



October 2024

Organizational Protection from Sexual Exploitation, Abuse, and Harassment (PSEAH) Policy
(Safeguarding Policy)

MAR Fund Mission

MAR Fund seeks, secures, and facilitates regional funding, fosters partnerships, and drives capacity building for the conservation, restoration, and sustainable use of marine and coastal ecosystems in the Mesoamerican Reef region

MAR Fund Vision

Thriving Mesoamerican Reef ecosystems foster a regenerative economy and support human wellbeing while societies and governments nurture and steward them.

1. Purpose

The purpose of the PSEAH policy is to ensure that all MAR Fund staff, Board of Directors, partners, consultants, interns, and grantees make ethical decisions in their professional lives to protect people, especially vulnerable groups, from sexual exploitation, abuse, and harassment (SEAH). It also aims to ensure that activities funded or organized by the MAR Fund are conducted in the safest and most protective environment possible and that any instances of SEAH are effectively addressed and managed.

The policy sets out MAR Fund's guidelines and commitments and informs MAR Fund staff, Board, partners, consultants, interns, and grantees of their responsibilities regarding the Protection from Sexual Exploitation, Abuse, and Harassment (PSEAH).

MAR Fund's PSEAH Policy has been developed in accordance with MAR Fund's Environmental and Social Management System, Safeguard 9: Gender, MAR Fund's Gender Policy, and the principles of the United Nations Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13¹).

¹ ST/SGB/2003/13: Secretary-General's Bulletin Special measures for protection from sexual exploitation and sexual abuse ([link to the document](#))

2. Scope

The MAR Fund PSEAH Policy applies to all persons working for or on behalf of MAR Fund, including employees, board members, MAR Fund committee members, consultants, partners, interns, and grantees². MAR Fund staff, Board of Directors, interns, and consultants are also required to sign and comply with the MAR Fund Code of Conduct.

Any violation of the MAR Fund PSEAH Policy will be treated with the utmost seriousness and may result in disciplinary action, up to and including termination of employment and legal action.

All partners and grantees are expected and encouraged to have their own mechanisms to prevent sexual exploitation and abuse; they may apply their own PSEAH policy or use this policy as a reference.

3. Definitions

- **Protection from Sexual Exploitation and Abuse (PSEA):** is the term used by the humanitarian and development community to refer to the prevention of sexual exploitation, abuse, and harassment of affected populations by staff or associated personnel. This definition is taken from the United Nations Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13).
- **Sex discrimination:** is the act of treating an individual differently from others because of their gender, sexual orientation or gender identification. Sex discrimination includes any form of harassment, abuse of authority, social exclusion or denial of services, promotion, employment benefits or rights. This definition is taken from the U.S. Equal Employment Opportunity Commission³.
- **Sexual Exploitation:** occurs when a person in a position of trust and/or authority attempts to coerce another person to perform sexual favors or other forms of humiliating, degrading or exploitative conducts of a sexual nature in exchange for assistance, money, employment, goods or services. This is done without permission, consent or invitation. This definition is taken from the United Nations High Commissioner for Refugees⁴.
- **Sexual Abuse:** is sexual behavior or sexual acts that are threatened or forced upon a person without their explicit permission, consent, or invitation. Consent must be verbal: silence or

² MAR Fund's policy will take precedence over national legislation when its standards are stricter. In cases where MAR Fund's policy conflicts with national laws, the organization will align with the legal frameworks of the respective Mesoamerican Reef System Countries (Mexico, Belize, Guatemala, and Honduras) ensuring compliance with local regulations while upholding its principles as much as possible.

³ U.S. Equal Employment Opportunity Commission. (n.d.). Sexual orientation and gender identity (SOGI) discrimination. <https://www.eeoc.gov/sexual-orientation-and-gender-identity-sogi-discrimination>

⁴ United Nations High Commissioner for Refugees. (n.d.). Defining sexual exploitation and abuse and sexual harassment. <https://www.unhcr.org/what-we-do/how-we-work/tackling-sexual-exploitation-abuse-and-harassment/what-sexual-exploitation>

passivity in response to this behavior does not constitute consent. Sexual abuse is an act of violence that negatively affects a person's mental, physical, and psychological well-being for the rest of their lives. Sexual abuse includes any unwanted sexual touching, grabbing, kissing, fondling, rape, sodomy, and stalking. This definition is taken from the Rape, Abuse & Incest National Network⁵.

- **Sexual assault:** refers to sexual contact or behavior that occurs without the explicit consent of the victim. This definition is taken from the Office on Women's Health⁶.
- **Sexual Harassment (SH):** is any form of unwelcome verbal, non-verbal or physical conduct of a sexual nature that has the purpose or effect of violating the dignity of an individual and creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. This definition is taken from the European Union ⁷.
- **Survivor:** is the person who has been abused or exploited. The term "survivor" is often used in preference to "victim" because it implies strength, resilience, and the ability to survive. However, it is the individual's choice how to identify themselves. This definition is taken from the ACT Alliance ⁸.

4. Policy statement

MAR Fund has a "zero tolerance" approach to sexual exploitation and abuse and does not permit any staff member, Board member, partner, consultant, subcontractor, agent, grantee, intern or other person engaged by MAR Fund to engage in any form of sexual abuse or exploitation of vulnerable or other persons associated with its work. All individuals have an equal right to protection regardless of any personal characteristic, including age, gender, gender identity, ability, culture, race, origin, religious belief, and sexual identity.

MAR Fund believes that everyone they come into contact with, regardless of age, gender identity, disability, sexual orientation, or ethnic origin, has the right to be protected from all forms of harm, abuse, neglect, and exploitation.

It is important to note that MAR Fund does not conduct direct activities in the field; therefore, the risk of incidents related to Sexual Exploitation, Abuse and Harassment (SEAH) in the field is low. However, it is acknowledged that SEAH can arise in other contexts, such as meetings, workshops, or within office environments, and appropriate preventive measures should be in place to address

⁵ Rape, Abuse & Incest National Network. (n.d.). What is sexual assault? <https://www.rainn.org/articles/sexual-assault40>

⁶ Office on Women's Health. (n.d.). Sexual assault. U.S. Department of Health and Human Services.

<https://www.womenshealth.gov/relationships-and-safety/sexual-assault-and-rape>

⁷ European Union. (2002). Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women in matters of employment and occupation. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32002L0073>

⁸ ACT Alliance. (2024). ACT safeguarding policy framework 2024. <https://actalliance.org/uploads/2024/07/ACT-Safeguarding-Policy-Framework-2024.pdf>

these scenarios. If a MAR Fund staff member is required to conduct any activities on behalf of the organization, measures should be taken to ensure safety, including avoiding isolated environments, arranging secure transportation, and selecting appropriate lodging that prioritizes the well-being of staff and minimizes potential SEAH risks.

4.1 Basic principles of protection against harassment and sexual exploitation⁹

- Sexual exploitation and abuse by MAR Fund employees and other related personnel constitutes serious misconduct and is, therefore, sufficient cause for termination of employment or contract. Sexual harassment by MAR Fund employees and other related personnel is sufficient cause for disciplinary action, including dismissal.
- Any sexual activity with children (persons under the age of 18) is strictly prohibited, regardless of the age of consent or legal age in the country. Ignorance of the actual age of a minor is not a valid defense.
- It is strictly prohibited at all times for any MAR Fund employee or associated person to offer money, employment, goods or services in exchange for sex, including sexual favors or other forms of demeaning, degrading or exploitative behavior. This includes the purchase of sex, as well as its exchange for the assistance to which program grantees and beneficiaries are entitled.
- MAR Fund employees and other related personnel are required to create and maintain an environment that protects against sexual harassment, abuse, exploitation, and child abuse and to promote the implementation of this policy. MAR Fund employees in leadership positions at all levels of the organization have a special responsibility to support and develop systems that promote the maintenance of such an environment.

5. Approach to preventing abuse and exploitation

MAR Fund is committed to the prevention of sexual exploitation and abuse, including the following:

- **Awareness:** Ensure that MAR Fund employees and individuals minimize the risk of any form of sexual exploitation and abuse through awareness and best practices. This includes conducting thorough vetting and staff background checks as part of the recruitment process.
- **Prevention:** Ensure that all staff and individuals working with MAR Fund are well-informed about the appropriate steps to take when suspicions or concerns arise regarding allegations of sexual exploitation or abuse of vulnerable populations within the work areas.

⁹ This policy should be read in conjunction with the policies set forth in the Institutional Gender Policy on the Prevention of Sexual Exploitation and Abuse section.

For example, MAR Fund staff is required to take this course <https://agora.unicef.org/course/info.php?id=18167>

- **Reporting:** Ensure that all staff and individuals collaborating with MAR Fund know the appropriate steps to take when suspicions or concerns arise regarding allegations of sexual exploitation or abuse in vulnerable populations within the working areas.
- **Responding:** Ensure that prompt action is taken to identify and address reports of sexual exploitation and abuse, prioritizing the safety and well-being of individuals affected by such incidents.

5.1 MAR Fund responsibilities in prevention

- **Policy Familiarization:** Ensure all staff have access to, are familiar with, and know their responsibilities within this policy.
- **Program and Activity Design:** Design and undertake all its programs and activities in a way that protects people from any risk of harm that may arise from their coming into contact with MAR Fund. This includes the methods used to gather and communicate information about individuals involved in MAR Fund programs (for example, as grantees), ensuring that these processes are conducted to prevent any risks of exploitation, abuse, or harassment.
- **Safeguarding Procedures:** Implement stringent safeguarding procedures when recruiting, managing, and deploying staff and associated personnel.
- **Training:** Ensure staff receives training on safeguarding at a level commensurate with their role in the organization.
- **Follow-Up:** Follow up on reports of safeguarding concerns promptly and according to due process.

6. Reporting

MAR Fund will ensure that safe, appropriate, and accessible means of reporting SEAH concerns are made available to staff and the communities they work with. Any staff member who reports concerns or complaints through formal whistleblowing channels such as MAR Fund's grievance mechanism (or upon request) will be protected by MAR Fund's Whistleblower Policy. MAR Fund will also accept complaints from external sources such as members of the public, partners, and official bodies.

Employees who have a complaint or concern about SEAH should report it immediately:

1. PSEA designated person/ focal point: Strategic Advisor, also providing advice on MAR Fund Environmental and Social Management System implementation
2. The Environmental and Social Management System Technical Assistant, or
3. MAR Fund's grievance mechanism format <https://marfund.org/en/esms/#grievance> , email quejas@marfund.org, or telephone/WhatsApp: +502 3047-1169

MAR Fund will share confidentiality procedures with all complainants, clearly explaining how the information will be shared, with whom, and for what purposes, including investigation and survivor support.

If necessary, MAR Fund may cover legal advice to evaluate and/or process a complaint against MAR Fund.

7. Response

Upon notification of an alleged violation of the MAR Fund's PSEAH policy, MAR Fund will do the following:

- Endeavor to take appropriate action within its means to protect individuals from retaliation when allegations of sexual exploitation, abuse, and harassment are made in good faith.
- Conduct timely and professional investigations of allegations of sexual exploitation, abuse, and harassment involving MAR Fund and strive to encourage all designated stakeholders to do the same to the best of their ability.
- Report to the authorities: Any action taken will be consistent with MAR Funds' policies and procedures and will be guided by applicable national laws. Depending on the nature and circumstances of the case, as well as the wishes of the complainant, MAR Fund will involve relevant authorities such as law enforcement, the Board of Directors, and donors to ensure the protection of all staff, project beneficiaries, and participants, and the transparency of the protection processes.
- Use appropriate interview techniques¹⁰ when speaking with complainants and witnesses, especially when children are involved. This may include using professional investigators or securing investigative expertise, as appropriate.
- Respond promptly and appropriately to instances of sexual exploitation and/or abuse by employees and associated personnel, including taking legal action where necessary.

The steps to address a SEAH report are outlined in the SEAH Incident Report Flowchart (Figure 1). Specific response times are not included because they depend on each case.

¹⁰ Guidelines provided by the document: CHS Alliance. Research guide on exploitation, abuse and sexual exploitation (PSEAH), can be used as reference ([link to the document](#)).

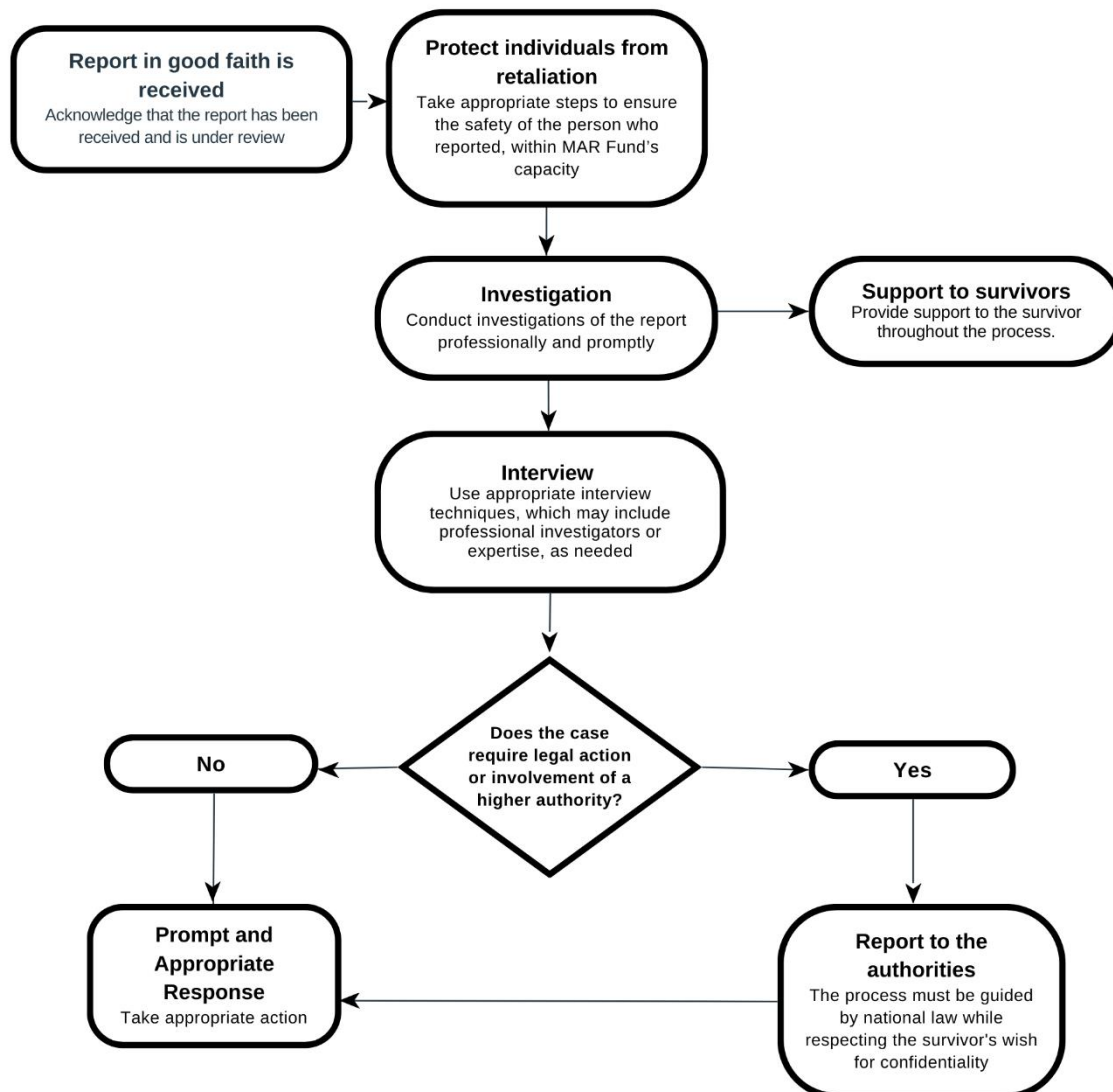


Figure 1. SEAH Incident Report Flowchart

8. Support for Survivors

MAR Fund will adhere to its Institutional Gender Policy, and all reports of exploitation and abuse must follow a victim-centered approach, adhering to the principles of do no harm, confidentiality, safety, non-discrimination, participation in decision-making processes, and informed consent regarding disclosure and use of information.

If a documented incident of sexual exploitation and abuse occurs at MAR Fund (e.g MAR Fund staff), prompt action will be taken, including providing the victim with safe and confidential

assistance, including legal assistance, based on the victim's needs and consent; terminating employment contracts and/or referring for criminal prosecution where appropriate; and reporting the allegation to the appropriate authorities as deemed necessary after a risk assessment and in accordance with informed consent. MAR Fund will inform affected donors or partners of the situation.

MAR Fund will take care of the following aspects:

- **Security:** The primary concern is to keep the survivor/victim safe and protected.
- **Confidentiality:** Survivors/victims have the right to choose with whom they share their situation, so this information can only be shared with others with the survivor's informed consent. However, this right to confidentiality may be overridden in cases where there is an imminent threat of harm to a minor or other person.
- **Respect:** All actions taken must be guided by respect for the preferences, wishes, rights, and dignity of the survivor/victim.
- **Non-discrimination:** Survivors/victims should receive fair and equitable treatment regardless of their age, gender, ethnicity, religion, nationality, sexual orientation, or any other characteristic.

MAR Fund support will be provided from the time the report is received until the survivor is referred to the appropriate authorities and after an internal investigation has been conducted. The duration of support will depend on the specific circumstances of each case.

All grantees will assess their risks of sexual exploitation, abuse and harassment based on MAR Fund's Environmental and Social Management System, this assessment will be carried out during the proposal preparation process using the [Environmental and Social Screening Questionnaire](#). During project implementation, grantees will be responsible for implementing measures to protect individuals from sexual exploitation, abuse and harassment. They can use this PSEAH Policy as a reference, and additional guidance can be found in the MAR Fund Code of Ethics and Institutional Gender Policy, but it is recommended that grantees develop their own PSEAH policies. To this end, grantees are encouraged to review and use the tools available in: <https://safeguardingsupporthub.org/journey>

8.1 Support Services for Survivors

Mexico

In Mexico the survivors/victims can file their reports with the [Public Ministry or the Special Prosecutor's Office for Crimes of Violence against Women](#) (FEVIMTRA, in Spanish).

They can also contact the Federal Prosecutor's Office for the Defense of Workers (PROFEDET, in Spanish) at +52 51-34-98-00 or the INMUJERES "Life Without Violence" hotline at +52 01-800-911-25-11.

Other sources of psychological and legal assistance are:

- Fundación Origen
<https://origenac.org/linea-de-ayuda-origen/>
Pro Women's Aid Line
Tel.: +52 01800 01 51 617
- VICTIMATEL
Legal and psychological assistance for victims of sexual crimes
Tel.: +52 5575 5461

Belize

Survivor/victims may report to the Belize Police Department: Tel.: 911 or to the Department of Health Services: Tel.: 0-800-664-2273

Survivors/victims may be referred for legal and psychological assistance to:

- Haven House Hotline: Tel.: +501 222 43 43,
<https://havenhousebelize.wordpress.com/services/>
- Women's Department: Tel.: +501 223-0059, +501 223-1180 FAX: +501 223-1229, mail:
office@ncfc.org.bz <https://www.ncfc.org.bz/test/womens-department-ministry-of-human-development/>

Guatemala

According to the [Secretariat Against Sexual Violence, Exploitation, and Human Trafficking](#), Guatemala, for reports of sexual violence and exploitation survivors/victims can report to the following numbers:

- Public Ministry Guatemala: Tel.: +502 2411 - 9191
- Human Rights Ombudsman's Office: Tel.: +502 2424 - 1717
- Civil defense: Tel.: 110

Survivors/victims can be referred to the Ministry of Public Health and Social Welfare 's (MSPAS) Sexual Violence Clinics. The clinics are located in 38 hospitals of the Ministry of Health: Amatitlán,

Barillas, Chimaltenango, Coatepeque, Cobán, Cuilapa, El Progreso, Escuintla, Fray Bartolomé de las Casas, Huehuetenango, Jalapa, Joyabaj, Jutiapa, la Tinta, Malacatán, Melchor de Mencos, Poptún, Quetzaltenango, Retalhuleu, Roosevelt, Salamá, San Benito, San Juan de Dios, San Marcos, San Pedro Necta, Santa Cruz del Quiché, Sayaxché, Sololá, Tiquisate, Totonicapán, Uspantán y Zacapa.

For legal and psychological assistance, the survivors/victims can be referred to Sobreviviente Foundation in Guatemala: <https://sobrevivientes.org/>

Honduras

Survivors/victims may report to the Specialized Comprehensive Care Module (MAIE) of the Public Ministry: Tel.: +504 2221 3534

For legal and psychological attention, the survivor/victims can be referred to:

- Alzando la Voz: alzandolavoz.hn@gmail.com
- Ciudad Mujer, Module for Attention and Protection of Women's Rights: https://www.ciudadmujer.gob.hn/?page_id=718

The employees of the MAR Fund can make use of their medical insurance for any kind of physical damage.

9. Complementary policies and procedures

Human Resources

- [MAR Fund Code of Ethics](#)
- [Integrity Statement](#)
- [Job Reference Request](#)
- [MAR Fund Whistle-Blower Policy](#)

Gender Related Policies

- [Institutional Gender Policy](#)
- [MAR Fund Environmental and Social Management System \(Safeguard 9: Gender\)](#)