

SEXUAL VIOLENCE CODE OF CONDUCT

Sexual violence prevention, mitigation and response

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Leadership message

Crossroads International is a leading Canadian volunteer cooperation agency advancing equality for women and girls and eradicating poverty. Together, with partner organisations in West, East and Southern Africa, we are piloting innovative programs to prevent violence and abuse; create sustainable incomes for women and youth; and empower women to become leaders in their communities. As such, Crossroads is a proud signatory to the Canadian Council of International Cooperation (CCIC) **Leaders' Pledge** on Preventing and Addressing Sexual Misconduct. The pledge represents our shared commitment as Canada's global development leaders to ensure the full implementation of practices and policies that will protect and respond to our staff, volunteers and the communities we serve. **At Crossroads, we recognize our duty of care to all the people we work and engage with, which is further amplified by the power imbalances inherent in our programs, projects and activities.**

The objective of this document is to provide a framework to **ensure a systemic approach to mitigating sexual violence within our organization and programs**. The Code includes practical steps and examples of concerns that should be raised to ensure proper response. Through this Code of Conduct, we reinforce our commitment to provide a safe environment to colleagues, partners and the communities we serve.

However, to be an efficient mitigation strategy, the Code of conduct needs to be translated into actions. **Please join us in affirming our organizational stance against sexual violence and translating it into action in our work!**

CHANGE STARTS WITHIN US

As an agent of change and together with dozens of CCIC Members and other organizations, Crossroads has notably committed to:

- Establishing a culture of **zero tolerance** to all forms of sexual misconduct in all the work that we do
- Improving our collective ability to recognize and tackle **power imbalances** and gender inequalities that can enable sexual misconduct, including **intersecting forms of discrimination**
- Aiming to create work environments free from sexual misconduct by and of civil society organization (CSO) staff and volunteers within our organizations and the countries in which we operate
- Benefiting from each other's experiences and strengths, and identify joint solutions, including by sharing and building knowledge and capacity around **survivor/victim-centred approaches**

Crossroads' Policy on Sexual Violence

This Code of Conduct on Sexual Violence (CCSV) is accompanied by a Policy on Sexual Violence that links the statements included in this Code with Canadian and International standards. The CCSV, when read in conjunction with the Policy, articulates standards of professional conduct

and provides benchmarks against which individual and organizational performance can be measured.

Our Commitments

We firmly believe that promoting gender equality and empowering women and girls is the **most effective** approach to achieving a more peaceful, inclusive and prosperous world.

We are committed to creating safe and respectful workplaces and programs that **promote gender equality** and are free from gender-based violence, including by addressing and responding to all kinds of abuse of power, holding people to account, and protecting the vulnerable.

We are committed to the delivery of international volunteer cooperation projects **grounded in a human rights framework**.

We are committed to **improve policies and practices regarding sexual violence including within our organization and throughout our interactions with partners,**

Guiding Principles

Crossroads recognizes that sexual violence **violates international legal norms** and standards and is rooted in **power imbalances**. To prevent sexual violence, we need to explore power imbalances based on racism, sexism, ableism and other interrelated expectations and stereotypes. In other words, we use a holistic approach to sexual violence prevention, considering how different facets of an individual's personal identity. This approach is also referred to as **intersectionality**. As we navigate international legal norms, Canadian laws as well as national laws in the countries we work in, we will not always be able to explore power imbalances based on homophobia and transphobia. We will, however, engage partners in a dialogue on these bases of discrimination, as defined by the Canadian legal framework.

We recognize that **we cannot be complacent** in thinking that our **organizational culture** is protected from such a phenomenon. In recent literature covering sexual violence prevention, organizational culture has been defined both as a **key factor contributing to the problem and as part of the solution**.

We therefore decided to address risks of sexual exploitation and abuse by engaging personnel, partners, volunteers and beneficiaries on these issues. We are supporting **active bystander** response whenever it is safe to do so and reinforcing the message that **sexual violence prevention is everyone's responsibility**.

Crossroads focuses on **consent** to raise awareness on issues of sexual violence. As such, sexual activities with the absence of consent will be considered as an assault. The absence of "no" is not a synonym of consent. Consent can be withdrawn at any time. Furthermore,

obtaining "consent" when **an individual is impaired or feels threatened is not a valid consent**.

When we investigate, we are thorough, rigorous, we respect principles of **procedural fairness** and **neutrality** and **maintain Independence between investigation process and provision of assistance**. We recognize the importance of identifying competent, skilled and experienced individuals to conduct investigations and will retain external investigators when needed. When responding to sexual violence, we use a **Survivor-Centered-Approach** by giving the control over the decision-making process to the survivor following an incident. Concretely, we provide space and time for the survivor to express his or her needs and arrange for relevant support. The healing process following a traumatic experience takes different forms and is not perceived as linear or “one-size fits all”.

However, **limitations exist to this approach**. Under certain circumstances Crossroads may reclaim decision-making authority. Depending on the laws and legal obligations related to sexual violence in each country of activities, Crossroads may not be able to provide the flexibility required by the survivor which would then limit his or her participation in the decision-making process. **Other limits to this approach include situations** when the survivor’s choice place them at risk of further harm. Being transparent about these limits can mitigate risks of revictimization. In such cases, survivors may feel less in control, but the focus of the approach is ultimately on their recovery and health and on the protection of others.

By building capacity in Crossroads regarding sexual violence, we can better serve communities and ultimately do no harm.

This Code of Conduct is informed by :

- 1. Ontario’s, Quebec’s and Canada’s Occupational Health and Safety Act.**
- 2. The Ontario Code of Practice to address workplace harassment.**
- 3. The Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel, August 2008.**
- 4. The IASC Six Core Principles Relating to Sexual Exploitation and Abuse, June 2002.**

This Code of Conduct is inspired by:

- 1. International Rescue Committee’s Code of Conduct**
- 2. European Interagency Security Forum’s guide on Managing Sexual Violence against Aid Workers**
- 3. Oxfam’s materials on violence and harassment available on CCIC’s website**
- 4. CARE’s materials on sexual abuse and exploitation available on CCIC’s website**

Our Shared Responsibilities in Upholding This Code

Responsibilities

Crossroads has the responsibility to make all reasonable efforts to ensure that its workplace and programs are free from sexual violence, sexual exploitation and abuse. Crossroads undertakes

measures to protect staff, board members, interns, volunteers, contractors and subcontractors, including partners, as well as ultimate beneficiaries¹ (referred to collectively as stakeholders) from sexual violence.

Rights

Crossroads' stakeholders have the right to:

- A work environment that does not tolerate or condone sexual violence, sexual exploitation and abuse;
- Equal treatment with respect to employment and volunteerism without sexual violence, sexual exploitation and abuse;
- Access to supports, services, and appropriate accommodation if they are affected by sexual violence, sexual exploitation and abuse
- Have an incident of sexual violence, sexual exploitation and abuse addressed in a manner that is appropriate in the circumstances.

a) Crossroads Employees and Volunteers

Crossroads and its employees and volunteers have a mutual responsibility to create and maintain a workplace free from sexual violence. As professionals committed to the realization of Crossroads' mission, everyone working towards its vision has the responsibility to step up and contribute to prevention and response efforts to sexual violence, including sexual exploitation and abuse. Therefore, staff, board members, interns, volunteers, contractors and subcontractors, must:

- Familiarize themselves with this Code and uphold it;
- Not commit sexual violence, including sexual exploitation and abuse;
- Make every reasonable effort to ensure and maintain a workplace or a program free of sexual violence;
- Raise concerns regarding risks or possibilities of sexual violence;
- Upon becoming aware of sexual violence, including sexual exploitation and abuse, report incidents and refer Survivors to support services;
- Treat any information related to sexual violence with utmost confidentiality and share related information only on a Need-to-Know basis only with designated relevant parties;
- Cooperate fully with the Procedures under this Code, including any investigation in which they are asked to participate.

b) Crossroads Board Members and the Executive

Board Members and the Executive are responsible for the oversight of this Code and its implementation. They are expected to ensure every reasonable effort is being made to prevent

¹ Contractors, subcontractors, local partners and ultimate beneficiaries are defined by the Contribution Agreement – General Terms and Conditions, Global Affairs Canada Website https://www.international.gc.ca/development-developpement/partners-partenaires/bt-oo/contribution_general-accord_general.aspx?lang=eng#a22

sexual violence from occurring and verify that an adequate response and protective measures are implemented once they become aware of an incident. Crossroads' Executive Director manages the implementation of this Code by:

- Ensuring that resources are allocated and governed properly to achieve the objectives of this Code;
- Actively fostering a workplace culture of safety, with appropriate leadership;
- Overseeing the implementation of this Code consistent with Crossroads' commitments;
- Reviewing the Code's efficacy on an annual basis, and revising where necessary;
- Ensuring performance management to mitigate against the occurrence of sexual violence, including taking corrective action when needed.

c) Management (Directors and Managers)

Management refers to employees who have one or more employees who are under their direct supervision. Crossroads' management is expected to set an example for appropriate behaviour and must address situations of sexual violence immediately on becoming aware of them, whether there has been a complaint or not.

Crossroads' management bear the added responsibilities to:

- Ensure volunteers, interns, staff and contractors under their supervision are informed, understand and comply with the Code;
- Ensure that training and/or orientation on sexual violence is provided;
- Address concerns and respond to incidents;
- Protect individuals from reprisals;
- Use appropriate sanctions when lack of compliance is established.

d) Partner Organizations and Beneficiaries

Partners shall attest that they respect Crossroads Code and Policies, or adopt their own policies and procedures, to prevent sexual violence that shall be in keeping with the goals and objectives of Crossroads' approach.

Crossroads shall engage partners in an ongoing dialogue to prevent and respond to sexual violence, exploitation and abuse, sharing best practices, lessons learned and tools on a yearly basis.

Partners shall contribute to sexual violence prevention along with Crossroads, focusing on sexual exploitation and abuse protection, and raising awareness about these issues amongst program beneficiaries.

Our Commitments to Our Colleagues

At Crossroads, we foster a healthy work environment and lead by example.

You Uphold Crossroads Approach When you:

- ✓ treat everyone with respect, not infringing on somebody else's rights,
- ✓ support a diverse working environment, (i.e. considerate of diverse backgrounds and world views),
- ✓ engage in training on sexual violence and educate yourself on the matter,
- ✓ discourage jokes or comments that are sexist, racist, heterosexist, ableist, etc.
- ✓ respect the confidentiality of anyone involved in a complaint,
- ✓ resolve conflicts before they escalate,
- ✓ co-operate in the investigation of complaints and the efforts to resolve them.

You Should Avoid:

- ✗ Condescending or disrespectful behaviour, including derogatory emails or comments on social media.
- ✗ Any form of abuse of power.
- ✗ Any form of sexual violence, including sharing sexually explicit materials without consent,
- ✗ Using computers or Crossroads' property to compile, watch or share pornographic materials,
- ✗ Minimizing sexual violence notably by:
 - supporting myths and stereotypes around consent (e.g. once consent is given it cannot be removed, alcohol is useful to obtain consent, etc.)
 - minimizing sexual violence (e.g. "Boys will be boys")
 - making survivors responsible for being assaulted (e.g. a young person going out alone is asking for it, women wearing skirts are partly responsible, etc.)
 - avoid supporting myths and stereotypes around assault (e.g. people lie about being assaulted, false accusations are very common, etc.)

You Should Raise Concern:

- When suspecting possible violations of this Code of Conduct.
- When noticing risk factors in the workplace or in programs, including but not limited to:
 - acceptance of rape myths (e.g. "all men do this"),
 - strong bias against groups or individuals (e.g. remarks, jokes or banter that are crude, treating subordinates with disrespect, demeaning comments towards beneficiaries),
 - acceptance of coarsened social discourse outside the workplace (e.g. increasingly heated discussions of current events happening within or outside the workplace),
 - minimization of other forms of misconduct such as bullying,
 - substance abuse or encouraging alcohol consumption (e.g. excessive alcohol consumption in a work-related event).

You should report:

- Unwanted, inappropriate or disrespectful sexual advances or harassment,

- Bullying, perceived threats, intimidation, verbal or physical outrages,
- Hostility to individuals due to race, religion, gender, gender identity, gender expression, sexual orientation, disability or other characteristic protected by law.
- Incidents of sexual violence or situations that threaten the safety, security or well-being of staff.

Q&A

What does zero-tolerance mean? Zero tolerance means that sexual violence is not accepted. Appropriate disciplinary action will be taken against the perpetrator following an investigation process. Sexual violence can be grounds for dismissal.

Should I raise concern about someone’s behaviour even though I am not sure there is sexual violence going on? You should share any concerns you have. It is for the investigators, not you, to follow up, investigate and confirm those concerns or suspicions. If you report allegations that subsequently prove to be untrue, you will not face repercussions where the reports were made in good faith. Your willingness to raise a concern may mean someone is no longer abused.

One of my colleagues just sent me a pornographic image as a joke. I am very uncomfortable and troubled by the situation. What can I do? Such an incident constitutes sexual harassment. You are encouraged to report the incident using confidential channels to facilitate the organizational response. If you fear reprisals, it will be easier for the organization to protect you if we know who you are.

What should I do if I have been accused? A fair and confidential investigation procedure will take place. You will be provided a chance to respond to allegations. Crossroads is committed to the principles of procedural fairness. You will also be able to appeal the decision if you do not agree.

Our Commitments to our Partners and the Communities We Serve

We invest in local partners who are best positioned to meet the needs of their communities. With them, we pilot innovative approaches to create decent jobs and to empower women and girls to become leaders and live free from violence. Together we are creating a more just and equitable world

Women’s rights and human rights have been at the centre of what we do since the foundation of the organization. The lesson from Crossroads founders is the tremendous obligation to carry this work forward, not to repeat it blindly. Sexual violence still represents a considerable barrier to development processes and the meaningful participation of individuals, especially women. As light has been shed on sexual violence within our sector, it is our Duty of Care to ensure everything is being done to prevent and mitigate risk of sexual violence and do no harm in the communities we serve.

You Uphold Crossroads Approach When you:

- ✓ Treat partners and community members with respect and dignity,

- ✓ Exercise special care to protect children against sexual exploitation and abuse,
- ✓ Recognize and acknowledge some of the power dynamics at play within our working relationships and stay alert to these realities (e.g. acknowledge your own bias and privileges and identify how it might influence your work, avoid reinforcing power dynamics).
- ✓ Build trust and recognize partners' strengths and contributions,
- ✓ Engage partners in a dialogue around sexual violence, sharing best practices, lessons learned and tools on a yearly basis.
- ✓ Disclose relationships with program beneficiaries and partner's staff. Relationships with program beneficiaries and partners' staff are generally based on unequal power dynamics but Crossroads also recognizes the agency of program stakeholders. Therefore, Crossroads ask individuals to disclose relationships with program beneficiaries and partner staff to avoid abuse of power. Crossroads will consider work accommodation to remove power dynamics when-if possible.

You Should Avoid:

- ✗ Pursuing services from sex workers at all times, regardless of the local and national laws of the country of mission.
- ✗ Sexual activities with children (persons under the age of 18) and vulnerable adults² regardless of the local age of consent or local recognition of the status of a vulnerable adult³; Ignorance or mistaken belief in the age of the child or the status of a vulnerable adult cannot constitute a defence.
- ✗ Any action that would suggest or imply that a sexual act might be demanded as a condition for engaging in offered programs and services.
- ✗ Exchanging money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour. This includes the exchange for services to which program participants are entitled.
- ✗ Exploiting the vulnerability of beneficiaries, especially women and children, or allowing them to be put into compromising situations.

You Should Raise Concern:

- When suspecting possible violations of this Code of Conduct
- When noticing risk factors of sexual violence:
 - Acceptance of rape myths (e.g. "all men do this"),
 - Strong bias against groups or individuals (e.g. remarks, jokes or demeaning comments that treat subordinates with disrespect);
 - Minimization of other forms of harassment such as bullying,
 - Substance abuse or encouraging alcohol consumption (e.g. excessive alcohol consumption in a work-related event),

² Vulnerable adults are defined as: those aged over 18 years and who identify themselves as unable to take care of themselves/protect themselves from harm or exploitation; or who, due to their gender, mental or physical health, disability, ethnicity, religious identity, sexual orientation, economic or social status, are deemed to be at risk.

³ Local and national laws of the country where programs are implemented.

- Hostility, demeaning attitudes or objectification.

You Should Report:

- Unwanted, inappropriate or disrespectful sexual advances or harassment,
- Bullying, perceived threats, intimidation, verbal or physical outrages,
- Hostility to individuals due to race, religion, gender, disability or other characteristics protected by law of the country where the program is implemented,
- Incidents of sexual violence or situations that threaten the safety, security or well-being.
- Sexual abuse of children.

Q&A

What to do if a community member reports an incident implicating another community member?

Listen empathetically and avoid expressing an opinion. You can refer him/her to pre-identified local service providers and keep a record of having done so. You are expected to report the incident and the steps taken to refer the community member. Crossroads, however, will not conduct a case documentation or an investigation but an incident report will need to be completed and kept.

Why am I not allowed to pay for sex with sex workers? Isn't it consensual sex between adults?

In the vast majority of cases, especially in situations of poverty, the consent is far from freely given and is out of desperation, or coercion. Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited at Crossroads International. This prohibition against exchange of money for sex means Crossroads staff, volunteers, managers, Board members, consultants, subcontractors, partners may not pay for sex workers.

Aren't these rules an intrusion into my private life? Isn't what I do outside of office hours my own business?

When you work with Crossroads International, you are a representative of the organization during your personal time as well as during your work time. You accept this when you accept the job. You are held to a very high standard of conduct because your behaviour, both professional and personal, is always associated with Crossroads International.

Q&A

Are consensual intimate relationships between Crossroads staff and volunteers and/or beneficiaries allowed? Crossroads staff and other individuals involved in the delivery of its programs occupy positions of authority, power and control of resources and services. There should be concern over sexual relationships between them and beneficiaries, including even those which may be said to be proper and consensual. There should be no room for even the perception that abusive and exploitative relations could be taking place. In the past, different agencies favoured opted to prohibit intimate relations between humanitarian workers and beneficiaries. (e.g. UNHCR)

In practice, this position is very hard to implement, especially in a context where the exchange of knowledge and experience in a professional context evolves into friendships, and/or proper romantic relationships. Some of these relationships have resulted into marriages with members of the community, considered as beneficiaries, which are proper and beyond reproach. The prohibition of intimate relations between Crossroads staff or volunteers and beneficiaries would deny them the opportunity of establishing normal and proper relationships within a natural environment for them.

Therefore, the following behaviours are expected when this kind of situation arises:

- Intimate relationships with beneficiaries that are consensual and proper should not be considered to be inappropriate on the sole basis that one of the people concerned is a Crossroads staff member, volunteer, intern, contractor or subcontractor. However, Crossroads staff and other individuals must be aware that they bear unequal power in this relationship that can potentially heighten the vulnerability of beneficiaries, particularly of women. They may have difficulty communicating freely that they do not wish to be in a romantic or sexual relationship, or that they want the relationship to end, because of concern for the impact of such communication with the delivery of the program activities.
- Any staff, volunteer, intern, contractor and subcontractor involved in a relationship with a beneficiary even if confident that it is consensual and proper, shall advise his or her supervisor of the relationship.
- The supervisor shall make all reasonable efforts that for the relationships that come to their attention, appropriate measures are taken to put in place factors that can reduce power imbalances, or any perception that exploitative and abusive relations are taking place.
- It is, however, reiterated that every standard in this Code of Conduct guarding against abusive or exploitative sexual relationships with beneficiaries will otherwise apply with equal force to such relationships.

Individual Commitment to Crossroad International's Code of Conduct on Sexual Violence

I understand that I can significantly contribute to risk mitigation and prevention of sexual violence by translating this Code of Conduct into actions in my work.

I understand that I must uphold our collective commitments to colleagues, partners and the communities we serve by adhering to the standards of behaviour outlined in the Code of Conduct.

I, undersigned, _____, hereby declare that I have read, understood, and will comply with this Code of Conduct.

I understand that breach of any provision of the Code may result in disciplinary action up to and including termination of the contract.

SIGNATURE:

DATE:

How to Raise a Concern or Report an Incident

To raise a concern or report an incident directly:

1. Report the incident verbally or in writing to a person you trust at Crossroads;
2. Email the Crossroads' Sexual Violence Consultant (outside of Crossroads' structure): declare@cintl.org

To raise a concern or report an incident anonymously:

1. Email Crossroads' Sexual Violence Consultant: declare@cintl.org

Further reading and resources:

Canadian Council for International Cooperation. Addressing and Preventing Sexual Misconduct – Guidance and Resources. <https://ccic.ca/addressing-and-preventing-sexual-misconduct-guidance-and-resources/>

FEINSTEIN INTERNATIONAL CENTER, *Executive Summary: STOP the Sexual Assault Against Humanitarian and Development Aid Workers*. <https://fic.tufts.edu/publication-item/executive-summary-stop-sexual-assault-against-aid-workers/>

Global Affairs Canada. *Sexual exploitation and abuse in international assistance*.
https://www.international.gc.ca/world-monde/issues_development-enjeux_developpement/sexual_exploitation-exploitation_sexuels/index.aspx?lang=eng