

# 172nd SESSION OF THE EXECUTIVE COMMITTEE

Washington, D.C., USA, 26–30 June 2023

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*Provisional Agenda Item 6.3*

CE172/26  
5 May 2023  
Original: English

## UPDATE ON PREVENTING AND RESPONDING TO SEXUAL EXPLOITATION AND ABUSE IN PAHO

### Background

1. In the international aid community, there is no greater breach of trust than for someone to misuse the privileges of their position to engage in the sexual exploitation and abuse of the very people they are entrusted to serve. While the Pan American Sanitary Bureau (PASB or the Bureau) is not currently aware of any allegation of sexual exploitation and abuse involving its personnel or anyone collaborating with the Pan American Health Organization (PAHO), it recognizes the serious responsibility to protect its personnel and the people in the communities served by PAHO. This responsibility entails preventing abuse from occurring and holding perpetrators accountable when they fail to conform to the Organization's standards of conduct.
2. The unfortunate experiences of several international organizations and aid agencies, including the World Health Organization (WHO), have shown the detrimental impact of this abhorrent behavior on victims and communities, as well as the significant reputational damage to the organizations involved. Such experiences show that prevention and response to sexual exploitation and abuse must always be taken seriously, with zero tolerance for abuse or inaction.
3. This report provides a brief overview of the PASB's initiatives to prevent and respond to sexual exploitation, abuse and harassment (PRSEAH) at PAHO. These include actions, currently underway or anticipated, to minimize the risk of sexual exploitation, sexual abuse, and sexual harassment (henceforth sexual misconduct), to facilitate reporting, to protect and support victims/survivors, and to hold perpetrators accountable.

### Introduction

4. The Bureau aims to prevent all forms of sexual misconduct from occurring at PAHO and to respond decisively, with a victim-centered approach, when an allegation or concern about sexual misconduct is raised.
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5. To achieve this objective, PASB must ensure that the necessary policies and mechanisms are in place to prevent sexual misconduct by personnel and partners, and to address any cases of sexual misconduct that may occur. This means ensuring that victims and witnesses are comfortable speaking up; that investigations are timely and effective; that support is available for victims/survivors; and that perpetrators are held accountable. Ultimately, PAHO must provide a safe working environment for its personnel, and the people in the communities served by PAHO and its partners must also feel safe.

## **Overview of Progress Achieved and Path Forward**

### ***PAHO Policies***

6. The PAHO Policy on Preventing Sexual Exploitation and Abuse was issued in April 2021. The policy prohibits PAHO personnel from engaging or attempting to engage in any type of sexual misconduct with anyone who receives services or assistance by the Organization. In addition, it strictly forbids personnel from engaging or attempting to engage in any type of sexual activity with children (persons under the age of 18), regardless of the local age of consent or majority.

7. Taking forward lessons learned from past and current WHO actions—particularly the Management Response Plan implemented as part of the WHO response to reports of sexual exploitation and abuse during the 10th Ebola outbreak in the Democratic Republic of Congo—and drawing from latest practices in the international community, this policy has been updated to:

- a) Clarify that it applies to everyone who receives services and assistance from PAHO and not merely to individuals who are “beneficiaries,” within the strict meaning of the term.
- b) Implement a victim/survivor-centered approach with a focus on medical, psychological, legal, and socioeconomic support, as well as material assistance and specialized services as a result of sexual exploitation and abuse. This approach is supported by the victim assistance fund established by WHO and the United Nations (UN) Victims’ Rights Advocate.
- c) Expound on the avenues for reporting allegations of sexual misconduct and on the related obligations of PAHO personnel, management, leadership, and partners.
- d) Assure people who come forward that their allegations will be investigated and that they will be protected from retaliation.

8. These updates to the PAHO Policy on Preventing Sexual Exploitation and Abuse are an interim measure pending the development of a new, comprehensive policy on the prevention and response to sexual misconduct. The new policy will include all facets of sexual misconduct, which are sexual exploitation and abuse and sexual harassment (currently, sexual harassment is a stand-alone section in the PAHO Policy on the

Prevention and Resolution of Harassment in the Workplace). It is anticipated that the new policy on sexual misconduct will be issued during the second half of 2023.

9. A completely redesigned code of ethical conduct is also being finalized. The new code contains a separate section on sexual misconduct and will be promulgated in mid-2023.

### ***Allegations of Sexual Harassment in 2022***

10. Two allegations of sexual harassment were received in 2022 by the PAHO Investigations Office. One investigation has been completed and an investigation report for the second allegation is expected to be issued in the second quarter of 2023. No allegations of sexual exploitation and abuse were received in 2022.

### ***Strengthening Capacity***

11. As part of its efforts to prevent and respond to sexual misconduct in its worldwide activities and operations, WHO established and funded regional coordinator positions in all six of the WHO regional offices, including the Regional Office for the Americas (PAHO/AMRO). WHO also established and funded full-time focal points in 12 priority countries around the world, including the Bolivarian Republic of Venezuela. In all other PAHO/WHO Representative (PWR) Offices and Centers, serving staff were nominated to serve as part-time focal points.

12. To date, Haiti has not been designated a priority country by WHO, which would allow for dedicated funding and the establishment of a full-time PRSEAH position in that country. Since Haiti should be considered a priority and high-risk country, PASB continues to pursue the matter by seeking funding from WHO and exploring other options for the establishment of a dedicated post.

13. The P5 post of Regional Coordinator was established at PASB (in the Ethics Office) and was filled in November 2022 by a short-term professional with significant experience leading efforts to combat sexual misconduct. The Regional Coordinator oversees the network of PRSEAH focal points. A full-time PRSEAH focal point position at the P4 grade level was also created at the PWR Office in the Bolivarian Republic of Venezuela.

14. Unfortunately, the global selection process undertaken by WHO for the regional coordinator positions and dedicated country focal points did not yield suitable candidates for the aforementioned P5 and P4 posts at PAHO, especially with respect to Spanish language skills. As a result, PASB was constrained to initiate its own selection processes and efforts are currently underway to recruit qualified candidates for both these posts.

15. As mentioned, in addition to the establishment of six regional coordinator positions and 12 full-time focal points in priority countries, serving personnel throughout WHO and PAHO were nominated as PRSEAH focal points. At PASB, 39 personnel have been nominated to date to serve as part-time focal points. Responsibilities include supporting prevention and response to sexual misconduct in their respective PWR Offices and Centers

and working with other UN agencies on joint initiatives. These joint initiatives involve different aspects of PRSEAH, such as reporting mechanisms, victim/survivor support services, and staff learning and development. Additional information on PRSEAH focal points is provided in paragraphs 17 and 18 below.

16. The multi-disciplinary working group on PRSEAH at PASB, consisting of advisors of all levels and from across disciplines, was established in February 2022 and met three times in 2022. It is currently being reconstituted, based on anticipated needs moving forward.

### ***PRSEAH Network in PAHO***

17. A full contingent of PRSEAH focal points from every PWR Office and Center at PAHO was constituted in October 2022, at which time the PAHO PRSEAH Network was also formally established.

18. In February 2023, the PWR Office in Brazil hosted the first PRSEAH focal point training workshop. The workshop, organized by the Ethics Office, was attended by focal points from every PWR Office and Center, senior leaders across PASB, and leadership and staff from the WHO Prevention and Response to Sexual Misconduct Office at WHO Headquarters. The main objectives of the workshop were to train the focal points to fulfill their important role at country level, create a robust and knowledgeable network, build a strong community of practice, and ultimately safeguard the wellbeing of personnel and the people and communities served by PAHO.

### ***Training***

19. All PASB personnel are required to take the prevention and response to sexual exploitation and abuse training course developed by UN. To date, the completion rate is 90%. The Ethics Office is continuing to follow up to try and achieve full compliance and recommends the implementation of a standardized approach across the Organization to ensure compliance and accountability with all mandatory training courses.

20. WHO has identified additional training opportunities and PASB anticipates including additional training courses for all personnel in the PRSEAH Biennial Strategy for 2024–2025, in addition to more specialized training for the focal points.

21. Training on PRSEAH is also being provided as part of regular training activities undertaken by the Ethics Office. Training has recently been provided for PASB personnel in the Plurinational State of Bolivia, Brazil, Honduras, the Eastern Caribbean countries, and the Subregional Program for the Caribbean.

### ***Collaboration with the World Health Organization***

22. The Bureau continues to collaborate closely with the WHO Secretariat on initiatives and activities related to the prevention and response to sexual exploitation and abuse. The Ethics Office participates actively at the PRSEAH Task Team’s regular meetings, at

the WHO Global Strategy Development Workshop, at the PRSEAH Senior Coordinator meetings, and at the focal point trainings and meetings. The Ethics Office also provides feedback and suggestions on various policies and platforms, including most recently the WHO Accountability Framework.

### ***Raising Awareness***

23. Raising awareness, both internally and externally, is key to a successful program on the prevention and response to sexual misconduct. Several communications have been issued to personnel to make it clear that PAHO has zero tolerance for sexual exploitation and abuse and sexual harassment, and to remind personnel that they have a responsibility to immediately report suspected sexual misconduct involving PAHO personnel or partners.

24. The PRSEAH Biennial Strategy for 2024–2025 will include a communications strategy covering all forms of sexual misconduct and related ethical considerations.

### ***Risk Management***

25. While sexual exploitation, abuse and harassment can happen in any setting, there are clearly greater risks associated with certain situations and settings. To support the development of a risk-based and data-driven PRSEAH Biennial Strategy for 2024–2025, PASB intends to conduct a comprehensive risk assessment and mapping exercise to identify areas and circumstances where sexual exploitation, abuse and harassment may occur. The exercise will focus on anticipated higher-risk areas, such as community-facing programs, health emergencies, and countries serving the most vulnerable populations.

### ***Due Diligence and Background Checks***

26. The Bureau has continued using the Clear Check screening database to vet candidates under consideration for all fixed-term, short-term, and non-staff assignments in the Organization. This centralized database permits the sharing of information among UN entities about former UN personnel who have been terminated for engaging in sexual exploitation and abuse or sexual harassment, with the aim of preventing their reemployment elsewhere within the UN system.

27. Nevertheless, the Clear Check database only includes individuals who have previously worked in the UN system and only relates to findings of sexual misconduct. It is not helpful in identifying applicants outside of the UN system who have committed misconduct, including of a sexual nature, or those within the system who have engaged in other types of misconduct.

28. To address this vulnerability, PASB will be instituting worldwide background checks, including criminal background checks and sex offender registry list verifications. A partner company has been identified to help undertake this initiative, and it is envisioned that more stringent employee verifications will take effect in mid-2023.

***Reporting Mechanisms***

29. The Bureau took several steps in 2022 to make it easier for people to report suspected misconduct, including allowing allegations to be made verbally and reinstating the telephone component of the Helpline. These changes will greatly facilitate reporting, especially for people outside the Organization.

30. A recent development instituted by UN agencies at country level was the establishment of helplines that are administered locally and are accessible to local communities. To date, local helplines have been established in seven countries in the Region of the Americas, and PAHO is participating in this effort on a cost-sharing basis. The Ethics Office is undertaking an evaluation of these helplines to ensure they are being administered according to best practices, are easily accessible, are available around the clock, and are fully operational.

31. People who report suspected sexual misconduct must have confidence that their allegations will be taken seriously. To this end, an important change was made to the PAHO investigative process in February 2023, as reflected in the revised PAHO Investigation Protocol. The new process dictates that all allegations of sexual misconduct must be investigated and cannot be closed at the preliminary assessment stage, and that an investigative report must be sent to management. This change incorporates the appropriate checks and balances into the system and ensures that no single entity has the unilateral authority to close an allegation of sexual misconduct on its own.

**Action by the Executive Committee**

32. The Executive Committee is invited to take note of this report and provide any comments it deems pertinent.

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