



Guidance Note

Protection from Sexual Exploitation, Abuse and Harassment

Allocation Period 2023-2025

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Introduction

In accordance with [The Global Fund's Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power](#), this guidance note provides details on how the Global Fund is operationalizing its approach to protection from sexual exploitation, abuse and harassment (SEAH) in the context of funded interventions.

The purpose of this guidance note is threefold: 1) to develop a common understanding of SEAH based upon a shared language and widely understood definitions; 2) to identify where the risks lie, i.e., what factors can lead a person to be more vulnerable to SEAH and how the provision of services itself can lead to increased risk of SEAH; and 3) how to foster safer programming in Global Fund grant interventions.

The Guidance Note accompanies the SEAH Risk Assessment and Mitigation Tool that is made available to support implementers in designing safer grants in conjunction with the funding request development process or during grant implementation.

Executive Summary

The Global Fund takes a victim/survivor-centered, zero-tolerance-to-impunity approach to SEAH, in alignment with the overarching principle of “do no harm”.

As outlined in the Operational Framework, protection from sexual exploitation, abuse, and harassment (PSEAH) comprises a holistic approach with various prevention and response measures to protect and respond to SEAH incidents.

PSEAH is relevant for the safety of beneficiaries, implementer staff and community health workers. This guidance note focuses on the protection of Global Fund beneficiaries from SEAH and provides guidance for how to assess and mitigate potential SEAH risk in Global Fund grant interventions.

The Global Fund recognizes that one of the most effective means of addressing SEAH is to ensure that entities that implement Global Fund grants have adequate capacity for PSEAH, and that programs incorporate PSEAH as a core element to make interventions and programs as “safe” as possible by ensuring adequate focus on how to keep beneficiaries safe and how services are provided and accessed by the beneficiaries.

While promoting cultural change requires time and effort both within the Global Fund Secretariat and within the Global Fund partnership, it is important to take immediate action, understanding that the lessons learned will help to review the institutional approach while allowing continuous learning and evolution of proposed actions.

Key components of PSEAH include the following:

- Awareness raising and guidance on PSEAH in the context of Global Fund programs and for grant beneficiaries.
- Assessing and strengthening the PSEAH compliance and capacity of Global Fund implementers.
- Tools and guidance to identify and address SEAH risks within grant interventions.

The Global Fund is cognizant of the importance of providing support for victims/survivors of SEAH, and of ensuring accountability for sexual misconduct. For this purpose, it is important that all implementers have confidential and accessible reporting mechanisms in place, and that all Global Fund stakeholders, beneficiaries and implementers be aware of these existing reporting channels.

1. What is Sexual Exploitation, Abuse and Harassment?

People may not access health care services if they fear that doing so will result in SEAH. The goal of eliminating the three diseases depends on the delivery of people-centered services that are freely available to all, without fear or favor, and maintaining workplaces across the extended partnership that are safe spaces where all can thrive.

It is imperative that all Global Fund-supported programs take steps to ensure that all staff, stakeholders and beneficiaries are protected from SEAH.

Addressing SEAH begins by acknowledging that “it can happen here”. Bringing about change will need to begin with, first, developing a common understanding that is based upon a shared language and widely understood definitions.

1.1 Defining SEAH

[The Code of Conduct for Recipients of Global Fund resources](#) prohibits all forms of sexual exploitation, abuse and harassment. The Global Fund defines SEAH as follows:

- **Sexual exploitation** is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
- **Sexual abuse** is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
- **Sexual harassment** is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense or humiliation. Sexual harassment may involve any conduct of a verbal, nonverbal or physical nature, including written and electronic communications, and may occur between persons of the same or different genders.

The Code of Conduct specifically prohibits all sexual activity with children (persons under the age of 18), regardless of the age of majority or age of consent locally. Child protection is an integral component of PSEAH.

It is important to emphasize that these prohibitions are designed to ensure the safety of beneficiaries and service providers in accordance with the principle of "do no harm"

The scope of application of PSEAH is exclusively related to Global Fund-financed activities.

1.2 What causes SEAH Risk?

The risk of sexual exploitation, abuse and harassment increases when power imbalances, vulnerabilities of beneficiaries, and external risk factors combine.

- **Power imbalances**¹ enable offenders to commit SEAH and related abuse of power with perceived impunity and create the opportunity for more powerful actors to provide or withhold vital resources (such as medicines, insecticide-treated nets, medical treatment, training, stipends, and per diems) in exchange for sex acts. Power imbalance can be caused by gender norms; social hierarchies that lead to exclusion and vulnerability; beliefs around consent, class, race, ethnicity, gender identity, sexual orientation or misogyny; and early or persistent exposure to sexual violence, exploitation and abuse.
- **An individual's vulnerability may increase due to internal factors** (age, religion/ethnicity, gender identity, sexual orientation, compromised health status, disability, history of trauma, low levels of literacy or education, marginalization, displacement or migrant/refugee status, neglect).
- **Vulnerability may increase also due to external factors** in the operating environment (poverty, armed conflict, natural disasters, pandemics, exposure to current threats of violence or domestic abuse).
- **Vulnerability increases when two or more of these factors intersect.** For example, a person who is marginalized due to their sexual orientation, health status, and/or migrant status is at higher risk of SEAH due to their increased vulnerability.
- Additionally, **the risk that SEAH will cause serious harm to a person increases with the degree of their vulnerability**; more extreme, repeated, or systemic SEAH often results in compounded or complex trauma, as does SEAH of a person who is more vulnerable by virtue of multiple vulnerability factors.

1.3 Identifying SEAH Risk for beneficiaries

SEAH occurs mainly in connection with the distribution of resources (goods and services) to vulnerable populations, such as children, adolescents and young people (AYP), internally displaced people (IDP), refugees. etc:

- **Control of resource allocation:** When implementer staff or community workers control and have the power to withhold the distribution and allocation of resources to beneficiaries and to demand sexual activities in exchange.

Examples of potential prevention measures

It is important to focus on how resources, goods and services are distributed and accessed by beneficiaries and ensure it is done in the safest way possible, for example:

¹ <https://safeguardingsupporthub.org/sites/default/files/2020-12/RSH%20Evidence%20Digest%20Dec%202020.pdf>

- Vulnerable individuals, including children, should be accompanied by a third person such as a guardian or nurse when visiting a doctor.
- Distribution of nets could be undertaken by mixed-gender teams.
- Separate and safe toilet or shower facilities could be provided at distribution points.
- Reporting channels that are widely publicized and accessible can also act as deterrents for SEAH and are therefore potential prevention measures.
- In case of cash transfer programs, subsidies, and other similar interventions, it is recommended to establish up-front, clear and transparent processes to select beneficiaries and to provide the benefit. One example would be to delegate selection to an ad hoc committee (ideally with members of mixed background and genders), rather than an individual.
- **Living in the community:** When implementer staff or community workers live in the community they serve, or work alongside vulnerable beneficiary populations and can develop relationships with community members:

Examples of potential prevention measures

- Staff must be vetted and trained on PSEAH.
- Communities/beneficiaries must be informed about what is expected of implementer staff and community workers, and that they are bound by a code of conduct that prohibits SEAH.
- Implementers must establish reporting mechanisms that are confidential and accessible to all independent of their age, literacy levels, gender, language, skills, health status, etc (e.g., people should be able to report in any language whether in writing or verbally).
- Communities/beneficiaries must be made aware of how and where to report incidents, whether they experienced the action or witnessed it.
- **Rapid recruitment:** During pandemics, natural disasters, conflicts or wars, organizations often need to quickly recruit and onboard large numbers of staff and volunteers and safe recruitment practices or staff safeguarding/PSEAH training often don't occur. People affected by these situations have a higher degree of vulnerability, independently of the kind of funded intervention. Additional safeguards are thus required.

Examples of potential prevention measures:

- It is important that all staff recruited in such situations be vetted and trained on PSEAH.
- Accessible and confidential community-based complaint mechanisms should be established.
- Communities need to be made aware of their rights and about how and where to report.
- Any distribution of resources, goods or services should be carefully overseen.

- **International or otherwise mobile staff:** When staff have the power to control the distribution and allocation of resources and to quickly remove themselves from the location/country and are therefore hard to hold accountable:

Examples of potential prevention measures:

- International staff, or local headquarters staff, are no exception. Safe recruitment practices, training and ensuring that all staff will be held accountable for sexual misconduct is essential.
- The organization could join the Misconduct Disclosure Scheme to prevent perpetrators of sexual misconduct from moving between organisations undetected.

1.4 Consequences of SEAH

The consequences of SEAH can be very severe for the **victim/survivor**. This can include:

- Medical consequences (physical injury, scars, infertility, STDs, HIV/AIDS, etc.)
- Unwanted pregnancy and children born because of SEAH.
- Psychological or emotional harm (shame, guilt, self-blame, isolation, fear, anxiety, distress, confusion, depression, anger).
- Stigmatization or rejection by spouse, family members or community.
- Punishment (including physical violence) by members of the community or family.
- Retaliation, intimidation, threats by alleged perpetrators against survivors, witnesses or their families.
- Loss of educational opportunities, livelihoods, or income.
- Pressure to force survivors to reconcile with perpetrators or be forced into marriage with perpetrator.
- In some extreme cases, arrest and punishment – for example when sexual conduct outside marriage, or homosexual acts, are criminalized.

SEAH can also have **consequences for the organization and its mission** to defeat the three diseases. This can include:

- Reputational damage, loss of trust and credibility; breakdown in support structures within the local community and with national and international donors.
- Loss of funding if SEAH is seen as systemic and/or where there is a lack of adequate management response.
- Negative impact on program activities and reduction in services.
- Mission risk – not achieving the mission to defeat the three diseases if beneficiaries cannot access services safely.

There may also be **consequences for the perpetrator** of SEAH. These may include for example:

- Loss of reputation/public shaming/community exclusion
- Loss of employment and income
- Criminal prosecution

1.5 Reporting SEAH

It is important that implementers have robust, accessible and confidential reporting mechanisms in place.

Recipients of Global Fund resources are required to report allegations or concerns related to SEAH to the Global Fund. This also applies to members of the Country Coordinating Mechanism (CCM).

Please watch the Office of the Inspector General's video "[Fighting sexual exploitation and abuse](#)" ([in French](#), [in Portuguese](#), in Spanish) explaining the importance of early identification of risks of sexual exploitation, abuse and harassment, and how to report allegations or concerns. Also note the following reporting channels:

- Online reporting- [go to form](#).
- Telephone Reporting Service +1 704 541 6918 (service available in English, French, Spanish, Russian, Chinese and Arabic).
- Email reporting service - hotline@theglobalfund.org.
- Report by letter to *I Speak Out Now*, Office of the Inspector General, Global Fund, Chemin du Pommier 40, 1218 Grand-Saconnex, Geneva, Switzerland.

For more information, please visit: <https://www.ispeakoutnow.org/>.

1.6 Victim/Survivor Support

Recipients and suppliers are subject to the Global Fund's Codes of Conduct. They are expected to provide or facilitate assistance to victims and survivors related to their safety and protection, medical care, psychosocial support and legal services, as well as to facilitate survivors' and victims' timely, safe and confidential access to a remedy. As such, the Global Fund expects its recipients and suppliers to have policies and measures in place to prevent and respond to SEAH, including policies and measures to facilitate or provide assistance to victims and survivors.

At the same time, the Global Fund recognizes that some recipients and suppliers are not currently equipped to facilitate or provide this support. Consequently, the Global Fund commits to work with its in-country recipients to help build the capacity to facilitate or provide support as articulated in its Codes of Conduct.

2. Fostering Safer Programming in Global Fund Grant Interventions

2.1 Key Principles

Different components can contribute to the safety of funded interventions. Among the key preventive factors, the Global Fund recognizes the following:

- Inclusion of PSEAH as a standard default component for program design, including community awareness activities.
- Adequate capacities of Global Fund implementers to prevent, manage and respond to SEAH allegations, including awareness of implementer staff and accessible reporting mechanisms.

For the 2023-2025 allocation cycle, Global Fund partners are recommended to consider SEAH risks and to incorporate the appropriate mitigation measures for those risks during program design.

In alignment with the Global Fund Strategy and with the contributory objective “Maximizing the Engagement and Leadership of Most Affected Communities to Leave No One Behind”, it is recommended to give communities the opportunity to express their concerns concerning SEAH and involve the representatives of the groups expected to receive program services in the definition of mitigation measures.

2.2 Why a SEAH Risk Assessment and Mitigation Tool?

To help in-country stakeholders identify SEAH risks and mitigation measures that can be integrated within programs, the Global Fund has created a [SEAH risk assessment and mitigation tool](#). The purpose of this tool is:

- to raise awareness of and initiate a dialogue on PSEAH at the country level.
- to promote a change in the way interventions are planned and designed to include PSEAH as a standard default option for program design in the medium- and long-term.

For the 2023-2025 allocation cycle, the application package includes the use of this tool as an optional annex. A limited number of countries are expected to pilot the mandatory use of the SEAH Risk Assessment and Mitigation Tool from country dialogue to grant-making to then inform the institutional approach going forward.

2.3 Identifying and Mitigating SEAH Risk

When?

The SEAH Risk Assessment and Mitigation Tool is a spreadsheet which is meant to serve as the basis for discussion around SEAH during the country dialogue process. Once the CCM has defined the interventions to be included in the grant application, the tool should guide all stakeholders in considering where SEAH risks might occur and how services can best be provided in a safe and beneficial manner, particularly with regards to vulnerable populations.

If the SEAH Risk Assessment and Mitigation Tool is submitted at funding request stage (as an optional annex), Principal Recipients (PRs) are expected to provide follow up to any mitigation measure proposed and confirm the relevance of its content, including timelines and implementers **during grant-making**.

The use of the SEAH risk assessment tool is **also recommended during grant implementation** to update or review previous findings, and in cases where there has not been the opportunity to fill it in during the funding request development, assuming that it is possible to consult with communities, civil society and representatives of grant beneficiaries.

Who?

If the SEAH Risk Assessment and Mitigation Tool is completed during country dialogue, the **CCM** (e.g., the CCM Ethics Officer, where available) is expected to lead the assessment, in coordination with the **PR** (if known). The CCM might hire a facilitator to help fill in the SEAH Risk Assessment and Mitigation Tool after getting a no objection from the Global Fund's CCM Hub.

If the tool is completed during grant implementation, it can be led by the **PR**. And should include active participation by representatives of **grant beneficiaries**.

How to create a safe space for beneficiary consultation?

An inclusive and participative setting which also incorporates representatives of grant beneficiaries is important for ensuring proximity to the people most at risk of SEAH violations. In this context, ensuring a safe space to speak up is an essential requirement to protect the integrity of participants and promote a meaningful exercise.

To achieve this purpose, it is recommended to adapt the methodology to the context and stakeholders involved, considering (among other factors):

- The possibility of splitting the group into working groups.
- The opportunity to provide anonymous feedback.
- The importance of reminding the participants that in case of concerns or allegations of SEAH these should not be shared in this context, but reported through the mechanisms in place.

- Ensuring an understanding of what constitutes SEAH, as well as the expectations and prohibitions included in the Code of Conduct of recipients of Global Fund resources.

What tool to use?

The use of the [SEAH Risk Assessment and Mitigation Tool](#) is recommended where the CCM and/or the PR do not already have an equivalent tool in place for safe programming. In case an alternative tool is available, and proposed interventions have been assessed through that tool, applicants are encouraged to share it and notify the Country Team and the PSEAH coordination unit (pseah@theglobalfund.org) about whether mitigation measures have been embedded into concerned interventions.

In case SEAH-related risks have been identified and mitigation measures have been embedded into the interventions proposed for funding without using any specific tools, applicants and implementers are also encouraged to inform the Country Team and the PSEAH coordination unit (pseah@theglobalfund.org).

Identification of SEAH risks and mitigation measures

The identification of risks and mitigation measures is context-based and linked to the stakeholders directly involved in the interventions included in the programs.

Mitigation measures related to how the services are provided to, or accessed by, beneficiaries are expected to be embedded within the relevant intervention. Mitigation measures might be translated into changes in the methodology for service provision and/or additional tasks or activities as part of the process to carry out an intervention. For specific examples on this please see Section 3, below.

It is also recommended to include awareness-raising activities around what constitutes SEAH and where to report it within other planned or ongoing community awareness activities (such as outreach strategies, communication campaigns, trainings and other activities which target grant beneficiaries). Community awareness activities can also provide the opportunity to obtain feedback on the safety of interventions, which will facilitate the review and update of mitigation measures.

PRs, as part of their monitoring role, can assess the safety of interventions implemented by sub-recipients through spot checks.

Grant funds can be used to fund program-related mitigation measures and community awareness activities aimed at beneficiaries, and to fund PR spot checks to assess the safety of proposed interventions.

The Risk Assessment and Mitigation Tool includes a tab with detailed instructions about how to use it, step by step. Key steps include the identification of beneficiaries and the priority interventions targeted at these groups. It is recommended to prioritize the interventions related to the distribution of goods or services, and which involve direct contact with beneficiaries.

Based on the beneficiaries and interventions, users are requested to identify SEAH-related risks. Specific guidance is provided within the tool for how to calculate the risk of harm based on the likelihood and severity of potential events.

While the assessment is meant to highlight key risks for grant beneficiaries, PSEAH is also applicable to implementer staff involved in the service provision and whose safety should also be promoted. Please note that mitigation measures tackling gaps in capacities or training and awareness-raising of implementer staff/service providers cannot be funded with grant funds; in cases where no other sources of funding are available, PRs can ask for additional resources through the submission of a capacity building plan.

2.4 PSEAH Capacity Assessments

An important pillar of the SEAH risk management and prevention approach is represented by PSEAH capacity assessments with a view to strengthening the capacity within the implementing organization to prevent, detect and respond to SEAH allegations.

The Global Fund is planning to assess the capacities of existing PRs on a gradual basis beginning in 2023. PSEAH capacity includes, among other things, having policies and procedures in place; safer recruitment practices; adequate awareness and training; robust reporting and response capacity; victim/survivor support and/or referrals; and the use of tools and policies to engage with the community (such as community awareness activities and accessible reporting mechanisms).

PRs will develop a capacity building plan on the basis of this assessment. In this initial stage, these plans are not expected to be funded with grant funds and in case no additional source of funding is available, the Global Fund may provide risk-based capacity building support.

Implementers interested in more information regarding the capacity assessments and capacity building support can write directly to pseah@theglobalfund.org.

3. List of Abbreviations

AGYW	adolescent girls and young women
AYP	adolescents and young people
CCM	Country Coordinating Mechanism
IDP	internally displaced person
GBV	Gender-based violence
HIV/AIDS	Human immunodeficiency virus infection and acquired immune deficiency syndrome
ITN	insecticide-treated nets
LGBTIQ	lesbian, gay, bisexual, and transgender
OIG	Office of the Inspector General
PCU	PSEAH Coordination Unit
PLHIV	People living with HIV
PR	Principal Recipient
PSEAH	protection from sexual exploitation, abuse and harassment
SDG	Sustainable Development Goal
SEAH	sexual exploitation, abuse and harassment
STD	sexually transmitted disease