



ADAPTATION FUND

AFB/B.42/12
11 January 2024

Adaptation Fund Board
Forty-second meeting
Bonn, Germany, 12-15 March 2024

Agenda item 12 c)(ii)

**DEFINITIONS OF SEXUAL EXPLOITATION AND ABUSE AND
SEXUAL HARASSMENT (SEAH) AND OPTIONS FOR A
POLICY ON SAFEGUARDING AGAINST SEAH**

I. Background

1. At the Sharm el-Sheikh Climate Change Conference in November 2022, the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its seventeenth session (CMP 17) and the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fourth session (CMA 4) requested the Board to adopt a policy on safeguarding against sexual exploitation and abuse and sexual harassment (SEAH) through decision 4/CMP.17, paragraph 13 and decision 18/CMA.4, paragraph 12, respectively. In response to this mandate, the Adaptation Fund Board (the Board) considered this mandate at its fortieth meeting and decided as follows:

Having considered Adaptation Fund related decisions taken by the Conference of the Parties serving as meeting of the Parties to the Kyoto Protocol at its seventeenth session and Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fourth session, as well as document AFB/B.40/8 and its annex, the Adaptation Fund Board (the Board) decided:

[. . .]

(b) To request the secretariat to prepare a document with options for a policy on safeguarding against sexual exploitation and abuse and sexual harassment (SEAH) and present it at its forty-first meeting for the Board's consideration;

[. . .]

(Decision B.40/81)

2. In accordance with decision B.40/80 (b) and in support of the Board in responding to the mandate by CMP17 and CMA 4, the secretariat has prepared document AFB/B.41/8/Rev.1 and its annex to facilitate the Board's discussion on the matter. The document contained an overview of contemporary institutional commitments and policies to prevent sexual exploitation, abuse, and harassment (SEAH), options for developing the Fund's own policy, and a summary of various organizations' existing policies and frameworks.

3. At its forty-first meeting the Board considered document AFB/B.41/8/Rev.1 and its annex and decided as follows:

Having considered document AFB/B.41/8/Rev.1 and its annex, the Adaptation Fund Board (the Board) decided to:

(a) Take note of the options and suggested considerations for a policy on safeguarding against sexual exploitation and abuse and sexual harassment (SEAH) outlined in document AFB/B.41/8/Rev.1 and its annex which were prepared in response to decision B.40/81;

(b) Continue its consideration of options for responding to the mandate to adopt a policy on safeguarding against SEAH contained in decisions 4/CMP.17, paragraph 13 and decision 18/CMA.4, paragraph 21; and

(c) Request the secretariat to support the Board's consideration by preparing a background note which includes elaboration of definitions and their application as well as

potential approach and process to respond to the mandate referred to in paragraph (b), taking into account the Board's discussions at the forty-first meeting.

(Decision B.41/37)

4. As per decision B.41/37 this document is prepared to support the Board in continuing its consideration of options for responding to the mandate to adopt a policy on safeguarding against SEAH contained in decision 4/CMP.17, paragraph 13 and decision 18/CMA.4, paragraph 21. For reference, the documents on this matter submitted to the previous Board meeting (B.41) are resubmitted as Annex to this document.

II. Common definitions of sexual exploitation, sexual abuse, and sexual harassment

5. The secretariat looked at the definitions of sexual exploitation, sexual abuse, and sexual harassment set out in the SEAH-related policies of several international organizations (listed in Table 1 below). The secretariat was able to identify commonalities of definitions of SEAH in these organizations' SEAH-related policies as many organizations adopted definitions of SEAH in line with key standards and frameworks adopted by various international organizations, in particular, the 2003 United Nations Secretary-General's Bulletin on Special Measures for Prevention from Sexual Exploitation and Abuse (ST/SGB/2003/13)¹ and the 2019 Sexual Harassment UN General Assembly Resolution (A/RES/73/148)².

(1) Definition of sexual exploitation

6. Sexual exploitation refers to '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.**'³

7. The Green Climate Fund (GCF), the International Fund for Agricultural Development (IFAD), the World Bank, UN Women, International Union for the Conservation of Nature (IUCN), Global Fund to Fight Aids, Tuberculosis and Malaria (Global Fund), and the United Nations World Food Programme (WFP) adopt the same definition referred to in the previous paragraph. The definition of sexual exploitation set out in the respective organization's SEAH-related policy is as follows:

¹ <https://www.unhcr.org/media/secretary-generals-bulletin-special-measures-protection-sexual-exploitation-and-sexual-abuse>. Section 1 Definition states "the term "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. Similarly, the term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions."

² [2019 Sexual Harassment UN General Assembly's Resolution A/RES/73/148: Intensification of efforts to prevent and eliminate all forms of violence against women and girls: sexual harassment](#). It states that "sexual harassment "encompasses a continuum of unacceptable and unwelcome behaviours and practices of a sexual nature that may include, but are not limited to, sexual suggestions or demands, requests for sexual favours and sexual, verbal or physical conduct or gestures, that are or might reasonably be perceived as offensive or humiliating."

³ 2003 UN Secretary-General's Bulletin on Special Measures for Prevention from Sexual Exploitation and abuse (ST/SGB/2003/13).

<Table 1: definition of sexual exploitation>

GCF ⁴	“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”
IFAD ⁵	“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 others”
World Bank ⁶	“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, not limited to, profiting monetarily, socially or politically from the sexual exploitation of another”
UN Women ⁷	“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.”
IUCN ⁸	“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially, or politically from the sexual exploitation of another”
Global Fund ⁹	“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.”
WFP ¹⁰	“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting financially, socially or politically from the sexual exploitation of another.” “Engaging prostitution services is also considered a form of sexual exploitation.”

(2) Definition of sexual abuse

8. Sexual abuse refers to **‘the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.’**¹¹

⁴ [GCF Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2021\)](#).

⁵ [IFAD Policy to preventing and responding to sexual harassment, sexual exploitation and abuses \(2018\)](#).

⁶ [WBG Directive Staff Rule 3.00 - Office of Ethics and Business Conduct \(EBC\) \(2020\)](#).

⁷ [UN Women Prevention of harassment, sexual harassment, discrimination and abuse of authority policy \(2020\)](#). In UN Women, ‘sexual exploitation’ and ‘sexual abuse’ are covered by [the UN Secretary-General’s Bulletin ST/SGB/2003/13: Special Measures for Protection from Sexual Exploitation and Sexual Abuse](#).

⁸ [IUCN Policy on the Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2019\)](#).

⁹ [The Global Fund’s Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power \(2021\)](#).

¹⁰ [Ethics in WFP – Protection from Sexual Exploitation and Sexual Abuse \(2020\)](#).

¹¹ 2003 UN Secretary-General’s Bulletin on Special Measures for Prevention from Sexual Exploitation and abuse (ST/SGB/2003/13).

9. The GCF, IFAD, the World Bank, UN Women, IUCN, Global Fund, and WFP adopt same definition of sexual abuse elaborated in the previous paragraph. The definition of sexual abuse set out in the respective organization’s SEAH-related policy is as follows:

<Table 2: definition of sexual abuse>

GCF ¹²	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”
IFAD ¹³	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”
World Bank ¹⁴	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”
UN Women ¹⁵	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”
IUCN ¹⁶	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”
Global Fund ¹⁷	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions”
WFP ¹⁸	“The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.”

(3) Definition of sexual harassment

10. Sexual harassment refers to, *but not limited to*, ‘**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.**’¹⁹

11. The GCF, IFAD, the World Bank, UN Women, IUCN, Global Fund, and WFP adopt same definition of sexual abuse elaborated in the previous paragraph. The definition of sexual abuse set out in the respective organization’s SEAH-related policy is as follows:

¹² [GCF Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2021\)](#).

¹³ [IFAD Policy to preventing and responding to sexual harassment, sexual exploitation and abuses \(2018\)](#).

¹⁴ [WBG Directive Staff Rule 3.00 - Office of Ethics and Business Conduct \(EBC\) \(2020\)](#).

¹⁵ [UN Women Prevention of harassment, sexual harassment, discrimination and abuse of authority policy \(2020\)](#). In UN Women, ‘sexual exploitation’ and ‘sexual abuse’ are covered by [the UN Secretary-General’s Bulletin ST/SGB/2003/13: Special Measures for Protection from Sexual Exploitation and Sexual Abuse](#).

¹⁶ [IUCN Policy on the Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2019\)](#).

¹⁷ [The Global Fund’s Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power \(2021\)](#).

¹⁸ [Ethics in WFP – Protection from Sexual Exploitation and Sexual Abuse \(2020\)](#).

¹⁹ [2019 Sexual Harassment UN General Assembly’s Resolution A/RES/73/148: Intensification of efforts to prevent and eliminate all forms of violence against women and girls: sexual harassment](#).

<Table 3: definition of sexual harassment>

GCF ²⁰	“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”
IFAD ²¹	“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 others”
World Bank ²²	“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, not limited to, profiting monetarily, socially or politically from the sexual exploitation of another”
UN Women ²³	“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.”
IUCN ²⁴	“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially, or politically from the sexual exploitation of another.”
Global Fund ²⁵	“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.”
WFP ²⁶	“Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting financially, socially or politically from the sexual exploitation of another.” “Engaging prostitution services is also considered a form of sexual exploitation.”

III. Application of a policy on safeguarding against SEAH

12. The international organizations mentioned above set out the scope of their respective SEAH policies. Common features were found in their policies as follows:

²⁰ [GCF Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2021\)](#).

²¹ [IFAD Policy to preventing and responding to sexual harassment, sexual exploitation and abuses \(2018\)](#).

²² [WBG Directive Staff Rule 3.00 - Office of Ethics and Business Conduct \(EBC\) \(2020\)](#).

²³ [UN Women Prevention of harassment, sexual harassment, discrimination and abuse of authority policy \(2020\)](#). In UN Women, ‘sexual exploitation’ and ‘sexual abuse’ are covered by [the UN Secretary-General’s Bulletin ST/SGB/2003/13: Special Measures for Protection from Sexual Exploitation and Sexual Abuse](#).

²⁴ [IUCN Policy on the Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2019\)](#).

²⁵ [The Global Fund’s Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power \(2021\)](#).

²⁶ [Ethics in WFP – Protection from Sexual Exploitation and Sexual Abuse \(2020\)](#).

- 1) Standards or principles on the organization's approach to protection from SEAH;
- 2) Commitment on a zero tolerance against SEAH (and sometimes zero tolerance for inaction to prevent, report or respond to SEAH);
- 3) Including the accountability system to create and maintain an environment which prevents, reports, and responds to SEAH;
- 4) Measures to prevent SEAH (such as SEAH risk assessment, management, reporting and detection measures, relevant vetting schemes, and recruitment processes to prevent the hiring of perpetrators of SEAH);
- 5) Response mechanism (such as mechanism for receiving complaints and detecting concerns relating to personnel and operations, responding to, and investigating cases, disciplinary actions, victim-survivor centered approach);
- 6) Monitoring mechanism (collecting and using data to track progress, learning, and monitoring and evaluating the impact of the policies or approaches to safeguard against SEAH).

13. The table below shows the components of the four organizations' policies on safeguarding against SEAH.

<Table 4: Components of a policy on safeguarding against SEAH>

GCF ²⁷	(1) Introduction (statement of GCF's zero tolerance for all forms of SEAH in GCF related activities); (2) Scope; (3) Definitions; (4) Guiding Principles; (5) Obligations of Covered Individuals; (6) Prevention and Due Diligence (awareness raising, communication, and training); (7) Reporting and Investigations; (8) Protection and Remedies; (9) Policy Implementation, Monitoring, Reporting and Review.
IFAD ²⁸	(1) Introduction (statement of IFAD's zero tolerance towards acts of sexual harassment or SEA and commitment to take action to prevent sexual harassment and SEAH from occurring in the first place and ensures a prompt and effective response to allegations); (2) Definitions and scope; (3) Guiding principles; (4) Application; (5) Responsibilities of IFAD staff and individuals holding a work contract with IFAD; (6) Obligation to report; (7) Obligation of IFAD; (8) Prevention and monitoring

²⁷ [GCF Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2021\)](#).

²⁸ [IFAD Policy to preventing and responding to sexual harassment, sexual exploitation and abuses \(2018\)](#).

IUCN ²⁹	(1) Introduction (statement of IUCN's commitment to providing a safe environment for its community, free from discrimination on any ground and from harassment at work including sexual harassment and IFAD's zero tolerance for all forms of sexual wrongdoing including SEAH in all its activities); (2) Policy aims; (3) Scope and applicability; (4) Definitions; (5) Policy principles; (6) Obligations; (7) Prevention and due diligence; (8) Awareness Raising, communication, and training; (9) Reporting and investigation; (10) Protection and remedies; (11) Policy implementation, monitoring, reporting and review
Global Fund ³⁰	(1) Introduction (a long declared zero tolerance for sexual exploitation and abuse and sexual harassment in its programs and at the Global Fund in Geneva and Executive Director's commitment to ensuring Global Fund reinforces protection against SEAH across the partnership; Two principles underpinning the Global Fund's approach to Protection from SEAH (PSEAH) - a victim/survivor-centered approach and international coordination; Definitions and use of terms); (2) Policy, leadership and Management (International Coordination- Global Fund is a member of the IASC Thematic Experts Group on PSEAH-; Global Fund Policies and Codes of Conduct; Management structures, roles and responsibilities); (3) Prevention ((i) Measures inside the Global Fund- recruitment and screening process; Training and Education; (ii) Outside the Global Fund – local coordination for the assurance of obligations and expectations; capacity assessment and risk mitigation; guidance and capacity-building; (iii) PSEAH in Program Design; (iv) Oversight and Compliance); (4) Reports and Complaints (reporting mechanism; investigations; support to survivors and victims; protection against retaliation); (5) Response, Accountability, and Transparency (Disciplinary measures and administrative sanctions; public reporting; referral & cooperation with national justice systems

IV. Options for responding to the mandate from decision 4/CMP.17, paragraph 13 and decision 18/CMA.4, paragraph 12

14. Currently, the Adaptation Fund does not have a stand-alone policy on safeguarding against SEAH nor other policies directly addressing SEAH issues. Neither the Gender Policy (GP) and Environmental and Social Policy (ESP) or the Fund's other policies mention SEAH nor gender-based violence (GBV). Only its Gender guidance document for implementing entities (revised in 2021) mention both terms.³¹

²⁹ [IUCN Policy on the Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment \(2019\)](#).

³⁰ [The Global Fund's Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power \(2021\)](#).

³¹ See [Gender Guidance Document for Implementing Entities on Compliance with the Adaptation Fund Gender Policy](#) (Updated in 2022). For example, on p.60, SEAH is referenced once: "Are gender-differences in perceptions and realities of public safety considered such as efforts to prevent sexual exploitation, abuse and harassment (SEAH) or

15. To respond to the mandate from decision 4/CMP.17, paragraph 13 and decision 18/CMA.4, paragraph 12, two options could be considered:

- (Option 1): Adopting a standalone PSEAH policy of the Adaptation Fund; or
- (Option 2): Not adopting a standalone policy but , incorporating SEAH elements into the relevant policies such as the Fund’s Operational Policies and Guidelines, Code of Conduct of the Board, Risk Framework of the Fund, Environmental and Social Policy, Gender Policy, and their respective Guidance Document.

16. Possible processes involved could be outlined as below:

Option 1- adopting a standalone policy on safeguarding against SEAH	Option 2- Incorporating SEAH elements into the Fund’s relevant policies without a standalone policy on safeguarding against SEAH
<p>Board decision to develop a standalone policy on safeguarding against SEAH</p> <p>→ secretariat to develop a draft of the AF policy on safeguarding against SEAH</p> <p>→ [consultation process] secretariat to launch a public call for comments on the draft policy while collecting input on the draft from the Board, IEs, DAs, AF Civil Society Network</p> <p>→ secretariat to consider and reflect the input into the revised draft and prepare a compilation of input verbatim</p> <p>→ secretariat to submit the revised draft of the policy to the Board, together with a compilation of the input, for consideration and decision</p>	<p>Board decision to incorporate SEAH elements into the Fund’s relevant policies without a standalone policy on safeguarding against SEAH</p> <p>→ secretariat to identify potential elements/measures to safeguard against SEAH and conduct a gap analysis by reviewing the Fund’s policies, procedures and contracts that address SEAH concerns</p> <p>→ secretariat to prepare a draft of revised Fund’s policies by incorporating SEAH elements/measures</p> <p>→ [consultation process] secretariat to launch a public call for comments on the draft of the revised policies which incorporated SEAH elements while collecting input on the draft from the Board, IEs, DAs, AF Civil Society Network</p> <p>→ secretariat to consider and reflect the input into the revised draft and prepare a compilation of input verbatim</p> <p>→ secretariat to submit the revised draft of the policy together, with a compilation of the input to the Board for consideration and decision</p>

17. Both options will provide an opportunity for the Fund to reaffirm its commitment to a sustainable climate adaptation that ensures that its supported projects and programmes do not

gender-based violence (GBV)” ; p.54:” Are there strategies in place to mitigate sexual harassment, e.g. increased female presence in support staff, avoiding overcrowding, strengthening supervision before and during disasters?”; and p.57: “Is gender-based violence (GBV) employed to maintain or exert control over natural resources, such as in times of resource scarcity aggravated by climate change and biodiversity loss (with increased risk faced by environmental defenders who are Indigenous or of underrepresented sexual orientations or gender identities)?”.

³¹ For example, p.60 of the AF gender guidance document, SEAH is referenced once: “Are gender-differences in

exacerbate existing gender gaps and achieve gender equality and the empowerment of all the vulnerable groups. However, even when option (1) is selected, Fund's other relevant policies will need to be updated to be aligned with a standalone PSEAH policy for coherence, accountability, and integrity.

18. In considering to adopt a PSEAH policy, it would be necessary to consider and assess, on one side, the costs and investment of designing and implementing such a mechanism – which as it has been previously stated comprises different stages, and it should be aligned to the Fund's policies, processes and goals – and on the other, potential risks of not having a SEAH policy – which seems to be against the growing trend in international organizations. It will also be necessary to consider how a PSEAH policy or its elements would be organized in the context of the Fund's broader policy framework.

V. Recommendation for the Board

19. Having considered document AFB/B.42/12 and its Annex, the Adaptation Fund Board may want to consider and decide:

[Option 1]

- (a) To develop an Adaptation Fund policy on safeguarding against sexual exploitation, sexual abuse, and sexual harassment (SEAH);
- (b) To request the secretariat to:
 - (i) Prepare a draft of the Adaptation Fund policy on safeguarding against SEAH in consultation with relevant stakeholders of the Adaptation Fund;
 - (ii) Present the outcome of the work referred to in subparagraph (b) (i) for the Board's consideration at its forty-fourth meeting.

[Option 2]

- (a) To incorporate elements and measures to safeguard against sexual exploitation, sexual abuse, and sexual harassment (SEAH) into the relevant policies and procedures of the Adaptation Fund without developing a standalone policy on safeguarding against SEAH;
- (b) To request the secretariat to:
 - (i) Prepare a gap analysis with a view to identifying and incorporating elements and measures to safeguard against SEAH into the Fund's policies and procedures and drafts of the revised policies and procedures of the Fund in consultation with relevant stakeholders of the Adaptation Fund;
 - (ii) Present the outcome of the work referred to in subparagraph (b) (i) for the Board's consideration at its forty-fourth meeting.