



# THE LUTHERAN WORLD FEDERATION

A COMMUNION OF CHURCHES – EINE KIRCHENGEMEINSCHAFT – UNA COMUNIÓN DE IGLESIAS – UNE COMMUNION D'ÉGLISES  
LUTHERISCHER WELTBUND – FEDERACIÓN LUTERANA MUNDIAL – FÉDÉRATION LUTHÉRIENNE MONDIALE

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*General Secretariat*

## LWF STAFF CODE OF CONDUCT REGARDING ABUSE OF POWER AND SEXUAL EXPLOITATION

### *A. Introduction*

#### **Background**

Basic ethical commitments are to be lived out in the work of the Lutheran World Federation. These include

- respect for the dignity and integrity of all human beings
- fair and just treatment of all, without discrimination, exploitation or harassment
- responsible stewardship in the exercise of power and use of financial and other resources.

All employed by the organization are expected to comply with these commitments.

These commitments call for special attention in international and multicultural work contexts where differences based on race, ethnicity, religion, gender, age or disability can lead to attitudes or practices that violate individuals' personal integrity or sense of what is appropriate. The temptations to misuse power, harass and exploit others, especially in relation to sexuality are considerable, and therefore must be constrained, whether in offices or in the field.

In countries and regions where LWF is present with Field Offices of the Department for World Service (DWS), poverty, conflict and displacement inevitably erode and weaken many of the social and political structures that are designed to respect and protect members of the community where these conditions have occurred or exist. The resources available to affected populations, and to the humanitarian community that is there to assist them, are frequently insufficient to meet basic needs. All too often, mechanisms for protection are not given sufficient priority. Against this background those affected find themselves in situations where they can be exploited or abused. In addition such an environment can provide opportunities for abuse of power and corruption by humanitarian workers.

Creating an overall atmosphere or organizational "culture," with ongoing awareness raising and educational efforts to prevent the abusive use of power and sexual exploitation, is crucial. It is important that, among all associated with the organization, understandings and practices be engendered and promoted that model responsible exercise of power and respect for the dignity and justice of all persons. Also, it is important that adequate care, counseling and healing be provided for those who are violated. At the same time, there is a need to have clear policies to address violations of these basic commitments.

#### **Code of Conduct**

In order to combat such practices, LWF has compiled a "Code of Conduct" which is intended to serve as a guide for LWF staff to make ethical decisions in their professional lives and at times in their private lives. It is designed to assist staff to better understand the obligations placed upon their conduct. It is understood that this code of conduct refers to any kind of

misuse of power and exploitation in the working relationships among LWF employees and with those they serve.

The spirit in which this code of conduct has been developed is intended to strengthen, complement and enhance already existing “*Codes of Conduct*”, rather than to detract from them, including that of the ACT (Action by Churches Together) International Alliance on the same subject, it being understood that LWF is a founding member of ACT International.

### **Environment**

Sexual exploitation can occur in many different environments: in a daily work context of an office, in travel and meetings away from the office, or in humanitarian crises where the dependency of affected populations on humanitarian agencies for their basic needs creates a particular ethical responsibility and duty of care on the part of LWF staff. Females are often particularly vulnerable. Managers have a responsibility to ensure that all staff are aware of this code of conduct and what it means in concrete behavioral terms and to ensure that there are proper mechanisms to prevent and respond to sexual exploitation. LWF must make every effort to create an environment where the dignity of all, particularly those most vulnerable, is safeguarded and to be clear that abuse of power and sexual exploitation will not be tolerated.

Particular attention must be given to situations in the field, especially in the context of humanitarian crises:

- a) The lack of economic opportunities for displaced populations may result in commercial and exploitative sex being one of the few options for generating income to meet basic needs.
- b) In cases where beneficiary communities come from an environment of gender-based violence, proper safeguards need to be put in place, to guard against similar patterns re-occurring or being exacerbated in places such as a refugee camp.
- c) The usual social protections are not in place or are no longer functioning. Levels of protection and security are generally poor; justice and policing frequently do not exist in the displaced environment.

### **LWF Employees in the Field (DWS)**

Among international and national employees, thousands of staff are engaged by LWF in a variety of work ranging from volunteers, casual laborers, drivers and warehouse guards to decision makers at the country, regional and international levels. Many of these staff are drawn from beneficiary communities themselves. This can blur distinctions between what constitutes professional and private relationships with other members of the beneficiary community. However, by accepting work with humanitarian agencies, humanitarian workers also have to accept the special responsibility of humanitarian care that goes with the job.

### **Legal and Ethical Dimensions**

LWF staff have a particular responsibility to uphold these standards expressed in the following Code of Conduct, to set a good example and to create a working environment that supports and empowers staff. LWF has set a higher ethical standard than Swiss law, because it is a Christian non-governmental organization. When signing the Code of Conduct, the LWF employee should be aware of these ethical values. When the Code of Conduct is violated, disciplinary measures as outlined in Art. 21 of the LWF Personnel Policies will apply.

## ***B. LWF Staff Code of Conduct Regarding Abuse of Power and Sexual Exploitation***

LWF staff must:

- 1) Uphold the highest standards of accountability, efficiency, competence, integrity and transparency in the provision of goods and services in the execution of their job.
- 2) Respect and promote fundamental human rights without discrimination of any kind and irrespective of social status, race, ethnicity, color, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.
- 3) Treat all work colleagues, program beneficiaries and other persons fairly and with respect, courtesy, dignity and according to the respective country law, international law and local customs.
- 4) Never commit any act or form of harassment that could result in physical, sexual or psychological harm or suffering to individuals, especially women and minors.
- 5) Never exploit the vulnerability of any colleague or beneficiary group, especially women and minors, or allow any person/s to be put into compromising situations.
- 6) Never engage in any sexual activity with minors (persons under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
- 7) Never engage in sexual exploitation nor abuse of any person, colleague or beneficiary group (men, women and minors). This constitutes acts of gross misconduct and is therefore grounds for termination of employment.
- 8) Never exchange money, employment, goods, or services for sex, including sexual favors. All forms of humiliating, degrading or exploitative behavior are prohibited.
- 9) Particularly in the humanitarian context, never abuse their position to withhold assistance, nor give preferential treatment in order to solicit sexual favors, gifts, payments or personal gains of any kind. The employee should be conscious of not taking advantage of his/her position and may not accept gifts (except for small tokens of appreciation) or bribes.
- 10) Not engage in sexual relationships with beneficiaries. Such relationships are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work. (This rule applies to both during and after working hours.)
- 11) Not accept, solicit or engage in "buying" or profiting from sexual services. This is applicable both within and outside of working hours.
- 12) Create and maintain an environment that prevents abuse of power and sexual exploitation, and promotes the implementation of the code of conduct. Managers at all levels have a responsibility to support and develop procedures that maintain this environment, particularly related to gender inequities.

When this Code of Conduct is violated, LWF ensures that

- 13) Violations of these standards are immediately reported to senior management, any trusted colleague or a specially designated group, the local human resources manager or the LWF Director for Personnel who is expected to take prompt investigative action.
  - 14) All confidential information, including reports of breaches of these standards by colleagues, obtained from beneficiaries or colleagues is channeled correctly and handled with utmost confidentiality.
  - 15) Any violation of the Code of Conduct will result in disciplinary action in accordance with the respective LWF terms, conditions and regulations.
  - 16) Any staff member purposely making false accusations on any action by another staff member, which is in breach of the code of conduct will be subject to disciplinary action at the discretion of the employer.
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The signatory below has read, understood and is in agreement with the content of this document and specifically articles 1 to 16 of section B, the Code of Conduct, which shall be subject to periodic revision and review. The signatory also accepts the consequences of any violation of any of the above provisions under this Code of Conduct.

Name: .....

Position: .....

Place: ..... Date:.....

Signature: .....

## ***C. Key terms and definitions***

For this Code of Conduct the following definitions are used:

### **LWF Employees**

“LWF employees” include all staff with any contract established in Geneva or by the LWF Field Offices, to conduct activities outlined in their job descriptions or terms of reference. In addition any worker that is directly or indirectly involved with refugee or internally displaced communities is to be included under this definition.

### **Abuse of power**

Viewed positively, power is the ability to act, especially in ways that respect and empower rather than dominate and oppress others. Those in positions of authority or trust are expected to carry this out in responsible and just ways that do not take advantage of others, especially those who are more dependent or vulnerable. This includes other staff persons, beneficiaries, and others related to the organization. In most situations, because of unequal power related to gender and age, women and children are particularly vulnerable. Abuse of power is manifested in how those with less social power are treated physically, psychologically, emotionally, and/or sexually. Sexual activity, even when consensual, between those of unequal power in this sense is an abuse of power.

### **Corruption**

As a particular form of the abuse of power, corruption is the abuse of one’s position for private gain, such as misusing the financial and other resources of the organization.

### **Gender and power**

Gender is the English word being used to describe cultural/societal differences between males and females in terms of **roles** and **responsibilities**, expectations, power, privileges, rights, and opportunities. “Gender” refers to the differences between males and females that are rooted in culture, tradition, society, and religion. Gender is something that is learned from infancy. An individual or society’s gender perspective can change.

Unequal power relationships provide the basis for sexual exploitation and abuse. Due to their unequal status, women and girls are particularly at risk of sexual exploitation and abuse. However, it is important to recognize that boys are also vulnerable to sexual exploitation and abuse.

### **Sexual exploitation**

Sexual coercion and manipulation (includes all types of sexual acts) by a person in a position of power providing any type of assistance in exchange for sexual acts. In these situations, the potential victim believes she/he has no other choice than to comply; this is not consent and it is exploitation.

Exploitation is using one’s position of authority, influence or control over resources, to pressure, force or manipulate someone to do something against their will or unknowingly, by threatening them with negative repercussions such as withholding project assistance, not approving an employee’s work support requests, threatening to make false claims about an employee in public, etc.

Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another.

### **Sexual harassment**

Sexual harassment means any unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke, gesture, or any other communication or conduct of a sexual nature, whether verbal, written or visual, by any person to another individual within the scope of work. Sexual harassment may be directed at members of the same or opposite sex and includes harassment based on sexual orientation. Sexual harassment can occur between any one or more individuals, employee or beneficiary, regardless of their work relationship.

### **Sexual abuse**

Sexual abuse is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

### **Discrimination**

Discrimination means exclusion of, treatment of, or action against an individual based on social status, race, ethnicity, color, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

### **Harassment**

Harassment means any unwelcome comment or behavior that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behavior that fails to respect the dignity of an individual. Harassment can be **committed by** or **against** any beneficiary, partners, employee or other individual visiting LWF.

### **Minor**

A person under age 18 (a child according to the definition in the Convention for the Rights of the Child, CRC).

### **Protection**

Ensuring that individual basic human rights, welfare and physical security are recognized, safeguarded and protected in accordance with international standards.

### **Responsibility and accountability**

Consideration must be given as to the adequacy of internal systems to maintain standards of behaviour. A breach of the code of conduct calls for sanctions established with the administrative rules and procedures of LWF.

Geneva, December 2005