

**RWANDA EXTRACTIVE INDUSTRY WORKERS UNION
(REWU)**



**Prevention of Sexual Exploitation and Abuse
Policy**

July 2022, Kigali

1. Purpose

This policy supersedes all previous policies related to preventing and responding to sexual abuse and exploitation. This policy is in addition to the Child Safeguarding and Anti-Discrimination and Anti-Harassment Policies, which cover other prohibited conduct.

REWU is committed to preventing all forms of sexual abuse and exploitation (SEA). This policy seeks to ensure that all participants in REWU's programs are safe and not exposed to any threat or conduct involving sexual exploitation or abuse. We are committed to responding promptly and appropriately to any SEA allegations.

2. Applicability

This policy applies to all global employees, committee members of Rwanda Extractive Industry Workers Union ("REWU"), consultants, independent contractors, agents and volunteers ("Workers"), and visitors ("Visitors") who work on or visit REWU and REWU sub recipient programs.

REWU recognizes our obligation and responsibility to operate in a manner consistent with the fundamental principles of human rights and we are committed to the prevention of and response to sexual exploitation and abuse. REWU recognizes that sexual exploitation and abuse of vulnerable people is a global phenomenon and from our own and others' experience, it is clear that working in development can entail dealing with these issues. It is vital that sexual exploitation and abuse are not perpetrated or compounded by those who REWU employs. It is crucial that we all understand the problem of sexual exploitation and abuse and our own role and responsibility in preventing it. Employees need to consider how their sexual conduct might cause serious harm to others and bring REWU into disrepute.

3. Definitions

3.1. Definitions of Sexual Exploitation and Abuse

REWU defines the term sexual exploitation as any actual or attempted abuse of a person in a position of vulnerability, differential power or trust for sexual purposes including, but not limited to, profiting monetarily, socially or politically from the exploitation of someone else. The term sexual abuse means actual or threatened physical intrusion of a sexual nature, whether by force, coercion or under unequal conditions.

3.2. REWU Provider = REWU staff, REWU Committee members, REWU Volunteers and consultants or other third party acting on behalf of REWU.

REWU has a zero-tolerance stand on exploitative and abusive relationships. We will also not tolerate behavior that endangers the security of employees or the organization or brings into disrepute. It follows, therefore, that employees should have:

- No sexual contact with children under the age of 18* (mistaken belief of age being no defense)

- No transactional sexual contact with REWU beneficiaries, clients or staff of REWU partners.

REWU affirms the Six Core Principles adopted by the United Nation’ s Inter- Agency Standing Committee Task Force on Prevention and Response to Sexual exploitation and Abuse and these are referenced at the end of this policy.

Sexual exploitation is defined as an actual or attempted abuse of a position of power or trust, for sexual purpose. Exploitation can include profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual abuse is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

3.3.Examples of Prohibited Behaviors

REWU Workers and Visitors are prohibited from engaging in any form of sexual exploitation or abuse of a person participating in a REWU or REWU sub recipient program. Never engage in sexual relationships with program beneficiaries, as these relationships are based on inherently unequal power dynamics.

Examples of sexual exploitation and abuse include, but are not limited to:

- Sexual assault or abuse;
- Unwanted (without consent) touching of a sexual nature;
- Demanding sex in any context;
- Making sex a condition for aid or participation in a development program;
- Forcing someone to have sex;
- Forcing a person to engage in sex work or pornography.

4. Mandatory Reporting

Workers and Visitors are required to report suspicions or allegations of SEA, or noncompliance with this policy, within the first 24 hours by alerting REWU Legal advisor or by submitting a report to REWU email: rewu.tradeunion@gmail.com. Workers and Visitors should also report any historic SEA allegations from any REWU program.

All SEA reports should include the following:

- Who committed the alleged wrongdoing?
- Do you know if anyone else was involved?
- What has happened? Describe in detail what you know or suspect of a SEA incident.
- Were there any witnesses?
- When and where did the incident take place? Providing dates and time, if possible

5. Importance of this Policy

As per this Prevention of Sexual Exploitation and Abuse Policy (PSEA), REWU will not tolerate sexually abusive or exploitative acts being perpetrated by our employees, contractors, volunteers or anyone associated with the delivery of our activities. Employees and managers are bound to uphold this policy and to report people or incidents that they believe contravene it. REWU managers and REWU corporate leadership have a duty to ensure that allegations of sexual exploitation and abuse are investigated and that appropriate disciplinary measures are taken. REWU also has a duty to provide appropriate assistance to any victims of sexual exploitation and abuse by our staff.

Rwanda Extractive Industry Workers Union (“REWU”) places human dignity at the center of its development work, and has a zero-tolerance stand on exploitative and abusive relationships.

REWU Deputy Secretary General must report to Secretary General any actual or suspected unethical behavior related to sexual exploitation and REWU has a duty to ensure that the allegations of sexual exploitation and abuse are investigated and the appropriate disciplinary measures are taken.

6. Our responsibilities

It is the responsibility of our managers, employees and anyone who works with us to report incidences of sexual exploitation and abuse being perpetrated by anyone within REWU. Managers, in particular, are responsible for creating and maintaining an environment in which employees, volunteers and contractors know what REWU expects from them and feel able to report any suspicious or inappropriate behavior.

6.1. Employee Responsibilities

Workers must:

- Be particularly alert to suspected cases of SEA within vulnerable populations.
- Report any suspected incidents or potential signs of SEA.
- Never hesitate to report suspicions of SEA because evidence was not collected.
- Respect the dignity, wishes and rights of survivors of SEA, including their wishes on whether to report to third parties.
- Seek counsel from the REWU Office of Ethics & Compliance with questions about whether or how to report suspected cases.

7. Program Design

REWU workers responsible for designing, pricing, funding, and implementing programs, directly or indirectly through sub recipients, are responsible for ensuring that our agents, partners and sub recipients have PSEA policies.

8. Country Offices

All REWU offices are required to identify emergency or survivor support resources in their area of program, if possible, to use in the event that a SEA allegation is reported, and the survivor in

question would like to avail themselves of those resources. The Secretary General (SG) is responsible for identifying emergency and survivor support resources in Rwanda, if possible, for addressing and reporting suspected SEA violations, and making staff members aware of those resources.

9. Exceptions

In line with international standards, employees will not have sexual relations with children (defined as under 18 years old) or with clients. Should staff find themselves in such a relationship, or contemplating such a relationship, they must report this to SG for appropriate guidance in the knowledge that this matter will be treated with due discretion. REWU will review matters to ensure the relationship is truly non-exploitive and consensual.

10. Our Partners

REWU is clear that any partnerships we have with others is based on mutual respect for values and beliefs. When REWU employees assess partner capacity to carry out projects this should include an assessment of the partner's capacity to meet our requirements in upholding this policy and the REWU Code of Conduct.

11. Policy Statements

Sexual exploitation and abuse by REWU staff and REWU committee members are acts of gross misconduct and are therefore grounds for termination. REWU staff and REWU committee members must refrain from sexual activity with any person under the age of 18, regardless of the local age of consent, the local or national laws of the country in which the employee works. Ignorance or mistaken belief of the child's age is not a defense. Failure to report such a relationship may lead to disciplinary action.

Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior REWU staff and REWU committee members is prohibited. This includes the exchange of assistance that is due to participants. REWU staff and REWU committee members will not request any service or sexual favor from participants of REWU activities, children or others in the communities in which REWU works in return for protection or assistance, and will not engage in sexually exploitative relationships.

Sexual relationships between employees and participants of REWU's activities are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of REWU's relief and development work. If an REWU staff or REWU committee members engages in sex or sexual activities with a participant, the REWU staff or REWU committee's member's employee must disclose this conduct to his /her supervisor for appropriate guidance. Failure to report such conduct may lead to disciplinary action. REWU staff or REWU committee members will not support or take part in any form of sexual exploitative or abusive activities, including, for example, child pornography or trafficking of human beings.

12. Making a Report

Anyone has the right to make a complaint about the behavior of those associated with REWU and its activities including any inappropriate behavior of other employees or volunteers according to REWU's Code of Conduct and our Whistle-blower Policy. Any manager who suspects inappropriate behavior should seek advice from Deputy Secretary General or local Regional coordinator immediately.

Complaints from people external to REWU will be dealt with through the Regional coordinator, with support from the Deputy Secretary General. We recommend that complaints be made within 3 months of an incident taking place. We recognize that this may not always be possible or likely with allegations of such a sensitive nature. An investigation can go ahead no matter how long ago an incident occurred (but obviously the sooner the better) and no matter whether the alleged victim wishes to take an active part. REWU staff or REWU committee members must report any concerns or suspicions they have regarding possible violations of this Policy to REWU Secretary General; use the anonymous address at +250 788307153 or email file a report online at rewu.tradeunion@gmail.com. They will decide on the appropriate steps, which may include referring the matter to the local authorities and supporting criminal prosecution.

13. Investigation plan , Monitoring and Corrective measures

REWU legal advisor is responsible for ensuring that allegations of SEA are investigated in accordance with this policy. Throughout the investigation, Workers and Visitors are required to cooperate with the investigation. Unless otherwise required by REWU legal advisor or law enforcement, all information must be kept confidential regarding the suspected survivor(s) and suspected perpetrator(s). REWU legal advisor and their investigators are responsible for conducting investigations of internal SEA reports to the extent local authorities are not involved. REWU legal advisor must report aggregated incident data to the REWU Senior Management Team (SMT) and to the Board of Directors on a quarterly basis. REWU legal advisor shall immediately report all exceptional cases to the SMT and Board of Directors as needed. REWU legal advisor also is responsible for monitoring that this policy is routinely followed.

REWU will investigate allegations of sexual exploitation and abuse involving REWU staff and partners in a timely and professional manner and will engage professional investigators or secure investigative expertise as appropriate if needed.

REWU has procedures for carrying out investigations into allegations of sexual exploitation and abuse. Guidance and support to investigators and those managing investigations is essential and is available from REWU Headquarter.

Investigations are an internal administrative process and would not necessarily therefore involve the police or judiciary. Investigations are carried out so that REWU can have the best information possible on which to base its decisions concerning employee conduct and consequences thereof.

We might then alert the appropriate authorities if, following an investigation, we judge that:

- A crime has taken place;
- Confidentiality can be ensured;
- The victim is in agreement; and
- Those associated with the case will not be subject to further abuse, disrespect or violence.

The investigators are free to handle a case of PSEA without reporting to anyone else in REWU office when necessary. REWU reserves the right to act or not to act on any information provided. The organization is not required to disclose its response or the actions resulting from any information that may be provided or reported. Safety of participants and colleagues will prevail. The intentional misreporting of information is subject to disciplinary action.

14. Enforcement

Sexual exploitation and/or abuse of program participants constitute acts of serious misconduct and are grounds for disciplinary action, including termination of employment and referral to law enforcement, as well as termination of sub recipient grants, if applicable. REWU Offices must comply with local laws on SEA violations.

A staff member who is proven to have committed sexual exploitation and/or abuse will be dismissed from their employment with REWU and ineligible for rehire. If an allegation is made in bad faith, appropriate steps will be taken to follow up with the person who has made the allegation and the person accused. Any Worker who makes false and malicious accusations will face disciplinary action, up to and including termination.

14.1. Victim Assistance

We will pursue investigations and take appropriate disciplinary procedures. Victims will receive immediate support as necessary, in line with the wishes and needs of the victim and to levels appropriate locally (and to a level deemed acceptable to appropriate professional staff).

14.2. Consequences

Employees who contravene REWU's clearly stated expectations of their sexual conduct will be subject to disciplinary action that may result in dismissal. Volunteers will have their relationship with REWU terminated. Contractors who contravene our expectations will have their contract ended.

Partners must disclose to REWU if their employees contravene the Prevention of Sexual Abuse and Exploitation policy and the expectations expressed in partnership documentation and must conduct appropriate investigations. Failure to do so may result in funding being withdrawn and their relationship with REWU may be terminated.

REWU staff or REWU committee members will not exchange money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior. This prohibition against exchange of money for sex means REWU staff or REWU committee members may not engage the services of sex workers while on REWU business, including on REWU premises or accommodation, or while travelling to/from or attending workshops, meetings and trainings, regardless of the local or national law concerning sex work or prostitution in the country.

Sensitive information related to incidents of sexual exploitation and abuse whether involving colleagues, activities participants or others in the communities in which REWU works shall be shared only with enforcement authorities and REWU volunteers and employees of the appropriate seniority or function who have a need to know such information. REWU staff or REWU committee members must undertake to create and maintain an

environment that promotes implementation of this Policy. As outlined above (in Investigations), the appropriate authorities, including the police or judiciary may be involved under certain circumstances.

Related Resources

- REWU is committed to upholding the United Nations Secretary General’s Bulletin on [special measures for protection from sexual exploitation and sexual abuse](#) (ST/SGB/2003/13) and the [Inter-Agency Standing Committee \(IASC\) Six Core Principles Relating to Sexual Exploitation and Abuse, 2019](#).

Approved by Eng. Mutsindashya Andre



Secretary General

Date: 15/July /2022