improving GAC's PSEA efforts:

- Providing internal training across the department;
- Managing a working group to ensure a consistent approach to PSEA in all GAC-funded programs;
- Acting as a liaison within the department between legal, financial, contracting, and program teams;
- Receiving reports of allegations when organizations submit [the Reporting Form – Sexual exploitation and abuse allegations in international assistance](#) to PSEA-PEAS@international.gc.ca.

The unit also works closely with Digna to ensure coherence and information sharing with the sector as a whole.

GAC's PSEA Requirements

What are GAC's PSEA requirements?

GAC has two requirements related to PSEA: 1) **codes of conduct** that explicitly prohibit sexual exploitation and abuse, and 2) **reporting** any credible allegations to the PSEA unit.

Codes of conduct

Since September 1st 2019, GAC requires partner organizations to have a code of conduct to prevent, investigate and respond to SEA in place to be eligible to apply for development and humanitarian funding. The code of conduct must be public and accessible to all staff (volunteer or paid), no later than six months after signing a contribution agreement.

This requirement is set out in the **General Terms and Conditions of Contribution Agreements, Section 22.6 "Sexual Misconduct."** (updated in October 2020)

22.6 Sexual Misconduct

- 22.6.1 Recognizing that sexual exploitation and abuse (SEA) violate universally recognized international legal norms and standards and, aligned with Canada's commitment to the delivery of international assistance grounded in a human rights framework, the Organization declares and guarantees that it has in place, and shall maintain in place for

- the duration of the Agreement, a publicly available code of conduct (the CoC) **to prevent, investigate and respond to SEA.**
- 22.6.2 The CoC shall be integrated across the Organization’s operations and shall, at a minimum, include the following provisions, which are based on the Department’s guiding principles enunciated at [Sexual exploitation and abuse in international assistance](#) webpage:
 - a) Accountability processes integrated throughout the Organization, including roles and responsibilities to ensure monitoring of, and compliance with, the CoC;
 - b) A mechanism for anonymous and confidential reporting and, fair and confidential investigative procedures to respond to all allegations of SEA;
 - c) Training on prevention of SEA and remedial measures when misconduct is found;
 - d) Measures including disciplinary action in cases of serious misconduct.
 - 22.6.3 The Organization shall provide access to its CoC to all Personnel, Local Partners and Ultimate Recipients, and shall promote protection from SEA. The Organization shall ensure that all Personnel, Local Partners and Ultimate Recipients shall either: a) sign an attestation stating they shall respect the Organization’s CoC, or b) adopt their own policies and procedures to prevent SEA that shall be in keeping with the goals and objectives of the Organization’s CoC.

If my organization has a specific PSEA policy, does that count towards the code of conduct requirement?
Absolutely! GAC will accept a code of conduct or a specific policy that covers PSEA. Either or is permitted.

Our organization needs a code of conduct that explicitly prohibits SEA, but I don’t know where to start. Where can I find examples?

One of Digna’s objectives is to make resources on PSEA more accessible to Canadian organizations and their partners. Digna has collected a growing list of resources created by agencies across Canada and around the world. [You can find examples of Codes of conduct from Canadian and international organizations here.](#)

AQOCI has also created a template that [you can find here.](#)

We also want a specific PSEA policy. Are there examples of PSEA policies that will help us write our own?

One of Digna’s objectives is to make resources on PSEA more accessible to Canadian organizations and their partners. Digna has collected a growing list of resources created by agencies across Canada and around the world. [You can find examples of PSEA policies here.](#)

Reporting allegations to the PSEA unit

The second GAC requirement is to report any credible allegation of sexual exploitation and abuse received linked to a project funded by the Canadian government.

This requirement is set out in the **General Terms and Conditions of Contribution Agreements, Section 22.6 “Sexual Misconduct.”** (updated in October 2020)

- 22.6.5 The Organization shall notify the Department of any credible allegation of SEA in the delivery of Canadian international assistance which may involve the Department's funding or which could put the Department's funding or reputation at risk within forty eight (48) hours after determining that an allegation is credible. Accordingly, the Organization shall submit Part A of the Reporting Form – Sexual exploitation and abuse allegations in international assistance to PSEA-PEAS@international.gc.ca at the time of the initial allegation of SEA and complete Part B at the conclusion of the investigation or, in the case of lengthy investigation, provide an update in a timely manner. The Organization should refer to the Department's SEA guiding principles to be found at Global Affairs Canada expectations for reporting sexual exploitation and abuse in international assistance webpage for any additional information.

Why does GAC require NGOs to report allegations to the PSEA unit?

The intent of requiring reporting is to ensure adequate measures are in place to address cases. GAC expects partners to have anonymous and confidential reporting mechanisms available to ensure that all allegations against organizations can be reported appropriately. These reports offer the necessary documentation to ensure best practices are being taken by the organization. GAC will track allegations to analyze trends and issues in SEA in international assistance. This information will be used to foster and support more effective prevention and response strategies with respect to SEA.

Who should report to Global Affairs Canada (GAC)?

Canadian organizations funded by Global Affairs Canada are expected to report any credible allegations of sexual exploitation and abuse that arise in the delivery of international assistance related to their programming or organization.

I am an individual, not an organization, can I report an incident to GAC?

Individuals wishing to report an allegation of sexual exploitation and abuse should report directly to the organization concerned. Organizations should have mechanisms in place to receive and respond to confidential reports.

When to report?

GAC expects partner organizations to report allegations within 48 hours of determining that an allegation is credible.

What makes an allegation credible?

An allegation is credible when the source, nature, and information provided suggest that the allegation is plausible and warrants further investigation. Credibility does not mean that there must be proof before an investigation has begun. Any doubts about credibility should not delay investigation or reporting. GAC will let you know if the case is not considered SEA. When in doubt: REPORT.

Is the 48-hour reporting window realistic?

48-hours applies once the Canadian organization has determined that a report is credible enough to pursue an investigation. The 48-hour window does not apply from the time since the alleged act, or since the allegation was made.

What types of cases should be reported to GAC?

Cases occurring in the delivery of international assistance by Canadian-funded organizations include SEA cases that:

- are perpetrated by staff or associated personnel working on an initiative funded by Global Affairs Canada;
- may have a negative impact on the reputation of Global Affairs Canada or of a partner funded by Global Affairs Canada.

What about reporting sexual harassment of organization's staff/volunteers, safeguarding or SGBV more generally?

For broader safeguarding or sexual harassment concerns, partner organizations should continue to follow current practice and inform their GAC project officer if the issue will affect project implementation.

Where and how to report?

Please fill out the [Reporting Form – Sexual exploitation and abuse allegations in international assistance](#) and email it to the Global Affairs Canada PSEA Focal Point at PSEA-PEAS@international.gc.ca.

To protect the privacy of victims, survivors, whistleblowers and alleged perpetrators, organizations should not provide any information that could identify the individuals involved. All information will be treated as private and confidential in accordance with the [Privacy Act](#). Information on allegations is stored in accordance with Canada's privacy act provisions and respects the highest confidentiality.

What does the form include?

The available form was developed to ensure that no personal information is shared with GAC. Any information that would permit us to identify the person should be omitted.

The form is divided in two parts. The first part is about informing GAC of an allegation. It asks for a basic summary of the allegation, any plans surrounding the investigation as well as what support is being provided to the survivor.

The second part is meant to inform GAC of the outcome of the investigation and any actions taken when the information becomes available.

Who oversees and receives the allegations?

The PSEA Unit is the centralized unit dedicated to receiving SEA allegations. All communications on cases should go to or through them. The PSEA unit files all reporting forms and flags cases on a need-to-know basis with relevant staff at headquarters and admissions without sharing sensitive or confidential details.

What happens when an allegation is reported to GAC?

GAC will acknowledge receipt of all allegations. They may request further information. However, they will not ask for information that could identify any of the individuals involved.

Upon receipt of a reporting form, the unit analyzes the report with particular attention to how the survivor-centered approach was considered. They also look at the results and findings of the investigation (organizations are directly responsible for investigations of cases reported to them), as well as lessons learned in an internal report response from the organization. While the unit does not engage in the details of the investigation, it does monitor case updates from partners to ensure they are progressing in their investigations in a timely and survivor-centered manner. The team will also answer questions or provide

guidance as needed. Therefore, GAC both expects and trusts that partners will be transparent, diligent and timely in their investigation of allegations and in any related actions they may take.

The PSEA unit files all reporting forms and flags cases on a need-to-know basis with relevant staff at headquarters and admissions without sharing sensitive or confidential details.

Should personal information be provided when reporting an allegation to GAC?

The available form was developed to ensure that no personal information is shared with GAC. In addition, any information that would permit GAC to identify the person should be omitted.

Can reporting allegations to GAC impact our access future funding?

The reporting of cases is separate from the process for deciding who receives funding. When a case is received by the PSEA unit, it is handled with the utmost confidentiality with respect to privacy act.

Partners are expected to report all cases to Global Affairs Canada, so reporting shows that the organization is taking the issue seriously and is abiding by the requirements that are clearly outlined. There is a zero tolerance for inaction; so if it is found that an organization did not report, that is a bigger risk, and may compromise access to funding.

As organizations put in place better reporting systems, they may receive more allegations. Therefore, reporting allegations shows that your organization is making progress on prevention, as counter intuitive as it may sound. Reporting a case, responding to it, and managing it appropriately shows that your organization is responsible and diligent.

Am I violating privacy laws from the country where programs are implemented by reporting an incident to GAC?

The form is meant to be confidential enough to not violate any laws around privacy that may exist in other countries. GAC is not trying to dictate how organizations' work should be done in any particular country. They expect that all organizations respect the country laws where they work.

To protect the privacy of victims, survivors, whistleblowers and alleged perpetrators, organizations should not provide any information that could identify the individuals involved. All information will be treated as private and confidential in accordance with the Privacy Act. The available form was developed to ensure that no personal information is shared with GAC. In addition, any information that would permit us to identify the person should be omitted.

Information on allegations is stored in accordance with Canada's privacy act provisions and respects the highest confidentiality.

Should we report the incidents that happened among our partners even if they are not directly funded by GAC?

The actions of partner organizations are the responsibility of Canadian organizations funded by GAC, as stated on the Contribution Agreement – General Terms and Conditions, article 22.6 on sexual misconduct:

- 22.6.3 The Organization shall provide access to its CoC to all Personnel, **Local Partners** and Ultimate Recipients, and shall promote protection from SEA. The Organization shall ensure that all Personnel, **Local Partners** and Ultimate Recipients shall either: a) sign an attestation stating they shall respect the Organization's CoC, or b) adopt their own

policies and procedures to prevent SEA that shall be in keeping with the goals and objectives of the Organization's CoC.

- 22.6.5 The Organization shall notify the Department of any credible allegation of SEA in the delivery of Canadian international assistance which may involve the Department's funding or which could put the Department's funding or reputation at risk within forty eight (48) hours after determining that an allegation is credible.

What do you mean by reputational risk?

Organizations can be impacted worldwide if allegations are made public, regardless of the location or regional office responsible where the incident happened. Therefore, a reputational risk can include any allegation related to the name of the organization. Local partners, even if their specific program funding is not affiliated with GAC, can be required to adopt your code of conduct in contract obligations. Therefore, even with no financial link to GAC, it can still cause a reputational risk to your organization. When in doubt, report.

Investigations

Who is responsible for conducting SEA investigations?

Organizations are directly responsible for investigations of cases reported to them. While GAC does not engage in the details of investigations, it does monitor case updates from partners to ensure they are progressing in their investigations in a timely and survivor-centered manner.

Sexual Harassment

All misconduct is unacceptable. However, it is important to distinguish between SEA in the delivery of international assistance and other forms of sexual violence (such as sexual harassment and SGBV), as they happen in different contexts and they need targeted prevention and response measures to appropriately address the conditions and power structures in which these events are perpetuated.

Why does Global Affairs Canada exclude sexual harassment from their work on PSEA?

GAC has subscribed to the UN definitions on sexual exploitation, sexual abuse and sexual harassment. Sexual harassment is defined as²:

Sexual harassment is not SEA. Sexual harassment refers to prohibited conduct in the work context and can be committed against UN staff and related personnel. In context of the United Nations, sexual harassment primarily describes prohibited behaviour against another UN staff or related personnel, which may also include nationals of the host state. It is defined for UN staff by ST/SGB/2008/5 and similar directives for uniformed personnel and involves any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

² [United Nations Glossary on Sexual Exploitation and Abuse](#)

Sexual harassment is misconduct that happens within the work environment. As such, victims of misconduct that happens in the workplace are supposed to be supported by provisions in labour laws and labour codes, which are different than the rights and recourse options for those who are not employed (as staff or voluntarily) by an organization.

GAC has narrowed the scope of work related to PSEA because the focus is on protecting the ultimate beneficiaries of international assistance. When it comes to international assistance, we have a particular responsibility to ensure that we do no harm to those who are supposed to benefit from our work. The FIAP specifically targets international assistance towards reaching the poorest and the most vulnerable, and they are who GAC is trying to protect through our PSEA efforts.

What should an organization do if they receive a sexual harassment report?

GAC expects partners to have appropriate mechanisms in place to ensure that there is safeguarding for their staff and volunteers so that they are not mistreated. Any allegations regarding harassment need to be reported to GAC through your Project Officer if it is affecting program implementation. They should be dealt with according to labour laws, your own code of conduct and disciplinary mechanisms. This is out of the scope of the work related to PSEA in the delivery of international assistance.

Survivor-centered approach

What is a survivor-centered approach and why is it important?

A survivor-centered approach seeks to empower survivors by prioritizing their rights, safety, well-being, needs and wishes. Organizations must ensure that survivors have access to appropriate, accessible and good quality services. For that reason, it is important for organizations to have survivor-centered response and support mechanisms in place in case allegations arise. Following an incident (a traumatic experience, such as sexual assault), a survivor-centered approach will give the survivor control over the decision-making process. This serves to provide space and time for the survivor to express their needs and for the organization to arrange for the relevant support.

This approach also serves to recognize that the various coping-mechanisms and healing processes are unique to each individual. However, there may be limitations that would require different levels of action, for example, legal limitations, especially when minors are involved. The principle of “do no harm” is at the heart of the survivor-centered approach. Maximizing agency is therefore key to prevent survivors from having to endure any further unnecessary grief.

Funding for PSEA

How does GAC envision that organizations include PSEA in budgets and financing?

PSEA policies, procedures and mechanisms should be part of the core of an organization’s work, and therefore should be accounted for in their overhead costs. For example, codes of conduct are meant to be organization-wide and not tied to specific projects, as they are out of the scope of an individual project. Organizations need to budget accordingly, and that could mean reviewing their finances and communicating this with donors.

To what extent can an organization use GAC’s funding for PSEA related costs (i.e. investigations, survivor support, etc.)?

These initiatives are funded as part of the overhead allocation, as they go beyond the scope of a specific project. Global Affairs Canada has provided capacity building funding through Digna to help increase GAC’s partners’ capacity for SEA prevention and response, especially among smaller organizations.

Canadian Staff and Volunteers – Incidents Abroad

How can organizations prevent incidents from happening to Canadians overseas?

Many Canadians travel abroad as staff and volunteers to improve the lives of people in developing countries and enrich their own lives. In most cases, all goes well. Nonetheless, a few Canadians overseas have been subjected to sexual violence in the course of their assignments. GAC has some [guidelines](#) on how to best prepare to safely travel, as well as specific guidelines related to [sexual assault abroad](#). Prevention is an important topic covered throughout the collaborative relationship with GAC partnership leads prior to departure and risk management check-ins.

What support does GAC provide when there are incidents involving Canadians who are overseas for GAC-funded projects?

For organizations: If your staff or volunteer has experienced an incident while overseas, please contact your project partnership leads, who are key resources to connect you with the appropriate channel within GAC depending on the case.

For survivors: For assistance while overseas, you can contact the [nearest Canadian consulate or embassy](#) or the [Emergency Watch and Response Centre Ottawa](#). Consular officials can provide you with a list of local lawyers, shelters, and social services, as well as provide you with information on how to apply for emergency financial assistance through the [Department of Justice Victims Fund](#).

[See this page for more information.](#)



DIGNA, THE CANADIAN
CENTRE OF EXPERTISE ON
THE PREVENTION OF
SEXUAL EXPLOITATION AND
ABUSE (PSEA), IS A
PROGRAM OF
COOPERATION CANADA

DIGNA IS MADE POSSIBLE
IN PART THANKS TO THE
GENEROUS SUPPORT OF THE
GOVERNMENT OF CANADA
THROUGH GLOBAL AFFAIRS
CANADA