

MINISTRY OF EDUCATION AND RESEARCH MOLDOVA

**SEXUAL EXPLOITATION AND ABUSE
AND
SEXUAL HARASSMENT (SEA/SH)
PREVENTION AND RESPONSE ACTION
PLAN**

FOR

**EDUCATION QUALITY IMPROVEMENT PROJECT
(P179363)**

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Definition of terms

- **Gender-Based Violence (GBV):** is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e. gender) differences between males and females. It includes acts that inflict physical, sexual or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private.
- **Violence against Children (VAC):** is defined as physical, sexual or psychological harm of minor children (i.e. under the age of 18) including using for profit, labor, sexual gratification, or some other personal or financial advantage.
- **Accountability Measures:** are the measures put in place to ensure the confidentiality of survivors and to hold contractors, consultants and the client responsible for instituting a fair system of addressing cases of GBV and VAC.
- **Child:** is used interchangeably with the term 'minor' and refers to a person under the age of 18.¹ This is in accordance with Article 1 of the United Nations Convention on the Rights of the Child.
- **Child Protection (CP):** is an activity or initiative designed to protect children from any form of harm, particularly arising from VAC.
- **Consent:** is the informed choice underlying an individual's free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18², even in the event that national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.
- **Consultant:** is as any firm, company, organization or other institution that has been awarded a contract to provide consulting services in the context of the Project/subproject, and has hired managers and/or employees to conduct this work.
- **Contractor:** is any firm, company, organization or other institution that has been awarded a contract to conduct infrastructure development works in the context of the Project/subproject and has hired managers and/or employees to conduct this work. This also includes sub-contractors hired to undertake activities on behalf of the contractor.
- **Employee:** is as any individual offering labor to the contractor or consultant within country on or off the work site, under a formal or informal employment contract or arrangement, typically but not necessarily in exchange for a salary (e.g. including unpaid interns and volunteers), with no responsibility to manage or supervise other employees.
- **Employer:** Project/Subproject owner

¹ The Kingdom of Cambodia is party to this convention. <http://www.pseataaskforce.org/uploads/tools/1478613357.pdf>

² See UN Resolution 62/214. United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel; UN Secretariat (2003) ST/SGB/2003/13 Special measures for protection from sexual exploitation and sexual abuse; IOM (2016) Policy and Procedures for Preventing and Responding to Sexual Exploitation and Abuse.

- **GBV and VAC Allegation Procedure:** is the prescribed procedure to be followed when reporting incidents of GBV or VAC.
- **GBV and VAC Codes of Conduct:** The Codes of Conduct adopted for the project covering the commitment of the company, and the responsibilities of managers and individuals with regards to GBV and VAC.
- **GBV and VAC Compliance Team (GCCT):** a team established by the project to address GBV and VAC issues.
- **Grievance Redress Mechanism (GRM):** is the process established by the Project/subproject to receive and address complaints.
- **Grooming:** are behaviors that make it easier for a perpetrator to procure a child for sexual activity. For example, an offender might build a relationship of trust with the child, and then seek to sexualize that relationship (for example by encouraging romantic feelings or exposing the child to sexual concepts through pornography).
- **Manager:** is any individual offering labor to the contractor or consultant, on or off the work site, under a formal employment contract and in exchange for a salary, with responsibility to control or direct the activities of a contractor's or consultant's team, unit, division or similar, and to supervise and manage a pre-defined number of employees.
- **Online Grooming:** is the act of sending an electronic message with indecent content to a recipient who the sender believes to be a minor, with the intention of procuring the recipient to engage in or submit to sexual activity with another person, including but not necessarily the sender³.
- **Perpetrator:** is the person(s) who commit(s) or threaten(s) to commit an act or acts of GBV or VAC.
- **Response Protocol:** is the mechanisms set in place to respond to cases of GBV and VAC.
- **Survivor/Survivors:** is the person(s) adversely affected by GBV or VAC. Women, men and children can be survivors of GBV; children can be survivors of VAC.
- **Work Site:** is the area in which infrastructure development works are being conducted, as part of the project.
- **Work Site Surroundings:** is the 'Project Area of Influence' which are any area, urban or rural, directly affected by the project, including all human settlements found on it.

1. Introduction

1.1. Contextual GBV Risks

In Moldova, according to a survey commissioned by OSCE, 73% of ever partnered women and girls (18-74 years old) experienced intimate partner violence (physical, sexual or psychological), since the age of 15 (2018)⁴. The proportion of women who reported being survivors of VAW was estimated at 40 per cent, unchanged over the last decade⁵. Due to the strong legal framework and multi-sectorial measures, in 2021 a number of 236 (666 in 2018) protection orders and 1496 (3877 in 2018) emergency restraining order were applied by police to protect victims of DV⁶. Despite of the progress, there are many challenges in the area. Among barriers to reporting the DV/IPV: shame, financial reasons, lack of information on services available, mistrust of services, fear, lack of recognition of what counts as violence. According to the OSCE survey (2019), 55% of respondents agreed that domestic violence was a private matter and should be handled within family; 45% agreed that violence against women is often provoked by victims and others.

The Parliament approved on October 14, 2021 the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). By ratifying the Convention, the Moldovan authorities duly undertake to prosecute violence against women, allocate resource to ensure the operation of crisis centers, 24/7 hotline, shelters for victims of violence, provide psychological and legal assistance, and other measures.

There is currently an emergency telephone line (0 8008 8008): accessible 24/24 hours a day, offering victim counseling services, information in conditions of anonymity and confidentiality, managed by the International Center "La Strada"⁷.

Since the February 2022 invasion of Ukraine by the Russian Federation, ongoing armed conflict has triggered internal displacement and an influx of refugees in neighbouring countries. Moldova, along with Poland, has received the highest number of refugees comparative to its population size. The sudden arrival of refugees from Ukraine has placed tremendous pressure on the Moldovian educational system to accommodate the hundreds of thousands of children seeking an education.

Construction and/or rehabilitation of schools and facilities under the EQIP will involve civil works and will require a huge labor force and associated goods and services that may not be met locally. As such construction workers will be brought from outside the project area. Construction workers are predominantly male, typically separated from their families on the construction site for extended periods of time. If not carefully managed, an influx of labor can negatively impact a project area, in the context of high acceptability of violence against women and girls.

1.2. Project Related Risks and Generic Mitigation measures

The project through rehabilitation and construction of school can bring minor influx of labor and employment income differentials in local communities. Projects with minor labor influx of workers may increase the demand for sex work, including the risk for trafficking of women for the purposes of sex work; or the risk of forced early marriage. Furthermore, higher wages for workers in a community can lead to an

⁴ OSCE-led survey on violence against women "Well-Being and safety of women": Moldova (2019)

⁵ Voluntary National Review, Government of the Republic of Moldova, 2020, 2019

⁶ 2021 Police Report, page 11

https://politia.md/sites/default/files/ni_privind_infrafractiunile_ce_atenteaza_la_viata_persoanei_si_cele_1.pdf

⁷ <http://lastrada.md/>

increase in transactional sex. The risk of incidents of sex between laborers and minors, even when it is not transactional, can also increase.

Risk of SEA/SH by project personnel e.g. regional and provincial level officials who may ask for sexual favors from women and girls for them to be selected as project beneficiaries. This risk particularly could derive from the fact that the proposed project will support interventions and activities for learning recovery and accelerated learning. This includes identification of vulnerable students lagging academically and their support through tutoring or other remedial programs to accelerate learning and overcome the identified learning gap. Also the project will create short term employment opportunities in the project target areas, and hence enhanced mobility of both women and men. Higher mobility exposes women to more risks of GBV, including rape.

Women are responsible for household chores and caregiving, which require much time and energy. They will be adding another task to their already full plate by participating in the project. It cannot but result in less time spent in household chores and caregiving, which may well cause dissatisfaction of male members of the household and lead to violence against the women.

While all project related personnel are engaged on the condition that they follow various Codes of Conduct, including those on sexual exploitation and abuse, we cannot rule out the possibility that female beneficiaries may be asked for sex or related favors in exchange for participation in the project whether as students or for obtaining a job under the project’s contractors.

Women and girls may face opposition of their husbands and other male family members for their wish to participate in the project. In some households, the situation may escalate to violence. If their spouses are not involved in the project, the possibility of violence is higher. Women beneficiaries may be harassed or attacked also by men outside their households, who are not involved in the project and take out their frustration on the women.

If women’s income increases, that fact may make men to feel insecure and turn violent against the women. If women refuse to give up their earnings to their husbands and other male family members, that is likely to trigger violence against the women.

Considering that many are heads of households, there is strong incentive for children to be involved in such activities. The children are affected by the changes in adults’ responsibilities in the field and also by the changes in the adults’ ability to carry out household chores, which are caused by the changes in the field.

Potential Risks/ Impacts	Impact / Risk Description	Mitigation Measures
Incidence of Gender Based Violence/Sexual Exploitation Abuse and Harassment	Direct project workers and employees of contractors and subcontractors may be involved in sexual harassment and rape. Other forms of gender-based violence and discriminatory practices that may occur during project implementation include employers and supervisors requesting for sexual favors as a pre-requisite for	<ul style="list-style-type: none"> • Contractual Clauses on mandatory and regular training for workers on required lawful conduct and legal consequences for failure to comply with laws on non-discrimination and GBV will be inserted in Contract Documents. • Contractual Clauses with a commitment to cooperate with law enforcement agencies investigating cases of gender-based violence shall be inserted into the Contract documents of the contractor and Supervising Consultant

	<p>employment opportunities at the workplace.</p> <p>Workers may also be engaged in issuing threats, insults, assault and other forms of abuse on girls, women, children and other vulnerable groups. Acts of Gender Base Violence have long term physical health and psychological effects on survivors.</p> <p>Although the project does not target children as worker, the surge in economic activities by the project may create opportunities for children to engage in age-inappropriate or hazardous work.</p>	<ul style="list-style-type: none"> • The Contractor shall be required to consider alternative work schedules or shifts to accommodate the hiring of more female workers. • Contractual clauses against rape, defilement and other Gender based Violence as well as child and forced Labor shall be inserted into the contract of the Contractor and Supervising Consultant • Workers on site will sign Code of Conduct with sanctions on rape defilement, abuse and other gender-based violence • Sensitization workshops shall be undertaken for employees of the Contractor/Supervising Consultant and Sub-Contractors as well as persons working or living in the immediate project environs • The Contractor shall provide contact numbers of the nearest law enforcement Agency Office, the Grievance Redress Committee Members and GBV Service Providers to offices, schools and clinics within the project zone • Prohibition posters on sexual exploitation and harassment will be posted in and around the site. • Sensitize parents on the prohibition of child labor • Use Project GBV Action Plan • Use Project Labor Management Plan • Confer to Excluded activity inherent to child labor
<p>VAC risks associated with high schools (risk of bullying, VAC, SEASH etc)</p>	<p>Violence in schools can have serious effects on children's psychological and physical health. Children who are subjected to violence may experience physical injury, sexually transmitted infections, depression, anxiety, post-traumatic stress disorder (PTSD) and suicidal thoughts.</p> <p>Bullying takes different forms in school, including:</p> <ul style="list-style-type: none"> • Physical, e.g., hitting, kicking, slapping, shoving, hair-pulling, etc. • Verbal, e.g., name-calling, teasing, using belittling expressions, etc. 	<ul style="list-style-type: none"> • Whole-school anti-bullying programmes are needed, which promote peer support systems and involve active and well-trained teachers and parents, to foster a safe learning environment in which no violence is allowed. • Sensitize teachers of democratic approaches of dealing with violence and bullying, such as: <ul style="list-style-type: none"> ✓ restorative justice ✓ conflict resolution ✓ peer mediation. • Surveying student opinion to provide a good evidence base for targeting measures to prevent violence, e.g., increasing supervision in areas in school where students are fearful of going, creating more opportunities for constructive play during breaks from lessons, etc.

	<ul style="list-style-type: none"> • Relational, e.g., ostracising, spreading rumours, social manipulation, etc. • Sexual, e.g., sexual name-calling, uninvited touching, propositioning, etc. 	
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1.3. Objectives of GBV Action Plan

The GBV Action Plan should be considered as part of the EQIP Environmental and Social Management Framework (ESMF) providing a guidance for SEA/SH consideration focusing on safe schools, chain of accountability for prevention and mitigation in preparation for operation and management of high schools. Since the focus of the plan would be to inform the high school hubs operations after construction, at this stage during project preparation, the GBV Action Plan would be expecting a framework level description of principles and recommended actions to be included as annex to the ESMF and be further developed during project implementation to inform school management plans.

This GBV Action Plan details the operational measures that will be put in place to assess and mitigate the risks of gender-based violence, including sexual exploitation and abuse (SEA) and sexual harassment that are project related and how they will be integrated over the life of the project. This includes procedures for preventing and responding to SEA/SH including managing these grievances.

2. Key actors – role and responsibilities

2.1. The GBV and VAC Compliance Team

The project shall establish a ‘GBV and VAC Compliance Team’ (GCCT). The GCCT will include, as appropriate to the project, at least four representatives (‘Focal Points’) as follows:

- a. EQIP E&S specialists
- b. The occupational health and safety manager from the contractor⁸, or someone else tasked with the responsibility for addressing GBV and VAC with the time and seniority to devote to the position.
- c. The supervision consultant; and,
- d. A representative from a local service provider with experience in GBV and VAC (the ‘Service Provider’).

It will be the duty of the GCCT with support from the EQIP and contractor management to inform workers about the activities and responsibilities of the GCCT. To effectively serve on the GCCT, members must undergo training by the local service provider prior to the commencement of their assignment to ensure that they are sensitized on GBV and Child Protection.

The GCCT will be required to:

⁸ Where there are multiple contractors working on the project each shall nominate a representative as appropriate.

- a. Approve any changes to the GBV and VAC Codes of Conduct contained in this document, with clearances from the Supervision Consultant for any such changes.
- b. Update and finalize the Action Plan
- c. Obtain approval of the Action Plan by company/contractor management.
- d. Obtain EQIP clearances for the Action Plan prior to full mobilization.
- e. Receive and monitor resolutions and sanctions with regard to complaints received related to GBV and VAC associated with the project; and,
- f. Ensure that GBV and VAC statistics in the GRM (annex 1 and annex 2) are up to date and included in the regular project reports.

The GCCT shall hold quarterly update meetings to discuss ways to strengthen resources and GBV and VAC support for employees and community members.

The Action Plan and Code of Conduct (annex 3) shall be submitted for review to EQIP and Supervision Consultant earliest as possible following the contract signature date. Works will not commence unless the Engineer is satisfied with measures in place, including plan and codes. Failure to comply with such obligation should provide ground for contract suspension cancellation – this shall be determined at the sole discretion of the contracting entity, whilst intention to cancel the contract shall be notified to the World Bank team within 60 days from the proposed cancellation date.

2.2. Service Provider

The Service Provider is a local organization (possibly an NGO) which has the technical experience and ability to provide training to staff and to support survivors of GBV or VAC. The contractor(s) will contract the services of a Service Provider, so that GBV and VAC cases can safely be referred to them. The Service Provider will also provide support and guidance to the GBV and VAC Focal Points as necessary. The Service Provider will have a representative on the GCCT and be involved in resolving complaints related to GBV or VAC. The service provider will develop and conduct the mandatory training to employees on GBV and VAC.

2.3. GBV and VAC Focal Point

The GCCT will refer the complaint to the appropriate Focal Points for resolution (i.e. issues with contractor's staff will be for the contractor to resolve; consultant's staff the consultant; and client staff the client) and will advise the GCCT on potential resolutions, including referral to the police if necessary. They will be assisted by the Service Provider as appropriate.

All the Focal Points on the GCCT must be trained and empowered to resolve GBV and VAC issues. It is essential that all staff of the GRM and GCCT understand the guiding principles and ethical requirement of dealing with survivors of GBV and VAC. All reports should be kept confidential and referred immediately to the Service Provider represented on the GCCT⁹. In GBV and VAC cases warranting police action, the Focal Points must appropriately refer the complaint to: (i) the authorities; (ii) the Service Provider; and, (iii) management for further action. The Employer and the World Bank are to be immediately notified.

⁹ Survivors of GBV and VAC may need access to police, justice, health, psychosocial, safe shelter and livelihood services to begin on a path of healing from their experience of violence.

3. SEA/SH Mitigation Measures

3.1. GRM TO ADDRESS GBV OR VAC

3.1.1. Making Complaints: GBV and VAC Allegation Procedures

All staff, volunteers, consultants and sub-contractors are encouraged to report suspected or actual GBV or VAC cases. Managers are required to report suspected or actual GBV and/or VAC cases as they have responsibilities to uphold company commitments and they hold their direct reports accountable for complying with the Individual Code of Conduct.

The project will provide information to employees and the community on how to report cases of GBV and VAC Code of Conduct breaches through the Grievance Redress Mechanism (GRM). The GCCT will follow up on cases of GBV, VAC and Code of Conduct breaches reported through the GRM.

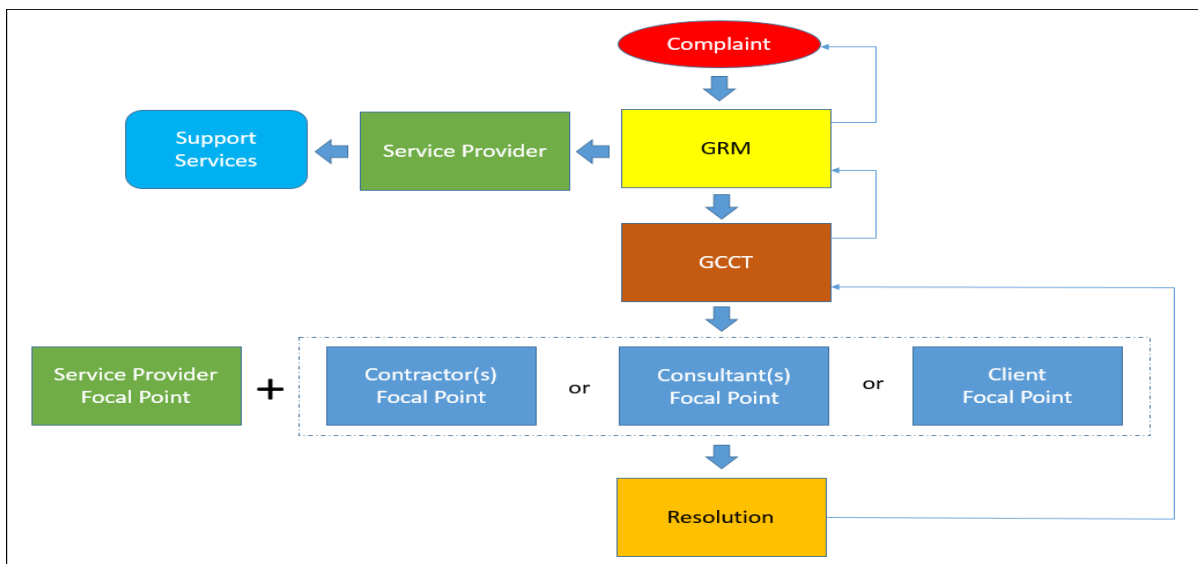
3.1.2. Process for addressing GBV or VAC complaints

The figure below shows the process for addressing complaints.

The project operates a grievance redress mechanism (GRM). Reports of GBV or VAC, other complaints, or other concerns may be submitted online, via telephone or mail, or in person.

The GRM operator will refer complaints related to GBV or VAC to the GCCT to resolve them. In accordance with the Action Plan, the GCCT through the Service Provider and Focal Point(s) will investigate the complaint and ultimately provide the GRM operator with a resolution to the complaint, or the police if necessary. The GRM operator will, upon resolution, advise the complainant of the outcome, unless it was made anonymously. Complaints made to managers, or the Service Provider will be referred by them to the GRM for processing.

If the complaint to the GRM is made by a survivor or on behalf of a survivor, the complainant will be directly referred to the service provider to receive support services while the GCCT investigates the complaint in parallel.



3.1.3. Safe schools and prevention of VAC during the operational stage of the high schools financed by the project

There is an institutional and normative system regarding the accountability and referral actions in place to ensure safe schools and prevention of VAC during the operational stage of the lyceums functioning financed by the project.

The list of normative acts regarding the children protection from all forms of violence:

- Law no. 140 of June 14, 2013 regarding the special protection of children in risk situation of children separated from their parents
- Law no. 30 of March 7, 2013 regarding the protection of children against impact negative of the information
- The instructions regarding the intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking (Government Decision no. 270 from April 8, 2014)
- The institutional organization and intervention procedure of the workers of the institutions of education in cases of abuse, neglect, exploitation, child trafficking (Order Ministry of Education no. 77 of February 22, 2013)
- Application methodology of the Institutional Organization and Intervention Procedure a workers of pre-university education institutions in cases of abuse, neglect, exploitation, child trafficking (Order of the Ministry of Education no. 858 of August 23, 2013)
- Indicators for monitoring the application of the Institutional Organization Procedure and intervention of educational institution workers in cases of abuse, neglect, exploitation, child trafficking (Order of the Ministry of Education no. 1049 of October 10, 2014).
- Regulation on communication between educational institutions and mass media in cases that refer to children (Order of the Ministry of Education no. 60 of 07 February 2014)
- The code of ethics of the teaching staff (Order of the Ministry of Education no. 861 of 07 September 2015)
- The instruction regarding the evaluation and development of the student's behavior from general primary and secondary education (Order of the Ministry of Education no. 1090 from December 29, 2016)
- The notification sheet for the suspected case of violence, neglect, exploitation and trafficking of child (Joint Order of the Ministry of Labour, Social Protection and Family, Ministry of Internal Affairs, Ministry of Education and Ministry of Health no. 153/1043/1042/293 of October 8, 2014)

The key document of the Republic of Moldova education system regarding GBV and VAC is the “Child protection policy in the educational institution. Guide to implement” published on the site of the Ministry of Education and Research.

https://mecc.gov.md/sites/default/files/politica_de_protectie_a_copiluluighid_de_implementare.pdf

The Guide describes the following aspects:

- Commitment of the institution;
- The institution's written commitment to protect children from all forms of violence;
- Defining the phenomenon of violence;
- The main elements of the Child Protection Policy (prevention, protection, assistance);
- Principles of the Child Protection Policy;
- To whom the Child Protection Policy is addressed;
- Approval and revision of the Child Protection Policy;
- Coordination, functions and responsibilities;
- Personnel management, including auxiliary;
- Staff recruitment;
- Training and providing support to staff;

- Staff Code of Ethics;
- Unacceptable behaviors;
- Desirable behaviors;
- Principles applicable in the case of physical contact;
- Consequences regarding non-compliance with the Code of Ethics;
- Preventing violence, developing the skills of children and parents ;
- 11 Methods of reporting cases of abuse by children, parents;
- Procedures for identifying and reporting abuse;
- Intervention, assistance to child victims, collaboration with other services;
- Management of personal data;
- The security of the premises;
- Communication about children;
- Guidelines for the registration of images by the Institution;
- Guidelines for the publication of images by the Institution.

3.2. Response Protocol

The GCCT will be responsible for developing a written response¹⁰ protocol to meet the project requirements, in accordance to national laws and protocols. The response protocol must include mechanisms to notify and respond to perpetrators in the workplace. The response protocol will include the GRM process to ensure competent and confidential response to disclosures of GBV and VAC. An employee who discloses a case of GBV or VAC in the workplace shall be referred to the GRM for further action.

The subprojects will establish a **response support protocol** to **raise awareness** among key stakeholders about GBV and its intersections with violence against children as well as GRMs and referral pathways to ensure that:

- Survivors of violence against women and children receive **prompt and coordinated response** from service providers;
- **Referral pathways** are established and **operational**;
- **Comprehensive support services** (medical/health care, psychosocial support, legal services and goods/services to meet basic needs) are provided to survivors of violence against women and children;
- Existing **policies** and agreed **procedures** are fully respected;
- **Moldova policies and World Bank guidance note on Addressing Sexual Exploitation and Abuse and Sexual Harassment (SEA/SH)** and other relevant **Codes of Conduct** on harassment and violence against women and children are respected by all involved in the implementation of the proposed project; and
- **Coordination** among stakeholder institutions at the EQIP intervention area.

The stakeholders to be involved and their **precise roles and responsibilities** will be determined for each **subproject** based on: pre-formulation assessment of the subproject with focus on gender (as part of Environmental and Social Assessment for the subproject); and risk assessments of each subproject location.

The role of the EQIP Social Development Specialist acting as Gender **and Social Inclusion Focal Point** under this SEA/SH Action Plan is to oversee the aspects on **women and children**, with a focus on gender-based and child violence, sexual exploitation and harassment, under the subproject. On these subjects, the Specialist represents the **PMT** and **liaises** with the MoER , NORLD , partners/contractors, Workers and project GRM Committees and other key stakeholders.

¹⁰ Develop appropriate protocol for written recording of GBV issues and VAC raised in case the notes are subpoenaed. Develop processes for record keeping including activities undertaken by the GCCT.

3.3. Potential Procedures for Addressing GBV and VAC

Potential Procedures for Addressing GBV and VAC are described as follows:

<p>➤ Accountability Measures to maintain confidentiality can be achieved through the following actions:</p>
<ol style="list-style-type: none">1. Inform all employees that confidentiality of GBV/VAC survivors' personal information is of utmost importance.2. Provide the GCCT with training on empathetic and non-judgmental listening.3. Take disciplinary action, including and up to dismissal, against those who breach survivor's confidentiality (this is unless a breach of confidentiality is necessary to protect the survivor or another person from serious harm, or where required by law).
<p>➤ GBV and VAC Allegation Procedures should specify:</p>
<ol style="list-style-type: none">1. Who survivors can seek information and assistance from.2. The process for community members and employees to lodge a complaint through the GRM should there be alleged GBV or VAC.3. The mechanism for how community members and employees can escalate a request for support or notification of violence if the process for reporting is ineffective due to unavailability or non-responsiveness, or if the employee's concern is not resolved.
<p>➤ Financial and Other Supports to survivors can include:</p>
<ol style="list-style-type: none">1. No/low interest loans.2. Salary advances.3. Direct payment of medical costs.4. Upfront payments for medical costs to be recouped from the employee's health insurance.5. Providing or facilitating access to childcare.6. Providing security upgrades to the employee's home.7. Providing safe transportation to access support services or to and from accommodation.

➤ Survivor Support measures to ensure the safety of the survivor can include:
<ol style="list-style-type: none"> 1. Changing the employee’s span of hours or pattern of hours and/or shift patterns. 2. Redesigning or changing the employee’s duties. 3. Changing the employee’s telephone number or email address to avoid harassing contact. 4. Relocating the employee to another work site/ alternative premises. 5. Providing safe transportation to and from work for a specified period. 6. Supporting the employee to apply for an Interim Protection Order or referring them to appropriate support. 7. Taking any other appropriate measures including those available under existing provisions for family friendly and flexible work arrangements.
➤ Leave options for survivors that are employees can include:
<ol style="list-style-type: none"> 1. An employee experiencing GBV should be able to request paid special leave to attend medical or psychosocial appointments, legal proceedings, relocation to safe accommodation and other activities related to GBV. 2. An employee who supports a person experiencing GBV or VAC may take career’s leave, including but not limited to accompanying them to court or hospital, or to take care of children. 3. Employees who are employed in a casual capacity may request unpaid special leave or unpaid career’s leave to undertake the activities described above. 4. The amount of leave provided will be determine by the individual’s situation through consultations with the employee, the management and the GCCT where appropriate.
➤ Potential Sanctions to employees who are perpetrators of GBV and VAC include:
<ul style="list-style-type: none"> • Informal warning • Formal warning • Additional Training • Loss of up to one week’s salary. • Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months. • Termination of employment. • Referral to the Police or other authorities as warranted.

3.4. Referral Pathways for Gender-Based Violence Survivors

A **GBV referral pathway** is an established system to ensure survivors of GBV to freely and safely navigate and benefit from well-coordinated services and includes contact information of the service providers, who must be local as much as possible.

Referral consists of **immediate response** (providing safe space, medical care, etc.), **possible** pursuit of **police/legal action** and **follow-up** actions (obtaining medical/health care, psychosocial services, protection, security and justice, and goods and services to fulfill basic needs). Referral cannot take place until the incident is disclosed. If the survivor discloses by telling her/his family, friend, community member, general service provider, etc., the contacted person may **accompany** the survivor to a relevant service provider. Alternatively, the survivor may **self-report** to a service provider.

The immediate response required consists of:

- Provide a safe, caring **environment** and respect the **confidentiality** and **wishes** of the survivor;
- Provide reliable and comprehensive **information** on the available **services** and **support** to survivors of GBV;
- If agreed and requested by survivor, obtain **informed consent** and make **referrals**;
- When family/guardians make a decision **on behalf of a child**, ensure the **best interest** of the child is given priority (preferably, the accompanying adult should be selected by the child);
- **Accompany the survivor** to assist her/him in accessing services;
- For survivors of **sexual violence** ensure immediate (**within 72 hours**) access to **medical care**.

In both cases, a **referral pathway must include the contact information on and working hours of GBV related service** providers, and for the proposed project, the **Gender and Social Inclusion Focal Point** of the **implementing partner**, who will be in charge of GBV related matters. The list of medical care providers must be such that services are available 24 hours and any day of the year.

After the immediate response, the possible situations include: adult survivor or child survivor (or the child's caregiver) wishes to pursue **legal action**; legal action is (not) deemed in the **best interest of the child**; or there are **immediate** safety and security **risks** to others. In either situation, the survivor or the person accompanying the survivor needs to refer the case to the **police**, or alternatively, to **legal assistance/protection officers** for information and assistance with referral to the police. At this stage, the contact information on and working hours of police and security personnel and legal assistance counsellors are required.

The follow-up stage will require the same information on service providers of: medical/health care; **psychosocial services** (both for adult and children); **protection, security and justice**; and **goods and services** to fulfill basic needs (such as food, shelter/safe house, cash, non-food items and education).

3.5. Awareness-raising Strategy

It is important to create an Awareness-raising Strategy with activities aimed to sensitize employees on GBV and VAC on the work site and its related risks, provisions of the GBV and VAC Codes of Conduct, GBV and VAC Allegation Procedures, Accountability Measures and Response Protocol. The strategy will be accompanied by a timeline, indicating the various sensitization activities through which the strategy will be implemented and also the related (expected) delivery dates. Awareness-raising activities may be linked with trainings provided by Service Provider.

3.6. Accountability Measures

All reports of GBV or VAC shall be handled in a confidential manner in order to protect the rights of all involved. To ensure that survivors feel confident to disclose their experience of GBV or VAC, the client, contractor and consultant must maintain the confidentiality of employees who notify any acts or threats of violence, and of any employees accused of engaging in any acts or threats of violence (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law). The contractor and consultant must prohibit discrimination or adverse action against an employee on the basis

of survivor's disclosure, experience or perceived experience of GBV or VAC (see Annex 1 for examples of actions to maintain accountability).

3.7. Monitoring and Evaluation

The GCCT must monitor the follow up of cases that have been reported and maintain all reported cases in a confidential and secure location. Monitoring must collect the number of cases that have been reported and the share of them that are being managed by police, NGOs etc. These statistics shall be reported to the GRM and the Supervision Engineer for inclusion in their reporting. In GBV and VAC cases warranting police action, the client and the World Bank are to be immediately notified.

4. GBV Including SEA/SH Prevention and Response Action Plan

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
1	Sensitize the CONTRACTORS and PMT on the importance of addressing SEA/SH on the project, and the mechanisms that will be implemented						
	Training CONTRACTORS and PMT (Management/leadership) on SEA/SH to include <ol style="list-style-type: none"> Accountability and response framework Responsibilities and reporting Confidentiality and whistleblower protection clauses 	<ul style="list-style-type: none"> Develop ToR Secure technical expertise, Prepare the training module and materials Conduct training for targeted members of Contractors and members of the PMT Include SEA/SH as an agenda in quarterly meetings 	Quarter 1 following signing of the works contract Quarterly (Throughout Project implementation.)	EQIP Project Staff, External Facilitators and Nominated Service providers (NSPs)	EQIP	Number of trainings conducted Number of CONTRACTORS AND PMT (Management/leadership) members trained	10,000
2	Conduct GBV/SEA assessment at project sites						
	Conduct a GBV/SEA risk assessment in project area to inform risk mitigation strategies	<ul style="list-style-type: none"> Nominated Service Provider to conduct the assessment Conduct a desk review of GBV/VAC 	First quarter after signing works contract	EQIP Staff and Nominated Service Provider External Facilitators/Consultant	EQIP	GBV/SEA risk report	10,000
3	Map out GBV/SEA prevention and response service providers						
a.	Delivery GBV/SEA/SH interventions by a qualified service provider	<ul style="list-style-type: none"> Develop TOR for the Nominated Service Provider (NSP) Procure qualified NSP to conduct the assessment 	First quarter after signing works contract	EQIP	EQIP	GBV/SEA Nominated service provider in place	50,000 The budget is for the NSP (NGO services)
b.	Map out and review capacity and quality of GBV/SEA/VAC service Providers in the	<ul style="list-style-type: none"> Review World Bank reports on existing and capacity service providers Conduct field visits to 	First quarter after signing works contract First quarter as part of the baseline	NSP EQIP project staff, NSP, Resident Engineer. GBV/SEA Consultant	EQIP	Status Report	NSP Budget

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
	project area	identify and map out key actors and service providers on GBV/SEA in project area and collect data at the school and community/sub county level.	data				
c.	Stakeholder consultations	<ul style="list-style-type: none"> Develop interview/facilitation guides Conduct stakeholder meetings/FGDs Conduct regular SEA/SH safety audits Prepare field visit reports	Prior to initiating construction. Maintained throughout Project implementation.	EQIP Project Staff NSP Resident Engineer	EQIP	Number of stakeholder consultations done	NSP Budget
d.	Develop and or/update a multi- sectoral GBV/SEA referral pathway(s)	<ul style="list-style-type: none"> NSP to undertake a review of a existing guidelines for referral of GBV cases On the basis of mapped GBV/SEA prevention and response service providers develop/update a GBV/SEA/VAC referral list for service providers. Disseminate the referral pathway/list to stakeholders including service providers 	First quarter after signing works contract Maintained throughout project implementation.	NSP	EQIP in strong coordination with Districts and national systems.	Referral pathway developed/updated Number/type of GBV/SEA preventive and response services available. No. of referrals of SEA/SH incidents to the project GRM/NPS by other service providers	NSP Budget
4	Strengthen Institutional capacity for GBV/SEA risk mitigation and response						
a.	Engage a GBV/SEA	<ul style="list-style-type: none"> Procure services of a 	In the first	EQIP project	EQIP	Qualified	60,000

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
	Consultant in EQIP to supervise and provide technical support for the implementation of GBV/SEA Action Plan	<p>qualified and competent GBV/SEA Consultant to supervise and provide technical support for the implementation of GBV/SEA in projects. EQIP has social development specialists that have been supporting GBV and VAC activities in education projects and these will support initial phases of the project before the</p> <ul style="list-style-type: none"> • GBV specialist is hired 	Quarter after contract signing	Management		GBV/VAC specialist hired	
b.	Support capacity of local systems to prevent and respond to GBV/SEA	<ul style="list-style-type: none"> • Identify key stakeholders to engage • Develop training plan • Develop training material/content using global/national 	Maintained throughout Project implementation.	EQIP project staff and the Nominated Service Provider Specialized NGOs	EQIP in coordination with NORLD, Police, specialized NGOs	<p>Number of trainings conducted</p> <p>Number of coordination meetings conducted</p>	50,000
c	<p>Strengthen the reporting mechanisms & procedures of local systems</p> <p>i) Strengthen a survivor centred referral and response.</p> <p>ii) Strengthen coordination for better services with local/national GBV/SEA</p>	<p>standards, human rights and survivor centered approaches</p> <ul style="list-style-type: none"> • Conduct training and mentoring • Conduct regular coordination meetings with service providers for effective referrals 				<p>Level of satisfaction of GBV/SEA survivors with services received</p> <p>Level of Community</p>	

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
	service providers					awareness about GBV and SEA referral pathway	
5 Integrate GBV/SEA risk management in Contractors' Environment and Social Management Plan (C-ESMP)							
a)	Incorporate GBV/SEA risk in the Contractor's Environment and Social Management Plan (C-ESMP)	Integrate GBV/VAC considerations in the Contractor's Environment and Social management Plan (C-ESMP)	Quarter 2 after signing of the works contract during project implementation.	Contractor, Supervised by RE NSP to provide support	EQIP	Updated C-ESMP with GBV/VAC	Contractor + NSP Budget
b)	Develop and establish/review SEA/GBV response and accountability framework to include: Allegation Procedures to report SEA/GBV incidents and internally for case accountability procedures which should clearly lay out confidentiality requirements for dealing with cases	<ul style="list-style-type: none"> Develop/review SEA/GBV Allegation Procedures to report SEA/SH issues Inform employees and the community on how to report cases of SEA/SH, CoC breaches to the GRM, and how such cases are handled Develop mechanisms to hold accountable alleged perpetrators; disciplinary action for violation of the CoC by workers. 	<p>Quarter 2 after signing of works contract</p> <p>During project implementation.</p>	<p>EQIP Project</p> <p>Staff; Contractor</p> <p>NSP</p>	EQIP	An established and functional accountability framework	
6 Review the IA's capacity to prevent and respond to GBV/SEA							
a)	Review for attention to GBV/SEA: <ul style="list-style-type: none"> a. Human resource manuals and staff capacity. b. Existing GBV/SEA Policies and 	<ul style="list-style-type: none"> Capacity assessment of implementing agency Review EQIP ESMS and procedures/Guidelines Review the EQIP Referral Pathways and reporting 	<p>During the first Quarter of Contract signing</p> <p>To continue during Project Implementation</p>	EQIP project Management GBV Specialist	EQIP	GBV/SEA prevention and mitigation measures addressed in policy documents	To be financed as internal EQIP activity

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
	procedures. c. Project code of conduct.	mechanisms • Review Project Frameworks to identify GBV/SEA policies and procedures.				Establish how the referral pathway will be strengthened	
b)	Recruit/train an officer on GBV/SEA specific skills to support supervise issues related	• Recruit/train an officer with GBV/SEA skills	In the first Quarter after contract signing	EQIP Management and project staff	EQIP	A qualified and competent GBV/VAC staff recruited	Covered under 4 (a)
c)	Develop M&E programme	• Develop a comprehensive M&E plan to monitor work plan implementation • Monitor SEA/SH Implementation Plan	In Quarter 2 after contract signing Maintained throughout Project implementation.	GBV/SEA Consultant EQIP and NSP	EQIP	M&E framework in place	To be financed as internal EQIP activity
d)	Conduct GBV/SEA orientation training for project staff	• Develop a training plan • Develop training materials • Conduct training for project staff	Quarter 2 after contract signing Retraining during Project implementation.	EQIP GBV/SEA program Specialist	EQIP	Number of training conducted for project staff Percentage of workers that have attended CoC training.	10,000
7	Inform project affected communities about GBV/SEA/SH risks						
a)	Establish partnerships with CBOs/CSO's and local government institution	• Identify and select partners and officially inform them • Engage partners, conducting joint community meetings and awareness raising	Quarter 1 of contract signing Maintained throughout Project implementation.	EQIP project staff and the NSP	EQIP	Number of partnerships formed	NSP Budget
b)	Identify, train and establish community focal point for GBV/SEA/VAC activities	• Establish a trained, dedicated and committed network of community	Quarter 1 of contract signing	EQIP project staff and the NSP	EQIP	No. of focal points and persons	25,000

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
		focal persons that includes	Maintained throughout Project implementation.			identified and trained	
c)	Develop Stakeholder Engagement Plan for GBV/SEA related issues	<ul style="list-style-type: none"> Develop a comprehensive GBV/SEA Stakeholder Plan 	<p>Quarter 1 of contract signing</p> <p>Maintained throughout Project implementation.</p>	EQIP NSP	EQIP	Stakeholder Implementation plan developed	NSP Budget
d)	Develop information dissemination strategy	<ul style="list-style-type: none"> Develop a strategy Identify the methods to disseminate the information Disclosure of information to stakeholders through multimedia outlets 	<p>Quarter 1 of contract signing</p> <p>Maintained throughout Project implementation.</p>	EQIP NSP	EQIP in coordination with NORLD	A GBV/SEA communication strategy in place	Covered under IEC Materials development)
e)	Develop relevant IEC materials for community engagements	<ul style="list-style-type: none"> Develop relevant IEC materials translated in local languages of the project location 	<p>Quarter 2 of contract signing</p> <p>Maintained throughout Project implementation.</p>	EQIP NSP	EQIP In coordination with NORLD, OPM and WB	No and type of GBV/SEA IEC material developed	10,000
f)	Outreach to schools on the risks of GBV/SEA	<ul style="list-style-type: none"> Develop a school outreach Plan in consultation with the School heads Conduct sensitization targeting teachers, parents and students 	<p>Quarter 1 of contract signing</p> <p>Maintained throughout Project implementation.</p>	EQIP NSP	EQIP	Number of school outreaches conducted	Covered under NSP Budget
g)	Conduct community sensitization	<ul style="list-style-type: none"> Develop a Community GBV/SEA and VAC sensitization program, 	<p>Quarter 1 of contract signing</p>	EQIP and NSP	EQIP	Number of community sensitization	Covered under NSP Budget

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
		material and messages <ul style="list-style-type: none"> Conduct community sensitization 	Maintained throughout Project implementation.			conducted	
8	GBV/SEA sensitive channels for reporting in GRM						
a)	Develop/Review GRM for specific GBV/SEA/SH procedures	<ul style="list-style-type: none"> Undertake internal review of GRM for GBV/SEA mitigation Integrate GBV/SEA entry points within the GRM with clear procedures 	Quarter 1 after signing of works contract	EQIP	EQIP GBV /SEA Consultant	GRM with GBV/SEA procedure integrated in the GRM	
b.	Identify and train GBV/SEA/SH focal points within the GMC who will be responsible GBV/SEA cases and referrals to the NSP and or other relevant stakeholders as defined in the referral pathway.	<ul style="list-style-type: none"> Identify and select GBV/SEA focal persons within the GRC Clarify the role of the focal points in GBV/SEA as referral points Train the focal points on GBV/SEA basics and the referral pathway 	During Quarter 2 following signing of the works contract Retraining during project implementation.	EQIP NSP	EQIP	GBV focal points selected and trained	Covered under 7 (b)
c)	Review GRM reports/logs for GBV/SEA sensitivity	<ul style="list-style-type: none"> Review logs for GBV/SEA documentation to ensure it follows standards for documenting GBV/SEA cases 	During project implementation.	NSP EQIP	EQIP	Number of GBV/SEA cases documented	NSP Budget
9	Define and reinforce GBV/SEA/SH requirements in procurement processes and contracts						
a.	Incorporate GBV/SEA/Requirements and expectations in the contractor and consultants' contracts.	<ul style="list-style-type: none"> Ensure that GBV/SEA issues are incorporated in all contracts signed by contractors and consultants 	During project implementation.	EQIP	EQIP World Bank	GBV/SEA standards in procurement/contract document	
b.	Allocation of funds for GBV/SEA/SH related costs in procurement documents.	<ul style="list-style-type: none"> Clearly define SEA/SH requirements and expectations in the bid documents 	During preparation of bid and Contract documents	EQIP	EQIP World Bank	Bid documents with clearly defined	

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
						SEA/SH requirements Contract documents with clearly defined SEA/SH clauses/requirements	
c.	Workers (Contractor/consultant) sensitization on GBV/SEA.	<ul style="list-style-type: none"> Develop a training plan for workers, contractors and consultants Conduct training on GBV/SEA risks, responsibilities and legal/policy requirements 	Quarter 2 after signing works contract During project implementation.	EQIP, NSP, GBV/SEA Consultant	EQIP	Number of contractors' and consultants' staff trained,	20,000 (Includes fees for external Facilitators)
d.	Codes of Conduct signed and translated in the local language	<ul style="list-style-type: none"> Define the requirements to be included in the CoC which addresses GBV/SEA/SH Review CoC for provisions/clauses that guard against GBV/SEA/SH Have CoCs signed by all those with a physical presence at the project site. Train project-related staff on the behavior obligations under the CoCs. 	During Project implementation	Contractor RE NSP GBV/SEA Consultant	EQIP	Percentage of workers that have signed a CoC	Covered under Contractor's Cost and NSP
10 Separate toilet and shower facilities for men and women and GBV/SEA-free signage							
a.	Provide separate facilities for men and women and display signs, posters and	<ul style="list-style-type: none"> Provide separate facilities Design and print 	In quarter of Contract	Contractor	EQIP	Separate toilet and	Covered under

	Activity to Address SEA/SH risk	Steps to be taken	Timelines	Responsible	Monitoring (Who)	Output indicators	Estimated Budgets (\$)
	pamphlets around the project site that signal to workers and the community that the project site is an area where GBV/SEA is prohibited	<p>pamphlets and posters.</p> <ul style="list-style-type: none"> • Distribute the pamphlets and posters to the project site • Install signage on the facilities Visit Project gangs/camps to check on the availability and usability of separate sanitary facilities. 	<p>signing</p> <p>During project implementation</p>			<p>shower facilities for men and women</p> <p>Display signs/IEC materials</p>	Contractor's Cost and IEC materials

Annexes

Annex 1: Incident notification/reporting form

(Note: It is important that incidences of Gender Based Violence/ Sexual Exploitation and Abuse/Sexual Harassment/Violence Against Children, severe criminality and other social risks that may involve project staff are documented and brought to attention of EQIP for information and determination if further investigation is needed to avoid any possible negative consequences on the Project)

From:	
Title / Organisation:	
To:	
Title / Organisation	
Date of submission:	
Details of Incidence	
Incident No. (Month/No) e.g. first safety GBV/SEA Incident in the July	S07/01
Nature Incident (e.g. Multiple Fatality)	
Severity of incident	High/ Very High
Who is the victim? (Project worker or third party)	
Occupation of project staff involved / suspected to be involved incident? (if known at this stage)	
Date Incident Happened	
Location of Incident	
Date / Time Incident Reported to Contractor / Consultant	
Details of Person(s) Who Reported	
To Whom was incident Reported?	
Mode of Reporting (verbal/written report) – if written attach report.	

Details of the Incident (key facts pertaining to the incident and how it happened)	
Who else was informed about this incident?	
What Action (s) has been taken by contractor / Consultant to address the problem? And When?	
Details of Actions By EQIP	
Name / position of EQIP staff incident was reported	
Comments / Recommendations for EQIP staff for which Incident was first reported	
2 nd Name/Position / Department for which incident was reported to in EQIP. Comments / Follow up Action Recommended.	

Annex 2 : Monthly GBV/SEA/VAC incident log

GBV/SEA/VAC Incident Matrix Involving Project Workers – Latest Date of Update:

No.	Date Incident first identified /who	Place of Incident	Age/Sex/ Education Level/ and other survivor details.	Type of Abuse (Summary Status of Case)	Date case reported and by who (if different from Column 2)	Perpetrator /Suspect	Support Provided to Survivor/ to-date	Investigation/ Legal Redress Progress	Next Actions	Case Close out

Annex 3: Sample Codes of Conduct

8. This section presents three sample Codes of Conduct as the minimum standard for use under civil works contracts for the Project/Subproject. These codes will be confirmed and agreed upon prior commencement of works and cleared by the Supervision Consultant.

- **Company Code of Conduct:** Commits the company to addressing GBV and VAC issues;
- **Manager’s Code of Conduct:** Commits managers to implementing the Company Code of Conduct, as well as those signed by individuals; and,
- **Individual Code of Conduct:** Code of Conduct for everyone working on the project, including managers.

(a) Company Code of Conduct: Preventing Gender Based Violence and Violence against Children

9. In the context of the Project, the company is committed to creating and maintaining an environment in which gender-based violence (GBV) and violence against children (VAC) have no place, and where they will not be tolerated by any employee, associate, or representative of the company. Therefore, in order to ensure that all those engaged in the project are aware of this commitment, and in order to prevent, be aware of, and respond to any allegations of GBV and VAC, the company commits to the following core principles and minimum standards of behavior that will apply to all company employees, associates, and representatives including sub-contractors, without exception:

1. The company—and therefore all employees, associates, and representatives—commit to treating women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. Acts of GBV and VAC are in violation of this commitment.
2. Demeaning, threatening, harassing, abusive, culturally inappropriate, or sexually provocative language and behavior are prohibited among all company employees, associates, and its representatives.
3. Acts of GBV or VAC constitute gross misconduct and are therefore grounds for administrative sanctions, which may include penalties and/or termination of employment. All forms of GBV and VAC, including grooming are unacceptable, regardless of whether they take place on the work site, the work site surroundings, at worker’s camps or at worker’s homes.
4. In addition to company sanctions, legal prosecution of those who commit acts of GBV or VAC will be pursued if appropriate.
5. Sexual contact or activity with children under 18—including through digital media—is prohibited. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
6. Sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior are prohibited.
7. Unless there is full consent¹¹ by all parties involved in the sexual act, sexual interactions between the company’s employees (at any level) and members of the communities surrounding the work place are prohibited. This includes relationships involving the withholding/promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.

¹¹ **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

8. All employees, including volunteers and sub-contractors are highly encouraged to report suspected or actual acts of GBV and/or VAC by a fellow worker, whether in the same company or not. Reports must be made in accordance with GBV and VAC Allegation Procedures.
9. Managers are required to report suspected or actual acts of GBV and/or VAC as they have a responsibility to uphold company commitments and hold their direct reports responsible.
10. Comply with all relevant local legislation, including labor laws in relation to child labor.
10. To ensure that the above principles are implemented effectively the company commits to ensuring that:
 11. All managers sign the ‘Manager’s Code of Conduct’ detailing their responsibilities for implementing the company’s commitments and enforcing the responsibilities in the ‘Individual Code of Conduct’.
 12. All employees sign the project’s ‘Individual Code of Conduct’ confirming their agreement not to engage in activities resulting in GBV or VAC.
 13. Displaying the Company and Individual Codes of Conduct prominently and in clear view at workers’ camps, offices, and in public areas of the work space. Examples of areas include waiting, rest and lobby areas of sites, canteen areas, health clinics.
 14. Ensure that posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
 15. An appropriate person is nominated as the company’s ‘Focal Point’ for addressing GBV and VAC issues, including representing the company on the GBV and VAC Compliance Team (GCCT) which is comprised of representatives from the client, contractor(s), the supervision consultant, and local service provider(s).
 16. Ensuring that an effective Action Plan is developed in consultation with the supervision consultant and which includes as a minimum:
 - a. *GBV and VAC Allegation Procedure* to report GBV and VAC issues through the project Grievance Redress Mechanism (GRM);
 - b. *Accountability Measures* to protect confidentiality of all involved; and,
 - c. *Response Protocol* applicable to GBV and VAC survivors and perpetrators.
 17. That the company effectively implements the Action Plan, providing feedback to the GCCT for improvements and updates as appropriate.
 18. All employees attend an induction training course prior to commencing work on site to ensure they are familiar with the company’s commitments and the project’s GBV and VAC Codes of Conduct.
 19. All employees attend two mandatory training courses per year for the duration of the contract starting from the first induction training prior to commencement of work to reinforce the understanding of the project’s GBV and VAC Code of Conduct.

Company name: _____

Signature of Company’s Representative: _____

Printed Name: _____

Title: _____

Date: _____

(b) Manager's Code of Conduct: Preventing GBV and VAC

11. Managers at all levels have particular responsibilities to uphold the company's commitment to preventing and addressing GBV and VAC. This means that managers have an acute responsibility to create and maintain an environment that prevents GBV and VAC. Managers need to support and promote the implementation of the Company Code of Conduct. To that end, managers must adhere this Manager's Code of Conduct and also sign the Individual Code of Conduct. This commits them to supporting and developing systems that facilitate the implementation of the Action Plan and maintain a GBV-free and VAC-free environment at the workplace and in the local community. These responsibilities include but are not limited to:

Implementation

1. To ensure maximum effectiveness of the Company and Individual Codes of Conduct:
 - a. Prominently displaying the Company and Individual Codes of Conduct in clear view at workers' camps, offices, and in public areas of the workspace. Examples of areas include waiting, rest and lobby areas of sites, canteen areas, health clinics.
 - b. Ensuring all posted and distributed copies of the Company and Individual Codes of Conduct are translated into the appropriate language of use in the work site areas as well as for any international staff in their native language.
2. Verbally and in writing explain the Company and Individual Codes of Conduct to all staff.
3. Ensure that:
 - a. All staff members sign the 'Individual Code of Conduct', including acknowledgment that they have read and agree with the Code of Conduct.
 - b. Staff lists and signed copies of the Individual Code of Conduct are provided to the GCCT and the client.
 - c. Participate in training and ensure that staff also participate as outlined below.
 - d. Staff are familiar with the Grievance Redress Mechanism (GRM) and that they can use it to anonymously report concerns of GBV or VAC incidents.
 - e. Staff are encouraged to report suspected or actual GBV or VAC through the GRM by raising awareness about GBV and VAC issues, emphasizing the staff's responsibility to the Company and the country hosting their employment, and emphasizing the respect for confidentiality.
4. In compliance with applicable laws and to the best of your abilities, prevent perpetrators of sexual exploitation and abuse from being hired, re-hired or deployed.
5. Ensure that when engaging in partnership, sub-contractor or similar agreements, these agreements:
 - a. Incorporate the GBV and VAC Codes of Conduct as an attachment.
 - b. Include the appropriate language requiring such contracting entities and individuals, and their employees and volunteers, to comply with the Individual Codes of Conduct.
 - c. expressly state that the failure of those entities or individuals, as appropriate, to take preventive measures against GBV and VAC, to investigate allegations thereof, or to take corrective actions when GBV or VAC has occurred, shall constitute grounds for sanctions and penalties in accordance with the Individual Codes of Conduct.
6. Provide resources to the GCCT to create and disseminate internal sensitization initiatives through the awareness-raising strategy under the Action Plan.
7. Ensure that any GBV or VAC issue warranting police action is reported to the client and the World Bank immediately.

Training

8. All managers are required to attend an induction manager training course prior to commencing work on site to ensure that they are familiar with their roles and responsibilities in upholding the GBV and VAC Codes of Conduct. This training will be separate from the induction training course required of all employees and will provide managers with the necessary understanding and technical support needed to begin to develop the Action Plan for addressing GBV and VAC issues.
9. Ensure that time is provided during work hours and that staff attend the mandatory project facilitated induction training on GBV and VAC required of all employees prior to commencing work on site.
10. Ensure that staff attend the mandatory refresher training course required of all employees. Ensure satisfaction surveys to evaluate training are conducted by the service provider.

Response

13. Managers will provide input to the GBV and VAC Allegation Procedures and Response Protocol developed by the GCCT, as needed as part of the final cleared Action Plan.
14. Once adopted by the Company, managers will uphold the Accountability Measures set forth in the Action Plan to maintain the confidentiality of all employees who report or (allegedly) perpetrate incidences of GBV and VAC (unless a breach of confidentiality is required to protect persons or property from serious harm or where required by law).
15. If a manager develops concerns or suspicions regarding any form of GBV or VAC by an employee, or by an employee working for another contractor on the same work site, s/he is required to report the case.
16. Once a sanction has been determined, the relevant manager(s) is/are expected to be personally responsible for ensuring that the measure is effectively enforced, within a maximum timeframe of 14 days from the date on which the decision to sanction was made.
17. Managers failing to report or comply with such provision can in turn be subject to disciplinary measures, to be determined and enacted by the company's CEO, Managing Director or equivalent highest-ranking manager. Those measures may include:
 - a. Informal warning.
 - b. Formal warning.
 - c. Loss of up to one week's salary.
 - d. Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
 - e. Termination of employment.
18. Ultimately, failure to effectively respond to GBV and VAC cases on the work site by the company's managers or CEO may provide grounds for legal actions by authorities.

I do hereby acknowledge that I have read the foregoing Manager's Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to GBV and VAC. I understand that any action inconsistent with this Manager's Code of Conduct or failure to take action mandated by this Manager's Code of Conduct may result in disciplinary action.

Signature: _____
 Printed Name: _____
 Title: _____
 Date: _____

(c) Individual Code of Conduct: Preventing Gender Based Violence and Violence against Children

I, _____, acknowledge that preventing gender-based violence (GBV) and violence against children (VAC) is important. The company considers that GBV or VAC activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of employment. All forms of GBV or VAC are unacceptable be it on the work site, the work site surroundings, or at worker's camps. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- Treat women, children (persons under the age of 18), and men with respect regardless of race, color, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behavior towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with children—including grooming or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Not engage in sexual favors—for instance, making promises or favorable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behavior.
- Unless there is the full consent¹² by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Attend and actively partake in training courses related to HIV/AIDS, GBV and VAC as requested by my employer.
- Consider reporting through the grievance redress mechanism or to my manager any suspected or actual GBV or VAC by a fellow worker, whether employed by my company or not, or any breaches of this Code of Conduct.
- With regard to children under the age of 18:
 - Wherever possible, ensure that another adult is present when working in the proximity of children.
 - Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
 - Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
 - Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also “Use of children's images for work related purposes” below).
 - Refrain from physical punishment or discipline of children.
 - Refrain from hiring children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.

¹² **Consent** is defined as the informed choice underlying an individual's free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

Use of children's images for work related purposes

12. When photographing or filming a child for work related purposes, I must:
- Before photographing or filming a child, assess and endeavor to comply with local traditions or restrictions for reproducing personal images.
 - Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
 - Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner.
 - Ensure images are honest representations of the context and the facts.
 - Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

13. I understand that if I breach this Individual Code of Conduct, my employer will take disciplinary action which could include:
- Informal warning.
 - Formal warning.
 - Loss of up to one week’s salary.
 - Suspension of employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
 - Termination of employment.
 - Report to the police if warranted.

I understand that it is my responsibility to avoid actions or behaviors that could be regarded as GBV or VAC or breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to GBV and VAC. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing employment.

Signature: _____
Printed Name: _____
Title: _____
Date: _____