



**UNHCR**

United Nations High Commissioner for Refugees  
Haut Commissariat des Nations Unies pour les réfugiés

---

POLm

---

This Policy Framework on Harassment, Sexual Harassment and Abuse of Authority is

- 
- ❑ Every staff member and non-staff member has a right to work in a harassment-free and respectful environment.
  - ❑ UNHCR is committed to address inappropriate behaviour, including harassment, by or towards its employees.
  - ❑ Employees responsible for conduct which can be construed as harassment, sexual harassment or abuse of authority may be subject to appropriate administrative or disciplinary measures.
  - ❑ Measures to deal with inappropriate behaviour (including harassment) will be based on the principles of fairness, impartiality, sensitivity and respect.
  - ❑ Everyone who works for UNHCR has a responsibility to sustain a respectful work environment by upholding the highest standards of conduct and applying necessary confidentiality measures.
  - ❑ UNHCR will ensure that adequate resources are available to promote a positive work environment and to prevent inappropriate behaviour in the workplace.
  - ❑ Staff members have the right to choose an informal or formal dispute resolution process.
  - ❑ The Organization will provide appropriate mechanisms to prevent or deal with retaliation related to the reporting of allegations of harassment.







---

13. In implementing the present framework, UNHCR shall act consistently and take the appropriate administrative, investigative, and disciplinary action required; and inform UNHCR's partners of its policy, regardless of the staff member's or non-staff member's function, title, length of service or contractual status.

14. UNHCR will, on a periodic basis, provide training to staff members and non-staff personnel regarding prevention of harassment, sexual harassment and abuse of authority. Staff members and non-staff personnel are required to participate in the training.

15. The Mediator and the Staff Welfare Section provide initial advice on incidents of harassment, sexual harassment or abuse of authority and the various options available. See Annex A "Resources".

16. UNHCR will take all necessary action to maintain the confidentiality of the process. Appropriate administrative or disciplinary action will follow any breach of confidentiality.

17. UNHCR will take all necessary measures to prevent retaliation against a complainant and/or witness.

18. Staff members and non-staff personnel may choose to deal with



---

22. The time frames for the different dispute resolution processes are included in the table below:

Informal Process	Normally should be undertaken within one year of the incident of alleged harassment, sexual harassment or abuse of authority. However, staff members are strongly encouraged to initiate action as soon as possible.
Formal Process	



---

*Who can submit a complaint?*

34. Any individual<sup>4</sup> may file a formal complaint, for example to bring it to the attention of the Inspector General's Office (IGO), regardless of his/her link to UNHCR.

*To whom should the complaint be submitted<sup>5</sup>?*

35. The complaint should be submitted to the IGO where an Official will be designated to handle such complaints (see annex A for further details).

36. A complaint can be submitted in any form. The complaint shall state the date(s) and location of the alleged incident of harassment, sexual harassment or abuse of authority. Name of witnesses and/or documentary proof, which may corroborate the allegation, could also be included in the complaint.

---

37. Upon receipt of the formal complaint, a determination by the competent official must be made as to whether this complaint is admissible and should be investigated. The complaint would be investigated if it appears to have been made in good faith, within the set time limits and within UNHCR's definition of harassment, sexual harassment and/or abuse of authority as set out in the present policy framework.

*Establishment of an Investigating Body<sup>6</sup>*

38. If the complaint is admissible, it should be promptly investigated by an internal investigating body in accordance with existing procedures.

*Role of the Investigating Body*

39. The main task of the investigating body is to collect evidence, establish the facts and compile a report with appropriate findings and recommendations.

40. The investigating body must remain neutral throughout the investigation and due process is essential to the integrity of the process. The investigating body should not presume the guilt of any party.

---

<sup>4</sup> This also includes former staff, non-staff personnel or someone who is aware of an incident. For more details, see IOM/FOM65/2003, (5.2) or subsequent IOM/FOMs on "the role and function of the Inspector General's Office".

<sup>5</sup> Ibid.

<sup>6</sup> For UNHCR, this should be read as Inspector General's Office (IGO) (see IOM/FOM above).

---

*Time Frame for Starting the Investigation*

41. The investigation should begin as soon as possible, and usually within one month after the complaint has been filed formally.

*Investigation*

42. The goal of an investigation is to find facts which will, for the most part, be obtained by interviewing the victim, the alleged offender and other witnesses as deemed relevant by the investigating body. The facts should establish the time, sequence and nature of the occurrence.

43. Normally, no investigative findings should be reported in an investigation report before the subject of an investigation has been afforded the opportunity to respond to the allegation made against him/her. The subject of the investigation will be afforded such opportunity as soon as possible with due regard to the interests of all parties concerned, the interests of the Office and the integrity of the investigation process. The fact that a staff member is under investigation should not be used against someone when considering non-renewal of contract or promotion.

44. Both parties may suggest a list of persons to be interviewed by the Investigating

---

*Staff Members*

48. After completion of the investigation process, and in cases where the allegations have been established, the Director of DHRM will, in accordance with IOM/38-FOM/36 of 30 May 2002, proceed as follows:

- a) should the facts reported in the investigation appear in the view of the Director of DHRM to indicate that misconduct has not occurred, decide that the case should be closed and inform the staff member thereof in writing; or
- b) should the facts reported in the investigation appear to indicate that misconduct may have occurred, the Director of DHRM shall inform, in writing, the staff member subject of the investigation of the contents of the allegations made against him/her, and of his/her right to reply and to a counsel. All documentary evidence related on which the allegations are based will be shared with the staff member;
- c) based on the response of the staff member, or the absence thereof at the end of the prescribed time limit, the Director of DHRM may:
  - i) close the case, and inform the staff member thereof in writing; or
  - ii) refer to a Joint Disciplinary Committee for recommendation to the Secretary-General in accordance with the applicable Staff Regulations and Rules; or
  - iii) propose to the staff member, after consultation with the High Commissioner, an agreed disciplinary measure, such as loss of one or more steps-in-grade; deferral of a step-in-grade for a specified period; suspension without pay; fine; or, demotion. Should the staff member accept, the agreed measure will be recommended to the Secretary-General for decision; or

General for decision; or rec9(e)-5(mber, )i8emw

---

complaint, appropriate action could be taken against him/her<sup>9</sup>

---

UNHCR will commit the resources for prevention and dealing with harassment, sexual harassment and abuse of power. These resources will work together in ensuring that an anti-harassment message is clear and accessible to everyone working with the

---

The Mediator is a neutral, independent contact who can provide advice and help explore options for resolving work-place related problems and conflicts.



