



# PREVENTION OF SEXUAL EXPLOITATION, ABUSE AND HARASSMENT OF PROGRAM PARTICIPANTS AND COMMUNITY MEMBERS (PSEAH) POLICY

**Effective Date** 02/24/2020    **Version** 4    **Version Date** 04/30/25  
**Responsible Team** Ethics and Compliance Department  
**Supersedes** Version 3  
**Policy Type** Tier 1                      **Policy Number** POL-1044

**POLICY**

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## 1. Purpose

- 1.1. Mercy Corps is committed to ensuring that all individuals with whom we come into contact through our work, whether Team Members, community members, Program Participants or others, are treated with respect and dignity. We expect Team Members, Visitors and Partners to prioritize the well-being and best interests of Program Participants and to never engage in conduct that is or could be perceived to be abusive, exploitative or harassing. We expect management and all Team Members to foster a culture that supports this standard. We will not tolerate sexual exploitation, abuse, or harassment by our Team Members, visitors, Partners or anyone else acting on behalf of Mercy Corps.
- 1.2. This Policy sets forth our expectations and prohibited behaviors related to sexual exploitation abuse and harassment of Program Participants and community members and the required procedures to ensure we uphold our commitment to preventing such conduct and to respond in a survivor-centered way to all concerns and allegations.

- 1.3. We are committed to the core principles regarding the prevention of sexual exploitation and abuse set forth by the United Nations Secretary General in 2003 ([ST/SGB/2003/13](#)), as well as the 2019 Inter-Agency Standing Committee (IASC) [6 Core Principles Relating to Sexual Exploitation and Abuse](#). Mercy Corps is a signatory to the “Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and non-UN Personnel,” the [CEO Pledge on Preventing Sexual Abuse, Exploitation, and Harassment](#) by and of NGO Staff and the [Misconduct Disclosure Scheme](#).

## 2. Scope and Application

- 1.1. This Policy applies to: Mercy Corps Global, Mercy Corps Europe, and Mercy Corps Netherlands, their subsidiaries and affiliate organizations, including all country and regional offices (collectively, “Mercy Corps”); Members of Mercy Corps’ Board of Directors, officers, management, employees, seconded employees, interns, daily workers, and volunteers, (collectively “Team Members”); Sub-recipients, Partner organizations, contractors, outside experts (including attorneys), consultants, agents, representatives, and any other organization or individual that acts on Mercy Corps’ behalf or at Mercy Corps’ direction (collectively “Partners”); and visitors to any Mercy Corps facility, which includes photographers, filmmakers, journalists, researchers, private donors and prospective donors, and anyone else hosted by Mercy Corps or visiting Mercy Corps’ implemented or financially supported programs (collectively “Visitors”).
- 2.2. This Policy applies to the above parties in all locations, at all times, both during and outside of working hours, and applies to current and past conduct.

## 3. Policy Statements

- 3.1.
  - 3.1.1. Mercy Corps prohibits any Team Member, Visitor or Partner from engaging in sexual exploitation, abuse or harassment of Program Participants, community members or anyone else. This applies at all times, both during and outside of working hours.
  - 3.1.2. Sexual exploitation and abuse constitute acts of gross misconduct and are therefore grounds for termination of employment.
  - 3.1.3. 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 regarding the age of a child is not a defense. See also Mercy Corps’ [Child Safeguarding Policy](#).
  - 3.1.4. Exchange of money, employment, goods, services, humanitarian assistance or participation in a Mercy Corps program for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited.
  - 3.1.5. 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.
  - 3.1.6. Initiating, or attempting to initiate, sexual, or romantic contact with a Participant who a Team Member or Partner meets during Mercy Corps related activities is prohibited.

This includes but is not limited to requests for dates or requests for contact information for non-work purposes.

- 3.1.7. Many Mercy Corps Team Members (particularly short term or “daily workers”) and many Partners are from the communities and populations we serve. In limited circumstances and only when the relationship clearly does not involve the improper use of rank or position and cannot be in any way perceived as exploitative in nature, romantic or sexual relationships between Mercy Corps Team Members or Partners from a Participant community and Program Participants may be permitted if: (1) the relationship was formed outside of or prior to the commencement of Mercy Corps work or program activities; and (2) the Team Member or Partner discloses the relationship to their Safeguarding Focal Point, Human Resources Lead, or Country Director (or equivalent position) and notifies the Ethics and Compliance Department via the Integrity Hotline; and (3) the Country Director and Ethics and Compliance Department determine that the relationship is not in any way exploitative or based on unequal power; that it will not jeopardize the community’s trust in Mercy Corps; and that any potential conflicts of interests that the relationship creates are handled in accordance with Mercy Corps’ Conflicts of Interest Policy.
- 3.1.8. Mercy Corps Team Members, Partners, or Visitors must immediately report any concerns or suspicions regarding sexual exploitation, abuse or harassment by any humanitarian, aid or development worker, whether employed by Mercy Corps, a Mercy Corps Partner or any other humanitarian or aid organization.
- 3.1.9. Mercy Corps Team Members, Partners and Visitors must create and maintain an environment which prevents sexual exploitation, abuse and harassment and promotes the implementation of the [Mercy Corps Code of Ethics](#).

## 4. Definitions

- 4.1. **“Sexual abuse”** includes any actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Examples of sexual abuse include but are not limited to:
  - a. Touching, kissing, or bodily contact in a sexual way by force or by coercion;
  - b. Physical assault of a sexual nature, including oral sex or attempted or completed rape, defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person;
  - c. Sexual activity or attempted sexual activity with children (defined as anyone under the age of 18) is considered child sexual abuse regardless of the legal age of consent in the country where the child lives or where an incident occurs. Mistaken belief in the age of a child is not a defense. (See also Mercy Corps’ [Child Safeguarding Policy](#));
  - d. Showing sexual material to program participants or asking program participants to record or share sexual content via electronic, or mobile communication (e.g. by text, WhatsApp, email, Teams, video chat or social media such as Facebook, Instagram, TikTok or X).
- 4.2. **“Sexual exploitation”** includes any actual or attempted abuse of position of vulnerability, power differential, or trust, for sexual purposes. Examples of sexual exploitation include but are not limited to:

- a. Requesting, exchanging or attempting to exchange, money, employment, goods or services for sex or sexual acts;
  - b. Offering aid, assistance or participation in a Mercy Corps program in exchange for dates, sex, sexual acts or marriage or making aid, assistance or participation conditional on assenting to dates, sex, sexual acts or marriage;
  - c. Profiting monetarily, socially, or politically from the sexual exploitation of another;
  - d. Romantic or sexual relationships between Mercy Corps Team Members or Partners with Program Participants that involve improper use of rank or position;
  - e. Initiating or attempting to initiate sexual or romantic contact with a Participant who a Team Member or Partner meets during the course of Mercy Corps Activities;
  - f. Other forms of humiliating, degrading or exploitative behavior.
- 4.3. **“Sexual Harassment”** of Program Participants includes any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offense, discomfort or humiliation. Depending on the conduct, sexual harassment of Program Participants may also be considered sexual exploitation. Examples of sexual harassment of Program Participants include but are not limited to:
- a. Unwelcome physical conduct, such as touching non-intimate body parts, massaging, blocking or impeding normal movement, staring or leering;
  - b. Making or displaying sexual drawings or photos, demonstrating sexually suggestive gestures; giving or displaying sexually suggestive objects;
  - c. Verbal comments of a sexual nature about a person (does not have to be the person to whom the comments are directed towards), including comments about bodies, clothing, relationships or sexuality;
  - d. Sexual, jokes, insults, cursing language;
  - e. Intentionally exposing one's intimate parts to others; and
  - f. Stalking, which constitutes a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct that is unwelcome and would cause a reasonable person to feel uncomfortable or fearful. Examples include, but are not limited to: making threats against someone or that person's family or friends; non-consensual communication, such as repeated phone calls, emails, text messages, or unwanted gifts; repeated physical or visual closeness, like waiting for someone to arrive at certain locations, following someone, or watching someone from a distance; any other behavior used to contact, harass, track, or threaten someone;
  - g. Sexual harassment of Program Participants can occur in-person, by phone, email, Teams, WhatsApp, social media or other electronic communication.
- 4.4 See also, Mercy Corps' [Sexual Misconduct Policy](#), which addresses sexual harassment between Team Members and other workplace sexual misconduct.

#### **4.5. Mandatory Reporting of Prohibited Conduct**

- 4.5.1. Mercy Corps requires all Team Members and Partners to immediately report suspicions of sexual exploitation, abuse or harassment involving Mercy Corps Team Members, Partners, Visitors, or employees of other humanitarian or aid agencies. Reports should be submitted in accordance with Mercy Corps' [Speak Out! Policy](#). Mercy Corps will review all such reports and respond in accordance with the Speak Out! Policy. Team Members and Partners who are aware of or suspect sexual exploitation, abuse or harassment by humanitarian, development or aid workers and fail to ensure it is reported may be subject to discipline up to and including termination of employment or cancelation of Partner contract.
- 4.5.2. Mercy Corps encourages all Program Participants and community members to report suspicions of sexual exploitation or abuse. In order to facilitate reporting, Mercy Corps must provide appropriate accessible Community Accountability Reporting Mechanisms (CARM) in locations where Mercy Corps and/or its Partners work. Mercy Corps Team Members and Partners who receive allegations of sexual exploitation or abuse through CARM must follow their reporting obligations in accordance with the Speak Out! Policy and CARM Policy.
- 4.5.3. Mercy Corps will not require its Team Members, Visitors, or Partners to sign or comply with internal confidentiality agreements or statements that prohibit or otherwise restrict Team Members, Visitors, or Partners from lawfully reporting violations to a designated investigative or law enforcement representative of a department or agency authorized to receive such information.

#### **4.6. Support for Survivors and Survivor-Centered Response**

- 4.6.1. In accordance with the [Safeguarding Core Standards Policy](#), Mercy Corps will ensure a survivor-centered response to all incidents, offer all identified Survivors of sexual exploitation, abuse and harassment support services and assist them with reporting incidents to legal authorities should they choose to do so.

#### **4.7. Disciplinary Consequences for Prohibited Conduct**

- 4.7.1. Mercy Corps will suspend (or otherwise ensure that any risk of further harm is mitigated) any Team Member who is the subject of credible allegations of sexual exploitation or abuse while Mercy Corps and/or law enforcement investigate the matter.
- 4.7.2. All substantiated violations of exploitation or abuse will result in termination of employment with ineligibility for rehire or future consultancies or contracts with Mercy Corps. The existence of substantiated or ongoing sexual misconduct investigations and ineligibility for rehire will be shared with prospective employers, including through the Interagency Misconduct Disclosure Scheme.
- 4.7.3. Substantiated violations of harassment under this Policy will result in appropriate and proportional discipline up to and including termination of employment and ineligibility for rehire. The existence of substantiated or ongoing sexual misconduct investigations and ineligibility for rehire will be shared with prospective employers, including through the Interagency Misconduct Disclosure Scheme.
- 4.7.4. Any Partner whose Team Members, Partners or Visitors engage in sexual exploitation, abuse or harassment will be required to institute corrective measures that include verification that the Partner is adhering to this Policy. Mercy Corps may also immediately suspend or terminate an agreement with a Partner due to sexual exploitation and abuse by the Partner, its Team Members, visitors or Partners. Mercy Corps may also determine the Partner to be ineligible for future agreements depending, in part, on whether the Partner knowingly and willfully failed to comply with

this Policy (for example: Partner knew of and failed to report, investigate and take corrective action for sexual exploitation, abuse and harassment).

#### **4.8. Reporting Prohibited Conduct to Donors, Law Enforcement, and Charity Regulators**

- 4.8.1. Mercy Corps will report sexual exploitation, abuse and harassment to donors as required.
- 4.8.2. In the event sexual exploitation or abuse could violate local criminal law, Mercy Corps may report the incident to local law enforcement subject to the safety, security, and wishes of the Survivor. If the conduct would violate the criminal law of the home country of the accused, Mercy Corps may notify law enforcement in that country as well.
- 4.8.3. Mercy Corps will cooperate with any investigation initiated by donors or law enforcement, taking a Survivor's needs and preferences into account, and will seek to ensure that those who engaged in criminal sexual activity of any kind are held accountable.

### **Related Policies**

- [Code of Ethics](#)
- [Sexual Misconduct Policy](#)
- [Child Safeguarding Policy](#)
- [Anti-Human Trafficking and Exploitation Policy](#)
- [Discrimination, Harassment and Bullying Policy](#)
- [Speak Out! Policy](#)
- [Safeguarding Core Standards Policy](#)
- [CARM Policy](#)

### **5. Required Procedures**

#### **5.1. Mercy Corps must ensure compliance with this Policy through appropriate processes and procedures including:**

- 5.1.1. All potential new Team Members must undergo screening designed to ensure that they have not previously engaged in sexual misconduct, exploitation, abuse, or harassment;
- 5.1.2. All Team Members must be informed and trained on what conduct this Policy requires (via regular code of conduct training) and their responsibilities under this Policy, including what conduct constitutes sexual exploitation, abuse, and harassment and how to report, and all Team Members certify that they have understood this Policy and agree to abide by it;
- 5.1.3. All Mercy Corps offices must display awareness posters on this Policy, including all available reporting mechanisms, translated into the primary language of the office and in conspicuous locations where Team Members and Visitors will see them;
- 5.1.4. In accordance with the [Safeguarding Core Standards Policy](#), each country office must have at least one trained and designated safeguarding focal point who acts as a local resource for Team Members, Program Participants and community members who wish to report or discuss sexual exploitation, abuse or harassment;
- 5.1.5. For each program, the risk of sexual exploitation abuse and harassment of Program Participants must be assessed and reasonable risk mitigation measures are

incorporated into the design and operation of the program in accordance with the Safeguarding Core Standards Policy;

- 5.1.6. Program Participants and communities must be informed about Mercy Corps' commitments under this Policy and how to report any suspected violations by Mercy Corps Team Members, Partners or Visitors in accordance with the Safeguarding Core Standards Policy and [CARM Policy](#);
- 5.1.7. All consultants, experts, contractors, agents, donor and government representatives and Visitors (including journalists and researchers) must be informed of the requirements under this Policy;
- 5.1.8. Contractual agreements or memoranda of understanding with Partners must include obligations to adhere to this Policy and any additional donor required provisions related to sexual exploitation and abuse, and that Partners must have the capacity to ensure their compliance with this Policy;
- 5.1.9. Contractual agreements or memoranda of understanding with Partners must require Partners to commit in writing to act in accordance with this Policy and to report to Mercy Corps any incidents of sexual exploitation and abuse that: (1) involve or are related to resources provided by Mercy Corps; or (2) Mercy Corps' Team Members or programs; and
- 5.1.10. Mercy Corps' Joint Ethics and Safeguarding Committee must be informed of reporting statistics and all serious investigations of sexual exploitation and abuse at or around its regularly scheduled meetings and provided with whatever additional information necessary to allow it to conduct its oversight duties (see the Speak Out! Policy).

## 6. Roles and Responsibilities

### 6.1. Mercy Corps' Ethics and Compliance Department is responsible for:

- 6.1.1. Ensuring this Policy and related training materials remain up-to-date;
- 6.1.2. Ensuring global reporting and investigations are overseen in accordance with this Policy and [the Speak Out! Policy](#); and
- 6.1.3. Reporting to Mercy Corps' Joint Ethics and Safeguarding Committee regarding reporting statistics and all serious cases.

### 6.2. The People Team is responsible for:

- 6.2.1. Ensuring that safe recruiting processes are in place and adhered to;
- 6.2.2. Ensuring that all Team Members undergo Code of Ethics training at onboarding and annually thereafter and acknowledge their understanding of and willingness to abide by this Policy;
- 6.2.3. Ensuring appropriate, consistent and proportional disciplinary action for substantiated violations of this Policy; and
- 6.2.4. Ensuring that Team Members declared ineligible for rehire are not rehired by Mercy Corps and that this status is included in responses to employment verification checks by other organizations, including via Misconduct Disclosure Scheme requests.

**6.3. The Program Standards Team are responsible for:**

6.3.1. Providing minimum standards and guidance to country teams related to community accountability reporting mechanisms (CARM) for Program Participants and community members.

**6.4. Senior Management in all countries and areas where Mercy Corps operates are responsible for:**

6.4.1. Creating and maintaining an environment and culture that fosters respect and inclusion and does not tolerate sexual exploitation, abuse or harassment;

6.4.2. Overseeing the full implementation of this Policy and the Safeguarding Core Standards Policy in their area of operations with the support of the Ethics and Compliance Department, which includes ensuring their Team Members are trained on this Policy;

6.4.3. Ensuring that all allegations of sexual exploitation, abuse or harassment are immediately and confidentially reported to the Ethics and Compliance Department;

6.4.4. Ensuring that no one who reports allegations or participates in investigations is retaliated against; and

6.4.5. Implementing recommended corrective actions following sexual exploitation, abuse or harassment investigations and supporting a survivor-centered response at the direction of the Safeguarding Investigations Team.

**6.5. Relation to Local Laws**

6.5.1. Mercy Corps will comply with laws and regulations prohibiting misconduct, but where this Policy exceeds any legal requirements, Mercy Corps will adhere to the standards in this Policy to the extent allowed by applicable law. This Policy may be amended or adapted to comply with local laws only with the approval of Mercy Corps' Ethics and Compliance Department and Legal Team.

## 7. Policy Governance

7.1. This Version of the Policy was approved by the Mercy Corps Board of Directors on April 30, 2025. This Policy may only be amended or changed with the approval of the Board.

<b>Responsible Team</b>	Ethics and Compliance Department
<b>Policy Owner</b>	Senior Director, Safeguarding
<b>Policy Approver</b>	Mercy Corps Board of Directors
<b>Executive Sponsor</b>	Chief Ethics and Compliance Officer
<b>Last Review</b>	April 2025



Next Review Date	April 2027
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