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EMPOWERING WOMEN  
IN WILDLIFE CONSERVATION



**CSAGA**

# HANDBOOK

## FOR DEVELOPING A SAFEGUARDING POLICY TO PREVENT SEXUAL HARASSMENT & ABUSE









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### **REFERENCES**

#### **Acronyms used in the Handbook:**

- Sexual harassment - SH
- Focal Contact Point - FCP
- Gender-based violence - GBV
- Handbook for developing a Safeguarding guidelines – The handbook

## **Who is WildAct**

WildAct is a local wildlife conservation, not-for-profit organization based in Vietnam, established in 2015. Our mission is to inspire, motivate and empower society and individuals to engage in the science-based conservation of threatened species and ecosystems.

Ensuring a safe and gender-based violence (GBV) free working environment is essential in delivering our mission. This guideline is a toolkit of approaches, techniques and additional resources to help WildAct, as well as natural conservation organizations to integrate

GBV free into their policy. As a wildlife conservation organization, we work to support equal rights, whether it's between humans and flora, humans and fauna, or humans and humans.







# PART 1. INTRODUCTION

## Why Gender-Based Violence

Gender inequality and environmental degradation are two of the most pressing challenges we are facing today, but they are not always seen as linked. In 2020, an IUCN report highlighted the pervasiveness of gender inequality relevant to our work in conservation, and noted that gender-based violence (GBV), an umbrella term covering any harmful act perpetrated against a person's will based on gender differences, was an issue which needed addressing in natural conservation. The most recognisable form of GBV is probably sexual harassment, but the term covers a very broad spectrum.

The links between biodiversity conservation and GBV are complex. It can negatively affect staffing, which can undermine any organization's ability to operate effectively, for example. At the same time, actions to protect and conserve the environment can unintentionally worsen gender inequality in local communities, and cause an increase in GBV.

## Why Sexual Exploitation and Abuse

Gender-based violence affects an estimated one in three women and girls, but are also experienced by people of all sex and gender identities. They can include sexual assault, domestic violence, verbal abuse, harassment, stalking, child marriage, economic deprivation, survival sex (exploitation in exchange for access to subsistence resources) and forced prostitution. According to the United Nations, sexual exploitation is an actual or attempted abuse of someone's position of vulnerability, differential power or trust, to obtain sexual favours, including but not only, by offering money or other social, economic or political advantages. Sexual abuse refers to actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Sexual Exploitation and Abuse (SEA) can happen at any society and under any environment, whether at an office or in the field. When the perpetrator is part of a conservation organization, not only can SEA damage conservation efforts, but also the organization's reputation and lead to conflicts with the community.

## **How a GBV-free working environment contribute to conservation efforts**

In 2020, we surveyed 114 wildlife conservationists, environmentalists and government officers in Vietnam to understand the sexual harassment situation in conservation sector. Despite most participants felt that their work environment was generally free from sexual harassment, 5 out of 6 respondents had directly experienced sexual harassment in some forms. The most frequently reported types of sexual harassment were verbal, but physical forms, including attempted or actual sexual assaults, were also reported. Sexual harassment occurred regardless of gender or position within an organisation, although women are more likely to experience it than their male counterparts.

The overtly male-dominated environment of biodiversity conservation fieldwork can also present safety issues both for women and men who do not conform to normative forms of masculinity, which in turn may expose them to harassment and violence. These challenges can prove to be career limiting: female scientists are more likely to resign early than women in other professions (Glass et al., 2013), especially when they are having to work in unfair, unsafe environments due to issues such as sexual harassment (Clancy et al., 2014). Ultimately, these issues of inequality undermine our ability within the conservation sector to achieve our key goals of biodiversity protection and ecological stewardship (Matulis & Moyer, 2016; Tallis & Lubchenco, 2014).

These guidelines aim to support you and your organization to put mechanisms in place to prevent and respond to GBV in their working environment.

### **Legal grounds**

The Handbook is developed based on the sexual harassment prevention and response provisions mentioned in the Labor Code 2019 and the World Health Organization's Guidance on Sexual Exploitation and Abuse Prevention and Response to ensure all workers, regardless of gender and social status, are treated fairly with respect and dignity.

### **Who can use this guideline**

People and agencies who have the power to make the changes needed to create a safer, better and more equitable world of work are the main target of this guideline. These people often are decision-makers who can create an equality and equitable policy at work (i.e. director, managers). They could also be a gender focal contact point, who provide support to everyone in the office, and can discuss with decision makers on the needed regulation and policy at their own workplace.

Organizations, such as local NGOs, iNGOs, institutions, national park and nature reserve agencies are important, as once the Safeguarding policy is adopted, it can create a butterfly effect on organizations' business partners. For example, WildAct can sign an MoU with LOL agency, and the MoU clearly states that WildAct does not tolerate SEA, any violations would lead to an immediate termination of the MoU. This means, even if LOL does not have a safeguarding policy at the time of signing the MoU, they still have to follow the rules and policy that was set out by the safeguarding of WildAct.



It is strongly advised the user of this guidelines to think about:

- How can this guideline help me/my organization to achieve our goal or objectives identified?
- What resources or information do we need?
- When can we start adopting this guideline to our organization?
- What motivates our employees/decision makers/work partners to act?
- What external help do we need?
- Would people oppose this idea? If so, why?

The user should align your organization goals and objectives to the goals and objectives of this guideline. Examining your organization's obstacles to change and find a solution, or alternative pathway can also help. If the decision makers in your organization oppose - it's important to understand why, and to convince the unconvinced.



## PART 2. ESTABLISHING A CODE OF CONDUCT IN THE WORKPLACE

Ask yourself:

- Is there a code of conduct at my organization?
- If yes:
  - Do other people in my organization know about this Code of Conduct?
  - Do I remember the content of this Code of Conduct?
  - Is the code of conduct effective?
  - How do I make sure everyone reads, and remember the information provided in the Code of conduct?
- If no:
  - Who will need to be involved in my organization to create a Code of Conduct?
  - How do I create an effective code of conduct?

### **What is a Code of Conduct?**

A Code of Conduct is the most common policy within an organization. This policy lays out the organization's principles, standards, and the moral and ethical expectations that employees and third parties are held to as they interact with the organization. A Code of Conduct is an integral part of compliance efforts as it provides documentation that an employee or third party has violated company policy if illegal activity arises.

This Code of Conduct will contribute to the Safeguarding policy.

### **Why is having a Code of Conduct important?**

A Code of Conduct serves as a reference point for employees to make better choices on a



day-to-day basis. While every possible ethical dilemma an employee might encounter won't be listed out, the code should lay out the guiding principles by which employees should act and therefore lead their workforce to make the right decision.

Having a strong, ethical Code of Conduct is essential to building a culture of compliance throughout an organization. A code of conduct is an excellent exercise to focus the leadership team on how employees should behave at work and the standards they should uphold. These standards can have huge impacts on how the organization functions, how employees conduct themselves daily, and how the workforce interacts with others on behalf of the organization.

On top of ethical reasons, there are legal reasons for implementing a code of conduct as well. All public organizations in the U.S. are required by law to have a code of conduct in place. Private organizations would be smart to take note of this as well.

### **What Should a Code of Conduct Include**

There are a few elements that every code of conduct should feature. An ethical code of conduct should include the organization values, and outline how violations are handled.

The code of conduct is a great place to drive the organization's values home with employees and third parties because they will be signing and therefore agreeing to uphold these standards. Selecting your organization's values is a critical step in building a flourishing business, and establishing a culture of compliance.

Finally, a code of conduct should inform how violations of the code of conduct are handled internally at the organization and mention the external legal risks. The code should also review the proper channels for reporting misconduct if out-of-line behavior is witnessed.

### **What is an Effective Code of Conduct in an Organization?**

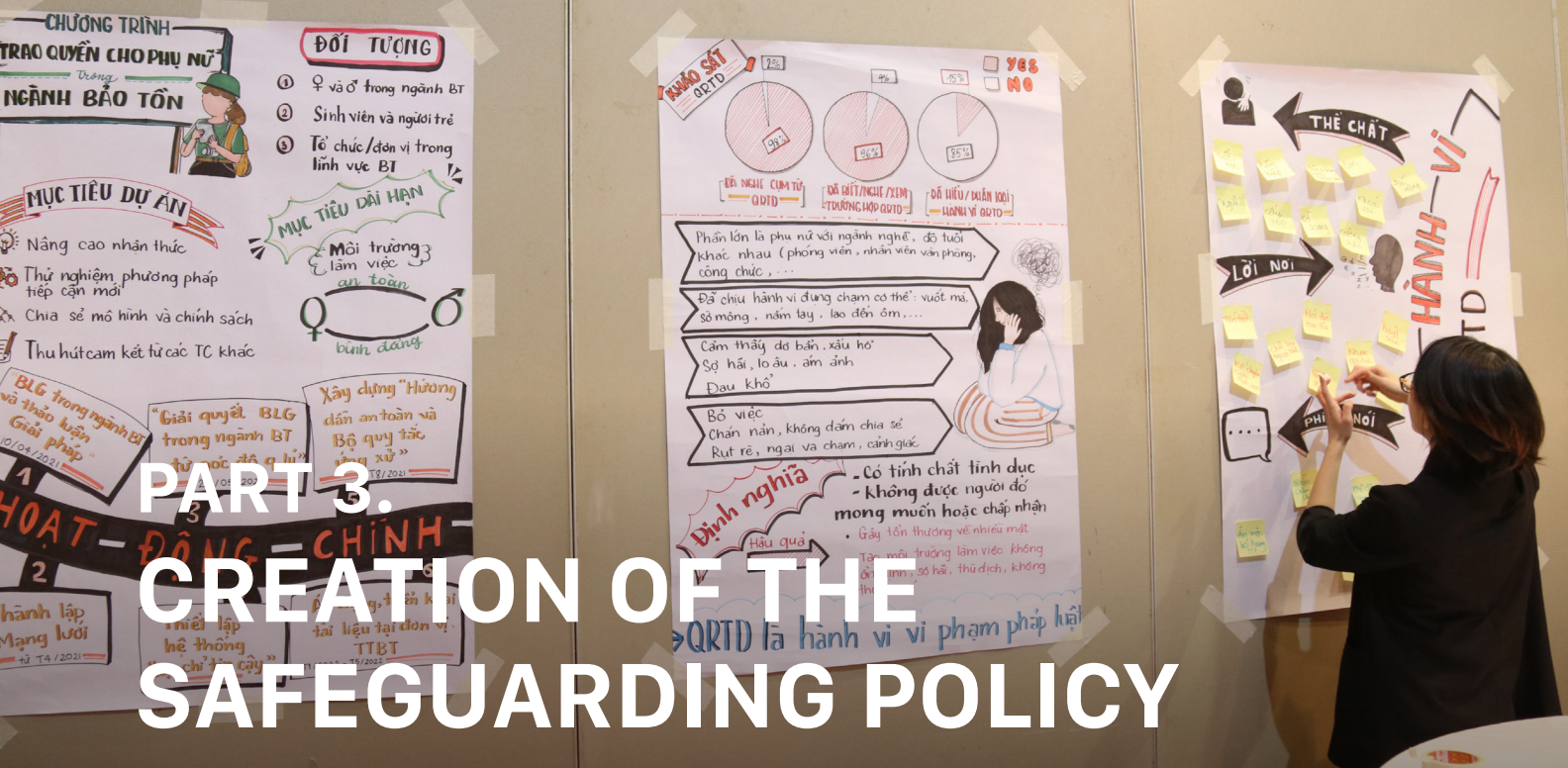
The Code of Conduct should be regularly reviewed. Updating the organization's Code of Conduct on an annual basis ensures that the content is up-to-date and relevant as things are always changing within organizations. The code should be a living, breathing document that is highly relevant to employees and their work.

The code should be an independent document, reflected in organizations' rules and regulations on workplace sexual harassment prevention and response. However, in the case of small-sized entities, the development and issuance of this code can be combined with other regulations on equality and non-discrimination. In addition, the code should be presented in simple and easy-to-understand language; and it must be made mandatory that all employees read and understand the Code of Conduct.

### **Who does the Code of Conduct apply to?**

The Code should apply to everyone involved in the work of organizations including employees, interns, volunteers, Board members, consultants, partners, customers, and service providers.

An example of WildAct's Code of Conduct can be seen in Appendix I.



## CHAPTER 1:

# UNDERSTANDING SEXUAL EXPLOITATION, SEXUAL ABUSE AND SEXUAL HARASSMENT.

Vietnam has been a member of the ILO since 1992 and has adopted international conventions on sexual harassment in the workplace, which have been codified in Clause 1, Article 84, Decree No.145/2020/ND-CP, detailing and guiding the implementation of some articles of the Labor Code on working conditions and labor relations, "Sexual harassment defined by Clause 9 Article 3 of the Labor Code may occur in the form of request, demand, suggestion, threat, and coercion to have sex in exchange for any work-related interests."

According to the guidance of this article, quid pro quo sexual harassment is defined as a type of workplace harassment in which an employer, supervisor, manager or colleague abuses or attempts to abuse their authority to influence the procedures for recruitment, promotion, demotion, training, discipline, salary increment and other benefits of employees in exchange for sexual favors. "Intimidation and coercion" is the worst form of sexual harassment, which can be forcible sexual intercourse or rape as defined in the Criminal Code.

## Definition of the workplace

In Clause 9, Article 3 of the Vietnam Labor Code is any place at which employees provide work as agreed or assigned by the employer, including locations or spaces related to employees' work such as social activities, seminars, training sessions, business trips, meals, communication via phone and electronic media; employees' commuting vehicles arranged by the employer; and employees' residence or other places provided by the employer.

*According to Clause 3, Article 84 of Decree No. 145/2020/ND-CP  
Detailed regulations and guidance on the implementation of some articles  
of the Labor Code on Labor Conditions and Labor Relations.*



Specifically, the workplace can also include work-related social activities, such as receptions organized by the agency/unit for their employees or customers:

- Conference and training sessions;
- Field trips;
- Work-related meals;
- Work-related phone conversations;
- Work-related communication activities via electronic media.

**Sexual Exploitation:** refers to any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

*Source: "UN, 2017. Glossary of Sexual Exploitation and Abuse"*

***Example of a sexual exploitation:** Mr.Duc is a field officer who has been working at Dac Lac province for a long time. He made friends with Ms.Dao, a local woman. After a few months of knowing each other, he started to introduce her to his working partners and forced her to have sexual relationship with them.*

**Sexual Abuse:** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

*Source: "United Nations Secretary-General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse" (ST/SGB/2003/13).*

***Example of a sexual abuse:** Mr.Son is a Project Manager and he travelled to one of his organisation fieldsite to work with the local community. While working in the field, he met Ms.Bich, a local woman from the local community. He has been using his power to threaten her into sexual relationship with him.*

#### **Other examples of sexual exploitation and abuse behaviors:**

- Sexual assault
- Forcible sexual intercourse
- Forcing a person to engage in prostitution or pornography
- Refusing to use safe sex practices such as condoms
- Committing sex trafficking
- Sexual abuse of children under 16 years of age (for organizations that work with children)
- Committing child molestation
- Rape

**Sexual Harassment:** is the conduct of a sexual nature committed by a person aimed at another without their consent or against their will.

*According to Clause 9, Article 3 of the Labor Code.*

Workplace sexual harassment behaviors include:

- a) *Physical sexual harassment* includes actions, gestures, and unwanted physical contact of a sexual or suggestive nature;
- b) *Verbal sexual harassment* includes sexual or suggestive remarks, propositions, and threats, which could be done either face to face or via telecommunication networks;
- c) *Non-verbal sexual harassment* includes the display and description of sexually explicit materials that depict sexual activities and obscene gestures, which could be committed either in person or via telecommunication networks.

*According to Clause 2, Article 84 of Decree No. 145/2020/ND-CP*

*Detailed regulations and guidance on the implementation of some articles  
of the Labor Code on Labor Conditions and Labor Relations*

**Examples of common sexual harassment behaviors in the conservation sector's workplace:**

- Forcing another person to drink during working hours or in work-related parties, intending to make unwanted physical contact of a sexual or suggestive nature with them without their consent.
- Staring, inappropriately touching, patting, hugging, forced kissing another person against their will.
- Shaking hands with another person but holding their hands tightly or even rubbing their hands in a sexual manner.
- Stalking another person, interfering in their private lives even when they go to the bathroom, secretly following and watching them when they are either at home or at work.
- Constantly pursuing another person by texting, emailing, giving them gifts, or asking them out even though they have declined.
- Making rude and disparaging comments about other people's bodies or clothing such as: "She's delicious", "He's such a dog", "flat/curvy butts, great boobs, spare tire, etc."
- Making indecent suggestions related to gender, gender identity and sexual orientation, such as: "He's so feminine", "He's like a woman", etc.
- Making lewd and obscene jokes or stories, making lewd remarks, or sharing sexual anecdotes.
- Using sexually suggestive symbols.
- Asking someone sexual questions, such as those related to their sexual history or sexual orientation.

Apart from the aforementioned acts, any behavior of a sexual or sexist nature towards other people without their consent is considered sexual harassment conduct - violating the provisions on sexual harassment prevention and response mentioned in the amended Labor Code 2019.



*Example of a sexual harassment: Mr. Dat often received sexual suggestive comments from his senior female colleagues. Some said: "It's a trend these days for a young boy like you to date an older lady." To make matters worse, some female colleagues even intentionally touched his body. When he reacted, these women scolded back: "What's the matter? I just want to show you my affection?"*

### **Behaviors that are not considered sexual harassment:**

Compliments or incentives that are generally accepted or culturally and socially appropriate are not considered sexual harassment behaviors. Consensual sex (except illegal conduct such as engaging in sexual activity with children or young adolescents), even response to being propositioned for sex are not considered sexual harassment behaviors.

Examples:

- An employee compliments his or her colleagues on their performance at work.
- Two colleagues love each other voluntarily.
- Management rewards its employees to foster their morale at work

*Example: In the year-end review of an organization, the boss announces:*

*- Let's welcome our Employee of the Year, Ms. X.*

*One group of employees discusses:*

*- Look, she's applied herself and had many initiatives. I think she really deserves this award; everything is just paying off.*

*=> This behavior is not sexual harassment because people are praising the woman's ability, not commenting on her appearance.*

*Another group of employees ridicules:*

*- Oh... her body is so curvy, yum!!! No wonder she got this award!*

*=> This is sexual harassment because people are focusing on the woman's appearance and making innuendoes of a sexual nature (using the word "curvy", "yum" to describe her appearance).*

### **Which environment enable SEA**

SEA becomes possible when there are imbalances of power and opportunities for exploiting such imbalances. In many of the contexts where we work, there is a deep imbalance of power based on gender (i.e. more men are working in our sector than women, especially in the field); and some are more likely to have control of resources (i.e. more men are in decision maker positions than women), and others are more likely to be dependent on those for their access to resources and services (i.e. the local people might be depending on organization's staff to benefits from development project). Although recently, many donors tried to address gender inequality by requesting grantees to commit to gender equality activity at project sites, gender inequality in the workplace still contributes to sexual harassment and sex discrimination.

Vietnam's culture is heavily influenced by Confucianism and Taoism, and both of these ideologies place men in a more privileged position, with women in a subordinate position subject

to the former. This justifies both victim-blaming and men's conduct of sexual harassment due to their "hot-tempered" nature, reinforcing the idea that women are "a legitimate and natural target for flirting by men". Our survey in 2020 revealed that verbal sexual harassment is the most common type of harassment at a workplace in conservation sector, flirting and sexual teasing has widely been seen as part of Vietnamese cultural norm and everyday work life. The perception that jokes of a sexual nature between male and female colleagues, mostly in verbal form, could be a way of releasing stress in the workplace has been found to be common and widely accepted in Vietnam.

Therefore, to address SEA and sexual harassment require both individual and organisational changes. An organizational culture conducive to such change will be key.

### **What is the Difference Between SEA and Sexual Harassment?**

- SEA occurs when a position of power (i.e. being a staff member of an NGO) is used for sexual purposes against a beneficiary or vulnerable member of the community.
- Sexual harassment occurs when differences in power are abused between staff members (verbally, through touch, use of inappropriate images, etc.).

### **Who is vulnerable to SEA?**

As mentioned above, anyone can be vulnerable to SEA. Example of the power dynamic in conservation sector can be:

- A local person vs an organization staff;
- A volunteer vs a local person;
- An organization staff vs a senior government officer;
- A child vs an adult;
- A junior officer and a senior officer.

### **Who benefits from a safeguarding policy against SEA and sexual harassment?**

Safeguarding policy and procedures set out the best practice framework for organizations to respond to safeguarding concerns. As wildlife conservation organizations, we have regular contact with the local community, and therefore we have a crucial role to play in the support, identification and reporting of people who may be at risk of harm.

As wildlife organizations, we also have a duty of care that includes safeguarding for children and adults in a vulnerable situation. Individuals across our organization and sector need to be informed enough to ensure that complaints and concerns about people at risk are properly identified and acted upon.

The list of people can benefit from a safeguarding policy against SEA and sexual harassment can include:

- People from the local community;
- Employees from your organization;
- Your partners' employees



## CHAPTER 2: ROLES AND RESPONSIBILITIES OF EACH PARTY ON SEXUAL HARASSMENT PREVENTION AND RESPONSE

### The leadership of agencies/units

All agencies and units, irrespective of size, have the responsibility to establish and maintain a working environment that is free of sexual harassment. When receiving a harassment complaint, the management must take immediate action to allay alleged victims' fear of retaliation and reassure them that their demands are not being ignored or disregarded. In order to effectively prevent and combat sexual harassment in the workplace, the board of directors needs to issue an anti-harassment code of conduct, which then can be codified into the internal rules and regulations of the agency/unit. At the same time, the leaders also need to guide and supervise the implementation of the Code provisions; and in the process of establishing the code, they have to make sure their agency/unit collaborates closely with other organizations to ensure the consensus of opinion and the effective enforcement of these regulations.

In addition, the board members need to actively devise plans to allocate their time and resources to the organization of periodic employee training sessions.

### Managers at all levels and department heads

Managers at all levels and department heads have responsibility for implementing the code of conduct and ensuring it is easily and readily accessible to everyone who wants to make a sexual harassment complaint.

The management and department heads are responsible for regularly informing their



employees, partners and customers about the measures that need to be taken to prevent and respond to sexual harassment. Such information should be developed and disseminated across departments, local offices, and service departments; and it should detail every single step of the harassment complaint procedure and provide precise information on prevention measures, complaint mechanisms, investigation status, measures employed to detain the suspect, adjudication results, penalties for the harassers, as well as the follow-up plan and post-trauma support for victims who have been sexually harassed.

### **All organization personnel**

All employees of an agency/unit, regardless of age, gender, job title, and employment status have the right and responsibility to ensure a working environment that is free of sexual harassment; and they must take this responsibility for preventing and reporting any misconduct that is illegal and violates the anti-sexual harassment policy of their agency/unit.

### **Contributors and collaborators**

All of the collaborators, volunteers, partners, customers and service providers of an agency/unit should be fully informed of the code, ensuring they understand and be aware of the agency/unit's expectations. At the same time, the agency/unit also needs to emphasize that they do not hesitate to terminate all cooperation agreements if any party violates anti-harassment policies. Contracts and agreements with a partner will reflect the agency/unit's expectation and commitment to sexual harassment prevention and response.

### **Focal Contact Point (FCP)**

Each agency/unit should appoint 1-2 people, ideally one male and one female, to play a role as focal contact points (or FCPs). These FCPs are usually the agency/unit's officers, who have authority within the organization and are reputable and capable of supporting the unit personnel, in terms of receiving harassment complaints and supporting those who have been sexually harassed. Apart from that, FCPs are also responsible for reporting and advising leaders on how to address the harassment complaints according to the victims' wishes, as well as being always ready to provide their colleagues information on the agency's sexual harassment handling mechanism and answer every question related to it.

## **CHAPTER 3.**

### **FOCAL CONTACT POINT (FCP)**

#### **Definition of FCP in the Workplace**

Focal Contact Points, or FCPs, in the workplace are those working in the conservation sector and desiring to promote a workplace that is free of gender-based violence. They will be provided constant training on how to receive and handle harassment allegations and support victims who have been subjected to gender-based violence within their organization in a professional manner.

FCPs could be individuals who volunteer or be appointed by their organization to receive harassment complaints, provide constant support to alleged victims and refer them to appropriately authorized agencies.

### Suggestions:

- At Non-Governmental Organizations, FCPs can be employees of the administrative department;
- In national parks, FCPs can be employees of the administrative department and the trade union department;
- At state agencies such as research institutes, FCPs can be employees of the administrative department, trade union department, or youth organization.



## Roles and Responsibilities of FCPs

### *Provide case support*

- Receive allegations and support people who are subjected to gender-based violence;
- Advise leaders on how to address the harassment complaints according to the victims' wishes;
- Follow up the case until reasonable and good-faith conclusions are drawn.

### *Prevent sexual harassment in the workplace*

- Support the agency/unit's leaders to organize periodic training sessions/workshops to improve their staff's knowledge on gender-based violence and the Code of Practice/Internal; rules/Regulations the agency/unit employs in the effort of eradicating this pressing problem;
- Help the agency/unit identify potentially unsafe workplace environments and practices, and help update protocols that would reduce vulnerabilities;

- Provide colleagues information on the agency's sexual harassment handling mechanisms and answer questions related to it;
- Cooperate with other agencies that also have FCPs and utilize the collective efforts to create a safe and healthy working environment for conservationists.

### ***Capacity building***

- Constantly improve work-related skills and knowledge to support colleagues whenever needed
- Constantly improve agency practices and protocols that may put employees in vulnerable circumstances, and ensure a safe workplace environment for all workers [e.g., sending field workers on assignments alone in contexts where they could be harassed or abused]
- Regularly improve knowledge and skills on workplace GBV reduction and sexual harassment prevention&response.

### **Required knowledge and skills of FCPs**

- Definition of sexual harassment, forms of sexual harassment, and types of sexual exploitation and violence misconduct;
- Definitions of the workplace and sexual harassment in the Vietnam Labor Code 2019;
- Legal knowledge: the Vietnam Criminal Code 2017 from articles 141 to 147;
- Knowledge of gender equality: National Strategy on Gender Equality 2021-2030;
- Principles of Information Confidentiality;
- Ability to identify unsafe workplace practices and protocols that could make workers vulnerable to harassment, and provide recommendations for improvement;
- Authority within the organization to make recommendations that are adhered to.

### ***Basic skills FCPs need to acquire***

- Listening skills.
- Questioning skills.
- Basic consulting skills.

### **Training materials for FCPs**

The FCP training program was developed by WildAct and CSAGA in September and November 2021 with the purpose of providing a reliable source of reference, helping other agencies and units develop their own appropriate and specific materials. FCP can read the training materials to refresh the memories, or to use as guidelines to search for more details, updated materials in the future. In addition, organizations and FCPs should organize at least one training per year with gender experts to raise employees' awareness and improve FCP's ability and capacity.

### ***Reference program content:***

- Sharing basic knowledge about sexual harassment (refer to chapter 1 of this document);
- Roles and responsibilities of individuals in charge of receiving harassment complaints, providing support to alleged victims, reporting and transferring cases to the appropriate destination (FCP);
- Introduction of the supporting process for a harassment case (refer to chapter 4 of this



document for more details);

- Discuss a specific situation happened in real life so that FCPs can put themselves in sexual harassment victims' shoes, helping them see things from victims' perspectives and therefore sympathy with them when handling their complaints;
- Provide support principles;
- Organize role-playing games or debate to change participants' deep-seated prejudices;
- Practice questioning skills for a specific situation;
- Moderators share the theory about active questioning skills;
- Practice listening skills by employing case method;
- Moderators share the theory about listening skills.

For a detailed presentation, please see Appendix II.

**Note:** After each training course, the moderators should give participants homework, to help participants consolidate the knowledge and skills they have learned and put this knowledge and skills into practice. In addition, the moderators should also encourage participants to connect with each other and with other units/organizations with similar concerns about GBV, establishing a supportive network to constantly enhance participants' capacity.

**Example situation:** Hoa went for FCPs to report a GBV case. Recently, she felt extremely awkward when being forced to drink alcohol during fieldwork by her colleagues. She sometimes refused, but most of the time she had to accept the requests. After a few drinks, her male colleagues usually shook her hand but refused to let it go, some put their arms around her shoulders, and some even suggested her to have sex with them. She felt terribly uncomfortable.

After listening to Hoa's story, FCP asked about Hoa's feelings and whether she needs external consultation to support her mental health. Hoa was able to choose who in the managers' board to reveal the details of the case to, and which details of the case she chose to keep confidential. Although the colleagues mentioned in the case did not threaten Hoa, the FCP still created a plan to ensure Hoa's safety.

Hoa's case was documented and submitted to the manager boards - according to Hoa's decision. The FCP then conducted a separate investigation and interviewed the alleged penetrators. The penetrators admitted that they had violated the organization's Code of Conduct and Safeguarding Policy. As Hoa agreed to accept their apologize and their pledge to never conduct such behaviors again, and the penetrators accepted a three-month salary reduction from the manager's board - as stated clearly in the Code of Conduct, case closed.

## Support principles

It is important to note that the person reporting an incident is not always the victim. Organizations should recognize that there may be different concerns around the safety and wellbeing of the reporter and the survivor, and develop guidance for protecting and supporting both. In addition:

- Prioritizing the safety of victims subjected to sexual harassment;

- Keep the information confidential and only provide it to authorized agencies. Note the victim should determine what details are included in the report to the authorized agencies;
- Don't blame the person being harassed;
- Don't force them to act when they're not ready;
- Ensure that any form of support provided is commensurate with the stage of the incident and consider whether or not the insiders are willing to disrupt it;
- Avoid providing uncertain and vague information, which can destroy the trust of those being harassed;
- Ensure the self-determination of those involved in the case - every decision has to be made based on their expectations and needs;
- Act in a quick and timely manner;
- Protect the confidentiality, honor, reputation, dignity and safety of the victims, complainants, denunciatory and respondents.

## CHAPTER 4: THE PREVENTION OF AND RESPONSE OF SEXUAL HARASSMENT IN THE WORKPLACE

Organizations need to create an environment where our staff and partners feel safe to report violations and trust that immediate and decisive action will be taken against perpetrators. The complaint mechanisms need to be safe, gender-sensitive, and appropriate to the context. They should be developed in consultation with affected communities, particularly those most vulnerable, and linked to services for survivors. The complaint mechanisms can be under online form (see Appendix IV for example), face to face and also through phone call. An SEA risk assessment and a contextualized needs assessment will inform the development of new complaint channels and reinforce existing channels. An example of SEA risk assessment can be seen in Appendix V.

It is important to make clear that no case will go under the carpet, and that perpetrators will be held accountable for their actions. Organizations and agencies will take appropriate action against those who choose not to respect its standards of conduct.

### **The leadership/senior management should**

- Encourage individuals who are working in or collaborating with the unit, or any external person to immediately inform the designated person of the unit (FCP) or anybody they know when being sexually harassed. It is also important to diversify channels for receiving complaints such as:
  - a. Meet face-to-face or contact via phone, text, email or any other form of communication with the person in charge of handling harassment complaints at the agency/unit.
  - b. Through the agency/unit's contact information contained in its process of receiving and handling complaints.
  - c. Through the anonymous complaint mechanism implemented by a third party
- Self-organize monthly/quarterly training courses on behavior identification, relevant legal

regulations, and the agency/unit's complaints procedure.

- Appoint representatives to attend relevant training courses organized by other agencies/units.
- Establish FCP and provide FCPs training on basic counseling skills to receive harassment complaints, support alleged victims and report harassment cases that happened at their units (refer to Chapter 3 for more details).
- Each agency/unit should appoint part of their employees to participate in some networks such as the Conservationist Network for a Fair Working Environment (WCBN) and the Gender-Based Violence Prevention and Response Network in Vietnam (GBVnet) to gain up-to-date information and knowledge about Gender-Based Violence.
- Promote initiatives at the agency/unit by organizing contests for all of their employees and interns.
- Leadership/senior management is responsible for implementing their agency/unit's code of conduct and ensuring it is easily and readily accessible to everyone who wants to make a sexual harassment complaint.
- The leadership/senior management is responsible for regularly informing their employees, partners and customers about the measures that need to be taken to prevent and respond to sexual harassment. Such information should be developed and disseminated across the agency/unit; and it should detail every single step of the harassment complaints procedure, and provide precise information on prevention measures, complaint mechanisms, investigation status, measures employed to detain the suspect, adjudication results, penalties for the harassers, as well as the follow-up plan and post-trauma support for victims who have been sexually harassed.
- The leadership/senior management is responsible for developing a plan to annually organize capacity-building training courses on identifying and responding to sexual harassment for both men and women at their agency/unit.
- The leadership/senior management and employees should jointly develop monitoring and measurement tools, helping to develop suitable and comprehensive solutions to eradicate sexual harassment at the agency/unit. (Refer to chapter 5: Monitoring and Evaluation).

#### **All employees should:**

- Participate in the training courses of the agency, actively broaden the knowledge of sexual harassment through online channels such as the Facebook Group “Mạng lưới nhà bảo tồn vì môi trường làm việc bình đẳng” (or The conservationist network for an equal working environment) and the Facebook Fanpage named “Mạng lưới ngăn ngừa và ứng phó với BLG tại Việt Nam” (or The GBV Prevention and Response Network in Vietnam - GBVnet).
- Speak up when witnessing any sexual harassment behavior.
- Immediately notify the designated person (FCP), friends, or any acquaintance through the unit's reporting channel when being sexually harassed.

#### **A survivor-centered approach**



A survivor-centered approach aims to put the rights of each survivor at the forefront of all actions and ensure that each survivor is treated with dignity and respect. By putting the survivor at the center of the process, such an approach promotes their recovery, reduces the risk of further harm and reinforces their agency and self-determination. Practicing a survivor-centered approach means establishing a relationship with the survivor that promotes their emotional and physical safety, builds trust and helps them to restore some control over their life.

**Example:** Ms. An went on a field trip with a senior officer, Mr. Lam. Throughout the field trip, Mr. Lam was constantly sexually harassing Ms. An, both verbally and physically. After the trip, Ms. An contacted the Focal Contact Point (FCP) at her organization. The FCP adopted the survivor-centered approach, in which Ms. An was reassured that her identity and the details of the incident will be kept confidential. The FCP asked whether Ms. An feels safe, and what she needs. Ms. An's needs and wishes were taken as priority, and this means she has the right to refuse to provide any information, or to decide whether to charge the perpetrator.

Ms. An was also asked to provide feedback and contribute to the update of the organization gender equality and safeguarding policy, to make sure the policy is inclusive.

A survivor-centered approach is applied through four principles:

### **Confidentiality**

Confidentiality means not disclosing any information at any time to any party without the informed consent of the person concerned. Confidentiality is important because:

- Confidentiality promotes safety, trust, dignity and empowerment.
- People have the right to choose to whom they will, or will not, tell their story.
- Breaching confidentiality inappropriately can put the survivor and others at risk of further harm.
- If service providers do not respect confidentiality, others will be discouraged from coming forward for help.

Information collected during interviews with survivors should be kept confidential. Information should be shared only on a need-to-know basis or in line with the organizations and national laws and policies. Consent from the survivor should be obtained before sharing any information, including in the context of a referral.

***However, there are some exceptions to confidentiality:***

There can be exceptions to confidentiality, and it is very important that the survivor (especially children/young people and their caregivers) knows what the limits are.

***Limits include:***

- Situations in which there is the threat of ongoing harm to a child; and where the need to protect them overrides confidentiality.
- Situations in which laws or policies require mandatory reporting of certain types of violence against children.
- Situations in which the survivor is at risk of harming themselves or others, including threats of suicide.
- Situations involving sexual exploitation or abuse by humanitarian or peacekeeping personnel.

***Safety***

Survivors, witnesses and reporters' safety includes physical safety and security as well as psychological and emotional safety. This is extremely important because survivors, witnesses and reporters' might be at high risk of further violence and threats from perpetrators, people who protect the perpetrators (such as their family and friends). Organizations and agencies should consider the safety needs of:

- Survivors;
- Witnesses;
- Family members and supporters; and
- Those providing care and support.

***Respect***

This means respecting the dignity, wishes and choices of survivors, and allowing them to be in control of the helping process by deciding who to tell and what action to take. Failing to respect the survivors' dignity and self-determination can increase their feelings of helplessness and shame, reduce the effectiveness of interventions, cause re-victimization and further harm, and perpetuate harmful norms.

It is important for individuals and organizations to remember that:

- Every survivor has the right to be treated with respect and dignity and to make choices about what happens;
- Survivor has the right to choose who to report the case to, which information to reveal and how the case should be handled and by whom.
- The response of the service provider can either promote dignity and empowerment or cause.

## ***Non-discrimination***

All people have an equal right to the best possible assistance without unfair discrimination on the basis of:

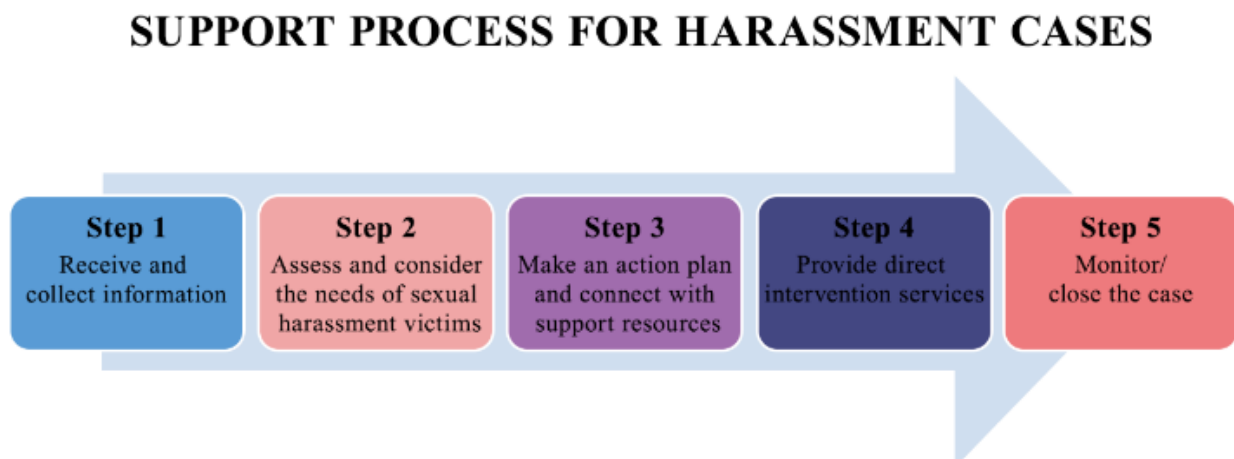
- Gender
- Disability
- Race, ethnicity or tribe
- Color
- Language
- Religious or political beliefs
- Status or social class, etc.

Therefore, it is important for supporting individuals and organisations not to make bias assumption toward neither the survivors and/or suspects of SEA and sexual harassment.

### **Support mechanism for victims of workplace sexual harassment**

Agencies/units should appoint 1 to 2 people (called FCPs) to take charge of receiving harassment complaints, providing support to alleged victims, reporting and transferring cases to the appropriate destination (if needed). The agency/unit's leadership also needs to ensure that all their personnel have the contact information of these designated people and knows how to contact them.

There are 5 steps to support victims of workplace sexual harassment, as illustrated below:



#### ***Step 1: Receive and collect information***

Whistle-blowers are usually those who witnessed the sexual harassment behavior or those being told about the incident. When approaching individuals being sexually harassed, FCPs should ensure these victims' safety, observe them if they feel comfortable disclosing information about an incident, or if they are frightened by the threats or other related factors. To get information from whistle-blowers, below are some questions FCPs can ask.



Example:

- When did the incident happen?
- Where did it happen?
- Does anybody know about this other than me?
- How would you like to be supported?
- What can I do to help you?

**Note:** When asking these above questions to verify the allegations, FCPs have to be careful not to blame the alleged victims by criticizing: “It is you going out at night that exposed you to an incident like that” or “Why don’t you just scream at that time?”. These blaming and biased comments are likely to make those being harassed feel worse and increasingly vulnerable, which in turn prevents them from sharing their stories.

### ***Step 2: Assess and consider the needs of sexual harassment victims***

*FCPs have to assess the need for immediate intervention when:*

- Sexual harassment victims are in a life-threatening situation
- Sexual harassment victims are experiencing constant panic attacks and unable to eat or sleep
- The person who has been sexually assaulted or raped needs immediate medical support
- The sexual harassment behavior is repeated and now the victims are strained and desperately worried about the perpetrators’ intimidation, retaliation or further harassment.

*At this point, FCPs need to:*

- Cater for the harassment victims’ urgent needs such as essential supplies or refer them to specialized medical institutions if necessary
- Access the situation alongside those being sexually harassed
- Discuss the next course of action
- Determine which services will be contacted

**Note:** After the assessment, if the organization is found to be ineligible to handle the case, FCPs need to refer harassment victims to appropriately authorized agencies to ensure their rights and recovery.

### ***Step 3: Make an action plan and connect with support resources***

In this step, FCPs need to consider:

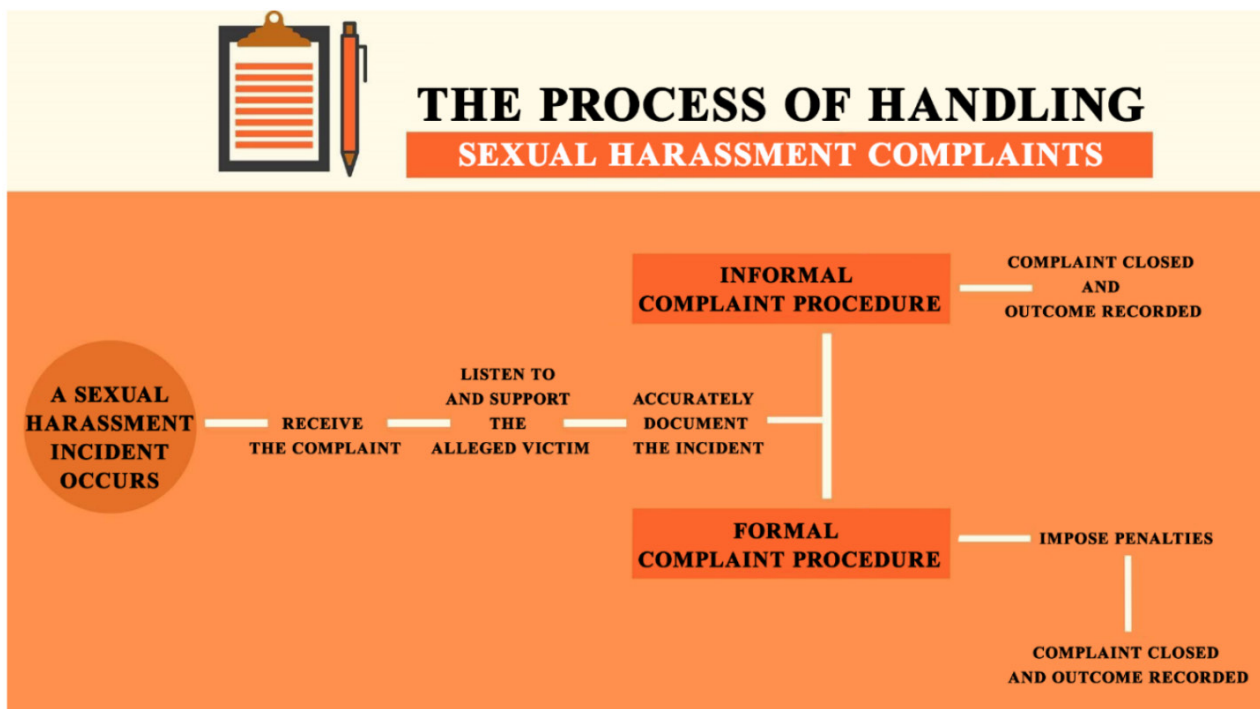
- What their immediate difficulties are and what requires to be addressed first.
- Problems stemming from the harassers: If these harassers appear in the victims’ neighborhoods, what can happen? Do they pose any threat to people who have been sexually harassed?
- The harassment victims’ advantages and who can help them during the complaint process.
- The harassment victims’ expectations of addressing their complaints, the problems that might arise when fulfilling these expectations, and what they can do to handle such obstacles.

#### Step 4: Provide direct intervention services

| Report the incident  |  | Keep in touch with the person being harassed  | Monitor the complaint handling process of the recipients   |
|--|--|---|--|
| <b>Internal handling</b><br>Guide complainants through the process of reporting to the organization's superiors or designated departments according to its mechanism | <b>Instruct the victim on how to write a report and how to file a report to the police:</b><br>The complaint recipients could be:<br>1. Ward Police Station where complainants are living<br>2. Ward committees and other authorized organizations | <b>Keep in contact with them to:</b> <ul style="list-style-type: none"> <li>- Know if they are threatened by anyone</li> <li>- Know if they experience any setback from the complaint recipients</li> <li>- Remind them of the safety plan</li> <li>- Know if they need psychological support</li> <li>- Encourage them to seek support from the complaint recipients if they encounter any difficulties</li> </ul> | <b>This step could ensure:</b> <ul style="list-style-type: none"> <li>- The victim's case will be resolved on time</li> <li>- If the complaint handling process is unfavorable, guide the victim on how to contact the complaint recipients or seek help from higher agencies</li> <li>- Have the complaint recipients' phone numbers and coordinate with them to monitor and support victims whenever needed</li> </ul> |

#### Step 5: Monitor/close the case.

Stop monitoring and close the complaint when the person suffering from sexual harassment does not want to receive support from the agencies or when they get stabilized mentally and physically.



## Functions and duties of complaint recipients

In most cases, this would be FCPs' duties. There are two steps FCP should do to ensure the complaints have been received properly:

### ***Step 1: When receiving a complaint/denunciation, FCPs should:***

- Listen to the complainant with trust and respect
- Understand every aspect of the story to gain a thorough understanding of the incident
- Ensure all the information is kept confidential
- Take immediate safety measures for the complainant/denunciatory

If the incident can cause harm to the complainant/denunciatory, it is of paramount importance to ensure their safety by employing measures such as temporarily suspending the alleged harasser's business trips (if the work of the alleged perpetrator and the complainant are closely related) until the final conclusion is drawn and the complaint is handled. In case it is beyond FCPs' expertise, it can be transferred to other appropriately authorized agencies (refer to Appendix III - Information of support & referral units).

### ***Step 2: Attentively listen, accurately document and assess the incident***

If the accused admits their wrongdoing, there is no need to conduct an investigation or verify the incident. The case, therefore, will be resolved according to the request of the two parties. However, one should bear in mind that in some cases, it will require more than two parties (the victim and the perpetrator) agreeing about what happened to resolve the case. Physical and emotional trauma, as well as social repercussions of an incident (for both victim and the perpetrator), are likely to linger for a long time, even if there is an agreement about what happened. In this case, experts' opinions (i.e. doctor, psychologist etc) need to be taken into consideration.

There are 2 types of investigation: (1) Internal investigation carried out by the agency/unit's designated department, and (2) investigation conducted by an independent agency.

The investigation and verification should follow the sequence below:

- Listen to the whistleblower's story, clarify details, and gather all relevant information such as evidence and witnesses;
- Gather information from witnesses;
- Listen to the accused's side of the story ;
- Check the accuracy, transparency and reasonableness of the documents provided by the whistleblower, the witnesses and the accused person;
- Make a written summary of the entire investigation and the conclusions based on the verified results;
- The two parties involved will be given the case summary & conclusion and allowed to give their opinions about such results.

Next, all of the parties involved will decide on how to handle the case. In case the involved parties cannot come to an agreement, the victim's decision should be taken priority. Additional opinions from experts in GBV and external support (i.e. doctor, psychologist, police etc) should also be taken into consideration.

## **The informal complaint procedure**

The informal complaint resolution includes mediating between the two parties, going to arbitration, or employing other appropriate and suitable measures such as discussion to address the complaint/denunciation. Although the terms “mediation” and “arbitration” are sometimes used interchangeably, in some countries, there are a number of distinctions between the two, which lie in their processes. Specifically, while the arbitrators can put forward recommendations and be involved in the decision-making process, the mediators are those who foster open dialogue between the two parties but do not make any recommendations.

We should adopt an informal procedure to tackle the complaint if all of the following conditions are present:

- The parties involved are likely to maintain their working relationship;
- The incident is not serious and the harassed wants to close the case
- The informal procedure used to address sexual harassment complaints can be employed in several ways:
  - The alleged harassed wants to handle their own case but still hopes to get advice on appropriate resolutions
  - The alleged harassed requests their supervisors to speak on their behalf with the alleged perpetrator. The supervisor, therefore, will confidentially convey the harassed’s concerns and reiterate the agency/unit’s anti-sexual harassment regulations to the alleged perpetrator without assessing the incident’s nature
  - When a complaint/denunciation is made, the alleged perpetrator admits their wrongdoing. Thus, it is no longer necessary to conduct an investigation or verification, and the problem is resolved through mediation or based on the harasser’s proposal
  - The victim’s supervisor or manager witnessed the unacceptable behavior and decides to act independently, although no complaint has been made

## **The formal complaint procedure**

A formal complaint is always handled by the human resource management or an individual specifically designated by the agency/organization. Those making final decisions are usually the management or the human resources management of non-profit organizations, the leadership of the trade union group of state agencies, and the director of national parks.

If the complaint is against the human resources department or the management, it is necessary to have an independent external person in charge of handling the case.

Some types of an agency/unit’s internal punishments:

- Written reprimand.
- Work suspension.
- Forced resignation.

When detecting signs of law violation, the agency/unit’s leadership should report it to the police for further investigation. During the adjudicator’s investigation process, the agency/unit’s leadership can assist in verifying the information related to the two parties.

## **Handling and compensation**

The agency/unit’s sexual harassment regulations should clearly demonstrate disciplinary



actions against non-compliance. Depending on the severity of each case, possible measures, which have to be specified in the agency/unit's code of conduct, can range from having the perpetrator apologize to the victim being sexually harassed, to reminding, reprimanding, or dismissing the perpetrator for their wrongdoings. It should also be clearly stated that anyone who tries to punish or retaliate against the whistleblower/complainant must be disciplined and punished in a strict and timely manner.

Organizations/agencies must not demote or deny promotion to any employee based on allegations that they have been the victim of sexual harassment, nor based entirely on allegations that they have been the perpetrators of sexual harassment without investigating the case.

If the victim has to endure suffering such as being demoted or denied for promotion due to the sexual harassment incident, that person will be considered for reinstatement, appointment, and receiving compensation accordingly. They may also be compensated for their financial losses resulting from the denial of work-related benefits to which they are entitled.

In addition, external persons, such as partners, service users, or service providers of the agency/unit, should be clearly informed that if they are subjected to certain complaints and then these complaints are found to be true, their contracts will be terminated and the cooperation will be finished.

### **Other measurements**

The agency/unit's regulations on workplace sexual harassment need to include provisions of confidentiality for all involved parties, at the time of reporting and filing the allegation. It should be made clear that employees will not be subjected to any penalty or repression for (a) making a complaint in good faith; (b) giving evidence during the complaint handling process, or (c) communicating the results of the investigation. It should also be stated that during the investigation process, the complaint recipients (FCPs) are not allowed to make any presumption as to whether the alleged harasser has violated the law or not.

## **CHAPTER 5: MONITORING AND EVALUATION**

The implementation of anti-sexual harassment regulations should be carefully monitored through annual reports on the number and types of complaints arising and how they are resolved. This information then should be analyzed immediately, forming the basis for making appropriate amendments and supplements to the existing regulations if necessary.

You and your organization should think about:

- Which person/department will participate in the agency/unit's risk identification and assessment process, in the effort of eradicating sexual harassment.
- Which person/department will be responsible for the risk assessment of sexual harassment as part of the agency's designs of activities/projects/programs. The risks and mitigation of sexual harassment should be accurately assessed, recorded and monitored throughout the life cycle of an activity/project/program (refer to the template in Appendix VI).
- Which person/department will be responsible for the appraisal/assessment of organization partners' capacity including their ability to implement key anti-sexual harassment policies.

- Which person/department will be responsible for ensuring that the agency and representative offices' complaint mechanisms are established in consultation with all personnel of the organization.
- Which person/department will be in charge of fully supervising the entire process of supporting people who have been sexually harassed
- Which person/department will be responsible for reviewing the frequency at which the process of supporting sexual harassment victims is implemented.

A template example of the Safeguarding policy can be found on Appendix VI.

WildAct's Safeguarding policy can be found on Appendix VII.



## PART 4. IMPLEMENTATION AND INCREASE SAFEGUARDING POLICY EFFECTIVENESS

### Awareness raising

Sexual harassment regulations should be imparted effectively to all organization personnel, including the managers, supervisors, and organization partners; especially those working at local offices.

Effective means of communicating the policy include internal newsletters, training materials, training courses, flyers, email, and websites; as well as posters which are usually displayed on the bulletin boards in common working space to help the staff identify and respond to sexual harassment behavior.

### Regular training

Regular training sessions on workplace sexual harassment prevention and response should be organized for all agency personnel, including leaders, managers, supervisors, volunteers, and interns. The purpose of the training is to: (a) raise awareness of sexual harassment,



(b) provide details of the agency/unit's regulations on sexual harassment, and (c) keep the personnel up-to-date with the latest amendments of the policy. Apart from that, the management and supervisors also need to be provided special training to distinguish between appropriate and inappropriate behavior, in order to effectively fulfill their role in ensuring the workplace that is free of sexual harassment. Persons in charge of handling complaints/denunciations at the agency/unit need to be specially trained to prevent and address sexual harassment (refer to Chapter 3 for more details).

Depending on the type of training being held and the number of participants, training sessions can last from a few hours to a full day.

### Effective management model

All managers and supervisors should demonstrate a solid commitment to anti-sexual harassment regulations by displaying exemplary behaviors at all times, and this should be periodically assessed by the leadership. At the same time, when appointing the managers and supervisors, the leadership should also ensure that the proposed candidates have a thorough understanding and ability to handle issues related to sexual harassment or provide these candidates with adequate training before or immediately upon any appointment being made.

Agencies/units need to create and maintain a workplace that is free from sexual harassment by employing the methods mentioned below:

- Remove all written or graphic materials that are sexually implicit or contain insulting content that could damage the honor and dignity of others
- Regularly monitor the implementation of regulations on sexual harassment prevention and response and procedures for dealing with sexual harassment complaints
- The recruitment board (or committee) should comprise both men and women
- Ensure the workspace is well-lit and equipped with electronic monitoring systems



# APPENDIXES

## Appendix I: WildAct's Code of Conducts

Click on this link to read WildAct's Code of Conducts online.

## Appendix II: Presentation on "Necessary skills in the process of receiving, supporting and reporting sexual harassment cases"

Please scan this QR code:



## Appendix III: Information of support – referral units

|   | Name of agency/unit  | Office address   | Working time | Contact information<br>(Phone number<br>Website, Email)  | Tasks deployed/<br>Forms of help/<br>Type of services provided   |
|---|--|--|--------------|--|--|
| I | Case management support  |  |              |  |  |
| 1 | Center for Studies and Applied Sciences in Gender - Family - Women and Adolescents (CSAGA) | No. 35, Alley 66, Dich Vong Hau Street, Cau Giay District, Hanoi | 24/7         | Hotline:<br>024 3333 5599<br>0941 409 119<br><a href="http://csaga.org.vn">http://csaga.org.vn</a><br>Fanpage:<br><a href="https://www.facebook.com/csagaVietnam">https://www.facebook.com/csagaVietnam</a><br>Email: <a href="mailto:csaga@csaga.org.vn">csaga@csaga.org.vn</a> | <ul style="list-style-type: none"> <li>- Psychological counseling</li> <li>- Provide information on gender-based violence</li> <li>- Connection victims of violence to necessary services</li> <li>- Legal case support</li> </ul> |



|   |                                   |   |  |            |  |
|---|-----------------------------------|---|--|------------|--|
| 2 | Blue Dragon Children's Foundation | Headquarters in Hanoi   | Office hours +84 243 717 0544<br>24/7 support via email: info@bdcf.org | 24/7       | - Support women and children who have been sexually abused and trafficked  |
| 3 | Hagar International in Vietnam    | 152 Au Co Street, Tu Lien Ward, Tay Ho District, Hanoi          | Hotline (24/7) 0943 111 967<br>Landline number (office hours)          | 24/7       | - Support women and children affected by human trafficking, domestic violence and sexual abuse by providing them completely free services as follows:<br>+ Safe accommodation<br>+ Health care<br>+ Psychological counseling and support; Post-trauma consultation; long term psychotherapy<br>+ Education and life skills training<br>+ Improve economic capacity.<br>- Main areas of operation: Hanoi, Hoa Binh, Cao Bang, Nghe An, Yen Bai. |
| 4 | HopeBox social enterprise         | No. 5C, Lane 7, Alley 264, Au Co Street, Tay Ho District, Hanoi | 024 3728 2342  | 0901245073 | - Create jobs for women who are subjected to gender-based violence such as training them to bake; and empower them to leave their violent environments.<br>- Cover 50% of accommodation costs, as well as award scholarships to children who are victims of domestic violence.<br>- Provide psychological counseling and support; and self-development courses   |

|     |  |   |                                    |  |  |
|-----|--|---|------------------------------------|--|--|
| 5   | Peace House Shelter (Vietnam Women's Union)  | Facility 1: Center for Women and Development (20 Thuy Khue Street, Tay Ho District, Hanoi). Facility 2: Center for the Development of Women in the Mekong Delta (Cai Rang District, Can Tho City) | 24/7                               | Call center 1900969680<br>Hotline:<br>0946 833 382/<br>0946 833 384/<br>0946 833 380 (Hanoi),<br>0919 480 908 (Can Tho)<br>Website:<br><a href="http://ngoinhabinhvien.vn">http://ngoinhabinhvien.vn</a><br>Fanpage:<br><a href="https://www.facebook.com/NgoiNhaBinhYenVietnam/">https://www.facebook.com/NgoiNhaBinhYenVietnam/</a><br>Email: Phongtuvan.cwd@gmail.com | <ul style="list-style-type: none"> <li>- Support women and children who are victims of domestic violence, abuse and human trafficking nationwide.</li> <li>- Provide a comprehensive support package including: <ul style="list-style-type: none"> <li>+ Safe and free accommodation</li> <li>+ Psychological support</li> <li>+ Legal support</li> <li>+ Learning support</li> <li>+ Entertainment and life skills support</li> <li>+ Provide consultation and support of vocational training and employment</li> </ul> </li> <li>- Timescale of support: 3 months for victims of domestic violence and abuse; and 6 months for victims of human trafficking. Nevertheless, the timescale can be extended if the victims are not yet safe.</li> <li>- Continue to support victims to return to their families within 24 months</li> </ul> |
| II  | Health services provision  |   |                                    |  |  |
| 1   | Institute for Development & Community Health LIGHT   | Lot 38, Alley 100, Dich Vong Hau Street, Cau Giay District, Hanoi   | 8:00 - 17:30<br>Monday to Saturday | Phone number:<br>098 113 5959<br><a href="http://light.org.vn/light-clinic/">http://light.org.vn/light-clinic/</a>   | <ul style="list-style-type: none"> <li>-- Provide free reproductive health checkups, including counseling on reproductive health and performing gynecological examinations at LIGHT clinics in Hanoi, Quang Ninh and Da Nang.</li> <li>- Ensure information confidentiality for victims of violence when they come for counseling, examination and referral to appropriate health care facilities.</li> </ul>  |
| III | Psychological counseling and support   |   |                                    |  |  |
| 1   | Center for Studies and Applied Sciences in Gender - Family - Women and Adolescents (CSAGA) | No. 35, Alley 66, Dich Vong Hau Street, Cau Giay District, Hanoi  | 24/7                               | Hotline:<br>024 3333 5599<br>0941 409 119 <a href="http://csaga.org.vn">http://csaga.org.vn</a> <a href="http://www.facebook.com/csagaVietnam">www.facebook.com/csagaVietnam</a> Email: <a href="mailto:csaga@csaga.org.vn">csaga@csaga.org.vn</a>   | <ul style="list-style-type: none"> <li>- Counseling</li> <li>- Receiving complaints</li> <li>- Connecting victims of violence to necessary services</li> <li>- Legal case support</li> </ul>   |

|           |   |  |   |  |   |
|-----------|---|--|---|--|---|
| 2         | Action to the Community Development Institute (ACDC)  | Room 903, Dream Center Home Building, No. 11A, Lane 282, Nguyen Huy Tuong Street, Thanh Xuan District, Hanoi | 8:30 - 15:00<br>Monday to Friday  | Phone number: 024 6291 0814 / 024 6329 1019<br>Website: <a href="http://acdc.vn/vi">http://acdc.vn/vi</a><br>Email: <a href="mailto:tuvan@acdc.org.vn">tuvan@acdc.org.vn</a> | Providing free legal advice and consulting services for people with disabilities  |
| 3         | HopeBox social enterprise   | No. 5C, Lane 7, Alley 264, Au Co Street, Tay Ho District, Hanoi  | 8h00 - 17h00,<br>Monday to Friday   | Phone number:<br>0901245073  | <ul style="list-style-type: none"> <li>- Create jobs for women who are subjected to gender-based violence such as training them to bake; and empower them to leave their violent environments.</li> <li>- Cover 50% of accommodation costs, as well as award scholarships to children who are victims of domestic violence.</li> <li>- Provide psychological counseling and support; and self-development courses</li> </ul>  |
| 4         | Hagar International in Vietnam  | 152 Au Co Street, Tu Lien Ward, Tay Ho District, Hanoi   | Hotline (24/7)<br>0943 111 967<br>Landline number (office hours)<br>024 3728 2342 | 24/7   | <ul style="list-style-type: none"> <li>- Support women and children subjected to human trafficking, domestic violence and sexual abuse by providing them completely free services as follows: <ul style="list-style-type: none"> <li>+ Safe accommodation</li> <li>+ Health care</li> <li>+ Psychological counseling and support; Post-trauma consultation; long term psychotherapy</li> <li>+ Education and life skills training</li> <li>+ Improve economic capacity.</li> </ul> </li> <li>- Main areas of operation:<br/>Hanoi, Hoa Binh, Cao Bang, Nghe An, Yen Bai.</li> </ul> |
| <b>IV</b> | <b>Accommodation provision</b>  |  |   |  |   |
| 1         | Sunshine House (supported by the Ministry of Labour, Invalids and Social Affairs and UNFPA) | No. 35A Dien Bien Phu Street, Hong Ha Ward, Ha Long City, Quang Ninh Province                                | 24/7  | Free consultation hotline:<br>18001769   | <ul style="list-style-type: none"> <li>- Counseling activities</li> <li>- Intervention, emergency support and case management</li> <li>- Communication to raise people's awareness and transform community behavior</li> </ul>  |

|   |   |   |      |   |   |
|---|---|---|------|---|---|
| 2 | Peace House Shelter (Vietnam Women's Union) | <p>Facility 1: Center for Women and Development (20 Thuy Khue Street, Tay Ho District, Hanoi).</p> <p>Facility 2: Center for the Development of Women in the Mekong Delta, (Cai Rang District, Can Tho City).</p> | 24/7 | <p>Call center: 1900969680</p> <p>Hotline : 0946833382/ 0946833384 0946833380 (Hanoi) 0919.480.908 (Can Tho)</p> <p>Website: <a href="http://ngoinhabinh-hyen.vn">http:// ngoinhabinh-hyen.vn</a></p> <p>Fan page: <a href="https://www.facebook.com/NgoinhaBinhyenPeaceHouse/">https://www.facebook.com/ NgoinhaBinhyenPeaceHouse/</a> Email: <a href="mailto:phongtuvan.cwd@gmail.com">phongtuvan.cwd@gmail.com</a></p> | <p>- Support women and children who are victims of domestic violence, abuse and human trafficking nationwide.</p> <p>- Provide a comprehensive support package including:</p> <ul style="list-style-type: none"> <li>+ Safe and free accommodation</li> <li>+ Psychological support</li> <li>+ Legal support</li> <li>+ Learning support</li> <li>+ Entertainment and life skills support</li> <li>+ Provide consultation and support of vocational training and employment</li> </ul> <p>- Timescale of support: 3 months for victims of domestic violence and abuse; and 6 months for victims of human trafficking. Nevertheless, the timescale can be extended if the victims are not yet safe. Continue to support victims to return to their families within 24 months</p> |
| 3 | Hagar International in Vietnam              | 152 Au Co Street, Tu Lien Ward, Tay Ho District, Hanoi  | 24/7 | <p>Hotline (24/7) 0943.111.967</p> <p>Landline number (office hours) 024 37282342</p>   | <p>- Support women and children subjected to human trafficking, domestic violence and sexual abuse by providing them completely free services as follows:</p> <ul style="list-style-type: none"> <li>+ Safe accommodation</li> <li>+ Health care</li> <li>+ Psychological counseling and support; Post-trauma consultation; long term psychotherapy</li> <li>+ Education and life skills training</li> <li>+ Improve economic capacity.</li> </ul> <p>- Main areas of operation: Hanoi, Hoa Binh, Cao Bang, Nghe An, Yen Bai</p>  |

UN Women's link directory of agencies and organizations supporting women and children suffering from violence and abuse in 64 provinces and cities of Vietnam:



Appendix IV. Denunciation/complaint template

Appendix V. Risk assessment template



## **Appendix VI. Safeguarding policy template**

### **Policy statement**

(NAME OF UNIT/AGENCY/ORGANIZATION) strictly prohibits and has zero-tolerance for any acts of sexual harassment committed by the organization's people, interns, volunteers, Board members, consultants, partners, service users, and service providers.

The entire personnel of (NAME OF UNIT/AGENCY/ORGANIZATION) including those with a long-term employment contract, interns, volunteers, consultants, partners, and service providers of (NAME OF UNIT/AGENCY/ORGANIZATION) are obliged to strictly follow steps of preventing and combating sexual harassment in the workplace.

(NAME OF PERSON/DEPARTMENT/ BOARD) is the primary point of contact for questions or concerns regarding sexual harassment issues.

### **Definitions**

Definition of sexual harassment in the workplace.

Types of sexual harassment.

Behaviors that are considered sexual harassment.

Definition of the workplace.

### **Roles and responsibilities of each party on sexual harassment prevention and response**

The management board of the agency/unit.

Managers at all levels and department heads.

All official staff.

Contributors and collaborators.

### **The process of supporting victims who have been sexually harassed**

(NAME OF PERSON/DEPARTMENT/BOARD) is responsible for receiving harassment complaints, providing support to alleged victims, reporting and transferring cases to related parties.

### **The process of handling sexual harassment behavior**

(NAME OF PERSON/DEPARTMENT/BOARD) is responsible for receiving, documenting, reporting complaints, and maintaining case files.

Complainants or denunciatory can choose one of three forms:

- Submit a complaint/denunciation form (Appendix 7) by email or in person.
- Meet face-to-face with the designated person to present and submit the complaint/denunciation form
- Meet face-to-face with the designated person to present the incident and follow their instructions

(NAME OF PERSON/DEPARTMENT/BOARD) is firmly committed to keeping the information confidential and ensures all of the support activities revolve around the complainant/ sexual harassment victim's needs

(NAME OF PERSON/DEPARTMENT/BOARD) is responsible for investigating, verifying, or supervising the investigation and verification of sexual harassment behavior. (NAME OF UNIT/AGENCY/ORGANIZATION) is committed to ensuring that all the sexual harassment investigations and verifications are carried out quickly, fairly, and comprehensively.

(A SPECIFIC AMOUNT OF TIME) after receiving the case, (NAME OF PERSON/DEPARTMENT/BOARD) is responsible for sending the investigation and verification results to all relevant parties.

(NAME OF PERSON/DEPARTMENT/BOARD) is responsible for making the final decision.

Informal complaint resolution:

- Reconciling
- Apologizing
- Reminding

Formal complaint resolution:

- Work Suspension
- Written reprimand
- Relocation
- Forced resignation.
- Terminating the cooperation/ contracts of service provision.

### **Monitoring and evaluation process**

- Which person/department will participate in the agency/unit's risk identification and assessment process, in the effort of eradicating sexual harassment.

- Which person/department will be responsible for the risk assessment of sexual harassment as part of the agency's designs of activities/projects/programs. The risks and mitigation of sexual harassment should be accurately assessed, recorded, and monitored throughout the life cycle of an activity/project/program (refer to the template in Appendix 6).
- Which person/department will be responsible for the appraisal/assessment of the partners' capacity including their ability to implement key anti-sexual harassment policies.
- Which person/department will be responsible for ensuring that the agency and representative offices' complaint mechanisms are established in consultation with all personnel of the organization
- Which person/department will be in charge of supervising the entire process of supporting people who have been sexually harassed
- Which person/department will be responsible for reviewing the frequency at which the process of supporting sexual harassment victims is implemented.

Template of regulations on the prevention and response of sexual harassment in the workplace.

Recommendations for organizations to have commitments to prohibit sexual harassment in the workplace

The declaration against sexual harassment in the workplace should be made by the head of an organization to ensure acceptance and compliance by all personnel, including the supervisors and the management. This should be clearly demonstrated that (a) the organization is committed to ensuring a sexual harassment-free workplace; (b) sexual harassment in any form will not be tolerated; (c) expeditious disciplinary action will be taken against any man or woman flouting the rules; (d) supervisors and management are responsible for implementing the policy and demonstrating leadership by setting an example for others.

## **Appendix VII: WildAct's Safeguarding policy**



## Frequently asked questions about sexual harassment in the workplace

**Question 1:** Can an employee who consented to sexual misconduct make a complaint/ denunciation?

**Answer:** Yes. The individual might consent to the sexual misconduct due to their limited prior awareness or the actual pressure they had been subjected to from the perpetrator.

**Question 2:** Is it sexual harassment if I am always being stalked by the person I used to date at work?

**Answer:** Maybe. That behavior will be considered sexual harassment if you make it clear to the person you dated that you are no longer interested in this relationship, but that person continues to make sexual advances, comments, or gestures towards you.

**Question 3:** What is the difference between sexual harassment and crimes of a sexual nature?

**Answer:** In general, all sexual harassment behavior is illegal and needs to be prevented, combated, condemned, investigated, verified and promptly handled, according to the misconduct's nature and extent specified in the Penal Code (less serious, serious, very serious, extremely serious). If the misconduct is sufficient to establish an element of crimes, it will be considered criminal and the perpetrators, thus, will receive the punishment commensurate with the severity of his or her wrongdoings (rape, forcible sexual intercourse, etc.). Because of the profound consequences such behavior may cause, witnesses or victims must immediately report it to criminal investigation agencies such as the police and other competent units. Less serious sexual harassment behavior, which does not reach the level of a criminal offense, may be administratively addressed according to the provisions of the Law on Handling of Administrative Violations, the Labor Law, etc.

**Question 4:** How to define a certain behavior as unwanted?

**Answer:** When there is conflicting evidence about whether the misconduct is wanted or not, the investigators should carefully examine all situations, assessing on a case-by-case basis. By doing so, they could determine whether the alleged harasser's behavior is reasonably perceived by the victim as offensive, hostile or undesirable; and consider whether the victim's behavior is consistent with his or her assertion that the sexual behavior is unwanted. In the case of sexual harassment in exchange for another benefit or purpose, the victim's behavior is not relevant to determining whether sexual harassment occurred or not.

**Question 5:** Are there cases of deliberately throwing sexual harassment slander against others for personal gain?

**Answer:** Yes. The whistleblower may indeed fabricate information and make a false accusation intentionally. It is for this reason that the responsibilities and duties of the investigation and verification department are critically important. When detecting intentionally false denunciation, the whistleblower will have to shoulder full responsibility for his or her wrongdoing.



## REFERENCES

1. International Labour Organization's Code of Conduct on sexual harassment in the workplace
2. PLAN's anti-sexual harassment policy
3. CARE's anti-sexual harassment policy
4. The Vietnam Labor Code 2019
5. UN Women's link directory of agencies and organizations supporting women and children suffering from violence and abuse
6. Childfund's Prevention of Sexual Exploitation, Abuse & Harassment Policy
7. Childfund's Complaints Policy & Procedure
8. USAID's Prevention of Sexual Exploitation, Abuse & Harassment Policy
9. WHO's Policy on Sexual Exploitation and Abuse Prevention and Response













## WILDACT VIETNAM

📍 25, lane 211/1, Khuong Trung, Thanh Xuan Ha Noi

🌐 [www.wildact-vn.org](http://www.wildact-vn.org)

✉ [info@wildact-vn.org](mailto:info@wildact-vn.org)

☎ 033 450 9868