

Preventing sexual exploitation, abuse and harassment

Draft decision proposed by Australia, Belgium, Canada, Croatia, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Japan, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Portugal, Romania, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America

The Executive Board, taking into account the report of the Programme, Budget and Administration Committee of the Executive Board,¹

Noting the standards that WHO Member States require all international organizations to adhere to relating to the prevention of sexual exploitation and abuse and sexual harassment and their shared zero tolerance of sexual exploitation and abuse and sexual harassment, as well as for inaction in relation to sexual exploitation and abuse and sexual harassment, and concerned about the chronically limited resources and capacities of enabling functions of the WHO, including in, but not limited to, prevention capacities and the ethics and investigation function;

Bearing in mind that sexual exploitation, abuse or harassment may have negative physical and mental health consequences for the survivors; and stressing that the WHO has a responsibility to take measures to prevent sexual exploitation and abuse and sexual harassment, decided to request the Director General:

- (1) to enhance and implement a values-based, ethical and gender-mainstreamed organizational culture and environment, founded on the basis of accountability, transparency, fairness, inclusion and risk management in the context of the fight against sexual exploitation and abuse, sexual harassment and other misconduct at all levels of the Organization, including by:
 - (a) finalizing and adopting as soon as possible the WHO policies on preventing and addressing abusive conduct, upon adequate consultation with WHO Member States with an emphasis on effective preventive and protective measures;
 - (b) strengthening WHO's current prevention capacity in emergencies as well as globally when sexual exploitation and abuse and sexual harassment may be at greater risk of occurring in order to raise awareness and strengthen systems to prevent and respond to

¹ Document EB148/5.

sexual exploitation and abuse and sexual harassment overall, but also from occurring within WHO operations;

(c) ensuring a safe, accessible and confidential reporting mechanism in order to facilitate and encourage reporting of sexual harassment, without fear of retaliation, as well as timely and comprehensive support for the survivors;

(d) raising the WHO's current investigative capacity from five investigators to bring it in line with that of other United Nations organizations of equivalent size and ensure that all instances of misconduct, including sexual exploitation and abuse and sexual harassment, are investigated without undue delay and all responsible individuals are held to account by the Organization;

(e) ensuring that WHO's investigations team:

(i) has the requisite specialist skills and experience to investigate sexual exploitation and abuse and sexual harassment allegations in a survivor-centred manner;

(ii) is composed of both female and male investigators, to ensure gender-sensitivity when dealing with survivors, alleged perpetrators and witnesses;

(f) ensuring WHO's policies and procedures are survivor-centred and align with United Nations system-wide and Inter-Agency Standing Committee (IASC) initiatives, including through:

(i) full implementation of the IASC Minimum Operating Standards on Preventing Sexual Exploitation and Abuse, including ensuring that community-based complaint mechanisms are adapted to local contexts by ensuring community participation;

(ii) the United Nations Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners;

(iii) the United Nations Implementing Partner Protection from Sexual Exploitations and Abuse Capacity Assessment;

(iv) recommended measures of the Chief Executives Board for Coordination (CEB) Task Force on Addressing Sexual Harassment within the organizations of the United Nations system, including on accelerated use of the ClearCheck database to prevent individuals who are found to have engaged in sexual exploitation and abuse and sexual harassment, threatened or attempted to intimidate survivors or witnesses from coming forward with sexual exploitation and abuse and sexual harassment allegations or otherwise violated WHO's sexual exploitation and abuse and sexual harassment policies, from working for any United Nations organization;

(g) ensuring corporate risk and compliance functions are enhanced at all three levels of the Organization;

- (h) progressively ensuring integration of risk management and prevention of sexual exploitation and abuse and sexual harassment awareness and understanding into the recruitment and the performance management agreements of all staff, consultants and contractors, and require and provide necessary training to support this;
 - (i) ensuring that business integrity, accountability and oversight functions are adequately resourced to carry out their mandates;
- (2) to ensure sufficient service delivery to organizations to which WHO provides services related to prevention of sexual exploitation and abuse and sexual harassment, in accordance with relevant service-level or other agreements;
 - (3) to provide updates to Member States via quarterly briefings on the actions above and on WHO's wider work to prevent sexual exploitation and abuse, sexual harassment and other misconduct, including progress on the Independent Commission on Allegations of Sexual Exploitation and Abuse in the Democratic Republic of Congo and the implementation of recommendations from the Prevention of Sexual Exploitation and Abuse Senior Support Mission to the Democratic Republic of Congo;
 - (4) to include the above in the annual reports of the enabling functions to Member States at the World Health Assembly.

= = =