

Revised Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment

This document captures the policy as adopted by the Board in decision B.BM-2021/08. The policy was sent to the Board for consideration as a proposed decision without a Board meeting in document GCF/BM-2021/06 titled "Revised Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment".



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I. Introduction

1. GCF has zero tolerance for all forms of Sexual Exploitation, Sexual Abuse and Sexual Harassment (SEAH) in Fund related activities. SEAH violates human dignity and have always been unacceptable behaviour. SEAH is based on unequal relations and power dynamics resulting in a culture of discrimination and privilege. It creates hostile interpersonal relationships and work-related environments, which limit the ability of affected persons to thrive and GCF to achieve its mission. SEAH in any form is not acceptable at GCF.
2. GCF recognises the imperative to prevent and respond effectively to SEAH and to protect persons, especially persons in vulnerable positions and situations, and survivors of SEAH in all fund related activities. These protections are essential to strengthen integrity and accountability throughout GCF.
3. This policy forms part of a suite of GCF policies, including the Policy on Prohibited Practices, the Policy on the Protection of Whistleblowers and Witnesses, the Gender Policy (and its Action Plan), the Environmental and Social Policy (ES Policy), the Administrative Guidelines on Human Resources (especially section H on Harassment). These policies provide complementarity and work together to achieve the shared goal of zero tolerance for SEAH at GCF. The Secretariat will work with the Independent Redress Mechanism (IRM), the Independent Integrity Unit (IIU) and the Ethics and Audit Committee (EAC) to foster collaboration and coherence across the organisation, and to ensure staff understand appropriate roles, divisions of responsibility and redress mechanisms with regards to SEAH.
4. SEAH risk mitigation in all GCF financed activities (as described under the ES Policy) will be addressed through the relevant provisions of the ES Policy.
5. GCF will support entities it engages with to develop and implement policies and mechanisms that address Sexual Exploitation, Sexual Abuse and Sexual Harassment

II. Scope

6. The Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment (the Policy) establishes GCF's zero tolerance of SEAH. It sets clear obligations for GCF Covered Individuals to prevent and respond to SEAH and to refrain from condoning, encouraging, participating in, or engaging in SEAH. The scope for this policy is focused on Covered Individuals.
7. This Policy is linked with the ES Policy, and SEAH risk mitigation requirements in all GCF financed activities are addressed in the ES Policy.

III. Definitions

8. For the purposes of this Policy, the following terms are defined as follows:
 - (a) **"Board"** means Board of the Green Climate Fund;
 - (b) **"Board-appointed Official"** means the Executive Director ("ED"), the Head of the Independent Evaluation Unit ("IEU"), the Head of the Independent Integrity Unit ("IIU"), and the Head of the Independent Redress Mechanism ("IRM"), who are appointed by the Board;

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- (c) **“Covered Individual”** means Co-Chairs of the Board, Board Members, Alternate Members, Advisers (each defined in the Rules of Procedure of the Board of the GCF), Board-appointed Officials, External Members, and GCF Personnel;
- (d) **“External Members”** mean an expert serving as an external member on a panel or group established by the Board;
- (e) **“False or Malicious Report”** means an inaccurate or misleading report that is made recklessly, or knowingly or deliberately for the purpose of gaining undue advantage or causing harm to a person or entity;
- (f) **“Fund-related Activity”** means any activity which is financed, administered, or supported by the Fund, either with its own resources or those of others, or any activity that materially affects or may affect or otherwise be relevant to the Fund;
- (g) **“GCF Personnel”** means any GCF Staff and any other individual contracted and/or engaged by GCF to perform official functions for GCF, excluding Board-appointed Officials and External Members;
- (h) **“SEAH”** means Sexual Exploitation, Sexual Abuse, and Sexual Harassment;
- (i) **“SEAH Check”** means a recruitment practice whereby job applicants are required to provide a SEAH Declaration and whereby the information contained in the Declaration is checked, as far as possible, through Reference Checks;
- (j) **“SEAH Declaration”** is a sworn-to-be-true, written disclosure of a person’s history of Sexual Exploitation, Sexual Abuse, or Sexual Harassment with regard to lawfully disclosable criminal convictions, or disciplinary measures or sanctions imposed by existing or former employer(s) and/or by disciplinary boards of professional organisations to which the person is or has been subject;
- (k) **“Sexual Abuse”** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions;
- (l) **“Sexual Exploitation”** means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to profiting monetarily, socially, or politically from the sexual exploitation of another;
- (m) **“Sexual Harassment”** includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, that interferes with work, or is made a condition of employment, or creates an intimidating, hostile or offensive environment in connection with a Fund-related activity;
- (n) **“Staff”** means all persons appointed to a post in GCF under a letter of appointment (individually, a “Staff Member”);
- (o) **“Reference Checks”** mean the part of a selection and employment process whereby checks are performed to verify the accuracy and authenticity of references, statements, or declarations made by external job applicants on their educational, professional, and other background; and
- (p) **“Survivor”** refers to the person who is, or has been, sexually exploited, abused, or harassed.

IV. Guiding Principles

1. Guiding principles underpin the core values and premises of the SEAH Policy and are aligned with the objectives and guiding principles of the Governing Instrument.
2. GCF shall not tolerate any form of Sexual Exploitation, Sexual Abuse, or Sexual Harassment.
3. GCF and its Covered Individuals shall not enter into future engagements with those who condone, encourage, participate in, or engage in SEAH in Fund-related activities.
4. GCF shall take all appropriate measures to prevent, mitigate, investigate, and remedy SEAH in relation to acts perpetrated by Covered Individuals in Fund-related activities.
5. GCF shall take all appropriate measures to protect actual or suspected survivors such as ensuring their anonymity, physical safety and removal from proximity to suspected perpetrators - from retaliation because of a report of actual or suspected SEAH perpetrated by Covered Individuals in relation to a Fund related activity.

V. Obligations of Covered Individuals

5.1 Obligations of Covered Individuals

9. Covered Individuals shall uphold the guiding principles of this Policy and contribute to creating and maintaining an environment which prevents SEAH.
10. Covered Individuals shall not condone, encourage, participate in, or engage in SEAH ~~to~~ in Fund-related activities. In particular, they shall not:
 - (a) Use their position to commit Sexual Exploitation, Sexual Abuse, or Sexual Harassment against any person implementing, engaged in, or benefiting from Fund-related Activities; or
 - (b) Engage in sexual activity with a child (as defined in Article 1 of the United Nations Convention on the Rights of the Child). Mistaken belief regarding the age of a child is not a valid legal defence. Any such activity shall be deemed to constitute Sexual Exploitation and/or Sexual Abuse.
11. Subject to the availability of protection against retaliation, Covered Individuals have a duty to report any suspected SEAH in Fund-related Activities as soon as possible after becoming aware of it to the IIU or to the EAC where applicable (as outlined in Section VII), and to cooperate with the IIU in the context of an investigation, or other inquiry in accordance with the Policy on the Protection of Whistleblowers and Witnesses. Relevant IIU and EAC contacts for reporting are found in Section VII below.
12. Subject to the availability of protection against retaliation, any supervisor, manager, or other such person of GCF who receives a report of suspected SEAH is obligated to transmit such report without delay to the IIU.

VI. Prevention and Due Diligence

6.1 Covered Individuals

13. GCF shall ensure, as soon as practicable following the adoption of this Policy, that its recruitment, procurement, employment, or any other onboarding processes include SEAH Checks.
14. In conducting SEAH Checks, GCF shall ensure that Board-appointed Officials, External Members, and GCF Personnel complete SEAH Declarations prior to the offer of any appointment, employment, or contract.
15. Following the submission of the SEAH Declaration, GCF shall ensure that the appropriate Reference Checks are carried out for the purpose of verifying, to the extent possible, the accuracy and authenticity of the information provided by the candidate, including the information provided in the SEAH Declaration.
16. Persons who are already employed or contracted by the GCF as Board-appointed Officials, External Members, or GCF Personnel at the time this Policy is adopted, shall be required to submit a SEAH Declaration without delay.
17. The failure to disclose, and/or the inaccurate or incomplete disclosure of, information with regard to any act of SEAH in the SEAH Declaration shall be treated as misconduct (as in the case of Staff) or breach of contract (as in the case of consultants), as appropriate. GCF reserves the right to withdraw any offer of appointment, employment, or contract, or to terminate any contractual engagement if the applicant is found to have provided untruthful information concerning any past criminal or disciplinary records regarding acts of SEAH.
18. Covered Individuals are required to disclose to GCF their intimate personal relationships with other Covered Individuals in the following circumstances:
 - (a) When a management reporting relationship exists between the persons; or
 - (b) When two persons have unequal positions at GCF, and it could reasonably be perceived that a Conflict of Interest may exist (i.e. that a person in a superior position may be exerting his or her influence to unfairly benefit or disadvantage a person in a subordinate position).

6.2 Awareness Raising, Communication, and Training

19. The Secretariat will prepare as soon as practicable policy implementation guidelines in the form of an action plan to support the dissemination and implementation of this Policy and to raise awareness across GCF of the issue of SEAH and its potential ramifications. The plan will include:
 - (a) Making this Policy available on the GCF website;
 - (b) Developing through making available, policy implementation guidelines in the form of an action plan, training, guidance and tools, and communication materials for Covered Individuals to raise awareness and support the implementation of this Policy. This training, tools and guidance will be tailored to the needs and contexts of the target audience;
 - (c) Conducting, to the extent possible, awareness raising and training activities for and/or in collaboration with Covered Individuals;

- (d) Developing guidance, training, and procedures for relevant GCF Personnel responsible for assessing SEAH risks, and for working to ensure that proper safeguard systems are in place; and
- (e) Ensuring that all Covered Individuals undertake mandatory training to ensure compliance with this Policy and relevant operating procedures.

VII. Reporting and Investigations

20. Any person or entity may report to the IIU actual or suspected SEAH as defined by this Policy. Persons with information concerning suspected SEAH, particularly when it involves Covered Individuals in Fund-related Activities, are strongly encouraged to report such information to the IIU.

21. Reports of actual or suspected SEAH should be made to the relevant authority designated for receiving the relevant report, as set out in the GCF Policy on the Protection of Whistleblowers and Witnesses and shall be dealt with in accordance with that Policy.

22. In accordance with the procedures provided for in the GCF Policy on the Protection of Whistleblowers and Witnesses:

- (a) Reports of actual or suspected SEAH regarding GCF Personnel, a Board-appointed Official (excluding the Executive Director and the Head of IIU), or an External Member of GCF Panels or Groups, shall be made to the Head of IIU through any of the following points of contact on the proviso that any changes regarding the contact details shall be communicated and disseminated appropriately:

Email: integrity@gcfund.org Hotline: +82 32 458 6155

Mailing Address: Independent Integrity Unit, Green Climate Fund, 175 Art Center-daero Yeonsu-gu, Incheon 22004 Republic of Korea;

- (b) Reports of actual or suspected SEAH regarding a Co-Chair, Board Member, Alternate Member, Adviser, the Executive Director, or the Head of the IIU, shall be submitted to the Chair of the EAC who shall bring any such report to the attention of the EAC for its consideration in accordance with the procedures which the IIU shall establish for such cases. Such reports shall be submitted in writing and in confidence to the Chair of the EAC through the following contact points:

Email: EAC-Chair@gcfund.org

Mailing Address: Chair of the Ethics and Audit Committee, Green Climate Fund, 175 Art Center-daero Yeonsu-gu, Incheon 22004 Republic of Korea; and

- (c) Reports of actual or suspected SEAH regarding a GCF Personnel working under the authority of the Head of the IIU shall be made to the Head of the IIU at the IIU points of contact stated in subparagraph (a) above, or to the Chair of the EAC at the EAC points of contact stated in subparagraph (c) above on an interim basis until other mechanisms are established and appropriately communicated.

23. Persons or entities reporting actual or suspected SEAH shall do so in good faith and provide where possible any information or evidence in their possession that would support a reasonable belief that SEAH may have occurred. Prior to making a report, such persons or

entities are not required to evaluate or to determine whether a report that they intend to make meets any threshold of seriousness or gravity. Reporting persons or entities are not required to prove the suspected SEAH or to meet any evidentiary requirements.

24. Reports of actual or suspected SEAH shall be investigated by the IIU in accordance with the relevant GCF policies and standards including but not limited to the GCF Policy on the Protection of Whistleblowers and Witnesses. The IIU shall treat seriously, and thoroughly investigate reports of suspected SEAH in a manner that is gender-responsive, survivor-centred, independent, and objective by conducting investigations, free of control or influence by any person or entity, and with scrupulous adherence to the principles of do-no harm, fairness and due process.

25. Following any IIU investigation, the IIU shall take measures to monitor the situation regarding the status of any survivors and alleged perpetrators of SEAH, to protect against retaliation as a consequence of the investigation, its findings or its outcome. Furthermore, the GCF Secretariat shall implement any administrative or disciplinary measures to be taken by the GCF as a result of the investigation.

26. The IIU shall cooperate and coordinate with the IRM to maximise the effectiveness of this Policy. In the event that a report of SEAH is submitted to the IIU and also filed as a complaint with the IRM, or if a report of SEAH is submitted to the IIU or IRM that relates to both a Covered Individual and a GCF funded project or programme, the Heads of the IIU and IRM shall consult with each other and with the person reporting/complainant and determine how best to address the report or complaint so as to avoid parallel proceedings and/or investigations.

VIII. Protection and Remedies

27. Any Survivor who reports, attempts to report or is believed to have reported suspected or actual SEAH (including concerns of suspected SEAH) by a Covered individual in relation to a Fund related activity shall be entitled to all the protection (which includes anonymity and confidentiality, and protection from retaliation) and remedies, afforded to 'whistleblowers' as set out in the GCF Policy on the Protection of Whistleblowers and Witnesses.

28. Any other person who reports, attempts to report or is believed to have reported actual or suspected SEAH, or cooperates, attempts to cooperate, is believed to be about to cooperate, or is believed to have cooperated with a GCF investigation concerning a report of suspected SEAH by a Covered Individual in relation to a Fund-related activity, shall be deemed a 'whistleblower' or as a 'witness', as appropriate, and shall be entitled to all the related protection (which includes anonymity and confidentiality, and protection from retaliation) and remedies, as set out in the GCF Policy on the Protection of Whistleblowers and Witnesses.

29. Any Covered Individual who is a Survivor of an act of SEAH perpetrated by another Covered Individual in connection with a Fund-related activity, may request that GCF provide the following guidance and support:

- (i) Information and advice on the informal and formal reporting options, hotlines, and helplines which are available within and outside the GCF;
- (ii) Information on available medical services and support;
- (iii) Information on counselling, including psycho-social and stress counselling;
- (iv) Advice from the Ethics Officer or Ombudsperson;
- (v) Information on available, low-cost health insurance options and services;

- (vi) Information and referral to internal and external local services specialising 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; and
- (vii) Support and guidance on how to report to and what to expect from the local authorities, particularly if the alleged behaviour constitutes a crime.

30. In emergency situations, any Covered Individual who is a Survivor of SEAH perpetrated by another Covered Individual in connection with a Fund related activity may request that GCF provide interim medical relief or other support services as required to address the immediate harm.

31. Any person who is a survivor of SEAH perpetrated by a Covered Individual on GCF premises or during an activity or event hosted by GCF, regarding whom a report of SEAH has been made in accordance with section VII of this Policy, may request that GCF provide the protection provided for in paragraphs 30 and 31 above.

32. Acts of SEAH, or retaliation against an actual or suspected SEAH survivor, committed by Covered Individuals shall amount to misconduct or breach of contract and shall be subject to disciplinary or other remedial measures as appropriate, in accordance with the relevant GCF policies, rules, and procedures.

33. Any person or entity who makes a False or Malicious Report may be subject to administrative remedies or disciplinary action in accordance with relevant GCF policies and guidelines, and the provisions of any contractual agreements existing between GCF and the person or entity.

34. In connection with a Fund-related activity, where an act of SEAH is perpetrated by a Covered Individual, or retaliation against an actual or suspected Survivor, is perpetrated by a Covered Individual has been substantiated through an investigation conducted by GCF, and corrective or disciplinary measures have been imposed against a Covered Individual, the IIU, in consultation with the EAC, may recommend that GCF take appropriate remedies, such as the provision of referral contacts and services and counselling for the benefit of the survivor. The GCF Secretariat shall endeavour to implement such remedies without undue delay. However, in the event that the GCF Secretariat does not implement the recommended remedies, the IIU shall promptly seek guidance from the EAC in order for the EAC to determine the appropriate course of action.

IX. Policy Implementation, Monitoring, Reporting, and Review

35. The Office of Human Resources of the GCF Secretariat shall be responsible for the effective implementation, monitoring, and reporting to the Board annually regarding the Covered Individuals obligations under this Policy. It shall develop guidelines and procedures, in consultation with the IIU, to operationalise and implement this Policy promptly following its adoption.

36. The Secretariat and the IIU shall recommend improvements to this Policy and related procedures and controls to mitigate opportunities for SEAH and ensure that Covered Individuals adhere to the Policy. The IIU shall also maintain and publicly disclose a case registry of reports including regarding SEAH, within the limitations of the GCF Policy on the Protection of Whistleblowers and Witnesses in force, and in accordance with relevant GCF policies and standards regarding information disclosure.

37. Every three years, the Ethics and Audit Committee, with the support of the IIU and the Secretariat, will present a report to the Board on issues related to the implementation of this Policy along with any recommendations for changes to it. Such reports will take into account new standards or policies developed and implemented by peer institutions and partners regarding the range of their activities and will be aligned with the policy review cycle.

X. Effective Date

38. This Policy shall come into effect following the adoption by the Board of the GCF.



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