



Rwanda NGOs Forum on **AIDS** and
Health Promotion (RNGOF on **AIDS**&HP)

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RNGOF on HIV/AIDS** & HP:**

ANTI – SEXUAL HARRASMENT AND EXPLOITATION POLICY

Sexual misconduct regulations

(HARASSMENT, EXPLOITATION AND VIOLENCE)

2016

Introduction

RNGOF ON HIV/AIDS & HP strongly believes in the human dignity of every person. Therefore, RNGOF ON HIV/AIDS & HP strongly condemns and defends any behavior of a RNGOF ON HIV/AIDS & HP staff, intern or volunteer that is characterized by any form of sexual misconduct, including sexual harassment, sexual exploitation and violence against another co-worker, or any other person participating in an RNGOF ON HIV/AIDS & HP program or activity.

It is intolerable and strictly forbidden to retaliate against a reporter for sexual misconduct. Sexual misconduct and / or retaliation of any kind will result in the termination of the employment contract. This policy applies to committee members, staff, volunteers, interns, consultants, temporary employees and temporary contractors. RNGOF ON HIV/AIDS & HP is committed to creating a work environment free of all forms of discrimination and unlawful harassment. Acts, words, jokes or comments based on gender, race, ethnicity, age, religion or any other aspect legally recognized as discrimination are not acceptable. For example, sexual conduct (whether open or not) is a form of misconduct demeaning to the integrity of another person, demeaning to the integrity of labor relations and strictly prohibited.

Harassment and Sexual Exploitation

Harassment/sexual exploitation includes, but is not limited to unwanted sexual advances, requests for favors based on gender and other verbal expressions, non-verbal or physical conduct or communication of a sexual nature and have sex with prostitutes when:

1. The acceptance of such misconduct or communication is implicitly or explicitly a prerequisite to obtaining employment, or to initial access to or retention of a beneficiary in programs, services or distribution of material goods by RNGOF ON HIV/AIDS & HP; or
2. Acceptance or refusal is a basic criterion for making employment-related decisions that affect an individual's employment and education or initial admission or retention in the programs, services or physical assets offered by RNGOF ON HIV/AIDS & HP.
3. Conduct or communication has the purpose or effect of substantially interfering with the employment of an individual or the access of a beneficiary to RNGOF ON HIV/AIDS & HP programmes, services or material goods provided by RNGOF ON HIV/AIDS & HP.
4. Misconduct or communication creates an intimidating, hostile or offensive work environment.
5. This conduct is inappropriate, unprofessional and unethical for agents and for the carnal trade of prostitutes.

Such intolerable conduct includes but is not limited to::

- Threatening or taking measures that are harmful to employment or threatening to limit access to RNGOF ON HIV/AIDS & HP programs or services if sexual favors are not granted.
- Request, demand, accept or suggest sex, sexual activities or favors of any kind in exchange for preferential treatment in recruitment, assessments, recommendations or in exchange for any kind of assistance or service provided by any RNGOF ON HIV/AIDS & HP program such as access to materials, medication, health care, money or other financial resources or any other goods or services provided by RNGOF ON HIV/AIDS & HP.
- Unwanted physical contact including physical caresses of any kind.
- Unwanted sexual remarks, repeated sexual seductions, unwanted sexual advances, propositions and invitations;
- Unsolicited exposures of explicit or demeaning sexual materials,

Sex with a prostitute.

An RNGOF ON HIV/AIDS & HP officer who witnesses or receives a report, directly or indirectly, of a violation of this regulation is requested to take prompt and appropriate action by immediately reporting the violation to the Executive Secretary/ coordinator. (see Report and resolution on harassment/exploitation and sexual misconduct claims).

Violation of these regulations by an RNGOF ON HIV/AIDS & HP agent will result in the immediate termination of the contracts.

Resolution and reports on sexual harassment/Exploitation

If any agent of RNGOF ON HIV/AIDS & HP, a beneficiary who participates in an RNGOF ON HIV/AIDS & HP program or activity, or any other person(s) who has been harassed, exploited or abused by an an RNGOF ON HIV/AIDS & HP agent, a report may be made by the victim or by another person on his or her behalf. The report may be made orally or in writing and forwarded to the Executive Secretary/ coordinator. Victims are under no obligation to report the incident to the person involved in the misconduct or to a supervisor, whether or not the supervisor is suspected of being responsible for the misconduct (see attached report form).

RNGOF ON HIV/AIDS & HP will conduct a thorough and confidential investigation in which all its employees must cooperate. Employees of RNGOF ON HIV/AIDS & HP who are suspected of being involved in sexual harassment/exploitation and misconduct will be suspended and paid pending the outcome of the investigation. If RNGOF ON HIV/AIDS & HP finds that sexual harassment/exploitation or sexual misconduct has occurred, a stopgap measure will be taken, including the immediate termination of all contracts with the employee.

Reprisals of any kind are strictly prohibited and will not be tolerated. Any retaliation against a reporter leads to the immediate termination of all contracts with the employee.

All RNGOF ON HIV/AIDS & HP staff are requested to report cases of sexual harassment/exploitation or sexual misconduct in a candid and responsible manner and to cooperate fully with the investigation. (See attached report form).

Sexual harassment and misconduct are also prohibited. Making a malicious report of sexual harassment and misconduct is also prohibited and will result in the termination of the agent's contract.

Sexual Abuse

Sexual violence is a gross violation of basic human rights. Sexual abuse is defined as any act of violence or force against an individual without his or her consent, for the purpose of satisfying the perpetrator's aggressive sexual impulses. In this policy, sexual violence covers all forms of threat, attack, exploitation, rape and molestation without physical injury or without penetration. This includes sexual relations with any minor under the age of 18, the age of majority established by the 1989 United Nations Convention on the rights of the child.

Any RNGOF ON HIV/AIDS & HP agent who is involved in any form of violence as defined in this regulation shall be immediately dismissed and brought before the competent authorities. Victims of sexual violence will be treated in accordance with the minister's directive on the management of incidents of sexual violence.

Consensual Relationships

The purpose of the RNGOF ON HIV/AIDS & HP regulation on consensual relationships is to create and build and strengthen barriers that foster an atmosphere of mutual trust and respect, prevent serious conflicts of interest and protect RNGOF ON HIV/AIDS & HP beneficiaries from violence and other harm.

For settlement purposes, consensual relationships are defined as intimate personal relationships that include consensual sexual or romantic relationships. Intimate personal relationships between RNGOF ON HIV/AIDS & HP officials and employees and a client, beneficiary (including refugees employed by RNGOF ON HIV/AIDS & HP) or other individuals participating in the RNGOF ON HIV/AIDS & HP program have the potential to lead to exploitation due to the differential power imbalance between the two groups. The voluntary consent of the beneficiary in such relationships is suspect given the fundamentally asymmetrical relationship. In addition, other employees of RNGOF ON HIV/AIDS & HP, employees and beneficiaries could be affected by such behaviors because it puts RNGOF ON HIV/AIDS & HP agents in a position to favor or advance interests to the detriment of others and implicitly make them obtain possible advantages on loving or sexual favors. Such situations (and others that cannot be foreseen) could lead the RNGOF ON HIV/AIDS & HP employee to face

serious conflicts of interest. As a result, RNGOF ON HIV/AIDS & HP considers consensual relationships between RNGOF ON HIV/AIDS & HP employees and employees and a beneficiary or other individuals participating in the RNGOF ON HIV/AIDS & HP program to be unethical and downright defends RNGOF ON HIV/AIDS & HP employees and employees from engaging in these types of relationships.

The violation of this policy by any agent of RNGOF ON HIV/AIDS & HP will be the cause of taking disciplinary measures up to and including the dismissal.

I read or someone read me this sexual misconduct regulation.

I have understood the content of this regulation and it is my duty to comply with its provisions.

Name (in capital letters): _____

Signature: _____ Date: _____

Annexe 1 : CONFIDENTIAL

RNGOF on HIV/AIDS & HP SEXUAL MISCONDUCT INFORMATION FORM

Date of Incident:

Time:

Place:

Name of Reporter:

Victim's name:

Age:

RNGOF employee on HIV / AIDS & HP: Yes ___ No ___

Member NGO Member pf of RNGOF on HIV / AIDS & HP: Yes ___ No ___

Name of accused:

RNGOF Employee on HIV / AIDS & HP: Yes ___ No ___

Description of the incident:

Witnesses:

Name/age/relationship/contact information:

Actions taken after incident:

Name of Person Submitting Report:

Please submit this form immediately to the Program Manager

Done in Kigali, 27/03/2016

EXECUTIVE SECRETARY RNGOF on HIV / AIDS & HP,

KABANYANA NOOLIET