



Mercy-USA for Aid and Development Protection Against Sexual Exploitation and Abuse Code of Conduct

1.0 Scope

Mercy-USA for Aid and Development has set up a Protection from Sexual Exploitation and Abuse (PSEA) complaint mechanism which enables both beneficiaries and staff to make PSEA complaints and seek redress in a safe environment. The mechanism is intended to be effective, accessible, and safe for users. Any such cases are reported to immediate line managers in the program locations, and, if the managers are the offenders, then the case is reported to the Human Resource Department at the Country/Regional Office.

2.0 Procedure

Mercy-USA's Human Resources Department sensitizes all staff on the expectations and requirements of the Protection from Sexual Exploitation and Abuse Policy. It is emphasized that in program implementation it is necessary to sensitize stakeholders especially the beneficiaries on the existence of the Code of Conduct and set reporting/communication mechanisms for PSEA cases. Mercy-USA cautions that in principle, sexual relations between humanitarian workers/Mercy-USA staff and beneficiaries of assistance are strongly prohibited because they are based on inherently unequal power dynamics. This also includes sex for help or help for sex under any circumstances.

Mercy-USA staff members are given an orientation on PSEA, including exploring definitions of sexual exploitation and abuse, its causes, and consequences with the aim to reinforce the ethical behavior of the Organization's staff. The Mercy-USA Employment Policy also stipulates that any manner of sexual harassment is prohibited, leading to disciplinary actions including termination of employment with the organization. All staff members are also obliged to sign the PSEA policy, a sample of which is included below (Mercy-USA PSEA Code of Conduct Compliance Form). Also, at the inception of each program, Mercy-USA usually meets with the community stakeholders for debriefing on the implementation plans for the particular project. It is at these forums that the community is sensitized on the existence of the PSEA code of conduct for Mercy-USA staff and on the reporting mechanisms in case of violation.

At the Country/Regional Office, there is a focal team comprised of the management staff with the Human Resources Department as the lead. This team acts as the focal point for all issues relating to PSEA. The department handles such issues and gives guidance on the way forward in dealing with all PSEA matters and possible investigations.



Mercy-USA for Aid and Development PSEA Code of Conduct Compliance Form

All Mercy-USA for Aid and Development personnel, contractual workers and volunteers must uphold the highest standards of professional and personal conduct. At all times, Mercy-USA staff and contractual workers must treat the local population with respect and dignity, in particular vulnerable groups such as women and children.

Sexual exploitation and sexual abuse are acts of unacceptable behavior and prohibited conduct for all Mercy-USA staff. These cases damage the image and integrity of Mercy-USA and erodes confidence and trust in the Organization.

Cases of Sexual exploitation and abuse by Mercy-USA employees or contractual workers constitute acts of gross misconduct, and are, therefore, grounds for termination of employment.

- 1) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
- 2) Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.
- 3) Any sexual relationship between those providing humanitarian assistance and protection and a person benefiting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work
- 4) Where a Mercy-USA worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in Mercy-USA or not, he or she must report such concerns via established Mercy-USA reporting mechanisms.
- 5) Humanitarian workers must create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of their Code of Conduct. Managers at all levels have a responsibility to support and develop systems that maintain this environment.

All Mercy-USA staff must contribute to an environment that prevents sexual exploitation and abuse. Executives and Managers have a particular responsibility to develop systems and cultivate an environment that prevents sexual exploitation and abuse and ensures strict compliance with the Code of Conduct. Mercy-USA personnel are obligated to report any concerns regarding sexual exploitation and abuse by a fellow worker through the established reporting mechanisms. Any violation of the Code of Conduct will be considered as serious misconduct. PSEA cases will be investigated and may lead to drastic disciplinary measures, including suspension, immediate or summary dismissal and/or involvement of local police authorities. I have read and understand this Code of Conduct and will comply fully with it.

Name of Employee	Signature	Date
Name of Witness	Signature	Date