

CEB Task Force on addressing sexual harassment in the organizations of the UN system

UPDATE

**United Nations System
Chief Executives Board for Coordination**

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EXECUTIVE SUMMARY

Harassment of any type is antithetical to the principles of the United Nations. Sexual harassment, in particular, is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics.

At its 2017 session, the CEB established a CEB Task Force on Addressing Sexual Harassment within the organizations of the United Nations System, chaired by the Chair of the HLCM. Intensive work has taken place over the last months with the Task Force focusing on how the system can most rapidly scale up prevention and response efforts, to protect and support victims, to strengthen investigative capacity and to create an enabling working environment.

The Task Force is driving a series of priority initiatives, with immediate action in five key areas:

1. **Uniform definition:** applying a uniform definition of sexual harassment consistently.
2. **Harmonizing policy:** Developing common principles applicable to all UN system organizations, and strengthening investigative capacity.
3. **Screening system:** Establishing a UN system-wide screening database to avoid rehire of individuals whose working relationship with an organization of the system ended because of a determination that they perpetrated sexual harassment.
4. **Evidence for action:** Collecting and analyzing data across the UN system so that reporting is timely and accurate, and policy is firmly based on the best available evidence.
5. **Outreach tools:** Developing awareness-raising, communication and outreach tools, including a common Guide for Managers.

The recommendations of the Task Force were presented to the High Level Committee on Management at its meeting on 13 April 2018 for review, guidance and input.

Action has been accelerated, but much more needs to be done: Organizations of the UN system need to dismantle informal cultures of silence and permissiveness that provide the breeding ground for sexual harassment; to remove existing obstacles that stand in the way of holding perpetrators to account and properly protect and assist victims of sexual harassment; to scale up prevention and response efforts; to strengthen investigative capacity; and to create a diverse, inclusive and respectful working environment, where all staff are equally valued and treated with dignity.

The Task Force will continue its work, with a view to presenting its conclusions at the Board's fall 2018 session, focusing on the following priorities:

- Finalization and adoption of a UN System Sexual Harassment Policy Reference Model;
- Development of a mechanism for system-wide collection and analysis of data to ensure timely and accurate reporting and evidence-based policy making;

- Expansion of the screening system to include individuals with pending allegations of sexual harassment who leave the organization before the completion of the process.
- Development of proposals to strengthen investigative capacity;
- Preparation of a proposal for common approach on sexual harassment helplines/hotlines; and,
- Development of awareness-raising, communication and outreach tools on prevention of, and response to sexual harassment in the workplace.

OVERARCHING OBSERVATIONS

Reflecting on experiences and challenges in dealing with sexual harassment, the Task Force made a number of overarching observations, including:

- **Tone from the Top:** The key role of senior-most leadership in communicating and demonstrating zero tolerance was emphasized.
- **Victim-Centred Approach:** The perspective of victims of sexual harassment needs to guide the UN system's approach and be systematically integrated into measures to address the issue.
- **Prevention:** the need to strengthen the culture of prevention across the Organization and take concrete preventive actions to increase awareness and affect behavioural changes was stressed, with emphasis on the key role of managers.
- **Enhancing Coherence:** The development of system-wide standards, in particularly in the areas of preventing, reporting, investigating and communicating on sexual harassment, is instrumental to enhancing coherence and coordination among UN entities on this important issue.
- **Implementation mechanisms:** The credibility of a zero-tolerance policy depends on an organizations' ability to devise strong implementation mechanisms to complement regulatory and policy frameworks on sexual harassment, to have in place effective protection measures against retaliation, and, to hold perpetrators to account.
- **Links with other forms of prohibited conduct:** In this context it was clarified that there are many linkages between sexual exploitation and abuse, and sexual harassment in the workplace, but that these two issues need to be considered and addressed as separate, albeit connected, issues.
- **Investigation:** the need to urgently enhance the system's investigative capacity and to significantly reduce the time it takes to complete investigations of sexual harassment allegations, notwithstanding the need for thoroughness, was stressed. Mindful of due process and confidentiality requirements, members called for greater transparency in the investigative process.
- **Data:** The Task Force emphasized the importance of data and the need to improve system-wide collection.
- **Under-reporting:** The Task Force took note of the information collected through the questionnaires and the analysis of causes for under-reporting and encouraged member organizations to review and adjust their monitoring mechanisms to ensure systematic data collection on case reporting and related outcomes.
- **Communication and outreach:** More detailed and systematic communication to staff using a variety of communication channels and outreach tools was seen as an effective way to enhance awareness and increase trust in the Organization.

TASK FORCE DELIVERABLES

Drawing on the data collected through questionnaires, and organizational experience, Task Force members agreed to pursue a number of work streams as priority areas for action.

POLICY

The Task Force identified the need to drive efforts on harmonizing policy, beginning with establishing common terminology and definitions to ensure a shared understanding of what constitutes sexual harassment.

Approaches and instruments for addressing sexual harassment vary considerably within the UN system resulting in a complex and fragmented policy and regulatory environment. In order to enhance policy alignment and coherence across the UN system and foster a common and consistent response to sexual harassment system-wide, a consultative process was initiated, under the leadership of UN-OHRM, to develop a common United Nations System Sexual Harassment Policy Reference Model.

As comparative review of existing regulatory, policy, and administrative frameworks related to sexual harassment in the UN system was carried out in order to identify commonalities and variations among those instruments as well as best practices and lessons learned. The findings of the review were intended to inform the development of a sexual harassment policy reference model that puts protection and support of victims at the centre.

Drawing on the findings of the review, a set of common principles and recommendations, including a uniform definition of sexual harassment and a model explanatory note, were developed (see Annex 1), which will inform the finalization of the common United Nations System Sexual Harassment Policy Reference Model applicable to all UN system entities.

The Task Force considered that a uniform definition of sexual harassment would be a critical aspect of a more coherent system-wide approach to addressing the issue. The Task Force emphasized the need to strive for the highest possible standards that explicitly safeguarded the perspective of the target of sexual harassment.

The uniform definition on sexual harassment and the common principles are to be seen as a basis on which UN system entities will conduct further consultation towards the development of a full-fledged UN system sexual harassment policy reference model, to be finalized by the third quarter 2018.

The uniform definition and explanatory note would be applicable to both the forthcoming UN System Sexual Harassment Policy Reference Model, as well as to the Screening Database.

DATA AND REPORTING

The Task Force identified the lack of data and information on sexual harassment and, specifically, the issue under-reporting of sexual harassment cases as matters requiring priority attention. Under the joint leadership of WFP and UNICEF, the Task Force engaged in several concurrent actions to better understand and address this concern. Conducting analysis on causes of under-reporting and remedial approaches, it outlined best practices to address these causes. The Task Force drove action towards the establishment of a system-wide database to assist entities in avoiding hiring or re-hiring sexual harassment offenders, including the development of a set of Guidelines.

Sexual Harassment Screening Database

The Task Force developed a comprehensive operational and legal framework for the establishment of a system-wide sexual harassment screening database to avoid rehire of individuals that perpetrated sexual harassment.

The Task Force drew on the Guidelines for the Sexual Exploitation and Abuse (SEA) database, which have benefited from more than a year of extensive collaboration and consultation among UN entities.

The operational and legal framework for the screening database, adopted by the Task Force, is outlined in the Guidelines (Annex 2). The Guidelines include all the necessary elements for operationalization of a centralized, system-wide system - the first of its kind - for the collection, maintenance, use and access of information relating to cases where a final determination of sexual harassment has been made, providing for the necessary safeguards for data privacy, and with built-in search tools for reference checks, as well as procedures for result validation and corresponding actions.

In line with the Guidelines, members are currently engaged in the operationalization of the database. The technical establishment of the sexual harassment database is ongoing, supported by the UN Office of Information Communication Technology (OICT). Data collection and database population will begin immediately. Following the extensive consultation, including with the UN Office of Legal Affairs, the first phase will incorporate cases featuring individuals whose working relationship with an organization of the system ended because of a determination that the individual perpetrated sexual harassment.

The Task Force will work towards a second phase expansion of the screening system to include individuals with pending allegations of sexual harassment for which an investigation and/or disciplinary process has begun, and the subject of the allegation ends his/her working relationship with the Entity before the investigation and/or disciplinary process is completed.

Causes of under-reporting and suggested remedial actions

Information collected through the Task Force work suggests that under-reporting is a reality across the system and that many staff do still not feel comfortable to speak out. A number of findings provided insight into reasons for under-reporting, and remedial action that could be taken

Numerous possible causes of under-reporting were identified by the Task Force, including: fear of retaliation; a lack of trust in the investigative/ dispute resolution processes; the emotional burden of reporting and participating in the process; lack of knowledge on how to report; different cultural norms; and fear of stigmatization in the staff members' office, particularly in the case of small offices, and/ or in the local community.

The Task Force also identified possible approaches to address these causes of under-reporting. To counter fear of retaliation, it was considered that sexual harassment policies should include provisions for anonymous and third-party/witness reporting, as well as reporting by former employees. There should be no time limit to file a report of sexual harassment, and an internal body should be able to investigate suspicions of sexual harassment without receipt of a formal complaint. Policies should also explicitly provide for timely and appropriate measures to protect staff members from retaliation and incorporate or refer to specific protections for whistle-blowers.

To address emotional concerns and risk of re-traumatization, it was considered that there should be integrated investigation and counselling teams composed of members of both genders. Investigators dealing with sexual harassment should be provided specialized training, and sexual harassment policies should allow for a victims' rights advocate, a colleague, family member or trusted friend to be present with the alleged victim during key stages of an investigative process.

To address a lack of trust in the process, efforts should be made to manage expectations of reporters of sexual harassment, including providing realistic information on the process, and providing a choice between formal and informal resolution. It was also suggested that there should be identifying information, such as a photograph and biography, of the persons to whom reports are made, for example the Inspector General or Ombudsman, to humanize the process and reassure potential complainants.

To address a lack of knowledge on how to report sexual harassment, policies should contain clear information about who may complain, clear avenues for reporting, and, where possible, a 24-hour helpline in all official languages of the entity. Policies should also plainly lay out the information that needs to be included in a complaint (such as name, location and title of the alleged perpetrator, date and location of the incident and a description of what happened, and names of any witnesses). The reporting process should be made as simple and user-friendly as possible. And these solutions should be coupled with training initiatives and awareness raising, to bring easily understandable instructions and practical examples to staff members.

To address differing cultural norms and risks of stigmatization, having multiple avenues for reporting is important, including avenues outside the staff members' office or duty station. Ways for staff members to obtain information, support and referrals, in addition to direct reporting mechanisms, should be available to help staff understand their rights and the services offered to assist them.

ENHANCED AWARENESS RAISING AND COMMUNICATION

The Task Force launched several work streams to develop concrete system-wide tools geared towards improving awareness-raising and communication, which were seen as playing a critical role in combating sexual harassment, with a particular focus on prevention through organizational culture change.

Guide for Managers on Prevention of, and Response to Sexual Harassment in the Workplace

Under the leadership of UNHCR, a Short Guide for Managers on Prevention of, and Response to Sexual Harassment in the Workplace" (Annex 3) was developed to aide managers in the effective fulfilment of their obligations to create a safe and harmonious work environment, to respond to reports of sexual harassment in the workplace, and to hold personnel accountable for any form of prohibited conducts.

The guide consists of a checklist to help managers to take appropriate action before a new assignment, during the assignment, including when witnessing sexual harassment or when receiving a report of sexual harassment, and when finishing an assignment. The guide is accompanied by two appendices outlining a compilation of possible signs of workplace harassment; and, a list of ten principles to follow when being approached with a complaint.

Mapping of Helplines/Hotlines

Under this work stream, a mapping of existing helplines and hotlines provided by UN system organizations was carried out, under the leadership of WHO, to gain greater understanding of the features and characteristics of the instruments already used. Several organizations reported to have a helpline/hotline or related application in place for reporting sexual harassment and/or provide information on reporting procedures and services related to sexual harassment. Most organizations are using more than one medium (phone, e-mail, on-line/internet sites, fax) for receiving communications and complaints, with the majority offering a 24/7 coverage. Typically, the helpline/hotline's scope is beyond sexual harassment issues but extends to broader misconduct and unethical behaviour.

Several organizations outsource the management of the helpline/hotline to an external provider for an annual fee which varies considerably. NAVEX Global (<https://www.navexglobal.com>), Expolink (<https://www.expolink.co.uk>) and Service Social de la Poste Suisse are services used by those organizations. Offering 24/7 services in up to 150 languages, the external provider refers any reports received through the helpline/hotline to the designated office in the individual UN entity

where the information is reviewed in accordance with procedures established by that organization.

Many organizations indicated a strong interest in sharing more information on helpline/hotline initiatives and learning about best practices, including utilization of available tools, exploring options for a common/standardized approach for reporting sexual harassment and/or centralized or shared instruments for providing information on sexual harassment reporting and services. Several entities expressed an interest in further examining risks and benefits of retaining the services of an external provider, including options for making existing agreements available to additional UN organizations.

The Task Force recommended to extend the work stream on helplines/hotlines, in order to deepen understanding among UN system entities of best practices in the area of helplines/hotlines, explore options for extending existing agreements with external service providers with a view to enhancing system-wide coherence and gain efficiencies, and present a proposal for the Board's consideration at its next session.

NEXT STEPS

Much remains to be done. In the coming months, the Task Force will broaden its consultative process to incorporate experience from staff, civil society and other stakeholders who have been active in addressing sexual harassment.

A key objective is to produce a strengthened common policy and, even more importantly, the implementation mechanisms and processes that are needed to address the issues that the Task Force has highlighted.

A stronger effort is required to produce and collect the data that is needed to inform a solid policy making process.

The new common policy and related implementation mechanisms are expected to address weaknesses that exist in the current system, especially with respect to victim protection, retaliation, risks related to reporting, etc.

The Task Force is also of the view that Screening Database should be expanded, in full respect of due process and privacy issues, to include individuals with pending allegations of sexual harassment who leave the organization before the completion of the process. Recourse options for an individual to challenge his/her inclusion in the database may need to be further defined.

There are additional steps that need to be taken by the organizations of the UN system to dismantle the informal organizational culture of silence and permissiveness that provides the breeding ground for sexual harassment, to remove existing obstacles that stand in the way of holding perpetrators to account and properly assist victims of sexual harassment, and to create a diverse, inclusive and respectful working environment, where all staff is equally valued and treated with dignity.

The Task Force will continue its work, with a view to presenting its conclusions at the Board's fall 2018 session.

The Task Force will focus on the following priorities:

- Finalization and adoption of a UN System Sexual Harassment Policy Reference Model;
- Development of a uniform mechanism for system-wide collection and analysis of data to ensure timely and accurate reporting and evidence-based policy making;
- Expansion of the screening system to include individuals with pending allegations of sexual harassment for which an investigation and/or disciplinary process has begun, and the subject of the allegation ends his/her working relationship with the Entity before the investigation and/or disciplinary process is completed;

- Development of proposals to strengthen investigative capacity;
- Preparation of a proposal for common approach on sexual harassment helplines/hotlines; and,
- Development of awareness-raising, communication and outreach tools on prevention of, and response to sexual harassment in the workplace.

Task Force members are committed to continue to confront sexual harassment in the workplace head on, contributing to the broader efforts to realise the vision of gender parity and empowerment. Collective action is crucial to prevent and to support those affected - to enable people to feel empowered to come forward and to ensure appropriate response. UN System organizations owe it to their staff to address sexual harassment in a decisive, coherent and coordinated manner, and to transform organizational culture so that it fully reflects the United Nations' core values of integrity, diversity and professionalism.

Annex 1

Set of Common Principles and Recommendations for UN System Sexual Harassment Policy Reference Model

Principle 1: Uniform definition

Definition

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. While typically involving a pattern of conduct, 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.

Explanatory paragraph

Sexual harassment is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications. Sexual harassment may occur between persons of the same or different genders, and individuals of any gender can be either the targets or the perpetrators. Sexual harassment may occur outside the workplace and outside working hours, including during official travel or social functions related to work. Sexual harassment may be perpetrated by any colleague, including a supervisor, a peer or a subordinate. A perpetrator's status as a supervisor or a senior official may be treated as an aggravating circumstance.

Principle 2: Policy statement on prohibition of sexual harassment

The model policy should state that sexual harassment in the workplace is prohibited and that measures will be taken to address any sexual harassment that may occur.

Principle 3: Scope of persons covered by policy

The model policy should provide that any person any person, regardless of their contractual status, who may have been subject to sexual harassment on the part of a staff member in a work-related situation, may avail themselves of the formal and informal complaint resolution mechanisms and that a review of the relevant provisions of the current legal frameworks applicable to non-staff personnel of UN system entities be undertaken.

Principle 4: Inclusion of informal complaint resolution mechanisms

The model policy should ensure that access to informal complaint resolution mechanisms be included in the policies of all UN system entities.

Principle 5: Formal complaint mechanisms

Access to formal complaint resolution mechanisms be included in the policies of all UN system entities. In addition, formal processes for reporting sexual harassment be clearly set out in all UN system policies.

Principle 6: Protection against retaliation and whistleblowing

Provisions on protection against retaliation should be included in the policies of all UN system entities either in the policy itself or by reference to protection against retaliation framework.

Principle 7: Support to aggrieved individuals

UN system entities' policies should contain provisions aimed at directing aggrieved individuals to support resources at the outset or pending the outcome of any informal and formal resolution process.

Principle 8: Data collection

Provisions on confidential data collection on cases of possible sexual harassment be included in the policies of all UN system entities.

Principle 9: Preventive measures

UN system policies should contain provisions reminding staff members of their duty to report any breach of the organization's regulations and rules to the officials whose responsibility it is to take appropriate action and encouraging staff members who witness conduct that may constitute sexual harassment to speak up. In addition, they should contain provisions that make training on sexual harassment mandatory.

Annex 2

GUIDELINES ON SEXUAL HARASSMENT SCREENING DATABASE

1. Purpose:

The purpose of these Guidelines is to establish procedures and standards governing the establishment, maintenance and use of a UN system-wide electronic database that will ensure that individuals with a record of Sexual Harassment are not hired or re-hired by an Entity that is part of the Organization. The Guidelines facilitate the establishment and operation of this centralised Screening Database, and address the collection, maintenance, confidentiality, security, use, access and disclosure of information relating to Final Determinations of Sexual Harassment (as defined below).

2. Scope:

These Guidelines supplement other provisions in the regulatory framework of the UN Secretariat and other entities of the UN System regarding disclosure of information obtained during an investigation. The Guidelines implement the objective identified by the Chief Executives Board for Coordination Task Force on Addressing Sexual Harassment within the Organizations of the UN System, to create and maintain a Screening Database accessible across the Organization, containing records of individuals against whom allegations of Sexual Harassment, while in service of an Entity, were substantiated by a final determination of sexual harassment and whose working relationship was terminated by that Entity as a result.

The Screening Database would serve to pool information from records available in the participating Entities of the Organization, rather than prescribe what information each Entity must collect. Thus, if an Entity collects relevant records concerning non-staff personnel, that information would be included in the database. If the Entity does not collect such records, it would not be required to do so as a result of these Guidelines.

3. Definitions:

- 3.1 Entity:** An organ or body of the Organization.
- 3.2 Organization:** All of the Entities with membership in the UN System Chief Executives Board for Coordination, being the UN Secretariat, the UN Funds and Programmes, the UN Specialized Agencies (including the Bretton Woods Institutions), and related organizations (including the WTO, UNOPS and IAEA).
- 3.3 Record of Sexual Harassment:** A record of a Final Determination of Sexual Harassment maintained in an official file held by an Entity.
- 3.4 Screening Database:** A searchable database containing identifying information on individuals who have a Record of Sexual Harassment.

3.5 Sexual Harassment: 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. While typically involving a pattern of conduct, 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.

3.6 Final Determination of Sexual Harassment: A determination, made after an investigation, that the individual perpetrated Sexual Harassment, resulting in termination of the individual's working relationship on this basis. If challenged, a Final Determination of Sexual Harassment can constitute a basis to include an individual in the Screening Database, until it has been rescinded by a final and enforceable ruling of the Entity's applicable administrative tribunal.

4. Record of Sexual Harassment

4.1 Each Entity is responsible for ensuring that adverse material concerning its personnel and former personnel, including a Record of Sexual Harassment, is promptly recorded in official files in accordance with its applicable procedures regulating the filing of adverse material.

5. Screening Database

5.1 As an initial step, the Screening Database will be managed by the Office of Human Resources Management (OHRM) and operated and maintained by the Office of Information and Communications Technology (OICT) of the Department of Management (DM).

5.2 The following personal identifying information, to the extent it is available, will be stored in the Screening Database for each individual with a Record of Sexual Harassment: Full Name, Category of Personnel, Index Number, Date of Birth, Last Known Address and Contact Details, Nationality, Gender, the employing Entity, dates of separation from service with the Entity, and the policy pursuant to which the Final Determination of Sexual Harassment was made. In addition, the contact information of the office and individual authorised to access and share information concerning the Record of Sexual Harassment and the name of the individual who entered the data into the database will be recorded.

- 5.3 Each Entity will designate a reasonable number of staff members to access the Screening Database. Prior to being granted access to the Screening Database in accordance with paragraph 5.5 below, each designated staff member must read and sign the confidentiality notice and undertaking appended as Annex A.
- 5.4 The operator of the database will grant access to the Screening Database to staff members who have been designated by each Entity and who have made the required confidentiality undertaking in accordance with paragraph 5.3 above.
- 5.5 Each staff member granted access to the Screening Database will be assigned an individual login and password. The operator of the database will take all usual security measures to ensure the security of the Screening Database including the confidentiality and integrity of the users' access information.

6. Populating the Screening Database

- 6.1 Each Entity shall ensure that the Screening Database accurately reflects the official files for its personnel and former personnel [and information obtained through job applications or reference checks], including by:
 - 6.1.1 Promptly entering the information detailed at paragraph 5.2 based (i) upon the last 10 years of existing Record(s) of Sexual Harassment in its official files and (ii) upon the filing of any new Record(s) of Sexual Harassment in its official files;
 - 6.1.2 Removing entries where an Entity's Final Determination of Sexual Harassment has been rescinded by a final and enforceable ruling of the Entity's applicable administrative tribunal; and
 - 6.1.3 Correcting any other errors or omissions in the data input by the Entity.
- 6.2 Where a member of personnel of the Organization or the subject of the record has reason to believe that an individual has been mistakenly listed in the Screening Database, they will contact the Chief of Human Resources Management of the Entity to verify whether or not the individual should be listed in the Screening Database. If it is verified that the individual has been mistakenly listed in the Screening Database, the office of Human Resources Management in the Entity will ensure that the name and other identifying information referred to in paragraph 5.2 above is removed from the Screening Database.
- 6.3 If an individual is entitled to any recourse, including judicial review, in respect of a listing in the Screening Database, such recourse shall be taken against the Entity who listed the individual in the Screening Database, in accordance with any rules of recourse provided for that Entity.

7. Vetting using the Screening Database

- 7.1** Before employing an individual, each Entity shall search the Screening Database to determine whether s/he has Record of Sexual Harassment.
- 7.2** Where there is a possible match between a name in the Screening Database and an individual who applies for a position with an Entity, the Entity will communicate bilaterally with the Entity which entered the name in the Screening Database to verify if the individual is the same. Relevant criteria, as set out in paragraph 5.2, shall be the basis for this verification.
- 7.3** Should it be determined that the individual applying for the position is the same person as the individual listed in the Screening Database, the individual will be excluded from further consideration for the position with the Entity.

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Confidentiality Undertaking

I, [NAME], [OFFICIAL TITLE] make the following confidentiality undertaking:

1. For the purpose of vetting candidates for positions with the [ENTITY], I am required to access the Sexual Harassment database (Sexual Harassment Database).
2. I understand that:
 - a. All information contained in the Sexual Harassment Database is strictly confidential; and
 - b. Except for the purpose of vetting candidates, I have no authority to access the Sexual Harassment Database.
3. Upon identifying that a candidate for a position is named in the Sexual Harassment Database, I will communicate this information, on a confidential basis, to the Hiring Manager of the recruitment exercise.
4. Except for the limited exception in paragraph 3 above, I undertake to maintain the strictest confidentiality of all information I obtain from the Sexual Harassment Database.

Signed

Dated

Annex 3

Guide for Managers Prevention of, and Response to, Sexual Harassment in the Workplace

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The UN’s position is clear, and has been reiterated on several occasions by the Secretary-General personally and by his senior leadership: Sexual harassment in the UN workplace is unacceptable and must be eradicated from the UN’s operations.

As members of a standard-setting institution, all personnel¹ have the obligation to adhere to the highest professional and ethical standards enshrined in the Charter of the United Nations UN Staff Regulations and Rules, and the Standards of Conduct for the International Civil Service. We all have a responsibility to lead by example and respect the principles we stand for.

As a manager, you must role-model the highest standards of conduct at all times, both during and outside working hours, at work and in your personal life. In addition, you are responsible for creating a safe and harmonious working environment, free of fear, intimidation, hostility, and offence, as well as for holding personnel accountable for any form of prohibited conduct. What each UN personnel member does reflects not only on them personally, but also on the entire organization, on our credibility as a global institution, and on our ability to deliver on our mandates.

The following checklist aims to assist you in effectively fulfilling these important obligations:

¹ Entities may decide to change “personnel” in accordance with preferred terminology to describe the entire workforce

Checklist

1. Starting a new assignment

- I have carefully studied the **policy on “Harassment, Sexual Harassment, Discrimination and Abuse of Authority”** [Hyperlink] and the **policy on “Sexual Exploitation and Abuse”** [Hyperlink].
- I have **completed the mandatory training** on prevention of Harassment, Sexual Harassment, Discrimination and Abuse of Authority [Hyperlink] and on prevention of Sexual Exploitation and Abuse [Hyperlink].
- I have studied the policy on **Protection from Retaliation** [Hyperlink].
- I have **studied the dedicated intranet page(s)** on Sexual Harassment [Hyperlink] and Sexual Exploitation and Abuse [Hyperlink].
- I have **studied available staff survey results** on Sexual Harassment [Hyperlink] for my office and the **SG’s latest report** on Sexual Exploitation and Abuse [Hyperlink] (this is to be done every time there is a new GSS or SG report).
- I have taken note of existing guidelines for speaking with the media [Hyperlink], or with implementing partners [Hyperlink] on the issue of sexual harassment and sexual exploitation and abuse.
- I have talked to my predecessor about any open and ongoing cases, as well as any challenges in the working environment in the office, risks and measures taken to ensure a harmonious workplace.

2. During the assignment

- I act as a role model** by upholding only the highest standards of conduct in order to achieve a harassment-free environment.
- I take measures to ensure that **all team members have completed the mandatory trainings** on prevention of Sexual Harassment [Hyperlink] and Sexual Exploitation and Abuse [Hyperlink]. I explicitly hold those who do not comply accountable.
- I take steps to ensure that all staff have participated in **yearly Code of Conduct sessions** or similar activity.
- As part of regular staff meetings, **I remind personnel of the expected standards of conduct**, including related to Sexual Harassment [Hyperlink to dedicated resource or key messages] and Sexual Exploitation and Abuse [Hyperlink to dedicated resources or key messages] and make them aware of available resources. This took place within at least the last six months.
- I bring in resource people, post notices, or share short articles** with my team on values, standards, principles and particularly on conduct prohibited in the UN.
- I am aware of common signs of workplace harassment**, such as work performance changes, behavioural issues, attendance changes or overall tension (see Annex 1). I monitor the situation in the office for any disturbing signs. I proactively call out personnel on unacceptable conduct and encourage others to do the same.

- I make sure results of available **staff surveys are taken seriously and we implement measures** to ensure harmonious working environment. I make sure everyone is involved and takes part, as relevant.
- I make sure that work **practices in my office are gender-sensitive and conducive to general well-being** (e.g. no meetings after hours; sufficient notice is given before events outside of the working hours so that personnel have time to make arrangements for care, as needed; personnel are aware of flexibility policies, and use them appropriately; personnel take care of their well-being, e.g. take leave, etc.).
- I take note of risk factors** strongly associated with sexual harassment, including unprofessional work environment, sexist atmosphere, and lack of knowledge about the organization's reporting and resolution procedures.²
- I make sure there are **Focal Points** to coordinate and support work in this area.

3. When you witness sexual harassment in the workplace

- I intervene promptly and **reiterate the required standards of conduct**.
- I take prompt action to report the issue** to the concerned authority and facilitate resolution, as appropriate.
- I take action to ensure that immediate assistance is provided** to the alleged victim as needed.

4. When a staff member approaches you/reports sexual harassment in the workplace

Note: If a staff member has been exposed to a traumatic event (e.g. sexual violence), I follow the traumatic incident protocol [Hyperlink] for my agency (i.e. immediately contact security, medical and counselling services for further assistance).

- I treat the issue as a priority and schedule a meeting as soon as possible.
- Before the meeting, I refresh my memory regarding: key content of the policy [hyperlink]; internal reporting procedures [Hyperlink]; and available resources and services, such as the respective investigation body, the Ombudsman Office, HR/ Staff Counsellor, Medical Service, the Ethics Office, Staff Representative bodies [Hyperlink to summary of resources].
- During the conversation I apply the *10 principles* [Hyperlink] (see Annex 2).
- I provide the staff member with information on available resources [Hyperlink] with regards to counselling, informal resolution, formal resolution, protection against retaliation, etc.
- Regardless of how the allegation is resolved, I regularly check progress and make sure there is no retaliation against the complainant.

² <https://link.springer.com/article/10.1023/A:1018769016832>

5. Restoring the workplace environment after harassment has occurred

- I seek advice from the investigators and specialists, including suggestions on what to tell my personnel.
- I conduct regular, as-needed “check-in” meetings, to see how things are going.
- I remind my personnel that everyone plays a role in improving and maintaining a harassment-free workplace.

6. When finishing the assignment

- I inform my successor about any open and ongoing cases.
- I update my successor on the actions I have taken to: create a workplace free from sexual harassment and prevent and respond to sexual exploitation and abuse.
- I update my successor about any risk assessments done and issues to be mindful of.

Annex 1. Possible signs of workplace harassment

- **Work Performance Changes.** Often, a victim of harassment exhibits performance changes. For example, a person may have trouble focusing on his work or meeting deadlines. He may also submit sloppy or disorganized work or fail to meet goals altogether. Decision-making and problem-solving skills may deteriorate as well.
- **Behavioral Issues.** In many cases, behavioral changes develop as a sign of workplace harassment. For example, a person may become less friendly and open when communicating with other staff members. She may also seem reluctant to attend meetings, especially those that involve one-on-one interaction. Likewise, she may avoid social engagements, such as office parties.
- **Attendance Changes.** If a previously punctual and reliable worker suddenly develops a habit of showing up late for work, this may be a sign of harassment on the job. Likewise, an increase in work absences may indicate such issues. This sign may prove particularly telling if accompanied by physical signs of stress, such as frequent headaches, upset stomach and fatigue.
- **Overall Tension.** Sometimes an entire workplace can become affected by harassment. In such a case, the harassing behaviors of some staff members or supervisors may cause the environment to seem tense overall. Communication problems might also develop as a result of the harassment, and morale may appear lower than usual. Additionally, harassment may even cause an increase in the rate of worker turnover.

Source: <http://smallbusiness.chron.com/signs-symptoms-harassment-11837.html>

Annex 2: The 10 Principles³ to follow when someone approaches you with a complaint

1. Listen actively and respectfully to the complaint.
2. Take careful notes for your own records. Put only exact statements in direct quotes. Suggest that the complainant keep careful notes and any material evidence, such as e-mail or letters.
3. Be empathetic (“I understand”), not sympathetic (“I agree”). Don’t judge or take sides. Don’t offer personal opinions or speculate on the facts. Once you have the facts, then you will be in a position to make a managerial judgment about the situation.
4. Inform that confidentiality will be respected to the extent possible, but make it clear you are required to respond to the situation and that some procedures foreseen in the organisation’s policy make it necessary that other people on a “need to know” basis will be informed. For example, within the formal process the Office that is responsible for investigations.
5. Don’t give advice directly. Let the complainants know their options and, specifically, how to use those options. Let them know they can get advice and support from staff dedicated to these issues.
6. Make sure they know they will be protected from retaliation.
7. Don’t make promises you cannot keep.
8. Act quickly.
9. Check whether some sort of accommodation is necessary. For example, if a complainant feels unsafe or threatened, they may want to be in a different physical location from the alleged perpetrator.

If you are uncertain about how to proceed, you can seek advice from your supervisor, HR manager or from the list of resources available in your organisation.

³ The “10 Principles” are taken from the course “Prevention of Harassment, Sexual Harassment and Abuse by United Nations Personnel – Working Harmoniously”

**HIGH-LEVEL COMMITTEE ON MANAGEMENT (HLCM)**

Thirty-sixth Session, 11-12 October 2018

UNESCO Headquarters, Paris

**CEB Task Force on Addressing Sexual Harassment
within the Organizations of the UN System****Progress Report****Table of Contents**

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Annexes (CEB/2018/HLCM/14/Add.1):

- Terms of Reference of the CEB Task Force (Annex 1)
- List of Members of the CEB Task Force (Annex 2)
- List of Sub-working Groups (Annex 3)
- UN System Model Policy on Sexual Harassment, and explanatory notes (Annex 4)
- Expanded Guidelines on Sexual Harassment Screening Database ('ClearCheck') to include Pending Allegations of Sexual Harassment (Annex 5)
- Indicative data from the system-wide Questionnaire on improved reporting on sexual harassment in the UN system (Annex 6)
- Draft Model Code of Conduct to prevent sexual harassment during or in relation to UN events, and implementation guide (Annex 7)

Information document:

- Enabling Environment Guidelines for the UN System – Draft – For internal use only (CEB/2018/HLCM/14/INF.1)

Executive Summary

As unequivocally stated by the Secretary-General, harassment of any type is antithetical to the principles of the United Nations. Sexual harassment, in particular, undermines the credibility of the institution and degrades its staff. Committed to upholding a zero-tolerance approach to sexual harassment, strengthen victim-centred prevention and response efforts, and foster a safe and inclusive working environment across the UN system, the CEB established in November 2017 the CEB Task Force on Addressing Sexual Harassment (“Task Force”) within the organisations of the United Nations system, under the leadership of Ms. Jan Beagle, Under-Secretary-General for Management and Chair of HLCM.

The Task Force, comprised of senior officials from more than 40 UN entities, began its work in December 2017 and an update of its work was presented to the HLCM in April and to the CEB at its session in May 2018. In its first phase of work, the Task Force developed a uniform definition of sexual harassment, a set of common principles for a harmonised sexual harassment policy, and a framework for establishing a system-wide sexual harassment screening database. As the foundation to its work on harmonising policy in this field, a compendium of UN system sexual harassment policies was also prepared. In the discussion following the presentation to the CEB, Board members committed to strengthening capacities and instruments for reporting, investigating and supporting victims, and to enhanced sharing of resources, expertise and best practices, and supported the continuation of the Task Force and its focus on identified priority actions.

Building on the first phase of its work, the Task Force, through its working groups, prepared the following additional joint outcomes:

- UN-System Model Policy on Sexual Harassment;
- Launch of the Sexual Harassment Screening Database (‘ClearCheck’);
- Expanded Guidelines on Sexual Harassment Screening Database to include provisions on Pending Allegations of Sexual Harassment;
- Indicative data from the system-wide Questionnaire on improved reporting of sexual harassment in the UN system;
- Assessment of the various hotlines/helplines solutions put in place by UN system organizations, and proposal for development of a framework of hotlines/helplines solutions vis-à-vis a set of criteria of best practices;
- Draft Model Code of Conduct to prevent sexual harassment during or in relation to UN Events, and implementation guide; and
- Agreement for collaboration on system-wide efforts to strengthen investigative capacity, including through planned a joint Task Force/IASC meeting of heads of investigatory bodies of IASC members (November 2018).

The Task Force, at its meeting of 1 October 2018, reviewed and adopted all the measures and recommendations included in its Progress Report for Phase II, as summarised above. These deliverables are presented for review and approval by the HLCM at its meeting of 11-12 October 2018, on behalf of the CEB.

A. Work of the Task Force

1. As unequivocally stated by the Secretary-General, harassment of any type is antithetical to the principles of the United Nations. Sexual harassment, in particular, undermines the credibility of the institution and degrades its staff. Committed to upholding a zero-tolerance approach to sexual harassment, strengthen victim-centred prevention and response efforts, and foster a safe and inclusive working environment across the UN system, the CEB Task Force on addressing sexual harassment in the organisations of the UN system ('Task Force') was established by the Secretary-General at the CEB in November 2017. The Task Force is chaired by Ms. Jan Beagle, Under-Secretary-General for Management and Chair of the HLCM (Terms of Reference for the Task Force, Annex 1).
2. The Task Force, comprising some 40 UN system entities (list of members at Annex 2), convened in February, April, June and October 2018 to develop and deliver products addressing the key priorities for system-wide action on sexual harassment. A comprehensive approach has been pursued, with focus on prevention and rapid and effective response – with emphasis on victim-centred strategies, services and support. The Task Force had recognised a clear linkage between sexual harassment, unequal power dynamics of gender relations, and the need for greater empowerment of women staff and gender parity in the workforce. It emphasised an institutional commitment to strengthening capacities and instruments for reporting, investigating and supporting victims, and to enhanced sharing of resources, expertise and best practices. And the Task Force had highlighted the importance of principled leadership, greater transparency and consistent communication from the top.
3. In response to the urgency of the task and the need for technical expertise in a broad number of fields with legal, policy and gender dimensions, the Task Force established a number of sub-working groups to focus on discrete work streams, each led by representatives of relevant UN system entities. Each sub-working group met on multiple occasions in person and virtually over the course of the Task Force's work.
4. Under the umbrella focus of accelerating victim-centred prevention and rapid and effective response efforts, the Task Force identified harmonisation of sexual harassment policy, improvements in sexual harassment data collection, reporting, investigation and enhanced support, awareness raising, outreach, communication as priority areas for action. The Task Force agreed on a set of concrete deliverables to address the issue with urgency and alacrity.
5. The Chair of the Task Force presented an update of the outcome of its work to date to the CEB at its first regular session in May 2018. Deliverables presented included:
 - a uniform definition of sexual harassment;
 - a set of common principles for a harmonised sexual harassment policy that represent model 'best practices' for sexual harassment policies;
 - a compendium of UN system sexual harassment policies;
 - an operational and legal framework for the establishment of a system-wide sexual harassment screening database to avoid rehiring of individuals whose working relationship with a UN system entity ended because they had perpetrated sexual harassment;

- a Guide for Managers on prevention of and response to sexual harassment in the workplace; and
- a review/mapping of existing Hotlines/Helplines and related applications against sexual harassment.

6. In response to the presentation to the CEB, members of the Board:

- Affirmed the clear linkages between sexual harassment, unequal gender relations and power dynamics, and the need for greater empowerment of women staff and gender parity in the workforce;
- Committed to strengthening capacities and instruments for reporting, investigating and supporting victims, and to enhanced sharing of resources, expertise and best practices;
- Agreed to confront the informal culture of silence and permissiveness through principled leadership, greater transparency and consistent communication from the top; and
- Reaffirmed that harassment of any type was antithetical to the principles and values of the UN and could not be tolerated.

7. In concluding its May 2018 session, the Board issued a CEB Statement on Addressing Sexual Harassment within the Organisations of the UN System in which UN system leaders reiterated their firm commitment to upholding a zero-tolerance approach to sexual harassment; to strengthening victim-centred prevention and response efforts; and to fostering a safe and inclusive working environment. The CEB also supported the continuation of the Task Force and its focus on identified priority actions.

8. Building on the first phase of work, the Task Force further advanced and deepened its efforts across the areas of focus. Following extensive and intense work and consultation in the months following the CEB meeting, the Task Force, at its meeting on 1 October 2018, reviewed and adopted the following additional outcomes:

- A UN System Model Policy on Sexual Harassment that is applicable to all organisations. The Model Policy is expected to lead to the issuing of strengthened and aligned sexual harassment policies throughout the UN system;
- Launch of the “ClearCheck” Sexual Harassment Screening Database to avoid re-hiring of individuals whose working relationship with an organisation of the system ended because of a determination that they perpetrated sexual harassment, and expansion of the “ClearCheck” Sexual Harassment Screening Database Guidelines to include individuals with pending allegations of sexual harassment who leave an entity before the completion of the process;
- Development of a mechanism for system-wide collection and analysis of data to ensure timely and accurate reporting and evidence-based policy making – and results of a comprehensive system-wide Questionnaire on reporting of sexual harassment;
- Selection of initiatives to strengthen investigative capacity across the UN system, including through agreement for a Joint Meeting of Investigatory Bodies for Inter-Agency Standing Committee (IASC) Members and the CEB Task Force on Sexual Harassment on Preventing Sexual Exploitation, Abuse and Harassment in the Humanitarian Sector in November 2018;
- Draft Model Code of Conduct to prevent sexual harassment during and in relation to UN events;

- Assessment of implemented solutions of helplines/hotlines and support for the development of a framework of the various Hotlines/Helplines solutions with reference to best practices; and
- Perception survey to better understand the views of individuals most directly affected - to be launched across multiple UN entities.

The HLCM is invited to approve the measures and recommendations contained in this report, on behalf of the CEB.

B. Outreach and consultations with related constituencies

9. To further strengthen its efforts to produce rigorous and forward-looking initiatives to address sexual harassment, the Task Force continues to broaden its consultative process and engagement with stakeholders active and experienced in addressing sexual harassment. At its session in May 2018, the CEB had agreed that only by drawing upon the broad range of expertise in the UN system and consulting with external stakeholders, as appropriate, could the UN system effect real change in the way that the UN system addresses sexual harassment.
10. Accordingly, the Task Force expanded its outreach, both formal and informal, to staff members, gender specialists, academics, non-governmental organisations and persons directly affected by sexual harassment. It has engaged and continues to engage the expertise of staff representatives, offices that provide advice, assistance and support to individuals affected by sexual harassment, as well as representatives of organisations and institutions that have been active in addressing sexual harassment, gender issues and representing the voice of victims.
11. These consultations were aimed at seeking advice and highlighting best practices for consideration by the Task Force, towards strengthening future system-wide efforts to address sexual harassment in the workplace. Meetings with constituencies including the UN Ombudspersons, UN Feminists Network, UN Globe, the UN Gender Focal Point Network, revealed a strong commitment among many different stakeholders to work together on a zero-tolerance approach to sexual harassment. Collaboration has also been strengthened with the Inter-Agency Standing Committee humanitarian network with view to align and engage in collective efforts. These engagements highlight the importance of continuing coordination and communication with these constituencies in the ongoing work on implementing system-wide sexual harassment policies, and will be deepened in the coming months.
12. In addition, the Task Force has sought to develop support for the UN system's initiatives against sexual harassment in the broader community, and established partnerships that will further both the UN system and the diplomatic community's work on sexual harassment. Extensive engagements have been carried out by multiple Task Force members. For example, the Chair of the Task Force presented a briefing on the UN system's actions against sexual harassment at the inaugural meeting of the newly formed Group of Friends to Eliminate Sexual Harassment. The Ambassadorial-level Group in New York aims to share best practices in addressing the issue of sexual harassment and to support efforts of UN organisations.

C. Alignment with related UN system policy processes

13. The UN's system-wide activities on sexual harassment are taking place in a broader context of social and cultural change around gender equality and women's empowerment, as well as organisational change and UN system reform. In parallel to the system-wide work on sexual harassment, distinct but related activities and strategies are also being implemented within the UN system. Close collaboration between the Task Force and teams tasked with these separate activities ensures that the Task Force's work and deliverables are informed and enhanced by the data and outcomes of these distinct work streams.
14. Sexual harassment affects men and women, at all levels of seniority and is fundamentally linked to unequal gender relations. This is one reason that ensuring gender parity and empowerment of women is a central priority within the Secretary-General's reform agenda. Experience suggests that advances in gender parity in the UN system's organisational culture could be expected to reduce the incidence of sexual harassment. Launched by the Secretary-General in September 2017, the System-wide Strategy on Gender Parity is a comprehensive document, which includes provisions on targets and accountability; special measures; enabling environment; senior appointments; and mission settings. It balances accountability with incentives, recognises different starting points and challenges, and provides positive tools to empower and encourage staff and managers alike.
15. In the CEB Statement of May 2018, UN system leaders had committed, inter alia, to foster a safe and inclusive working environment. As a key element of the System-wide Strategy on Gender Parity, it was recommended that good practices guidelines for an enabling and inclusive organisational culture should be developed by the CEB HR Network, OHRM and UN Women, to be shared with each UN entity to incorporate into existing policies, monitoring and implementation. The enabling environment provisions were foreseen to include measures that are foundational to an inclusive organisational culture in which all UN system staff members can contribute fully to the work and development of the organisation in which they work.
16. The Enabling Environment Guidelines for the UN system (attached hereto as an information document) have been developed through an extensive consultation process centred on an interagency working group organised by UN Women in November 2017, which brought together over 100 Gender Focal Points, Focal Points for Women and Human Resources experts across the UN system. The guidance focuses on three thematic areas; flexible working arrangements, family-friendly policies and standards of conduct. It also covers recruitment and talent management, and cross-references the UN's work on addressing sexual harassment.
17. The issue of sexual exploitation and abuse (SEA) is distinct and addressed within the UN system separately from sexual harassment, yet the close linkages between the two are evident and entail coordination in their responses. Exchanges between the Chair of the Task Force and the UN Special Coordinator on Improving UN Response to Sexual Exploitation and Abuse and the Victims' Rights Advocate are facilitating the mutually supportive elements of this work.

D. Phase II Key deliverables on priority areas for action for addressing sexual harassment

18. In line with its agreed priority areas for system-wide action, and as completed by its constituent work streams, the Task Force adopted the following deliverables.

a) Harmonising Policy

UN System Model Policy on Sexual Harassment

19. In its May 2018 meeting, the CEB confirmed that the Task Force should move to finalisation and adoption of a UN System Model Policy on Sexual Harassment ('Model Policy'). The Task Force's Sub-working Group on the Model Policy, co-chaired by UN-OHRM and UN-Women, met extensively during the summer months, and final consultations yielded a consensus draft Model Policy (including explanatory notes) that was submitted to the Chair of the Task Force in September 2018. The Task Force reviewed and adopted the Model Policy, with a small amendment proposed by the Legal Counsel to Art. III (1) and accepted by all members. The Chair underlined that the Model Policy represents a "common ground and base that we all commit to". Following the adoption of the Model Policy, it is expected that organisations will issue their own policy documents, adapting the Model Policy as a common base to align with their specific institutional and legal frameworks. It is expected that the sexual harassment policies among the CEB entities would comply with the spirit and the principles agreed within the CEB Task Force, and utilise the same language to the maximum extent possible.

20. As envisaged during the first phase of the Task Force's work, which concluded in an agreement on a uniform definition of sexual harassment and principles for a model policy, the draft Model Policy provides substance to these principles. The full text of the Model Policy and the explanatory notes, as agreed by the Task Force on 1 October 2018, is found at Annex 4.

21. The Task Force agreed that the Model Policy is a living document and should be subject to periodic review at least every three years and possibly more frequent review in its initial stages of implementation. Follow up actions would focus on implementation of the Model Policy across the UN system.

Action: HLCM to approve the UN System Model Policy on Sexual Harassment, on behalf of the CEB, and to recommend a periodic review of its terms at least every three years.

b) Accountability and Improved Reporting

I. Launch of the Sexual Harassment Screening Database ('ClearCheck')

22. The launch of the Screening Database is a major milestone in the work of the Task Force. It is a critical system-wide tool to avoid the hiring and re-hiring of individuals whose working relationship with an organisation of the system ended because of a determination that they had perpetrated sexual harassment. In the first phase of its work, drawing on the Guidelines for the Sexual Exploitation and Abuse (SEA) database, the Task Force developed a comprehensive operational and legal framework for the establishment of a system-wide sexual harassment screening database to avoid rehire of individuals that perpetrated sexual harassment. In line with the agreed operational and legal framework (Guidelines for the Sexual Harassment Screening Database), the sexual harassment screening database became operational on a common platform for SEA and sexual harassment, "ClearCheck", that was successfully launched in June 2018.
23. Since the launch of the database, subject matter Focal Points have been nominated by their respective Task Force members, and Data Administrators have been appointed and have signed the necessary confidentiality undertakings. Case data has been entered and will continue to be updated regularly.

II. Expanded Guidelines on Sexual Harassment Screening Database ('ClearCheck') to include Pending Allegations of Sexual Harassment

24. In the second phase, the Guidelines for the Sexual Harassment Screening Database that had been presented to the HLCM in April 2018 and the CEB in May 2018, were subsequently expanded to extend the data collection to "Pending Allegations of Sexual Harassment" relating to individuals with allegations of sexual harassment 'pending' at or after separation. This extension was one of the main priorities indicated by the CEB Task Force on Addressing Sexual Harassment for this phase of the work and supported by the HLCM and CEB.
25. The expanded Guidelines are included as Annex 5 to this report. The "Scope" has been expanded to address 'pending' allegations. The Definitions have been modified to distinguish pending allegations and final determinations of sexual harassment and to permit listing in an investigation commenced after separation; the definition of 'personnel' has been adjusted to accommodate a wider range of engagements (and a consequential adjustment was made to address other legal processes requiring de-listing); and the definition of 'sexual harassment' has been expanded to accommodate a listing using either the model policy language or an entity's internal/historical definition. Section 5 provisions relating to the setup of the Database have been updated to accommodate 'pending allegations'. Sections 6 and 7 distinguish and describe the criteria for listing and process for final and pending cases. Section 8, concerning ongoing management of the data in the Database, was updated, principally to accommodate changes in the status of 'pending' cases. Finally, Section 9 now specifies the consequences of a listing of 'pending allegations'; a mandatory record check by a recruiting entity before hire, and provision for a recruiting entity to record its reasons for re-hire.

26. Under the expanded Guidelines, if an individual facing allegations of sexual harassment whose working relationship with the entity ended before the investigation and/or disciplinary process was completed, is alleged to have committed an offence warranting separation, and elects not to cooperate with any investigation undertaken, his/her name will be placed in the ClearCheck Database. Subsequent UN system recruiters will be required to check such records before hire.
27. Through its discussions, the Sub-working Group developed and agreed the adjustments that would be needed to extend the Guidelines and ClearCheck Database to include Pending Allegations. Entities discussed what would be required for them to apply the expanded provisions within their respective legal and operational frameworks. In the course of these discussions, some entities confirmed that they would have constraints to the application of these provisions due to specific entity procedures and to ensure due process. In weighing the “opt-in” approach, some organisations emphasized that the need to avoid the risk of re-hiring a perpetrator out-weighed any potential due process concerns. Provisions of warning given to an alleged perpetrator on notice of resignation, discretion to continue an investigation, and possible judicial review of a listing mitigated some due process concerns. Other entities highlighted that Guidelines requiring disclosure of information about pending investigations or influencing the continuation of investigations might be incompatible with fundamental principles of their independent investigative offices.
28. In order to move forward, the Sub-working Group suggested that entities should be left with the option whether to participate in the application of the extended provisions or to confirm participation at a future point. The Sub-working Group agreed that information on Pending Allegations should be nevertheless shared with all Database users regardless of whether they had opted-in and that hiring decisions with respect to individuals subject of a Pending Allegation should be left to the discretion of each entity.
29. A separate, very specific issue was raised with regard to investigation/disciplinary process procedures concerning military-contingent personnel and in consultation with the Office of Legal Affairs, and it was agreed that specific arrangements in relation to the recording of Pending Allegations of Sexual Harassment concerning any personnel contributed by a troop- or police-contributing country be developed with guidance from the Department of Field Support.
30. At its meeting on 1 October 2018, the Task Force adopted the expanded Guidelines, and encouraged all entities to opt for participating in the application of the extended provisions the maximum extent possible. The Task Force also agreed to monitor and evaluate operation of the ClearCheck Database after one year with a view to assess progress regarding the application of the expanded provisions, and review options for expanding its operations to include other types of misconduct and other partners.

Action: HLCM to approve the expansion to the Guidelines on Sexual Harassment Screening Database, on behalf of the CEB.

Action: HLCM to encourage all UN system entities to opt-in and deploy the expanded provisions. Guidelines to be monitored and assessed, with view to expanding to other types of misconduct and partners.

III. Indicative Data from the System-Wide Questionnaire on Improved Reporting on Sexual Harassment in the UN system

31. The Sub-working Group on Improved Reporting was tasked with developing a uniform mechanism for system-wide collection and analysis of data to ensure timely and accurate reporting and evidence-based policy making. In this respect, it conducted a follow-up System-Wide Questionnaire on Improved Reporting on Sexual Harassment in the UN System (the “Questionnaire”), refining and expanding questions, with the aim of allowing the comparison of the sexual harassment reporting mechanisms within and across entities and over time.
32. Twenty-five organisations responded to the Questionnaire, which is the most comprehensive survey to date. (The collected data is presented at Annex 6). Quantitatively, the questionnaire sought information about staff populations, recourse mechanisms, complainant demographics, incidence surveys, and dispositions of cases. The answers represent a robust data set about a relatively small number of cases (not all of which can be represented here). However, there were some questions for which respondent entities did not have historical or disaggregated data, including cases in informal channels or categories of personnel reporting. Snapshots of recent data are presented where possible.
33. A summary of findings follows.

Increase in reported cases

- i) There has been a recent marked increase in reports, while the size of the population eligible to report has remained relatively stable. Over the past five years (2013-2017), according to the information received, the number of persons eligible to use sexual harassment recourse mechanisms has dropped only modestly (an average of 250 000 persons were considered eligible). During the same period, the complaints per 10 000 personnel per year increased from about 1.5 complaints in 2013-2015, to 2 in 2016-2017, to 6.3 in the first half of 2018 alone.

Analysis of types and sources of reported cases

- ii) Overwhelmingly, the data suggests that victims rather than bystanders file complaints. The responses show that 58% of the participating organisations permit anonymous reporting of formal complaints, 71% allow non-victims (i.e., co-workers, witnesses, etc.) to file such complaints and 58% allow institutional bodies (e.g. Human Resources Department, Inspector General) to formally review cases of their own initiative, without a formal complaint having been filed. Despite the options available, in 2017, 88% of complaints were filed by the victims (non-victim reporting, 9%; anonymous reporting, 3%).
- iii) Non-victim and anonymous reports appear to have increased during the past year and a half, from the limited information received on the disaggregated data.
- iv) Women file most complaints, but other genders are affected. In 2017, 83% of reporters were women, 14% were men, and 3% did not identify themselves as male or female.

- v) Surprisingly, non-staff were proportionally slightly *over-represented* among complainants. From the collected data, it emerged that in 2017, 57% of the reports received were filed by staff of the responding organisations, 33% by non-staff and 10% by other persons having access to the formal reporting mechanisms (e.g., volunteers, interns, retirees, individuals working for other entities, etc.).

Policies and practices in “Formal” Mechanisms - Complaints for possible investigation and discipline

- vi) There remain policy and practice disparities. A large majority of the participating organisations (92%) screen initial reports of sexual harassment before opening a formal investigation, while 61% of them permit judicial reviews of some kind (i.e., challenging the investigation and/or the disciplinary outcome). Most of the participating organisations (87%) always or sometimes continue an investigation in cases where the subject separates during the investigation process for reasons unrelated to it (because of resignation, non-renewal of contract, etc.). Almost two thirds of the participating organisations (61%) always or sometimes continue a disciplinary/administrative action process in cases where the subject separates from the organisation after completion of the investigation but before disciplinary measures are imposed.

Deadlines for the filing of formal complaints

- vii) Deadlines for complaint are less common. 71% of the participating organisations do not impose a deadline for the filing of formal complaints. All but one of the remainder impose 6 to 12-month deadlines.

Consideration of reports

- viii) Between 2013 and 30 June 2018, a total of 144 reports resulted in an investigation, whereas a total of 116 reports result in the initiation of a formal investigation. The main reason for non-investigation has been indicated to be the lack of sufficient information or evidence (51%). Other reasons included: withdrawal of the complaint (20%); low priority of the case combined with limited investigation resources (2%); separation of the alleged perpetrator (1%).

Formal versus informal reporting

- ix) Formal reports exceed informal reports for the first time. In 2017, there were a total of 118 informal¹ reports against a total of 49² formal reports of sexual harassment. Drawing from the collected data, we note that the trend in this regard has been relatively stable over the past five years.³ During the first half of 2018, however, the trend reversed and the formal reports (141) outnumbered the informal ones (63).

¹ Informal reporting channel: a mechanism, which allows for reporting a complaint without escalating to a formal complaint for investigation and possible discipline. These reporting channels include options for conflict resolution, such as a facilitated conversation to address the conduct, mediation or reconciliation.

² Based on responses from the organisations, for the 49 cases reported in 2017, some entities have either not responded or responded that they do not collect such disaggregated information.

³ Nevertheless, it should be noted that in 2017 the numbers indicate that there was a significant increase of the informal reports (118) compared to the number of formal reports (49).

Disciplinary measures imposed

- x) Data available shows that where investigations resulted in sanctions, the majority of sanctions imposed were separation. According to the information received, between 2013 and the first half of 2018, a total of 33 disciplinary measures were imposed following 116 reported cases that were investigated. This reveals that disciplinary measures were imposed in around 20% of the cases, 73% of which resulted in the imposition of the measure of separation from service (either by termination of contract or dismissal).

Length of time for Investigation

- xi) Average Investigation timelines have been reduced. They hovered around 10 months in 2013-2015, before increasing to 14.7 months in 2016, and have been reported at 5.1 months in 2018.

Reporting on Disciplinary Measures imposed for Substantiated Sexual Harassment Cases

- xii) Most entities inform their personnel about discipline in sexual harassment cases. Of the organisations that provided data for the Questionnaire, two thirds said they publish their practice in disciplinary matters internally, whilst only one out of five publishes its practice publicly. The content of these reports, whether they are published internally or publicly, varies. Approximately 60% of the organisations include information about each individual case of sexual harassment; 35% publish aggregate data on the disciplinary measures imposed including the category of sexual harassment. Only 6% of the organisations publish aggregate data on disciplinary measure imposed without including the category of sexual harassment.

- xiii) In summary, tentative conclusions from a limited data set include:

- Reports have significantly increased. There are fewer formal barriers to complaint, such as deadlines. These will be removed across the system, if the recommendations of the draft Model Policy Sub-working Group are implemented (Draft Model Policy, Part V, s. 1).
- Although the gender data is incomplete, there are overall positive trends towards gender parity. The Model Policy Sub-working Group underlined this objective (Policy Reference Model, Part VI, Explanatory Notes). Surprisingly, non-staff personnel have apparently found comparable access to the system. Equitable access would be further reinforced by implementation of the policy Sub-working Group's recommendation to ensure information and access to non-staff personnel (Draft Model Policy, Part VI, s. 2(g)).
- The increase in reports, particularly in formal channels and by bystanders, would suggest knowledge of recourse mechanism, and recognition of 'zero tolerance' policies. The work of the enhanced awareness-raising, communication and training subgroup may contribute to this trend. The increase in victim reports might suggest a diminution in fear of reporting, although a recent Joint Inspection Unit report on whistleblowing raises concerns.
- The statistics also suggest some confidence in the efficacy of reporting. Investigative timelines have improved markedly. Disciplinary measures are generally reported.

Action: HLCM to note the Indicative Data from the System-Wide Questionnaire on Improved Reporting on Sexual Harassment in the UN System and members commit to systematic reporting of data

c) Enhanced Awareness Raising, Communication and Training

I. Assessment of Hotlines/Helplines solutions implemented in the UN system

34. A survey was conducted in March 2018 among UN system and other international organisations to identify and review existing help- and hotlines for reporting sexual harassment and other types of misconduct. The survey results demonstrated that a number of organisations have a help- or hotline in place for staff seeking to report misconduct. It was noted that all members of this group are in different stages in the design and development of both hot- and helplines and that there is no one size fits all approach due to the different needs of the organisations.
35. With the purpose of finding areas for collaboration, and replication, around best practices in this field, four Task Force organisations (IOM, The World Bank, the UN Secretariat and WHO) were invited to provide a brief demonstration of the characteristics of their systems and providers to the Sub-working Group members.
36. All four presenters offered to share with other organisations their know-how, expertise and experience in the field of reporting of sexual harassment and misconduct. The presentations and demonstrations given by the four different organisations provided the members of the Sub-working Group with an overview of what is on offer, in terms of services and service providers. Since the inception of the working group, UNHCR, UNDP and WFP have used the experience of WHO to facilitate their own hot/helpline procurement processes while others are considering the same. The Sub-working Group is building an inventory of the needs of the different organisations in this fields.
37. The Task Force agreed that, as a next step, a framework of the various hot-/helplines solutions vis-à-vis a set of criteria of best practices should be prepared, to provide a detailed outline of the features of each solution.

Action: Note the onward efforts to develop framework of the various hotlines/helplines solutions, with reference to best practices, and encourage the development of joint mechanisms.

II. Draft Model Code of Conduct to Prevent Sexual Harassment During or in Relation to UN Events, and Implementation Guide

38. The Draft Model Code of Conduct (at Annex 7) is drafted as a tool for communicating to both an internal and external audience the standard of conduct that is expected at UN organised or sponsored events and how an attendee of such an event can raise a complaint if they experience or witness conduct by another attendee that does not meet this standard. It is not a policy, it does not have legal effect and it does not replace UN system policies, regulations or rules.
39. As the Task Force has a mandate to address sexual harassment, the Code is limited to addressing that specific conduct. It is open to UN system entities to include other unacceptable conduct to the Code when they publish it. It has been drafted so that UN system entities can adapt it to their specific circumstances.
40. The Implementation Guide (also at Annex 7) has been developed to assist UN system entities to effectively implement the Code, including actions that are recommended to be taken before the Code is published. It also outlines the process behind the Code at a high level and it is expected this would be further elaborated by each entity when applied to their context and circumstances.
41. The Task Force adopted the Code of Conduct in its draft form. The Task Force further supported, as needed, engagements by its members with representatives of member States and relevant stakeholders as appropriate in light of the proposed applicability of the Code of Conduct to all attendees at UN events. Such informal consultations would be conducted over a period of about one month, with a view to finalize and promulgate the Code of Conduct by the end of 2018. As part of this consultation process, the Chair of the Task Force would share the draft Code of Conduct with the newly established Group of Friends Against Sexual Harassment at the UN in New York.

Action: HLCM to approve the draft Model Code of Conduct to Prevent Sexual Harassment During or in Relation to UN Events and Implementation Guide on behalf of the CEB, pending further informal consultations by members of the Task Force with a view to final adoption of the Code of Conduct by the end of 2018.

III. UN System Staff Survey on Sexual Harassment

42. The CEB Statement on Addressing Sexual Harassment Within the Organisations of the UN System (May 2018) emphasised the importance of launching staff perception surveys to learn from staff experiences with sexual harassment, and to use this information to work on changing the organisational culture.
43. The UN system's commitment to addressing sexual harassment takes an evidence-based approach, requiring reliable broad data on sexual harassment as experienced by staff across the UN system. In order to gather up-to-date information and elicit data on sexual harassment that may not reach the threshold of the formal investigatory system, the UN Secretariat is coordinating a survey of staff perceptions of sexual harassment that will cover staff from more than 31 entities. Based on industry best practices, and with attention to the sensitive and confidential nature of this issue, the UN system is seeking to enhance its prevention and response efforts on sexual harassment by identifying:
- Incidence of sexual harassment within the UN system as well as perceptions of how incidents are handled within the UN system;
 - Risk indicators, including vulnerable categories of personnel and potential high-risk environments;
 - Reporting rates, challenges and experiences;
 - Awareness level of staff and non-staff personnel regarding available reporting and support mechanisms; and
 - Ways in which the UN system can strengthen its prevention, protection and response efforts and more effectively serve the needs of those affected.

The Staff Survey, to be conducted by end 2018, is expected to deliver data that can be turned into meaningful information and linked to related actions to enable the UN system to continue to clearly plan and prioritise follow-up measures. The Staff Survey is anticipated to provide qualitative as well as quantitative data and information on staff experience and perceptions of sexual harassment to support an evidence-based approach to the ongoing UN system's work on sexual harassment, including development of actions geared to communication, changes in organisational culture and victim-support.

d) Strengthening Investigative Capacity

44. Investigating sexual harassment complaints in a timely and competent manner is a key component of addressing sexual harassment, and a stated priority of the Secretary-General and the CEB. The resulting commitment is to accelerate actions to improve and scale up the UN system's investigatory response and capacity in order to receive, process and respond rapidly and effectively to complaints and reports of sexual misconduct. Significant progress has been made by some entities to strengthen investigative capacity by, for example recruiting an increased number of experienced and specialised investigators and hiring more female investigators. Additionally, the UN Office of Internal Oversight Services (OIOS) has established a specialized OIOS team focused on investigation of sexual harassment and has recruited six new investigators – the majority of whom are women - specialized in addressing sexual harassment. UN OIOS and others are also delivering enhanced training for investigators focused on investigation of sexual misconduct. In parallel, UN

OIOS is developing a UN investigative interviewing model to be rolled out to wide UN investigative services, noting that investigating sexual harassment is very much an issue of collecting high quality testimony.

45. A related initiative, spearheaded by the Emergency Relief Coordinator, aims to strengthen the humanitarian sector's approach to preventing sexual exploitation and abuse (SEA) and sexual harassment. Improving system-wide reference checks and strengthening investigative capacity were priority areas for action for the humanitarian agencies. Principals of the Inter-Agency Standing Committee (IASC) agreed in May 2018 to establish a US\$1 million fund, financed and managed by the UN Office for the Coordination of Humanitarian Affairs (OCHA), to provide rapid grants to IASC entities to support investigations into SEA and sexual harassment allegations. This commitment aims to address a perceived lack of confidence by those affected by sexual misconduct that the reported incident will be investigated quickly or competently. The Task Force received a briefing at its meeting in June 2018 on behalf of the Emergency Relief Coordinator, which confirmed that the challenges related to investigative capacity are experienced throughout the UN system and needed urgent coordinated action.
46. In this context, the Task Force and IASC are collaborating to convene a joint meeting of heads of investigatory bodies of all IASC members and the Task Force to examine challenges in investigating allegations of sexual harassment and sexual exploitation and abuse, identify progress made, address good practices and gaps, identify future solutions that can be taken by individual entities or collectively, explore how greater protection can be afforded to victims and witnesses through the investigative process, and further strengthen investigative capacities across the UN system and humanitarian sector. The joint meeting will take place in November 2018, jointly organised by the Task Force with the support of UN Representatives of Investigative Services and IASC members.
47. Members of the Task Force, in their meeting of 1 October 2018, noted that improving investigative capacity and processes, including improving the quality of investigation reports, was a top priority. They further noted the need for harmonisation of standard operating procedures for investigations across the UN system. The Task Force also raised the need to improve cooperation among UN system investigative services, and a pooling of resources to enable entities to call upon support and assistance from other entities' investigative services as needed.
48. The Task Force, at the suggestion of the UN Legal Counsel, supported a continued and broadened discussion about both the assessment of evidence in sexual harassment cases in light of evidentiary standards set by the applicable administrative tribunals and the gravity of resulting charges of misconduct that could be sustained based on such evidence.
49. In order to continue its focus on improving investigative capacity in the UN system's work on sexual harassment, the Task Force agreed to establish a Sub-working Group on Strengthening Investigative Capacity.

Action: HLCM to commit to continuing efforts to strengthen the investigative capacity of the UN system and improving the quality of investigation reports, including increased cooperation and pooling of resources among investigative.

E. Conclusions and recommendations

50. In the context of continuing to advance system-wide efforts to accelerate prevention and rapid and effective response to incidents of sexual harassment, with emphasis on victim-centred strategies, services and support, the HLCM is invited to approve the following measures and note further work of the Task Force, on behalf of the CEB:
- I. Adopt the UN System Model Policy on Sexual Harassment, and recommend a periodic review of its terms at least every three years.
 - II. Adopt the Expanded Guidelines on Sexual Harassment Screening Database to include pending allegations of sexual harassment, and encourage all UN system entities to opt-in and deploy the expanded provisions.
 - III. Adopt the draft Model Code of Conduct to Prevent Sexual Harassment During or in Relation to UN Events, and Implementation Guide, pending informal consultations with Member States leading to final adoption.
 - IV. Note the indicative data from the system-wide Questionnaire on improved reporting on sexual harassment in the UN system, and commit to systematic reporting.
 - V. Note the onward efforts to develop a framework of the various hotlines/helplines solutions, with reference to best practices, and encourage the development of joint mechanisms.
 - VI. Note and commit to continuing efforts to strengthen the investigative capacity of the UN system and improving the quality of investigation reports, including increased cooperation and pooling of resources among investigative services.



HIGH-LEVEL COMMITTEE ON MANAGEMENT (HLCM)

Thirty-Sixth Session, 11-12 October 2018

UNESCO Headquarters, Paris

CEB Task Force on Addressing Sexual Harassment within the Organizations of the UN System

Progress Report

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Draft Model Code of Conduct to Prevent Sexual Harassment During or in Relation to UN Events, and Implementation Guide

Annex 1

Terms of Reference of the CEB Task Force on Addressing Sexual Harassment within the Organizations of the UN System

Background

At the second regular session for 2017 of the United Nations System Chief Executives Board (CEB), the Secretary-General emphasized that addressing Sexual Harassment is a growing concern of the international community, which deserves maximum attention and commitment from the entire United Nations leadership, and that it is essential for the United Nations system to be exemplary in addressing it.

The Secretary-General proposed and the CEB agreed to establish a Task Force on Addressing Sexual Harassment (“Task Force”) within the organizations of the United Nations system, under the leadership of Ms. Jan Beagle, Under-Secretary-General for Management, as Chair of the High-Level Committee on Management (HLCM).

Terms of reference

1. The Task Force shall be comprised of representatives from the organizations represented in the CEB. Representatives should be at a senior level, preferably at the level of Assistant Secretary-General.
2. The Task Force will focus on reviewing organizations’ policies to address Sexual Harassment, capacities for investigation of allegations and support to victims, mechanisms in place to ensure implementation of the policies and to create workplace environments free from Sexual discrimination, Harassment and abuse, and awareness training and communication; and, on identifying gaps and inconsistencies as well as best practices, including from outside the UN System, with a view to developing a common UN system approach.
3. In particular, the Task Force will undertake the following:

Phase I.

- (a) Collect, consolidate and analyse information on case reporting, as well as on the existing legal and policy frameworks currently applicable in each organization, as well as in relevant organizations outside the UN System, with respect to the prohibition of Sexual Harassment, including relevant staff rules, administrative issuances and general policy documents;
- (b) Review organizations’ capacities to address allegations of Sexual Harassment (with particular attention to investigative capacities, but also HR, legal, ethics and other relevant organizational units);
- (c) Review organizations’ approaches to support complainants in cases where there is insufficient evidence for formal legal resolution, i.e. human resources measures such as ability to remove the victim from the hostile environment;

- (d) Review organizations' capacities regarding the protection of victims of Sexual Harassment, as well as their emotional and psychological support, and of those who report cases (considering relevant existing procedures applying to protection from retaliation);
- (e) Identify any gaps, shortfalls, inconsistencies in the organizations' approaches towards Sexual Harassment - involving all categories of personnel - as well as best practices;
- (f) Propose immediate measures - particularly towards victim protection -including through interim measures until full-fledged recommendations are formulated and formal measures are adopted.

Phase II.

- (g) Confirm the principles applying to the organizations' approaches to Sexual Harassment, including clarifying the definition and scope of the prohibited conduct on a system-wide basis, with a view to arrive at a common approach;
- (h) Propose measures to ensure an enabling environment and accountability of managers for the implementation of the policies against Sexual Harassment, including undertaking mandatory training and demonstrating ability to set the tone on zero tolerance and to swiftly take appropriate action;
- (i) Propose measures to improve case reporting, protection of victims, and complainants' awareness and experience of the recourse, including making recommendations on any changes needed to policy frameworks, staff regulations, staff rules and other administrative issuances, and permitting consideration of structural and context-driven solutions;
- (j) Formulate recommendations on relevant aspects related to communication, including on top management support for a zero-tolerance approach, on information-sharing between organizations, on balancing the need for public disclosure, respect of confidentiality and due process in cases of Sexual Harassment; and
- (k) Identify risks, propose prevention, communication and awareness raising measures, with particular focus on sexual harassment prevention and support for groups which may be most at risk, such as young professionals and interns.

4. Timeline:

The Task Force shall present a first progress report on its work to the HLCM at its spring 2018 session. Completion of work is expected by the fall 2018 session of HLCM.

Annex 2

CEB Task Force on Addressing Sexual Harassment within the Organizations of the UN System

Chair: Ms. Jan Beagle, Chair, High-Level Committee on Management
Under-Secretary-General for Management

List of Members

FAO	Ms. Dikel Macit Assistant Director-General, Corporate Services (CS)
IAEA	Ms. Peri Lynne Johnson Director and Legal Advisor, Office of Legal Affairs
ICAO	Ms. Leanne Kinsella Ethics Officer
IFAD	Ms. Sylvie Martin Director of Ethics
ILO	Mr. Mark Levin HR Director
IMF	Ms. Olivia Graham Ethics Advisor
IMO	Mrs. Linda Ryan Director, Administrative Division
IOM	Mr. William Swing Director-General
ITU	Ms. Doreen Bogdan-Martin Chief, Strategic Policy and Membership Department
OHCHR	Ms. Kate Gilmore Deputy High Commissioner for Human Rights
UNAIDS	Ms. Gunilla Carlsson Deputy Executive Director, Management and Governance
UNDP	Ms. Susan McDade Assistant Administrator and Director, Bureau for Management Services
UNEP	Ms. Elizabeth Maruma Mrema Director, Law Division, and Director, Corporate Services Division, a.i.
UNESCO	Mr. Hong Kwon Directeur, Bureau of Human Resources
UNFCCC	Mr. Ovais Sarmad Deputy Executive Secretary
UNFPA	Ms. Laura Londén Assistant Secretary-General and Deputy Executive Director, Management
UN-HABITAT	Mr. Victor Kisob Deputy Executive Director

UNHCR	Ms. Kelly T. Clements Deputy High Commissioner for Refugees
UNICEF	Ms. Fatoumata Ndiaye Deputy Executive Director, Management
UNIDO	Ms. Fatou Haidara Managing Director of the UNIDO Policy and Programme Support
UNOPS	Ms. Tina Friis Hansen Director, People and Change Group
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	Ms. Katja Pehrman Senior Adviser, Focal Point for Women in the UN System
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UN-DFS	Ms. Lisa Buttenheim Assistant Secretary-General
UN-DPA	Mr. Miroslav Jenca Assistant Secretary-General
UN-DPKO	Mr. Alexandre Zouev Assistant Secretary-General, Rule of Law and Security Institutions
UN-EOSG	Ms. Nahla Valji Senior Gender Advisor
UN-ECLAC	Mr. Raúl García-Buchaca Deputy Executive Secretary for Management and Programme Analysis

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UN-OCHA	Ms. Ursula Mueller Assistant Secretary-General and Deputy Emergency Relief Coordinator
UN-OCT	Mr. Jehangir Khan Director, UN Office of Counter-Terrorism
UN-ODA	Mr. Thomas Markram Director and Deputy to the High Representative for Disarmament Affairs
UN-OLA	Mr. Stephen Mathias Assistant Secretary-General for Legal Affairs
UN-DESA	Mr. Charles Katoanga Executive Officer

Annex 3

**CEB Task Force on Addressing Sexual Harassment
within the Organizations of the UN System**

List of Sub-groups

UN-SYSTEM SEXUAL HARASSMENT POLICY REFERENCE MODEL (co-lead: UN Secretariat (OHRM) and UNWOMEN, members: DFS/CDU, WBG, UNICEF, UNHCR, IAEA, ILO, OLA, UNESCO, UNDP, UNFPA, ITU, DSS, UNRWA, WFP, WHO, OHCHR, FAO)	
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	Mr. Bart van Ommen Senior Program Coordinator, Corporate Services Department
	Mr. Fernando Servan Director, Office of Human Resources
	Ms. Sarah Castree Senior HR Officer
	Ms. Vittoria Vecchione Human Resources Specialist

IMPROVED REPORTING (co-lead: UNICEF and WFP; members: DFS/CDU, UNDP, UNHCR, WBG, IOM, ITU, UNIDO, WIPO, FAO, UNRWA, UNWOMEN, UN-HABITAT, OHRM)	
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ENHANCED AWARENESS-RAISING, COMMUNICATION AND TRAINING (co-lead: OHCHR; members: UNHCR, IAEA, IOM, ICAO, DFS/CDU, ITU, UPU, UNICEF, WFP, ILO, UNDP, WIPO, DPKO, UNWOMEN, FAO)	
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	Mr. Fernando Servan Director, Office of Human Resources
	Ms. Sarah Castree Senior HR Officer
	Ms. Vittoria Vecchione Human Resources Specialist

HELPLINES/HOTLINES (<u>lead</u> : WHO; <u>members</u> : WBG, IOM, UNWOMEN, UNDP, UNHCR, OHRM, ITU, FAO, WFP, OHCHR)	
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IOM	Ms. Shabnam Mossaheb Head, Ethics and Conduct Office
UNWOMEN	Ms. Dina Deligiorgis Knowledge Management Specialist
UNICEF	Mr. Miles Hastie Administrative Law Specialist
UNDP	Ms. Irina Stavenscaia Head, Employee Engagement & Performance Management Unit
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Annex 4

CEB Model Policy on Sexual Harassment

Sexual harassment “offends the principles of what we stand for as an organization and undermines our core values and our work”.¹

I. Uniform definition

Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense 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. While typically involving a pattern of conduct, 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.

Explanatory notes

Sexual harassment is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications. Sexual harassment may occur between persons of the same or different genders, and individuals of any gender can be either the targets or the perpetrators. Sexual harassment may occur outside the workplace and outside working hours, including during official travel or social functions related to work. Sexual harassment may be perpetrated by any colleague, including a supervisor, peer or a subordinate. A perpetrator’s status as a supervisor or a senior official may be treated as an aggravating circumstance.

Sexual harassment can take a variety of forms – from looks and words though to physical contact of a sexual nature. Examples of sexual harassment (non-exhaustive list) include:

- *Attempted or actual sexual assault, including rape*
- *Sharing or displaying sexually inappropriate images or videos in any format;*
- *Sending sexually suggestive communications in any format*
- *Sharing sexual or lewd anecdotes or jokes*
- *Making inappropriate sexual gestures, such as pelvic thrusts*
- *Unwelcome touching, including pinching, patting, rubbing, or purposefully brushing up against another person*
- *Staring in a sexually suggestive manner*
- *Repeatedly asking a person for dates or asking for sex*
- *Rating a person’s sexuality*

¹ From CEB statement on Addressing Sexual Harassment within the Organizations of the UN System, May 2018 (‘CEB Statement’) – <https://www.un.org/sg/en/content/sg/note-correspondents/2018-05-04/note-correspondents-recent-chief-executives-boards-session>

- *Making sexual comments about appearance, clothing, or body parts*
- *Name-calling or using slurs with a gender/sexual connotation,*
- *Making derogatory or demeaning comments about someone's sexual orientation or gender identity*

II. Policy Statement

1. Sexual harassment results from a culture of discrimination and privilege, based on unequal gender relations and power dynamics.² It creates hostile workplaces, which limit the target/victim/affected individual's ability to thrive. Sexual harassment has no place in the [entity].
2. This policy reflects the [entity's] principles and practices taken in pursuit of [development, peace and human rights]³ and applies it to conduct in the workplace.
3. The entity has an obligation to take all appropriate steps to prevent and respond to sexual harassment in the [entity's] workplace. All forms and expressions of sexual harassment are prohibited in the [the entity], regardless of national criminal or other provisions where any behaviour or actions occur.
4. Power and seniority will not confer impunity. Any staff member who engages in sexual harassment will be subject to proportionate disciplinary sanctions, up to and including [summary] dismissal; non-staff personnel shall be covered to the extent applicable under the entity's policies and practices.
5. Offenders and targets/victims/affected individuals can be any gender, and "[s]exual harassment, like sexual abuse and sexual violence, is rooted in historic power imbalances and the male-dominated culture that permeates governments, the private sector, international organizations and civil society."⁴ Power imbalances based on gender, workplace or educational status, racial or ethnic backgrounds, age, disability, sexual orientation or economic class could impact on sexual harassment and violate the human right of equality.
6. This policy document reflects a system-wide common approach and understanding both to support those who report or witness sexual harassment to ensure accountability of those who perpetrate it. The entity's goal in this policy is to strengthen victim-centred efforts and foster safe, equal and inclusive working environments. This policy will support efforts to create workplaces that are free of sexual harassment and all gender inequalities.
7. In this policy the following terms have the following meanings:

"target/victim/affected individual⁵" is the person or persons in the workplace or in connection with work towards whom the conduct constituting possible sexual harassment is directed;

"offender/alleged offender" is the person or persons in the workplace or in connection with work whose conduct constitutes sexual harassment, if established under applicable policies, or possible sexual harassment;

² CEB Statement May 2018.

³ Refer to applicable principles relevant to the entity in question.

⁴ CEB Statement May 2018.

⁵ Each entity should make use of the term most appropriate for its policies and practices.

“impacted individuals” may include the target/victim/affected individual as well as witnesses and persons who intervene in the situation involving inappropriate behaviour and possible sexual harassment; and

“report” refers to formal and/or informal reporting unless otherwise specified.

Explanatory notes

References to target/victim/affected individual and offender/alleged offender shall refer to non-staff personnel to the extent applicable under the entity’s policy.

III. Scope of policy

1. Reports of sexual harassment in the workplace or in connection with work can be made by any person and against any person irrespective of whether such persons have any contractual status with an entity.
2. Staff members who are alleged to have committed sexual harassment will be subject to possible disciplinary or other administrative action. Non-staff personnel⁶ who are alleged to have committed sexual harassment will be subject to action in accordance with the terms and conditions of their contract and of other applicable policies regarding such non-staff personnel. Action of the reports will depend on the status of the alleged offender.

Explanatory notes

The specific contractual status of a target/victim/affected individual should not constitute a barrier to filing a complaint. The policies applicable to staff members as well as the legal instruments establishing the terms of reference for non-staff personnel should all include a specific prohibition on sexual harassment and measures to enforce this prohibition. Where policies on sexual harassment do not apply to non-staff personnel, the legal instruments establishing the terms of reference for such personnel should be reviewed with reasonable efforts being taken to ensure that they incorporate a specific prohibition on sexual harassment and measures to enforce this prohibition. While an entity may not have jurisdiction to discipline certain non-staff personnel, it should do its utmost to allow for other forms of intervention proportionate to the transgression, such as termination or non-renewal of individual contracts, prohibition on rehiring, or exclusion from procurement processes.

⁶ Each entity shall determine in accordance with its policies and practices categories of non-staff personnel. This could include United Nations Volunteers (UNVs), individual consultants or contractors, interns, contractors under arrangements with the United Nations Office for Project Services (UNOPS), and other persons with contractual arrangements with the respective entity.

IV. Early intervention and receipt and handling of informal reports of sexual harassment

Early direct action

1. Targets/victims/affected individuals may on a voluntary basis, if they feel comfortable and safe doing so, approach alleged offenders about inappropriate behaviour or instances of possible sexual harassment and ask for such behaviour or instances to stop as the alleged offenders may not be aware of the negative impact of their behaviour on others. However, disparity in power or status, fear of retaliation or the nature of the behaviour and/or instances of possible sexual harassment may make direct confrontation difficult, and there is therefore no requirement for such action to be taken.

Managerial intervention

2. Targets/victims/affected individuals who believe they may have been subject to inappropriate behaviour or instances of possible sexual harassment may raise this with their supervisor or other officials in their workplace hierarchies if the situation allows and they feel comfortable doing so. Any manager approached by a target /victim/affected individual shall inform that person that confidential advice, assistance and information about the options available under the entity's legal framework to address such possible conduct may be obtained from [office that provides confidential advice/assistance and support such as the ombudsman/staff counsellor, helpline or other trusted point of contact].
3. Managers should provide advice, assistance and/or information in a timely, sensitive and impartial manner by [list possible avenues provided in the entity's policies for managerial intervention such as providing an opportunity for facilitated discussion among colleagues about the conduct in question; also refer to the possibility of enlisting support from offices providing advice/assistance on such matters]. The intervention may allow for the matter to be addressed promptly at the managerial level. A record will be maintained consistent with and as specified in the entity's policy about the matter and any managerial intervention taken.
4. Any manager who has been informed about inappropriate behaviour or instances of possible sexual harassment shall provide support to targets/victims/affected individuals in a sensitive and impartial manner. If a manager cannot perform this role for any reason, the manager shall, in consultation with [entity's HR Office or other relevant office within an entity] refer the colleague to another trained and trusted point of contact within the entity.

Confidential advice

5. Targets/victims/affected individuals may prefer and are encouraged to discuss their situation with a confidential informal resource, such as [ombudsman or other confidential provider of advice/assistance] who can assist the targets/victims/affected individuals by explaining the applicable legal framework and the options available under an entity's policies and practices and indicate resources available for support purposes.

Informal resolution

6. Targets/victims/affected individuals may, on a voluntary basis, wish to deal with the situation of possible sexual harassment in an informal manner.
7. Targets/victims/affected individuals may ask for assistance from [ombudsman/ mediation/ internal conflict resolution resource] in seeking informal resolution.
8. With the consent of the target /victim/affected individual, [ombudsman/ mediation/ internal conflict resolution resource] may meet informally with the alleged offender to provide information about the situation and discuss the manner in which it might be resolved.
9. An unsuccessful attempt to resolve the matter informally does not preclude it from being formally reported.

Explanatory notes

While not an obligation, any target/victim/affected individual should retain the opportunity to seek advice and/or attempt an informal resolution of the matter with the alleged offender. Staff should have a number of options in this regard, including seeking managerial intervention or accessing the service of the ombudsman. Ultimately, it is the target/victim/affected individual's choice on whether a formal report of misconduct that does not emanate from the target/victim/affected individual proceeds through a formal process, unless there is a conflict with an entity's duty of care. Attempts at informal resolution do not preclude formal reporting of the matter.

Entities may also wish to specify in the context of its policies and practices on informal resolution the extent to which a matter that has been informally resolved may be reopened or taken into account in light of a new instance of possible sexual harassment by an alleged offender.

Training shall be developed and provided by the entities to ensure the ombudsman/other officials providing early confidential advice are aware of the legal framework available to address reports of possible sexual harassment. Training shall also be developed and provided to support the role of managers in early intervention in matters of possible sexual harassment.

If informal reporting of possible sexual harassment is not covered under that entity's policy on protection against retaliation, the target/victim/affected individual should be informed of this position. This information should be included in the training provided to managers and the ombudsman/other officials providing early confidential advice.

Best practices shall be shared among the entities to the extent possible.

V. Receipt and handling of formal reports of sexual harassment

1. Formal reports of possible sexual harassment may be made by persons who consider that they were the targets /victims/affected individuals or by persons who have direct knowledge of possible harassment or by any third-party. Formal reports may be made anonymously and are not subject to deadlines. The anonymity of reports and/or the passage of time may result in reports of sexual harassment that may be more difficult to investigate and pursue through internal disciplinary proceedings. In such cases, it will be for the responsible authorities at each stage of the process to determine whether there is a sufficient basis to move forward.
2. A formal report of sexual harassment shall, to the extent possible, describe specific incident(s) of possible sexual harassment or a pattern of possible sexual harassment. The formal report should include as much detail as possible. For example, the report could include the following:
 - Name of the alleged offender
 - Name of alleged target/victim/affected individual, if the report is made by a third party
 - Date(s) and location(s) of incidents
 - Description of incident(s)/patterns
 - Names of witnesses, if any
 - Any other relevant information, including documentary evidence, if available.
 - Date of the submission of the report and name of person making the report, unless the report is made anonymously.
 - If the person making the report chooses to report on an anonymous basis, the reporter must provide sufficient information concerning the basis of the allegations and sufficient detail or supporting factual basis that the matter can be pursued responsibly. Otherwise the matter typically cannot be pursued further.
3. The [relevant official/office within entity charged with assessing formal reports of sexual harassment] will promptly assess the report in accordance with the entity's applicable policies and practices to decide if the entity will initiate an investigation.
4. The [relevant official/office within entity charged with assessing formal reports of sexual harassment] may refer a report to [other appropriate office/official charged with investigating possible misconduct/professional investigating entity] or, with the consent of the target /victim/affected individual, to another appropriate official charged with resolving the matter informally for assessment and action.
5. In cases where the formal report of possible sexual harassment is submitted by a person other than the target/victim/affected individual, the investigative body should consider the views or the situation of the target /victim/affected individual before deciding on whether to proceed with an investigation.

6. The entity is committed to ensuring that allegations of sexual harassment are investigated in an impartial, thorough and timely manner with any conflicts of interest appropriately addressed; that investigations are conducted with fairness to all parties concerned; and that the rights of all parties are fully protected. Investigations are conducted in line with the entity's [procedure governing conduct of investigations] and any subsequent disciplinary process shall be conducted in line with the entity's policy governing that process.
7. Any formal report of possible sexual harassment should be acknowledged by the [receiving official/investigative entity]. The target/victim/affected individual shall be informed as appropriate of the status of any investigation and outcome of the report. The alleged offender will also be informed of the outcome of the report. The provision of any such information shall respect the regulations and rules on confidentiality as applicable to the alleged offender and to the targets/victims/affected individuals.
8. If, following an investigation, the entity concludes that there are credible allegations of possible criminal conduct, the underlying matter shall be treated in accordance with the applicable legal framework or practices of the entity concerned, including possible disciplinary/administrative action and referral of the allegations to national authorities. The entity recognizes that the target/victim/affected or impacted individual can always choose to report possible criminal conduct directly to national authorities.

Explanatory notes

Formal reports of possible sexual harassment may be made by the targets/victims/affected individuals or any third party who may have knowledge of the matter. There is a duty under most entities' staff rules for staff members to report misconduct. Complaints by an identified complainant should be encouraged as this typically permits more efficient action and adequate interim measures, if necessary. However, formal reports may also be made anonymously. There are circumstances where the entity's duty of care may require it to investigate or to otherwise take action.

The entity may also have policies regarding the conduct of visitors to the entity's premises.

Cases of sexual harassment should be investigated by an entity's professional investigative entity. Cases considered to be of lesser severity may be referred by that office to other appropriate officials charged with investigating and/or resolving/addressing possible misconduct for investigation by trained individuals. Within the UN Secretariat, OIOS has agreed to review all allegations of sexual harassment for possible investigation by OIOS. With due regard for the operational independence of investigative bodies, the entities of the UN system are encouraged to move towards empowering their investigative bodies to conduct investigations of sexual harassment and to develop mechanisms to share investigative capacity, including in cases that give rise to perceptions of conflict of interest. Where appropriate in cases of a conflict of interest or perceived conflict of interest, consideration may be given to requesting an investigation into possible sexual harassment be undertaken by the investigating entity in another CEB entity.

Investigations respect the rights of the alleged offender and targets/victims/affected individuals and are carried out in line with the entity's relevant legal framework for investigations of possible misconduct. The role of legal advisers to an alleged offender or target/victim/affected individual of sexual harassment in the formal process is governed by each entity's policies and practices and typically is restricted to the formal disciplinary process involving an alleged offender. Any abuse of authority by an alleged offender to solicit support from other staff members through, inter alia, letters, statements and petitions should be addressed in accordance with the entity's policies and practices. Reference may also be made to the section on support regarding any support available to the target/victim/affected individual during and following an investigation.

The development of a common approach to the imposition of disciplinary sanctions for sexual harassment across the CEB entities will be important in light of the establishment of the CEB screening database for sexual harassment. Moving towards a common approach would be without prejudice to the recognition that the executive heads of the CEB entities enjoy discretion in disciplinary matters, that certain entities have advisory bodies with independent roles in recommending sanctions to the executive head, and that decisions on disciplinary sanctions depend on the particular facts of each case.

VI. Prevention

1. [Organization] is committed to promoting a working environment free of sexual harassment in which all people are treated with respect.

Obligations of [Organization]

2. [Organization] will:
 - a. take appropriate measures to promote a harmonious working environment and protect personnel from sexual harassment through preventive measures and, if such conduct has occurred, through action under [insert relevant policy para numbers here];
 - b. screen candidates using the "clear check" database during recruitment processes;
 - c. undertake diligent reference checks of external candidates during recruitment processes to ensure that individuals who have a documented history of sexual harassment are not hired;
 - d. request that contractors, suppliers, partners adhere to zero-tolerance for sexual harassment and commit to taking adequate action if faced with sexual harassment allegations, in the absence of which, contractual arrangements can be terminated;
 - e. provide targeted, preferably, in-person trainings for managers and personnel designated to provide support on sexual harassment under an entity's policy on the prevention of sexual harassment, building the skills necessary to effectively communicate with targets/victims/affected individuals of sexual harassment and to respond appropriately;

- f. provide ongoing, preferably, in-person training, awareness-raising and skill-building for staff-at-large on diversity, respect, equality and bystander techniques for intervening in situations of sexual harassment and discrimination; and
- g. ensure information and mechanisms are accessible to all staff, as well as, to the extent possible and taking into account the terms and conditions of the contracts with non-staff personnel and other applicable policies, consultants, other personnel, interns and beneficiaries of [the entity's] activities in all locations.

Obligations of senior officials and senior managers⁷

- 3. Senior leaders and senior managers shall, in addition to their obligations as staff members:
 - a. demonstrate their commitment to the prevention of and response to sexual harassment, educate themselves about the issue, act as role models by maintaining a high standard of personal conduct with consciousness of the power their position holds, and treat all colleagues with courtesy and respect;
 - b. respond promptly to complaints, take them seriously and ensure that the necessary actions for which they are responsible are taken with respect to the affected individual (e.g. support, interim measures, etc.);
 - c. maintain open dialogues within their units to promote a harmonious working environment and be aware of inappropriate behaviours and conduct that may be in violation of this policy;
 - d. monitor their work units for conduct that may be in violation of this policy and endeavour to promote a harmonious working environment;
 - e. communicate the sexual harassment policies and procedures to their [team/work unit] on a yearly basis through a dedicated in-person staff meeting⁸ and draw attention to any published information available about the consequences of violating sexual harassment policies; and
 - f. endeavour to create an atmosphere in which staff feel free to express concerns about inappropriate behaviours and encourage staff to use, without fear of reprisal, the informal and formal mechanisms and all services and recourse mechanisms available to them through the [entity]⁹.

⁷ Senior managers are persons with substantial supervisory obligations such as professional level chiefs of work units but may include other officials who act as leaders or managers consistent with an entity's policies and practices.

⁸ This task cannot be delegated.

⁹ Refer to CEB-endorsed "Guide for Managers" on prevention and responses to sexual harassment.

Obligations of staff

4. Staff members shall:
 - a. undertake mandatory training, including during induction or the onboarding process to set the behavioural expectations and familiarize themselves with this policy and related policies and procedures, including [insert references to the entity's policy on protection from retaliation];
 - b. attend other training opportunities related to sexual harassment to the extent possible;
 - c. demonstrate commitment to zero-tolerance for sexual harassment and treat all people in the workplace with courtesy and respect with an awareness of their own behaviour and how it may be perceived and/or received by others;
 - d. refrain from encouraging other staff members and non-staff personnel to engage in sexually harassing or abusive behaviour;
 - e. raise their awareness through available training about the very specific harassment threats that trans and gender non-conforming individuals can face;
 - f. be encouraged to take action where appropriate and where they feel comfortable and where possible after consulting with the target/victim/affected individual if they witness sexually harassing or discriminatory conduct, and support those impacted as appropriate and to the best of their ability; and
 - g. report possible misconduct and cooperate with investigations, audits and reviews.
5. Adherence by all staff to their obligations under the entity's sexual harassment policy shall be reflected in workplans and performance evaluations or otherwise periodically reviewed with staff in accordance with an entity's policy and practice [including through 360 reviews, where possible, especially in the cases of those with managerial responsibilities]. Failure to adhere to the policy on sexual harassment by any staff member constitutes possible misconduct [or other violation of the applicable provisions of the entity's policies and practices].

Explanatory notes

Sexual harassment, including denigrating or mocking a person because of the person's gender identity or expression, results from a culture of discrimination and privilege, based on unequal gender relations and power dynamics. This creates obstacles to upholding zero tolerance policies. As such, any organizational measures dedicated to preventing sexual harassment should be accompanied by broader codes of ethics, gender equality and anti-discrimination measures to support the structural institutional change that is necessary to address these inequalities. The equality of all staff is a fundamental obligation under staff regulation 1.2(a) and is captured under the provisions dealing with discrimination in ST/SGB/2008/5 as well as in the SG's gender parity strategy.

Managers, as front line to their staff, must have the knowledge, tools, and commitment to set an example; to do ongoing, often informal, education of their staff; and to respond quickly, fairly, and effectively when they receive a report of harassment or witness behaviour that they think is inappropriate. Managers need the practical skills and tools to effectively respond to the spectrum of behaviours that may be inappropriate and to restore harmony in the workplace. Training with managers should be done separately and first. This training can be stand-alone or incorporated in the broader management and leadership training of the organization. Such training is 'best practice'.

Preventing sexual harassment requires both explicit rules and a common understanding of what is valued and what is expected by leaders and peers, so that individuals are conscientious in their positions, behaviours and interactions. Initiatives that engage staff on an ongoing basis through empathy-based direct participation approaches are more effective than one-off and online trainings. Addressing gender-based violence, together with non-discrimination, equality, diversity and masculinities has greater potential for impacting the values of the organization, how people conduct their work and how they treat each other. Such training is 'best practice'.

A bystander approach is used to promote victim empathy and notions of how the workplace community is responsible for preventing sexual harassment. An empowered bystander is somebody who observes an act of violence, discrimination or other unacceptable or offensive behaviour and takes action (e.g. speak out against sexual harassment; intervene to support a colleague being targeted; talking privately to a colleague exhibiting offensive behaviour or making remarks with a demeaning sexual/gender connotation). Approaches to preventing sexual harassment are directed at encouraging individuals not directly involved as a target/victim/affected individual or alleged offender to identify, speak out about or seek to engage others in responding to specific incidents of harassment and/or behaviours, attitudes and practices that contribute to harassment. In practice, this may mean workplaces develop prevention materials, messages and direct participation workshops in consultation with gender-based violence experts or organizations.

Staff who observe or become aware of inappropriate behaviour or a situation of possible harassment should, with training, ideally be able to support the affected individual with unbiased listening, information and referrals; confidentially report the incident or incidents to [insert resources for entity such as, the Division for Human Resources, the Staff Counsellor, the Staff Council, the Ombudsman, offices mandated to work on codes of ethics/conduct and policies on protection against retaliation, OIOS, etc.] as part of the record keeping of the organization; and take other actions that could help mitigate hostility in the environment or harm to individuals.

VII. Support

Support to targets/victims/affected individuals of sexual harassment¹⁰

Confidential guidance and support

1. The entity acknowledges that guidance and support to the target/victim/affected individual may be required at different stages, including:
 - a. Before making a complaint regarding options to address the matter;
 - b. During any formal or informal process;
 - c. Managing confidentiality requirements;
 - d. At and following the conclusion of any formal or informal process or investigation.

2. The following confidential guidance and support is available for targets/victims/affected individuals or other impacted individuals through [ombudsman or other officials designated to provide confidential information directly and/or make referrals to the appropriate services which can provide the following types of support].

3. The following types of support may be available in the entity for staff members and/or non-staff personnel:
 - a. information and advice on the informal and formal reporting options which are available within the entity,
 - b. information on hotlines/helplines
 - c. staff counsellors
 - d. psycho-social counselling, preferably identified within the country of duty station
 - e. advice from the ethics office or ombudsman
 - f. information on low-cost health insurance applicable for the duty station for personnel who do not have insurance
 - g. advice and referral to internal and external local services specializing in sexual harassment, violence against women, violence against LGBTIQ+ individuals, including gender non-conforming individuals or support for men who experience violence, to the extent available (this support may be available via UN Women country offices)
 - h. support and guidance on how to report to and what to expect from the local authorities, particularly if the alleged behaviour constitutes a crime;
 - i. stress counsellors [available within the Department of Safety and Security in the event of a critical incident to provide psycho-social support to staff and their dependents. They are also available to coordinate and/or provide referrals to stress counselling resources within the UN system];
 - j. medical support may be available from the Medical Service [and if entity has separate medical service add applicable information here]
 - k. support from gender focal points/focal points for women system-wide
 - l. others as appropriate for the entity

¹⁰ There may be a distinction as to the support available to different categories of persons impacted by sexual harassment and the support available to non-UN personnel such as candidates for a job opening or visitors to the UN entity's premises.

4. The support listed in this section [may/shall] remain available for the duration that the target/victim/affected individual continues in service with the entity. [Thereafter, the following continued support [if any] [may] remain available for persons who have left the service of the relevant entity]: [list applicable support]
 - a. right to health coverage/after service health care, where available in accordance with an entity's policy.
 - b. Compensation for workplace related injuries, where available in accordance with an entity's policy.
5. Where appropriate and available under the entity's policy, the support listed in this section on support to targets/victims/affected individuals is available to non-staff personnel who are witnesses of sexual harassment.

Right to be accompanied by a support person

6. The target/victim/affected individual has the right to be accompanied by a staff member or other third party in accordance with the entity's policy during the formal or informal processes provided such person is reasonably available for the provision of support to the target/victim/affected individual. Support may include emotional support but may not extend to legal representation or legal advocacy. During any formal process such support shall be subject to the entity's policy.
 - a. The third party should be chosen by the target/victim/affected individual. This could include a [victim's right advocate/other official designated as support person to target/victim/affected individual under an entity's policies or practices], a colleague, a family member or friend¹¹.
 - b. The entity may provide reasonable objection, during any stage of the process, to a particular individual being present if it has reason to believe that their presence would jeopardize the process. In such cases, the target/victim/affected individual of sexual harassment may choose an alternative individual to accompany them.
7. The third-party individual may also be personnel of a different agency, fund, programme or subsidiary organ represented in the UN Country Team/UN system to the extent applicable under the entity's policy.
8. The third-party individual should fully familiarize themselves with this current policy. They should always act in the best interests of the target/victim/affected individual.
9. The third-party individual shall immediately disclose any conflict of interest to [include person or section within entity who is responsible for overseeing sexual harassment reporting processes, e.g. HR].
 - a. The third-party individual should not be a witness (direct or corroborative) to the sexual harassment allegation – this would amount to a conflict of interest.
10. The third-party individual should keep information relating to, or arising out of, the allegation of sexual harassment confidential except as may be appropriately disclosed during an investigation or in compliance with any required disclosure to ethics or medical offices.

¹¹ CEB Sexual Harassment Task Force Update, May 2018

Work Performance

11. At the point when [the entity] becomes aware that a person is a target/victim/affected individual the entity has an obligation to check if the individual's work performance or conduct has been impacted. The entity will offer support to the colleague and work in collaboration with them to address the issues impacted including, by being mindful of the applicable circumstances in performance reviews but subject to the need to take appropriate management action in the circumstances.
12. Accommodations which may be considered to respond to related work performance issues include:
 - a. new work plan for the target/victim/affected individual,
 - b. provide leave and/or other working arrangements,
13. Due regard to confidentiality must be given when communicating accommodations to supervisors or colleagues, as appropriate.

Interim measures

14. The entity recognizes that interim measures may be required to provide support to the target/victim/affected individual to ensure the integrity of the investigation and any evidence and/or to prevent the occurrence/repetition of prohibited conduct. Interim measures may also be necessary to protect the interests of the entity, including the effective functioning of an office. Such measures may include:
 - a. measures to physically separate the alleged offender and the target/victim/affected individual
 - b. reassignment of either the alleged offender or the target/victim/affected individual with the consent of the alleged offender or target/victim/affected individual,
 - c. the consideration of special leave for either the alleged offender or the target/victim/affected individual,
 - d. temporary changes in reporting lines,
 - e. the alleged offender being placed on administrative leave, or
 - f. any other appropriate measure or combination of measures to the extent consistent with an entity's policies and practices.

Post-investigation review

15. Once any investigation has been completed and a decision taken on the outcome, appropriate measures shall be taken by [responsible department in the entity] to keep the situation under review. These measures may include, but are not limited to, the following:
 - a. Monitoring the status of the target/victim/affected individual of sexual harassment, the offender and the work unit(s) concerned at regular intervals in order to ensure that no party is subjected to retaliation as a consequence of the investigation, its findings or the outcome. Where retaliation is detected, [the entity's section responsible for monitoring retaliation, e.g. HR//other relevant official under an entity's policies and practices] shall be promptly notified, with specific attention given to performance evaluation;
 - b. Ensuring that any administrative or disciplinary measures taken as a result of the fact-finding investigation have been duly implemented.

VIII. Protection against retaliation

1. Protection from retaliation available to a person formally reporting possible sexual harassment shall be in accordance with the entity's protection from retaliation policy irrespective of the outcome of the report of sexual harassment.
2. Anyone formally reporting sexual harassment should be informed about rights under the [entity's] [relevant protection from retaliation policy], as applicable to them.
3. The [entity's professional investigation office] will, to the extent provided by an entity's policies and practices, inform the [relevant office/Ethics Office] of any report of sexual harassment received that the [entity's professional investigation office] identifies as posing a retaliation risk with the consent of the person who made the report.
4. Any form of retaliation may entail disciplinary sanctions. Managerial, administrative and/or disciplinary measures consistent with each entity's policies shall be pursued.

Explanatory notes

As with any formal reports of possible misconduct, those who formally report sexual harassment or who cooperate with or provide information in connection with any investigation of sexual harassment should be protected by an entity's protection from retaliation policy. The policies should provide for timely and appropriate measures to protect staff/personnel from retaliation and provide for specific protections for persons who report possible misconduct. To enhance deterrence and accountability, any proven retaliation established may be treated as possible misconduct with respect to the retaliator and may entail disciplinary sanctions.

5. *It may be noted that some entities have extended protection from retaliation policies to persons who informally report misconduct in certain circumstances, e.g. reports to the ombudsman.*

IX. Data collection

1. The modalities of the entry of information into, the administration and access to the confidential [CEB system-wide screening database] are to be set out in [guidelines].
2. To the extent provided in the entity's policy or practice, anonymized data and information for internal monitoring and analysis of sexual harassment will be maintained within [human resources/other applicable office consistent with the entity's policy or practice].

Explanatory notes

A CEB-wide central data base on sexual harassment ("clear check") has been created. Information entered will allow for better reporting and to prevent the re-hiring of alleged offenders in circumstances specified in the guidelines.

Data and information may include: all allegations, including those made through anonymous and/or third-party reports to a formal or informal process and by type (verbal, non-verbal, physical); information on the target/victim/affected individual and alleged offender disaggregated by level/contract type, nationality, sex, age, race/ethnicity, sexual orientation and/or gender identity and duty station/department, among other relevant characteristics of identity or context; and outcomes of processes.

X. Implementation

1. The [insert head of agency title] is accountable for ensuring implementation of this policy on an ongoing basis, including by working with key stakeholders and pursuing solutions to ensure financial resources are available and allocated to support affected individuals, ensure quality investigation and timely outcomes, collect data, monitor the efficacy of the policy and undertake prevention efforts. [Entity] will designate a member of the [Senior Management Team] as responsible for this policy. The designated person will provide an annual report to the [insert relevant oversight body] and communicate the results to staff (ensuring personal and/or identifying information remains confidential).
2. This policy will be reviewed periodically with any revisions identified on an as needed basis, but minimally every 3 years, taking into account learnings from monitoring of the policy and any changes in the structures, complementary policies and context of [insert entity] that would impact the implementation of this policy.

Explanatory notes

Monitoring is an essential part of policy implementation and should be undertaken on an ongoing basis with yearly analysis of findings. In this context, it can include: analysing data collected through formal and informal mechanisms; undertaking dedicated staff assessments or through questions on sexual harassment within existing staff surveys; conducting exit interviews (when staff leave the organization and with impacted individuals when cases are concluded); monitoring staff absenteeism; among other methods that can enable [insert entity name] to better understand workplace culture and the institutional responses to sexual harassment. Assessment should consider the overall impact and efficacy of the policy, in addition to more granular analysis of the reporting procedures, support provided to targets/victims/affected individuals, disciplinary actions taken, preventive measures employed and procedural safeguards taken to ensure due process for targets/victims/affected individuals and alleged offenders.

Transparency and regular communication to staff of the monitoring results is critical to building staff trust in the policies and procedures; improving reporting; demonstrating a commitment to high standards of conduct based on human rights, respect and equality; and enhancing the institution's overall credibility. Reporting back to staff should minimally include the number and nature of the complaints received; the number of complaints disposed of; the number of cases pending beyond [insert duration of investigation/resolution specified in policy]; the number and types of workshops and awareness-raising programmes conducted; and the nature of resolutions/actions taken by [insert entity's name].

Annex 5

Expanded Guidelines on Sexual Harassment Screening Database

1. Purpose

The purpose of these Guidelines is to establish procedures and standards governing the establishment, maintenance, and use of a UN system-wide electronic database that will ensure that individuals with a record of Sexual Harassment are not hired or re-hired by an Entity that is part of the Organization. The Guidelines facilitate the establishment and operation of this centralized Screening Database, and address the collection, maintenance, confidentiality, security, access and disclosure of information relating to Final Determinations of Sexual Harassment and Pending Allegations of Sexual Harassment (as both defined below).

2. Scope

These Guidelines supplement other provisions in the regulatory framework of the Entities of the Organization regarding disclosure of information obtained during an investigation. The Guidelines implement the objective identified by the Chief Executives Board for Coordination Task Force on Addressing Sexual Harassment within the Organizations of the UN System, to create and maintain a Screening Database accessible across the Organization, containing records of individuals against whom allegations of Sexual Harassment, while in service of an Entity, were substantiated by a Final Determination of Sexual Harassment and whose working relationship was terminated by that Entity as a result (i.e. Final Determinations of Sexual Harassment).

Moreover, each Entity may also **opt** to provide information relating to Pending Allegations of Sexual Harassment (please refer to Section 7 below).¹²

The Screening Database would serve to pool information from records available in the participating Entities of the Organization, rather than prescribe what records each Entity must maintain. Thus, if an Entity collects relevant records concerning non-staff or other personnel, that information would be included in the database. If the Entity does not collect such records, it would not be required to do so as a result of these Guidelines.

3. Definitions

For the purposes of these Guidelines:

3.1 Entity: An organ or body of the Organization.

3.2 Final Determination of Sexual Harassment: A determination, made after an investigation, that an individual perpetrated Sexual Harassment, resulting in termination of the individual's working relationship on this basis. A Final Determination of Sexual Harassment can constitute a basis to include an individual in the Screening Database, unless and until it has been rescinded by a binding decision or a final and enforceable

¹² An updated list of Entities participating in the portion of the database addressing Pending Allegations of Sexual Harassment will be visible to all users of the Screening Database.

ruling of the Entity's administrative tribunal or adjudicating authority for disputes, as applicable.

- 3.3** Organization: All of the Entities with membership in the UN System Chief Executives Board for Coordination, being the UN Secretariat, the UN Funds and Programmes, the UN Specialized Agencies (including the Bretton Woods Institutions), and related organizations (including the WTO, UNOPS and IAEA).
- 3.4** Pending Allegation of Sexual Harassment: An allegation of Sexual Harassment against Personnel whose working relationship with the Entity ended before the investigation and/or disciplinary process was completed.
- 3.5** Personnel: Includes any individual who has a working relationship with an Entity, including staff members as well as any other person in respect of whom that Entity, in accordance with its policies, would maintain records of misconduct or particular kinds of misconduct.¹³
- 3.6** Record of Sexual Harassment: A record of a Final Determination of Sexual Harassment and/or a Pending Allegation of Sexual Harassment maintained in an official file held by an Entity.
- 3.7** Screening Database: A searchable database containing information on Personnel who have a Record of Sexual Harassment.
- 3.8** Sexual Harassment: Sexual harassment is:
- 3.8.1.** 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. While typically involving a pattern of conduct, 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; or
- 3.8.2** any other prohibited conduct defined as sexual harassment within an applicable policy of the Entity.

¹³ In respect of any personnel contributed by a troop- or police-contributing country, a "Pending Allegation of Sexual Harassment" record shall only be made for any unresolved allegation of Sexual Harassment for which an investigation and/or sanction was pending with the contributing Member State at the time the implicated personnel initiated their formal separation from their national service or from another employing entity in which they served at the time of their deployment (e.g. retirement), or otherwise informally ceased working for their national service or another employing entity in which they served at the time of their deployment, or the Member State has indicated that the investigation and/or sanction process cannot be completed due to applicable policy or legal consideration, such as the existence of statutory limitations, the retirement of the implicated personnel or similar situations. On this basis, section 7, which sets out the methodology for placing pending allegations of sexual harassment into the database, shall not be applicable to uniformed personnel.

4. Record of Sexual Harassment

Each Entity is responsible for ensuring that adverse material concerning its Personnel and former Personnel, including a Record of Sexual Harassment, is promptly recorded in official files in accordance with its applicable procedures regulating the filing of adverse material.

5. Screening Database

5.1 As an initial step, the Screening Database will be managed by the UN Secretariat, Office of Human Resources Management (OHRM) and operated and maintained by the Office of Information and Communications Technology (OICT) of the Department of Management (DM).

5.2 The following personal identifying information, to the extent it is available, will be stored in the Screening Database for each individual included therein: Full Name, Category of Personnel, Index Number, Date of Birth, Last Known Address and Contact Details, Nationality, Gender, the employing Entity, date of separation from service with the Entity, and the policy pursuant to which the Final Determination of Sexual Harassment and/or the recording of the Pending Allegation of Sexual Harassment was made. In addition, the contact information of the office and individual authorized to access and share information concerning the Record of Sexual Harassment, and the name of the individual who entered the data into the Screening Database, will be recorded and kept updated.

5.3 Each entity will notify OHRM whether it intends to participate in the Screening Database only with respect to Final Determinations of Sexual Harassment, or also in respect of Pending Allegations of Sexual Harassment. Each Entity will designate a reasonable number of individuals to access the Screening Database and promptly inform OHRM over time of any changes in these designations. Prior to being granted access to the Screening Database in accordance with paragraph 5.5 below, each designated individual must read and sign the confidentiality notice and undertaking appended as Annex B.

5.4 The operator of the Screening Database (presently, OICT) will grant access to the Screening Database to individuals who have been designated by each Entity and who have signed the required confidentiality notice in accordance with paragraph 5.3 above.

5.5 Each individual granted access to the Screening Database will be assigned an individual login and password. The operator of the Screening Database will take all usual security measures to ensure the security of the Screening Database, including the confidentiality and integrity of the users' access information.

6. Final Determinations of Sexual Harassment

Upon conclusion of an investigation/disciplinary process resulting in a Final Determination of Sexual Harassment, an Entity must promptly insert the information referred to in paragraph 5.2 above in the Screening Database, and no later than 30 days after the individual has been notified of the confirmation of the allegations of Sexual Harassment. The respective individual should be notified of the fact that their details have been included into the database.

7. Pending Allegations of Sexual Harassment (participating entities)

7.1 When an Entity has a Pending Allegation of Sexual Harassment against its Personnel or former Personnel, and it unilaterally decides not to initiate or continue an investigation against a subject, or the conditions set out in paragraph 7.2 below are not fulfilled, it shall not include information in the Screening Database.

7.2 When an Entity has a Pending Allegation of Sexual Harassment against its Personnel or former Personnel, and it decides to initiate or continue an investigation against a subject, it shall:

7.2.1 Consider whether the allegations of Sexual Harassment, if confirmed, would have warranted the termination of the working relationship with the individual; and, if so,

7.2.2 Provide the separating individual with a Notification Letter (see template at Annex A). The Notification Letter will encourage the individual to cooperate with the investigation and/or disciplinary process to allow for it to be concluded. The notification shall state that if the individual declines in writing to cooperate, or fails to respond in writing within 10 calendar days of the date of receipt of the Notification Letter, or agrees to cooperate but at any time fails to do so as instructed by the Entity, their name will be placed in the Screening Database indicating that there is a Pending Allegation of Sexual Harassment; and

7.2.3 If, after 10 calendar days, the individual does not respond to the Notification Letter; or does not confirm the intention to cooperate with the investigation/disciplinary process; or - at any time - is considered by the Entity to be failing to do so, include the individual's name in the Screening Database as having a Pending Allegation of Sexual Harassment and inform the individual accordingly.

8. Populating and maintaining the Screening Database

8.1 Each Entity shall ensure that the Screening Database accurately reflects the official files for its Personnel and former Personnel, including by:

8.1.1 Promptly entering the information detailed in paragraph 5.2 based: (i) upon the last 10 years¹⁴ of existing Records of Sexual Harassment in its official files; and (ii) upon the inclusion of any new Record of Sexual Harassment in its official files;

8.1.2 Removing entries where an investigation and/or disciplinary process regarding a Pending Allegation of Sexual Harassment concludes with no finding of Sexual Harassment.

¹⁴ As of the date of CEB endorsement of these Guidelines. Entities shall share these past existing Records of Sexual Harassment only if considered compatible with their applicable framework and/or the circumstances of the case, including due process requirements.

8.1.3 Removing entries where an Entity's Final Determination of Sexual Harassment, or the Entity's decision to list a Pending Allegation of Sexual Harassment, has been rescinded by a binding decision or a final and enforceable ruling of the Entity's applicable administrative tribunal or adjudicating entity; and

8.1.4 Correcting any other errors or omissions in the data input by the Entity.

8.2 Where an individual working for the Organization or the subject of the Record of Sexual Harassment has reason to believe that there was an error made in information in the Screening Database, s/he may contact the Chief of Human Resources Management of the Entity to verify whether or not the information stored in the Screening Database is accurate. If it is confirmed that an error was made, the office of Human Resources Management in the Entity will ensure that the error is corrected in the Screening Database, through the Entity's designated focal point for the Screening Database, and – in case of substantial errors – also ensure that all concerned parties are informed accordingly.

8.3 If an individual is entitled to any recourse, including judicial review, in respect of a listing in the Screening Database, such recourse shall be taken against the Entity who listed the individual in the Screening Database, in accordance with any rules of recourse provided for that Entity.

9. Vetting using the Screening Database

9.1 Before employing an individual, each Entity shall search the Screening Database to determine whether the individual has Record of Sexual Harassment.

9.2 Where there is a possible match between a name in the Screening Database and an individual who applies for a position with an Entity, the hiring Entity may communicate bilaterally with the Entity which entered the name in the Screening Database to verify if the individual is the same. The information set out in paragraph 5.2 shall be the basis for this verification.

9.3 Should it be determined that the individual applying for the position is the same person as the individual listed in the Screening Database for a Final Determination of Sexual Harassment, the individual will be excluded from further consideration for the position with the Entity.

9.4 (For participating Entities) Should it be determined that the individual applying for the position is the same person as the individual listed in the Screening Database for a Pending Allegation of Sexual Harassment, the individual may be excluded from further consideration for the position with the Entity. If the individual is recruited notwithstanding his/her listing for Pending Allegation of Sexual Harassment, the hiring Entity is encouraged to include a comment, in an appropriate field in the Screening Database, justifying why the individual was hired.

ANNEX A

Dear [NAME],

You [have ended/you are scheduled to end] your working relationship with [ENTITY] on [DATE].

As there is a pending allegation of sexual harassment against you, which is currently under [INVESTIGATION/REVIEW], your name may be included in an electronic database (“Screening Database”) that is accessible by other entities participating in the with membership in the United Nations (UN) System Chief Executives Board for Coordination for recruitment purposes, noting the pending allegation, should you fail to cooperate with the ongoing process. Inclusion in the list may accordingly affect future employment with the UN Secretariat, UN Funds and Programmes, UN Specialized Agencies (including the Bretton Woods Institutions), and related organizations (including the WTO, UNOPS and IAEA).

You are encouraged to cooperate with the [INVESTIGATION/REVIEW]. You must inform me within 10 calendar days of the date of receipt of the present notification as to whether you intend to cooperate with the pending [INVESTIGATION/REVIEW]. Should you decline in writing to cooperate, or should you fail to respond in writing within 10 calendar days of the date of receipt of the present notification, your name will be placed in the Screening Database indicating that there is a “Pending Allegation of Sexual Harassment” against you.

Should you indicate in writing that you intend to cooperate with the pending [INVESTIGATION/REVIEW], but fail to do so as instructed by [ENTITY], this will result in your name being placed in the Screening Database with an indication that there is a “Pending Allegation of Sexual Harassment” against you. The listing may preclude future employment within the UN, its funds, programmes, specialized agencies and related organizations.

Should the [INVESTIGATION/DISCIPLINARY PROCESS] ultimately find that the allegations were unsubstantiated, we will remove this letter from your file and any reference to your name from the Screening Database. Should the allegations be substantiated, your name will remain in the Screening Database as having a Final Determination of Sexual Harassment.

Please advise as to whether you will cooperate with the pending [INVESTIGATION/REVIEW] within 10 calendar days of receipt of this letter. Additionally, you may provide any comments you have in response to this letter.

Yours sincerely,

[CHIEF OF HUMAN RESOURCES]

ANNEX B

Confidentiality Undertaking

I, [NAME], [OFFICIAL TITLE] make the following confidentiality undertaking:

1. For the purpose of vetting candidates for positions with the [ENTITY], I am required to access the Sexual Harassment database (Sexual Harassment Database).
2. I understand that:
 - a. All information contained in the Sexual Harassment Database is strictly confidential; and
 - b. Except for the purpose of vetting candidates, I have no authority to access the Sexual Harassment Database.
3. Upon identifying that a candidate for a position is named in the Sexual Harassment Database, I will communicate this information, on a confidential basis, to the Hiring Manager of the recruitment exercise.
4. Except for the limited exception in paragraph 3 above, I undertake to maintain the strictest confidentiality of all information I obtain from the Sexual Harassment Database.

Signed

Dated

RESULTS FROM THE SYSTEM-WIDE SURVEY ON CASES OF SEXUAL HARASSMENT IN THE UN SYSTEM

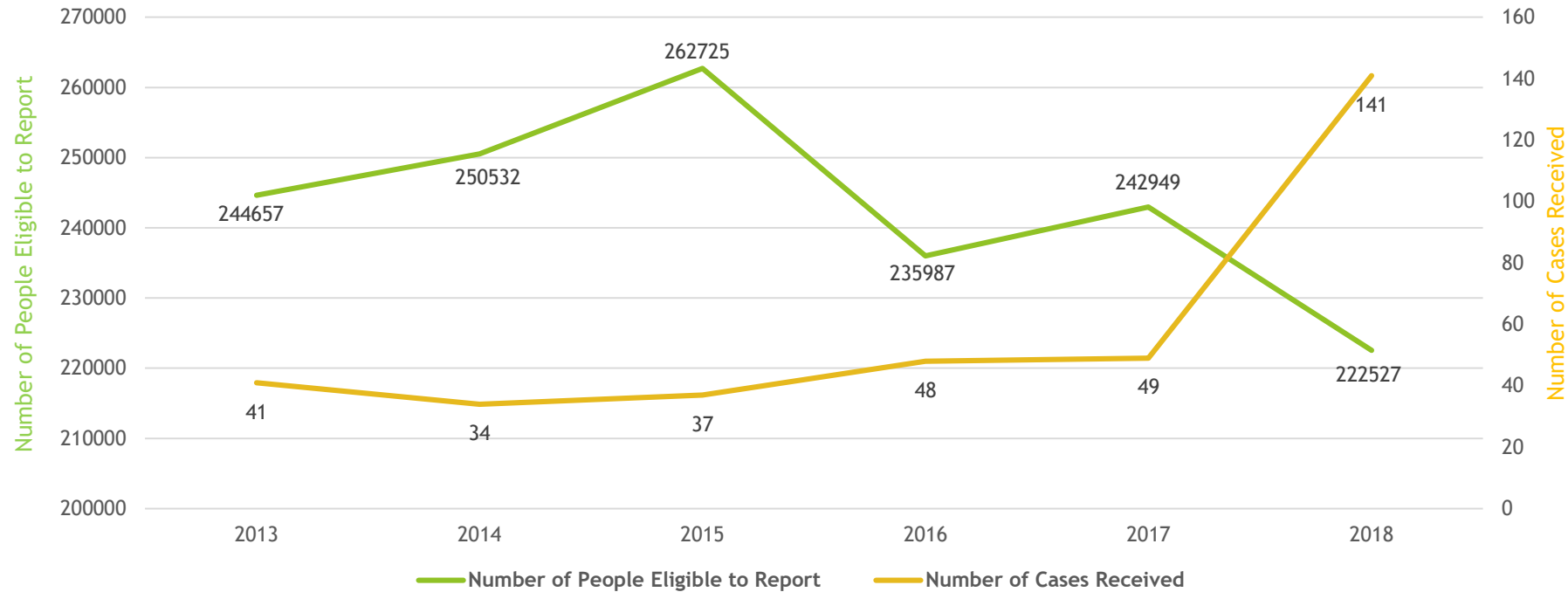
Technical Working Group of the CEB Task Force on Addressing
Sexual Harassment within the Organizations of the UN System

25 Organizations Responded

- FAO
- IAEA
- ICAO
- ILO
- IMO
- IOM
- ITU
- UN Secretariat
- UNAIDS
- UNDP
- UNESCO
- UNFCCC
- UNFPA
- UN-Habitat
- UNHCR
- UNICEF
- UNOPS
- UNRWA
- UN Women
- UPU
- WBG
- WFP
- WHO
- WIPO
- WTO

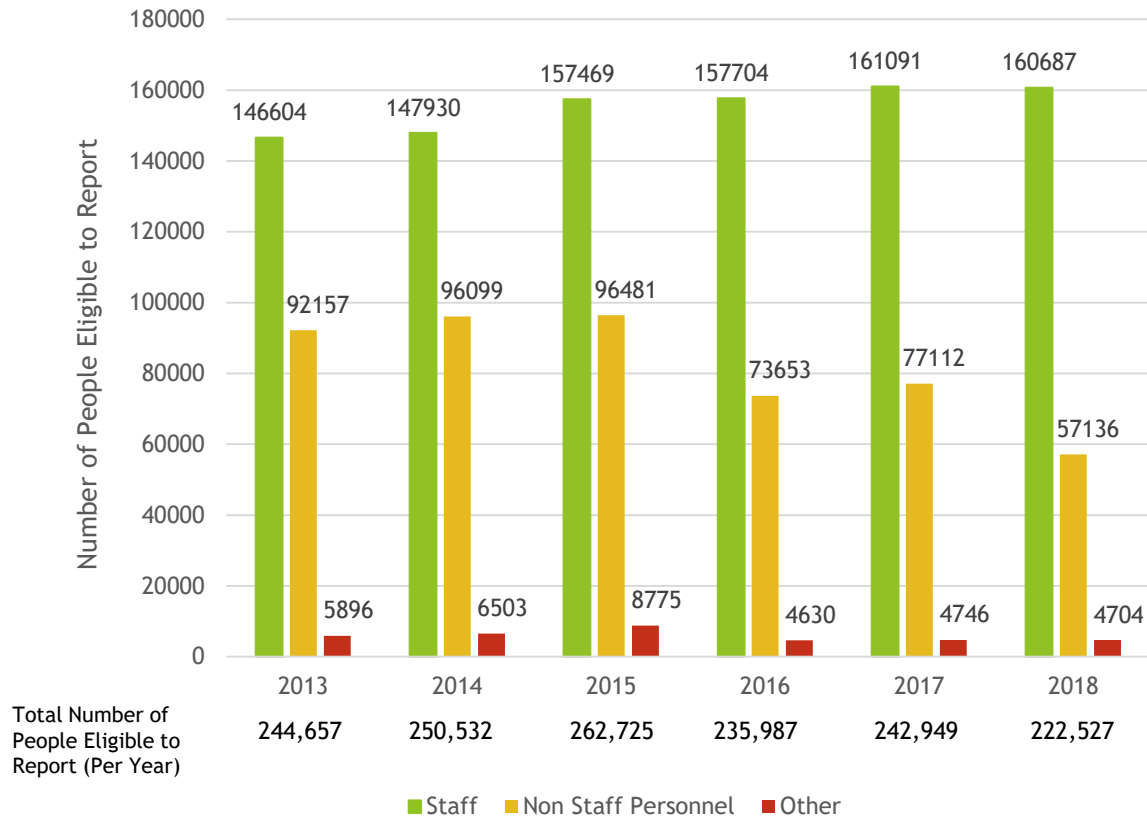
HOW MANY PERSONS ELIGIBLE TO USE AT LEAST ONE SEXUAL HARASSMENT RECOURSE MECHANISM IN THE RESPONDING ENTITIES

Formal Complaints versus Number of Employees



- Total number of people eligible across the 25 responding organizations is: at least 222,527.
- These figures include staff/non-staff (defined as “any person employed by the organization, including international professional staff members, general service staff members, locally recruited staff members, short term personnel, volunteers, interns, persons recruited on special service agreements and service contract”) and, for the majority of organizations, independent consultants/contractors.
- The figures also include a limited number of former employees and other persons, who are also eligible to file a formal complaint in some organizations.
- Data only includes those SHA cases the entity could disaggregate from other categories.

WHO CAN REPORT IN THE RESPONDING ENTITIES

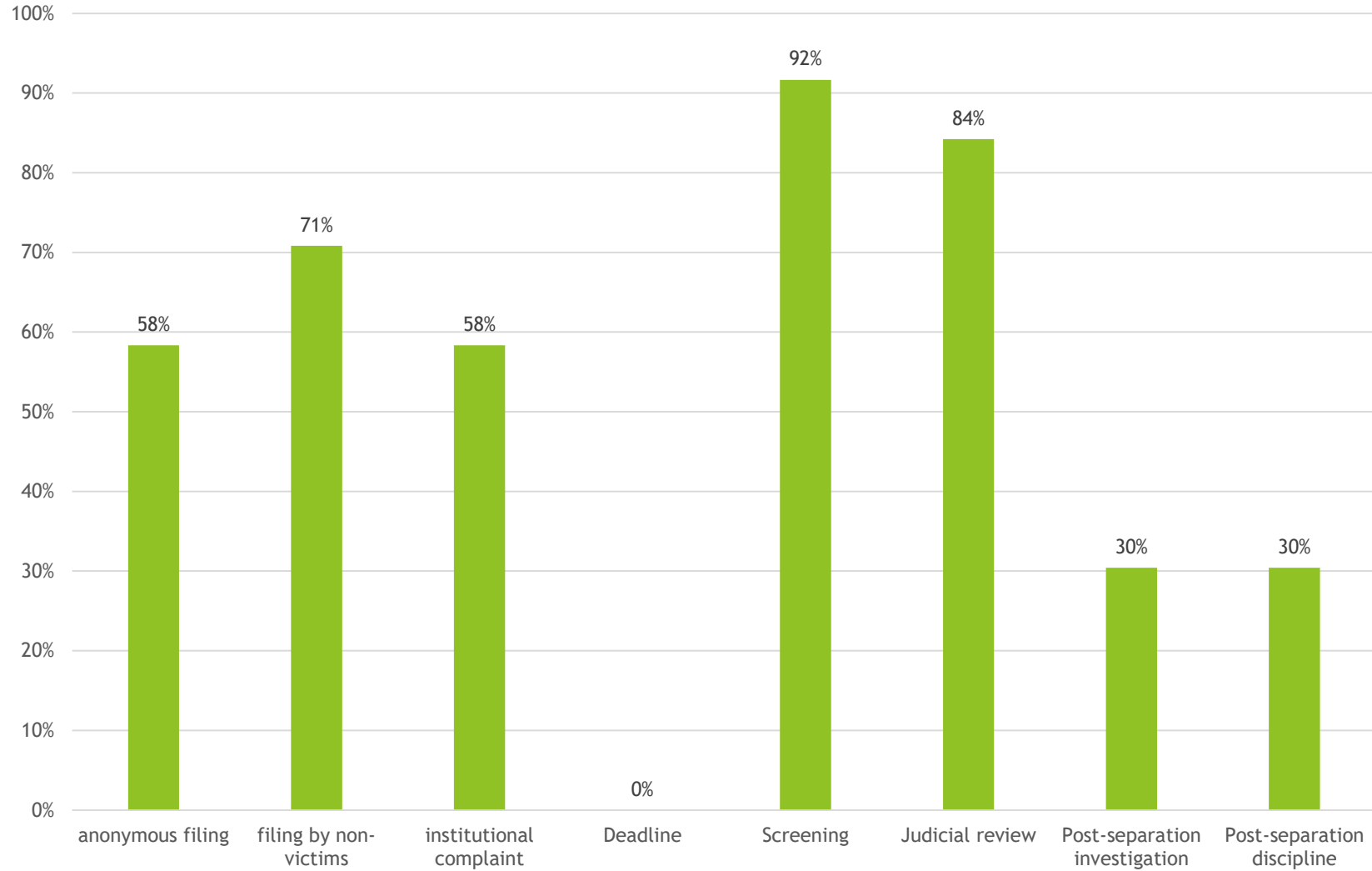


- Total number of eligible people that can report (2018) = 222,527.
- Report: a formal or informal allegation made to the entity/organization, received in the indicated year, about one or more incidents of sexual harassment alleged to have occurred at any time, involving one or more alleged perpetrators and one or more alleged victims, including allegations ultimately found unsubstantiated.

In 2018:

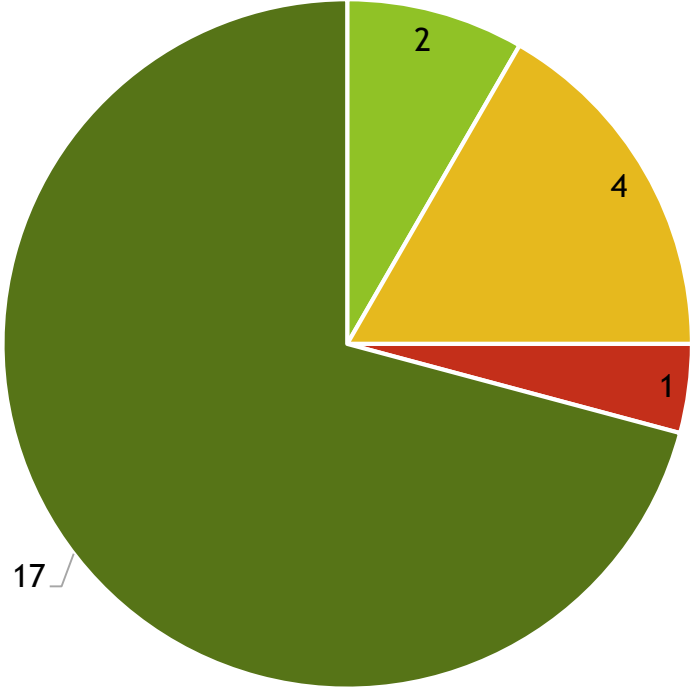
- Staff 72%
- Non-staff 26%
- Other 2%

The Responding Entities Permit or Possess...



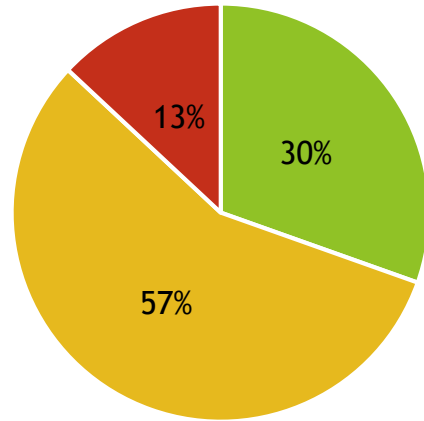
Formal Reports/Case: Official complaints that are filed for investigation and possible discipline

ENTITIES THAT IMPOSE A DEADLINE FOR THE FILING OF FORMAL COMPLAINTS (AFTER AN INCIDENT OCCURS)



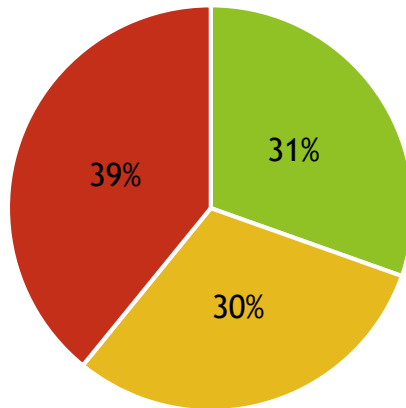
■ More than 6 months & up to 1 year ■ 6 months ■ Less than 6 months ■ No deadline

ENTITIES THAT CONTINUE AN INVESTIGATION WHEN SUBJECT SEPARATES



■ Always ■ Sometimes ■ Never

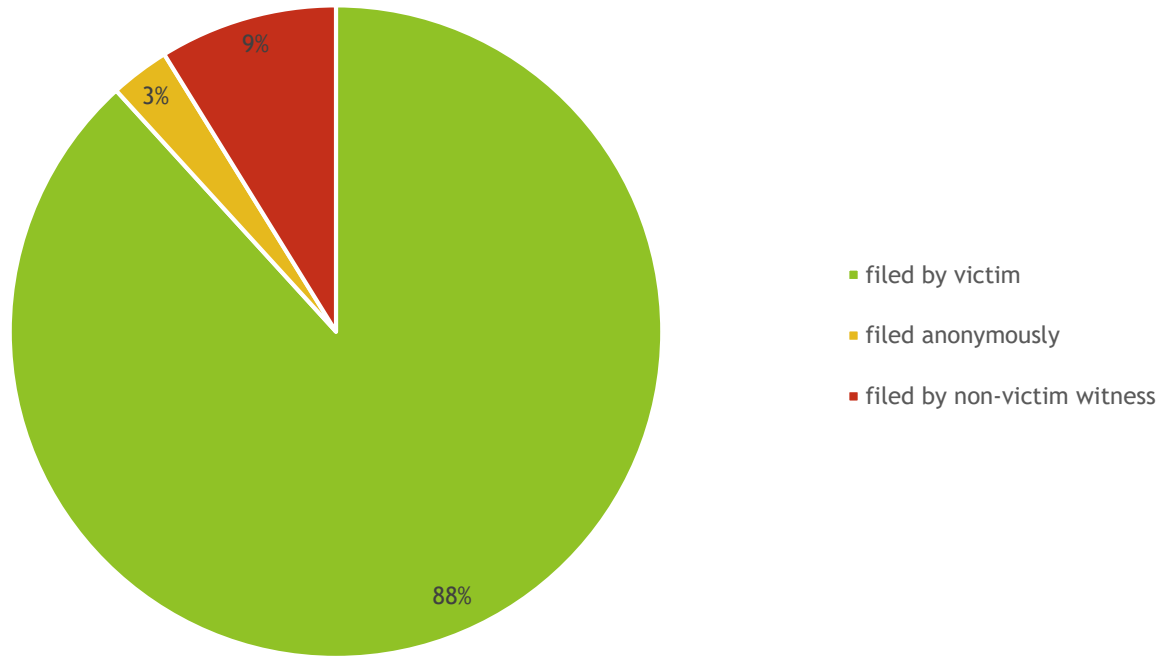
ENTITIES THAT CONTINUE DISCIPLINARY/ADMINISTRATIVE PROCESS WHEN ACCUSED INDIVIDUAL SEPARATES



■ Always ■ Sometimes ■ Never

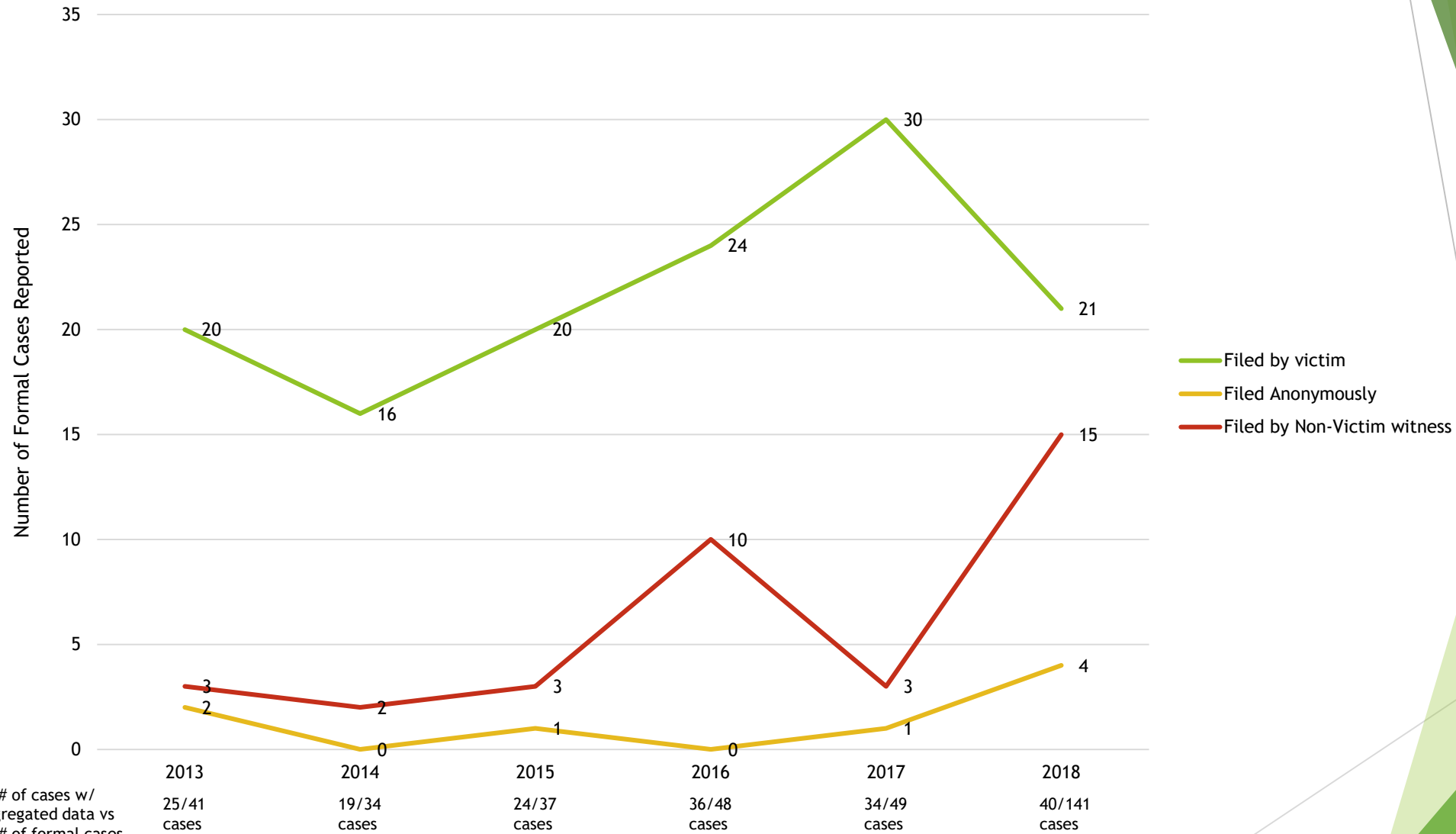
DIS-AGGREGATED INFORMATION ON FORMAL CASES (FOR INVESTIGATION AND POSSIBLE DISCIPLINE) OF SEXUAL HARASSMENT

Number of Total Cases Considered: 34/49 (2017)



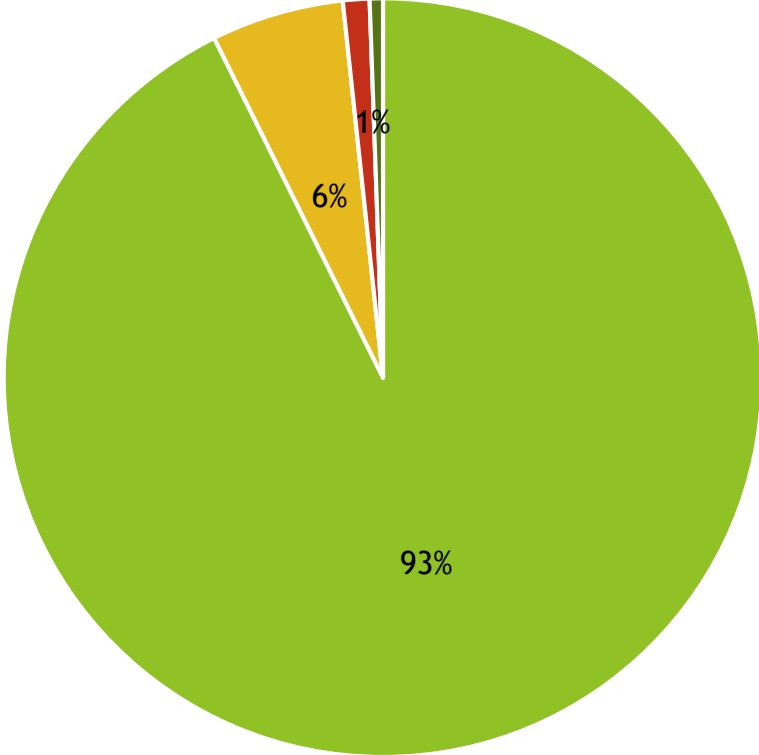
NB: Based on responses from some organizations, for the 49 of the formal cases reported in 2017, some entities have either not responded or responded that they do not collect such disaggregated information.

Trend of Formal Reporting (2013-2018)



NB: Breakdown of types of formal cases only refers to the number of formal cases for which disaggregated data was available.

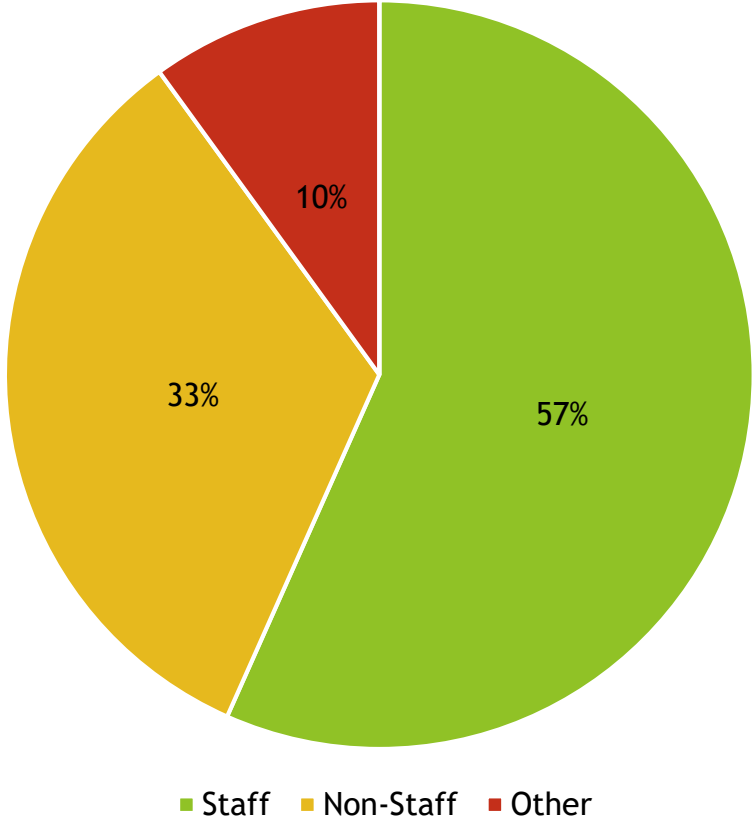
WHO REPORTS?... (2017)



■ Only Female ■ Only Male ■ Do not identify as male or female

NB: this data reflects the number of cases, not the number of alleged victims.

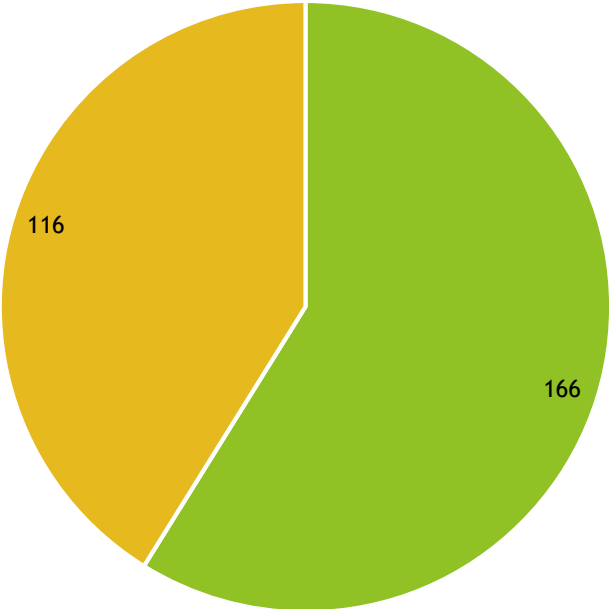
WHO REPORTS?... (2017)



➤ Other (persons having access to formal reporting mechanisms): Volunteers, interns, UNVs, persons working for other entities, retirees, etc.

REPORTS RESULTING IN AN INVESTIGATION BEING OPENED, AND HOW MANY SCREENED OUT (2013–2018)

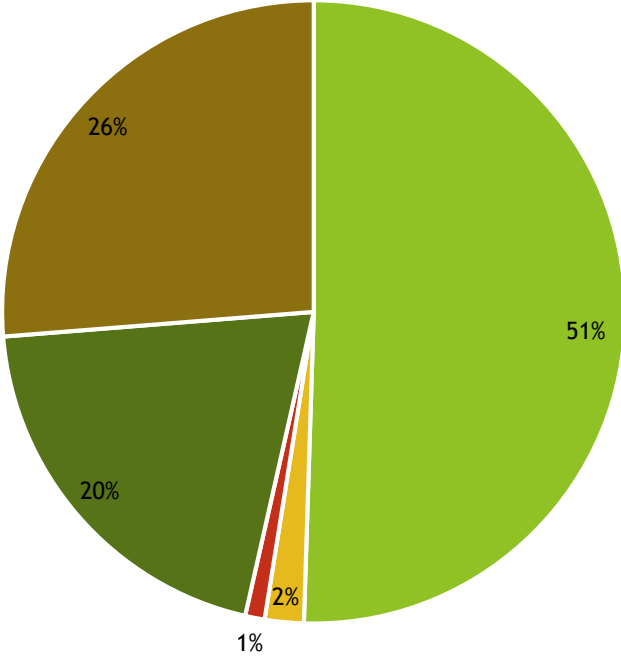
Total Investigations Opened versus Total Cases Screened Out



■ Total Investigations Opened ■ Total Screened out

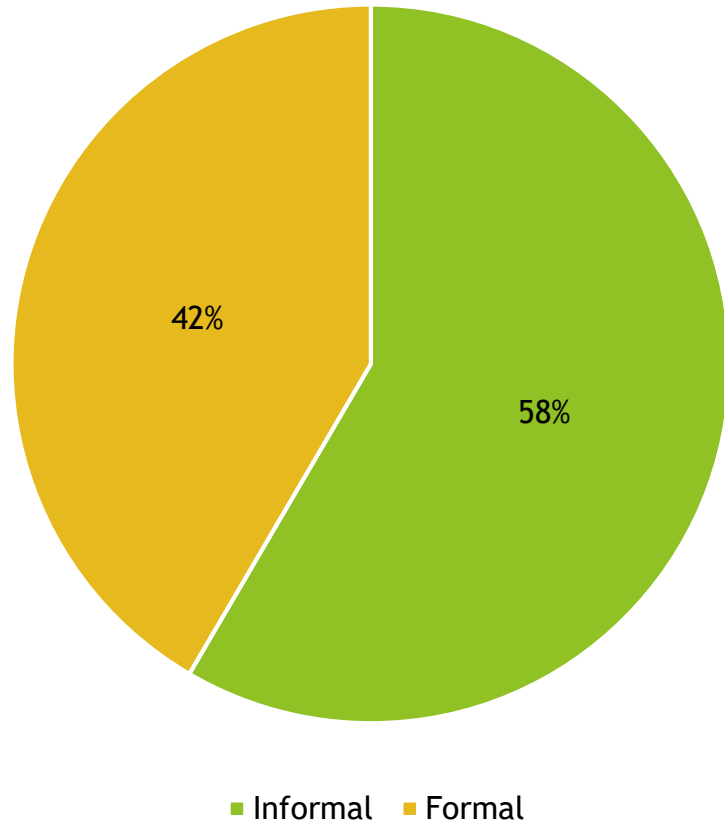
➤ Screened Out: through the formal complaint mechanism *before investigation*

Breakdown of Cases that were Screened Out



■ Not enough info/evidence
 ■ Limited investigation resources/low priority case
 ■ Alleged perpetrator left the organization
 ■ Complaint withdrawn
 ■ Other

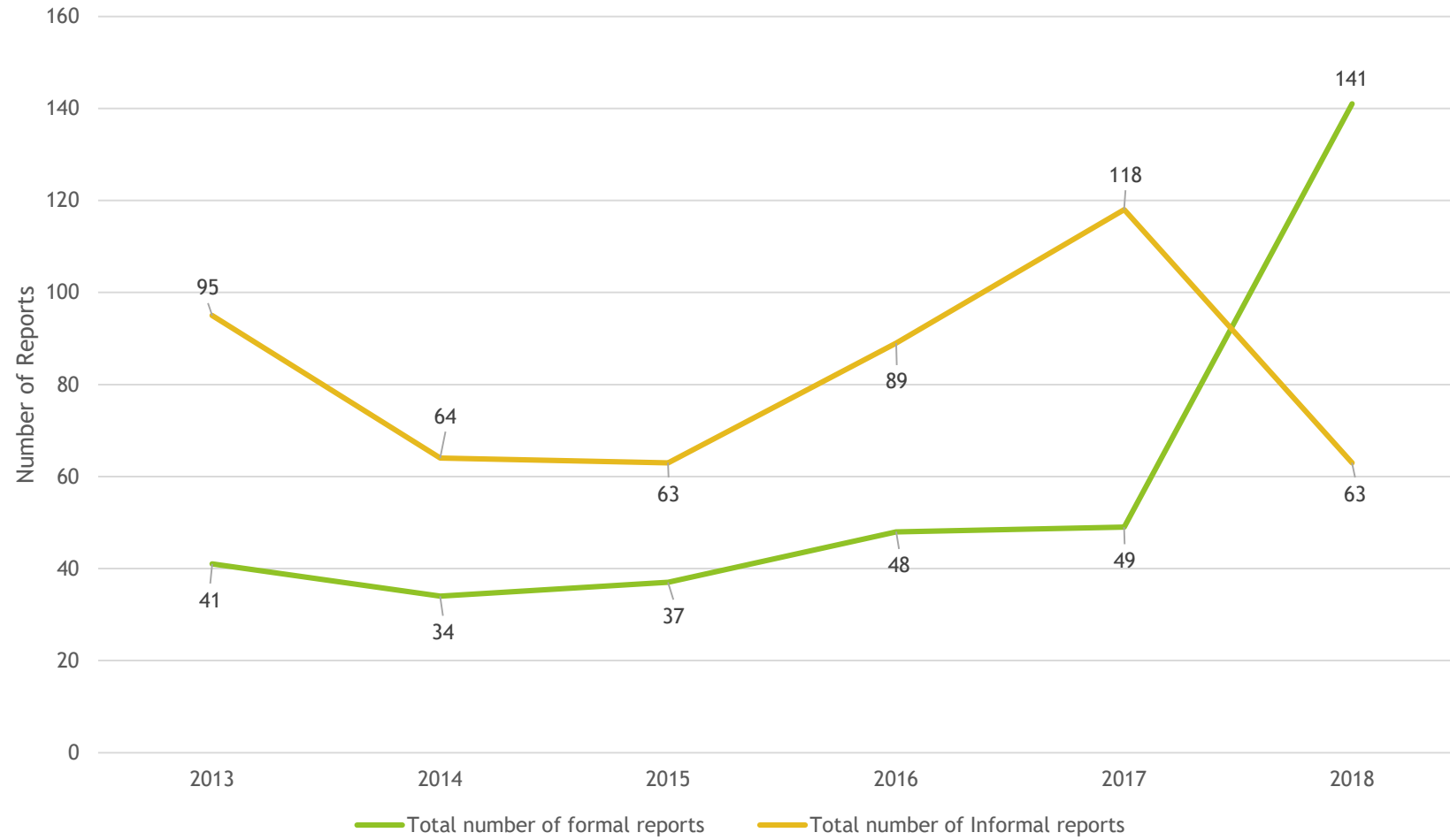
RECOURSE TO FORMAL AND INFORMAL SYSTEMS (2017)



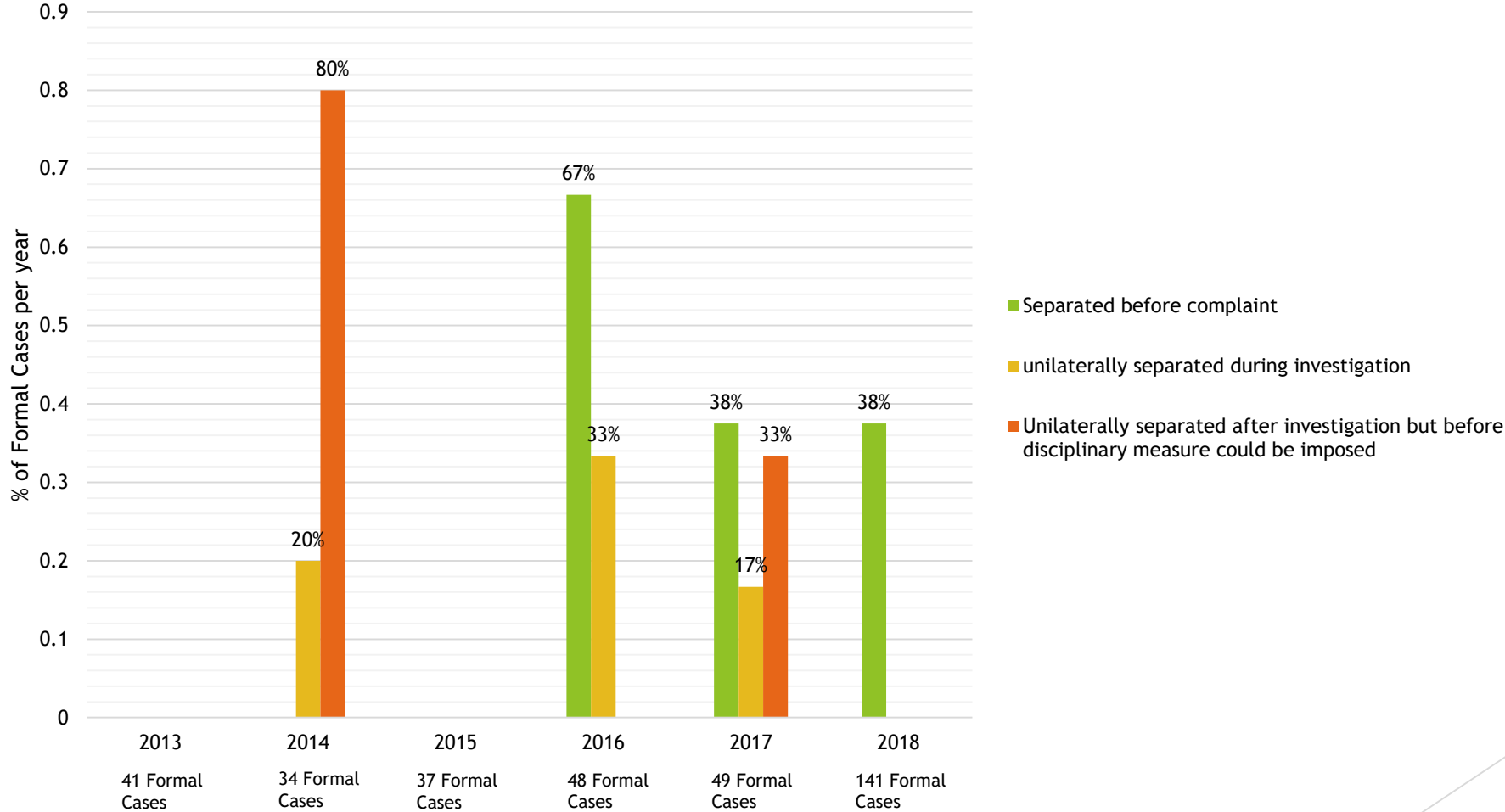
In 2017 there were a total of **49** Formal reports and **118** Informal reports of sexual harassment.

- **Formal reports/complaints**: an official complaint that is filed for investigation and possible disciplinary measures.
- **Informal reporting channel**: a mechanism which allows for reporting a complaint without escalating to a formal complaint for investigation and possible discipline. These reporting channels include options for conflict resolution, such as a facilitated conversation to address the conduct, mediation or reconciliation.

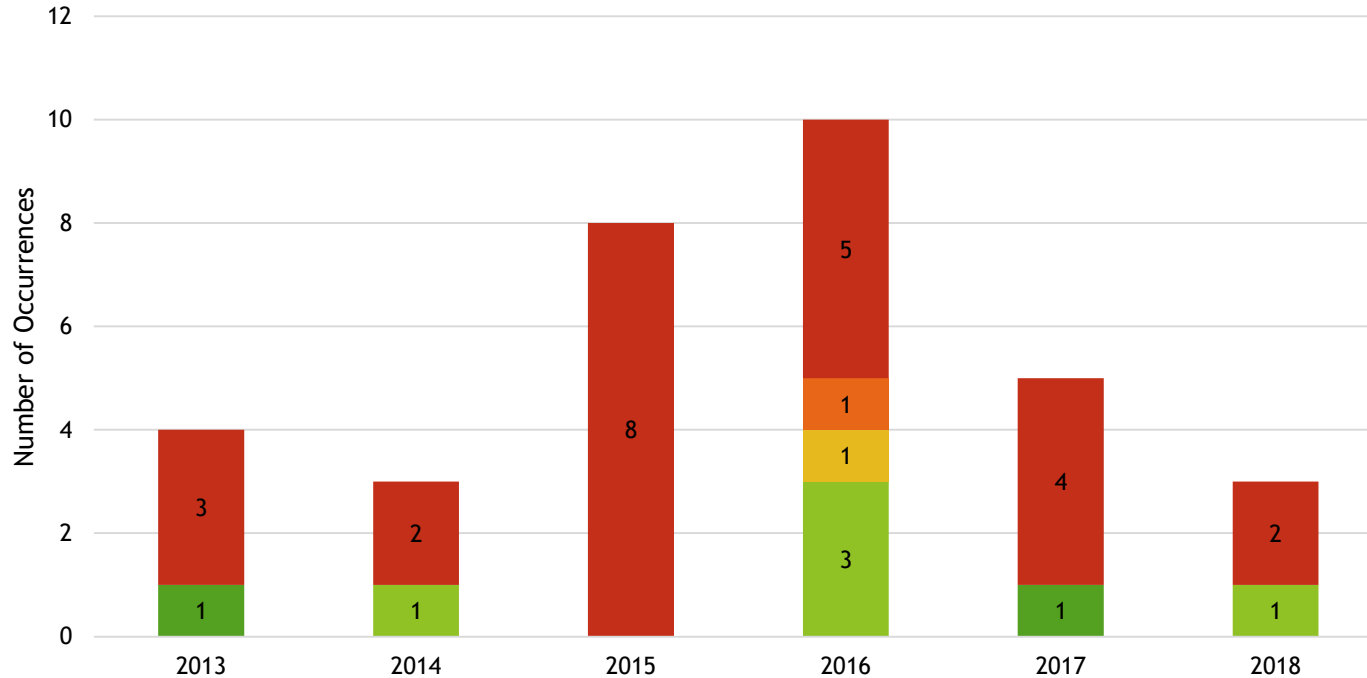
Trend of Formal versus Informal Reports



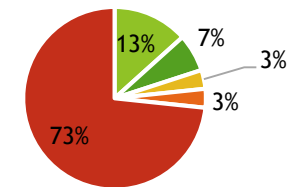
SUBJECT UNILATERALLY SEPARATED PENDING CONCLUSION OF INVESTIGATION OR DISCIPLINARY PROCESS



Disciplinary Measures Imposed (Based on Information Provided by 25 Respondents)



2013-2017

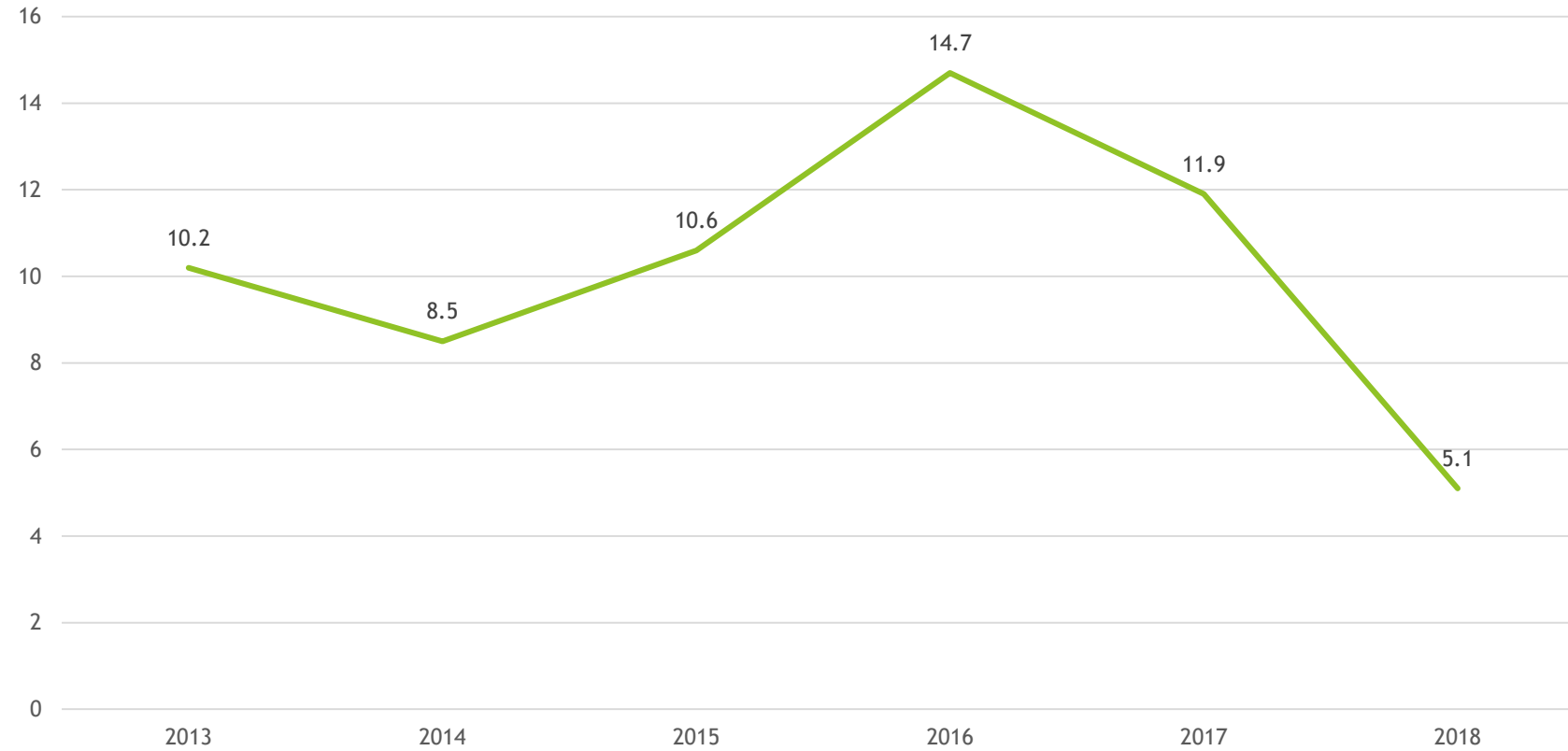


- Written Censures
- Disciplinary Suspension
- Financial Penalty
- Loss in Responsibilities
- Separation from Service

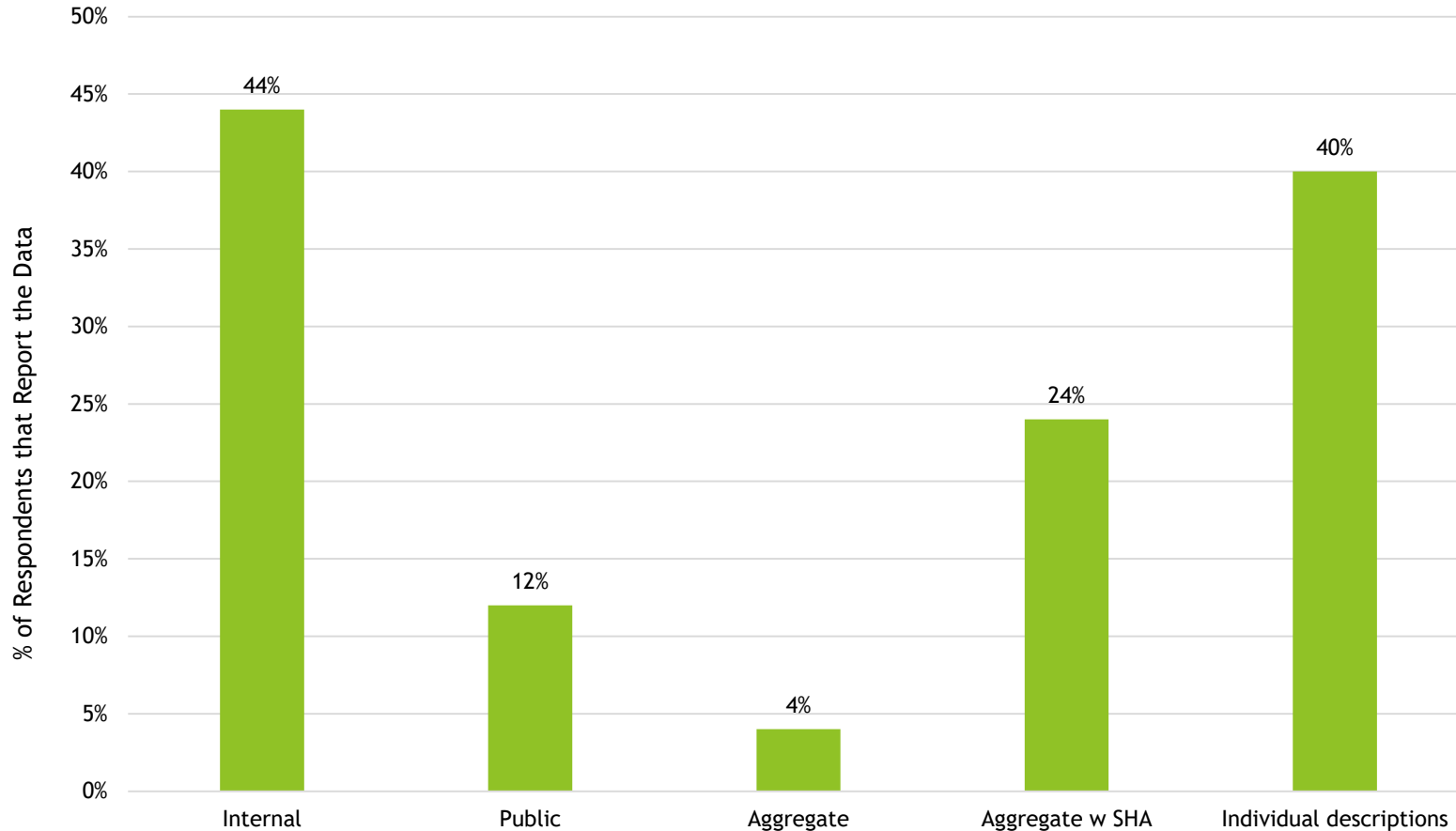
- Separation from service (termination/dismissal)
- Loss in responsibilities (e.g. demotion)
- Financial penalty without change in responsibilities (fine, loss in step(s) in grade, etc.)
- Disciplinary suspension from service (not pending investigation/ disciplinary process)
- Written censure (no immediate consequences)

- Written Censure: no immediate consequences
- Financial Penalty: no change in responsibilities; entails a fine, loss in step(s) in grade, etc.
- Loss in Responsibilities: e.g. demotion
- Separation from Service: i.e. termination or dismissal
- 2018 data incomplete

AVERAGE LENGTH OF TIME TO COMPLETE THE FORMAL INVESTIGATION PROCESS (IN MONTHS)



Does your Organization Report on Disciplinary Measures Imposed for Substantiated Sexual Harassment Cases?



- Aggregate: only in the form of aggregate data, without a category of sexual harassment.
- Aggregate w/ Sha: in the form of aggregate data, *with* a category of sexual harassment.
- Individual Descriptions: in the form of a report with information about each case.

Annex 7

Model Code of Conduct to Prevent Sexual Harassment During or In Relation to UN Events

Draft

Background

United Nations and United Nations entity events¹ are professional, respectful and harassment-free environments for all attendees, regardless of, *inter alia*, gender, gender identity and expression, sexual orientation, disability, physical appearance, ethnicity, race, national origin, age, or religion.

Purpose

The purpose of this code of conduct ('Code') is to communicate that every attendee is expected to conduct themselves in a professional, respectful and responsible manner at all times. Sexual harassment of attendees is not tolerated.

Applicability

The Code applies to all attendees, including media representatives and visitors, of events organised or sponsored by the United Nations or United Nations entity at a duty station or external premises.²

Prohibited conduct under this Code

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 a person's official activities or work or creates an intimidating, hostile or offensive official or work environment. Sexual harassment may occur in the workplace or in connection with official activities or any event of an official character. While typically involving a pattern of conduct, 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 ('Prohibited Conduct').

Sexual harassment:

- Is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics;
- May involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications;
- May occur between persons of the same or different genders, and individuals of any gender can be either the targets or the perpetrator;
- May occur outside the workplace and outside working hours, including during social functions related to work or any official activities or events of an official character or nature;

¹ The code may be used for any event, including conferences, assemblies, receptions, meetings or any other event organized or sponsored by the United Nations and United Nations entities at a duty station or external premises.

² If a complaint is made against a UN staff member, then relevant United Nations or United Nations entity regulations and rules apply. The Code applies to all CEB entities and applies within the legal framework applicable to the premises in question, including but not limited to, any agreements with the host country concerning such premises

- May be perpetrated by any person, whether or not that person is known to the person being harassed. A perpetrator's status as a senior official may be treated as an aggravating circumstance.

Complaint process

If Prohibited Conduct occurs during or in relation to an event organised or sponsored by the United Nations or United Nations entity, then the person who is the target of possible sexual harassment or any third party who has direct knowledge of the incident should report it as soon as possible, preferably before an event has concluded, to the person(s) or service identified for this purpose by the organiser of the event ('Focal Point').

For this event the Focal Point is [Insert name of Focal Point] and can be contacted on [insert telephone number and/or email address].

While a report may be made at any time, reporting an incident after an event has concluded may limit the options for action that can be taken by the organisers or sponsors of the event.

The Focal Point will gather and record relevant information in a written account of the incident, taking into consideration any applicable United Nations or United Nations entity regulations and rules. If the person who reports the incident is not the target of possible sexual harassment, the views and situation of the person who is the target of possible sexual harassment will be taken into consideration. Due discretion and relevant confidentiality rules apply to this process.

As a guide, the following is the information typically required to commence the preliminary fact-finding process: name or other identifying information of the person being accused of sexual harassment; date and location of the incident; a description of what happened; if there were witnesses, their names.

Response to complaint

Once it is completed, the Focal Point conveys the written account of the incident to the organiser of the event and Chief of Security, if applicable, for such action as may be appropriate in response to a credible complaint, including revocation or suspension of access privileges of the alleged perpetrator to the event or future events organised or sponsored by the United Nations or United Nations entity. If any additional information is required by the organiser of the event or Chief of Security in relation to the Prohibited Conduct, it will be gathered in accordance with United Nations or United Nations entity regulations and rules, as applicable.

The organiser of the event or the Chief of Security, if applicable, will keep the person who has reported the incident reasonably informed of actions taken while applying due discretion and relevant confidentiality rules.

No retaliation

Threats or other intimidation against a person who has made a complaint or provided information in support of a complaint will not be tolerated.

Implementation Guide

Background

As an organizer of conferences, meetings, assemblies and other events, the United Nations has a responsibility to clearly communicate the expectation that such events are safe professional environments for all attendees and are free from sexual harassment.

In general, United Nations policies and regulations do not extend to non-staff. Therefore, to ensure that there is a common understanding among staff and non-staff attendees of what conduct is acceptable at events organized or sponsored by the United Nations, a code of conduct for events can serve as a useful communications and prevention tool. The Code is not binding and may be adapted to each organization and its context.

Consideration could also be given to promulgating the Code in an appropriate administrative issuance. This Guide has been prepared to assist in the administration and implementation of the Code.

Model code of conduct

Applicability: The Code applies to all attendees, with no exceptions. United Nations staff have a responsibility in relation to, and are protected by the Code (i.e. to not harass and not to be harassed including by non-staff attendees). Any complaint made against UN staff would be addressed through relevant United Nations or United Nations entity regulations and rules. It may be applied to any event, including conferences, assemblies, receptions, meetings or any other event organized or sponsored by the United Nations and United Nations entities at a duty station or external premises. The Code applies to all CEB entities and applies within the legal framework applicable to the premises in question, including but not limited to, any agreements with the host country concerning such premises.

Prohibited conduct under this code:³ The Code adapts the agreed definition and explanatory paragraph from the draft UN System Sexual Harassment Policy Reference Model so that it can be logically applied to an event setting, which has attendees that include non-staff e.g. adding the term “official activities” in addition to “work” and removing reference to “condition of employment” and “official travel”.

Complaint process: The Code outlines a process for reporting a complaint that is sufficiently flexible for it to be used in multiple different scenarios, including situations where United Nations Department of Safety and Security (UN DSS) are providing security services to the event, or not, or if the event is at a duty station or external premises. The Focal Point’s role may be undertaken by staff of the United Nations or United Nations entity that is organizing or sponsoring the event, a member or team of UN DSS or other security service that is supporting the event or may include a host country liaison. In practice, the Focal Point should be identified prior to the event and the Code should be made publicly available and clearly displayed, including a telephone number, email address or other contact details of the Focal Point.

³ The Code of Conduct refers specifically to sexual harassment as the mandate of the sub-working group that drafted the code was limited to sexual harassment; it is open to UN entities to include other types of prohibited conduct in their own Code.

The important elements of the complaint process include the preparation of a written account of the incident, which includes the minimum information set out in the Code; ensuring consultation with and taking into consideration the views and situation of the person who is the target of possible sexual harassment (and may include gathering information from the person accused of harassment) in relation to gathering of preliminary facts; and the conveyance of this preliminary information to a designated decision-maker (e.g. Senior most UN official or Chief of Security).

It is noted that if a UN staff member witnesses Prohibited Conduct they are expected to cooperate with the complaint process.

Response to a complaint: Possible responses to a complaint are identified in a manner that gives the decision-maker the discretion on a case-by-case basis to determine how a complaint will be managed depending on the diplomatic or other status of the person who is the target of possible sexual harassment or the person who has been accused of harassment e.g. a Member State delegate and any relevant provisions of e.g. a host country agreement.

No retaliation: This is an important principle to facilitate greater reporting of incidents.

Implementing the Code

To ensure effective implementation, the following key elements should be considered:

Clarifying roles and responsibilities: It is critical to identify the focal point(s) and the decision-maker(s) for each event and provide these individuals or teams with clear roles and responsibilities.⁴

Communication of the Code: As the Code is primarily a communication and prevention tool it needs to be communicated to attendees e.g. at registration, in event publications, through social media or focal points for civil society or non-governmental organisations. Targeted communication to bureau of Governing Bodies could also be considered.

Support services: The Code does not expressly refer to support services for the person who is the target of possible sexual harassment because what can be offered is likely to vary depending on the location of the event and/or the capacity of the organizers. However, support services are critical and should be identified before an event, in consultation with the host country if applicable.⁵

More than one code: In circumstances where an event is hosted by a country or another organization that has its own code of conduct, all efforts should be taken to ensure a coherent application of one or both of the codes. The UN System Code should, whenever possible, be acting as a minimum standard to secure the overall purpose of assuring a sexual harassment-free professional environment for all attendees.

⁴ Organizations should consider the qualification of the Focal Point to adequately handle complaints and where necessary provide training. Organizations should further consider appointing Focal Points of different genders; putting in place a substitute arrangement in case of absence; and ensuring that Focal Points understand their role and the sensitivity and confidentiality required in performing the role.

⁵ Support services may include sexual harassment or assault helplines, emergency or specialised medical services, counselling etc.



On Sexual Harassment

CEB TASK FORCE ON ADDRESSING SEXUAL HARASSMENT WITHIN THE ORGANIZATIONS OF THE UN SYSTEM




INITIATIVES AND PROGRESS

Harassment of any type is antithetical to the principles of the UN, and sexual harassment in particular undermines its credibility and degrades its staff. The Secretary-General and UN system leaders committed to a zero-tolerance approach to tackling sexual harassment, to strengthening victim-centred prevention and response efforts, and fostering a safe and inclusive working environment across the UN system. To realize these commitments, the UN System Chief Executives Board for Coordination (CEB) established in November 2017 the CEB Task Force on Addressing Sexual Harassment within the organizations of the UN system ('Task Force'), under the leadership of Ms. Jan Beagle, Under-Secretary-General for Management and Chair of the HLCM, to drive joint action in key priority areas.








Policy	
INITIATIVE	STATUS
Uniform definition of "sexual harassment"	✓ Completed May 2018
Compendium of UN sexual harassment policies available online	✓ Completed May 2018
Development of common principles representing 'best practices' to harmonize policy on sexual harassment across the UN system	✓ Completed May 2018
Model Policy on Sexual Harassment	✓ Approved by HLCM October 2018 on behalf of CEB
Staff Perception Survey on sexual harassment to be conducted by independent provider across 31 entities	↻ Ongoing: Survey to be conducted November 2018
Harmonized mechanism for system-wide collection and analysis of data	✓ Indicative data and analysis from system-wide Questionnaire on case reporting - Completed October 2018
	↻ Ongoing periodic data collection

Accountability	
INITIATIVE	→ STATUS
Operational and legal framework for a UN system-wide screening database to avoid rehire of individuals whose working relationship with an organization ended because of a finding they had perpetrated sexual harassment	✓ Completed May 2018
Launch of system-wide screening database 'ClearCheck'	✓ Launched June 2018
Expanded Guidelines for the Sexual Harassment Screening Database 'ClearCheck' to include pending allegations of sexual harassment to avoid re-hire of individuals whose employment with an organization ends while allegations are pending	✓ Approved by HLCCM October 2018 on behalf of CEB

Support and Outreach	
INITIATIVE	→ STATUS
Common Guide for Managers to deal with sexual abuse, including 'check list', as a tool for outreach and communication	✓ Completed May 2018, ongoing deployment
Stocktaking of existence and features of Hotlines/Helplines	✓ Completed May 2018
Development of a framework of various Hotlines/Helplines solutions with reference to best practices	↻ Agreed by HLCCM October 2018
Deployment of different Hotlines/Helplines at organizational level	↻ Ongoing (e.g., WHO, UNDP, UNHCR, UN Secretariat)
Support campaigns against sexual harassment	↻ Ongoing (e.g., 'Say no to sexism', UNOG)
Support campaigns for organizational change, including workplace civility	↻ Ongoing (e.g., development of workplace 'Civility Campaign' with UN Ombudsman)

<p>Development and promulgation of a Model Code of Conduct to Prevent Sexual Harassment During on Relation to UN Events</p>		<p>Draft Model Code of Conduct approved by HLCM October 2018</p>
<p>Staff training on sexual harassment at entity level</p>		<p>Chair and Task Force members to undertake further informal consultations with Member States with a view to final adoption by end 2018</p>
<p>Development in coordination with DPI of internal and external communications strategy for UN (email, web-based)</p>		<p>Ongoing (e.g., Secretariat mandatory programme, more than 18,000 staff undertook training in the period January - October 2018)</p>

Strengthening Investigations

INITIATIVE	→	STRATEGY
<p>Prioritization of sexual harassment investigations</p>		<p>Ongoing (e.g., Higher priority given by UN OIOS to investigations involving allegations of sexual harassment (Category 1) implemented February 2018)</p>
<p>Recruitment of specialized sexual harassment investigators</p>		<p>Ongoing</p>
<p>Coordination of UN system investigations with Network of UN Representatives of Investigations Services (UN-RIS)</p>		<p>Ongoing</p>
<p>Development of UN investigative interviewing model adapted for sexual harassment cases</p>		<p>Ongoing in UN Office of Internal Oversight Services (OIOS), with input from Task Force</p>
<p>Specialized orientation training for investigators with focus on sexual harassment investigations</p>		<p>Ongoing</p>
<p>Joint meeting of the Task Force and Inter-Agency Standing Committee (IASC) members with heads of investigatory bodies</p>		<p>Meeting to be held Geneva, 26 November 2018</p>
<p>Establishment of Task Force Sub-working Group on Strengthening Investigative Capacity to ensure continued focus on improving UN system investigative capacity</p>		<p>Being established</p>

Crosscutting Strategies

Outreach & consultations

The Task Force continues to broaden its consultative process and engagement with stakeholders active and experienced in addressing sexual harassment including outreach to staff members, gender specialists, academics, NGOs and persons directly affected by sexual harassment. Consultations aim at seeking advice and highlighting best practices with a view to strengthening future system-wide efforts and have included outreach to the UN Ombudspersons, UN Feminists Network, UN Globe, UN Gender Focal Point Network, and the Inter-Agency Standing Committee humanitarian network. The Task Force has also developed support for the UN system's initiatives against sexual harassment in the broader community through partnerships, such as engagement with the Ambassadorial-level Group of Friends to Eliminate Sexual Harassment in New York.

Alignment with related UN policies

The UN's system-wide activities on sexual harassment take place in a broader context of social and cultural change around gender equality and women's empowerment, organizational change and UN system reform. These distinct but related activities are being implemented in parallel within the UN system, and close collaboration between the Task Force and these teams ensures the deliverables are mutually informed and enhanced:



Sexual harassment is fundamentally linked to unequal gender relations. The Secretary-General's **System-wide Strategy on Gender Parity**, launched in September 2017, comprehensively provides targets and tools to ensure gender parity and empowerment of women and effect positive organizational change.



A safe and inclusive working environment is a prerequisite to addressing sexual harassment. The **Enabling Environment Guidelines for the UN system**, developed by the CEB HR Network, OHRM and UN Women, will be published in November 2018 to provide guidance and best practices.



The issue of **sexual exploitation and abuse** is closely linked to the issue of sexual harassment and cooperation between the Task Force and the UN Special Coordinator on Improving UN Response to Sexual Exploitation and Abuse and the UN Victims' Rights Advocate ensures mutual support between the two action plans.