



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

**CODE OF CONDUCT FOR PREVENTING AND TACKLING SEXUAL HARASSMENT, ABUSE AND
EXPLOITATION IN ORDER TO PROTECT THE DIGNITY OF BENEFICIARIES OF DEVELOPMENT
COOPERATION PROJECTS AND OF PERSONS WORKING AND OPERATING IN THE FACILITIES OF THE
ITALIAN AGENCY FOR DEVELOPMENT COOPERATION (AICS) AND WITH THE AGENCY ITSELF
(“PSEAH CODE – *Protection from Sexual Exploitation, Abuse and Harassment*”)**

TABLE OF CONTENTS

Article 1 – Purpose and principles	Page 2
Article 2 – Sexual harassment, abuse and exploitation	Page 3.
Article 3 – Scope	Page 4
Article 4 – Joint prevention and support bodies	Page 5
Article 5 – Procedures	Page 5
Article 6 – Liability arising from breach of the duties set out in this Code	Page 7
Article 7 – Performance measurement and assessment	Page 7
Article 8 – Confidentiality	Page 8
Article 9 – Public notification	Page 8
Article 10 – Training	Page 8
Article 11 – Monitoring and evaluation of the functioning of the system for preventing and tackling sexual harassment, abuse and exploitation	Page 9
Article 12 – Coordination rules	Page 9



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

Article 1 – Purpose and principles

1. This Code, which forms an integral part of the code of ethics and conduct of the Italian Agency for Development Cooperation (“AICS” or “the Agency”), provides rules, recommendations and practical guidelines intended to prevent, tackle and respond to all forms of harassment, intimidation, discrimination, retaliation, persecution, violence, abuse or exploitation or any other conduct of a sexual nature contrary to the legislation applicable to the individual case and/or the principles of this Code, committed by individuals and entities required to comply with this Code pursuant to Article 3 below and, where such conduct occurs, to tackle it and prevent its recurrence.
2. The individuals and entities referred to in Article 3(1) and (2) of this Code who serve abroad are also required to comply with local laws and customs on matters covered by this Code, in line with international human rights principles and standards.
3. The protection of the dignity and integrity of physical and moral health in the workplace and in the implementation of international cooperation projects is an inviolable right of the individual, and AICS is committed to guaranteeing such protection. The sexually oriented conduct referred to in the first paragraph of this article infringes that right, is unacceptable and has harmful, traumatic and persistent consequences for the individuals and communities that are victims of such conduct.
4. When perpetrated by international aid workers, such conduct undermines the integrity, effectiveness and credibility of the entire international cooperation community.
5. Sexual relations between the individuals and entities referred to in Article 3(1) and (2) of this Code and direct or indirect beneficiaries are strongly discouraged as they are influenced by intrinsic dynamics of power inequality and could compromise the credibility and integrity of the work undertaken for Partner Countries.
6. Sexual activities by the individuals and entities referred to in Article 3(1) and (2) of this Code with direct or indirect beneficiaries who are minors are prohibited.
7. The individuals and entities referred to in Article 3(1) and (2) of this Code are also prohibited from exchanging labour, goods or services for sexual acts, including sexual favours or other forms of exploitation, and the provision of aid and any other form of assistance intended for direct or indirect beneficiaries.
8. The Code is intended to prevent, tackle and respond to all forms of sexual harassment, abuse and exploitation, and to protect the beneficiaries by promoting the development and implementation of policies and practices aimed at ensuring a working environment in which interpersonal relationships are characterised by honesty, dignity and mutual respect. Sexual conduct contrary to the principles set out in this Code is damaging to the inviolability and physical and/or moral integrity of the individual and compromises the work performance of individuals who are victims of such conduct.



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

9. All persons required to apply this Code under Article 3 below are called upon to cooperate to ensure a working environment in which the dignity of each individual is respected and compliance with the principles of this Code is guaranteed.

10. AICS undertakes to implement diversified, timely and impartial measures to prevent, tackle and respond to any conduct that contravenes the principles of this Code, where applicable through recourse to the appropriate disciplinary instruments made available under the applicable legislation. These measures will apply an approach focused on the needs, rights and requirements of the victim/survivor of sexual harassment, abuse or exploitation, and based on respect for human rights, as well as on the principles of confidentiality, safety and non-discrimination. Such measures will also pay particular attention to the specific needs of persons in particularly vulnerable or at-risk situations, and in particular women, minors, persons with disabilities, and other categories subject to multiple (intersectional) discrimination.

11. Anyone exposed to the above behaviour is entitled to relief, namely the cessation of conduct contrary to the principles of this Code, where applicable through the use of timely, impartial procedures, and AICS will ensure compliance with any such measures.

12. Anyone who reports a breach of the principles of this Code is entitled to confidentiality and protection against retaliation or intimidation.

Article 2 – Sexual harassment, abuse and exploitation

1. Without prejudice to the definitions and corresponding regulations covering individual acts of a sexual nature referred to in Article 1(1) of this Code, as provided for by the legislation applicable to the specific case in question, the definitions formulated by the United Nations on sexual harassment, abuse and exploitation are set out below in order to provide a general overview of the three main categories of such conduct.

2. Sexual harassment is defined as repeated, unwelcome and unacceptable conduct and practices of a sexual nature, including invitations, demands, requests for sexual favours, verbal or physical conduct or gestures, which may reasonably be perceived as offensive or humiliating. By way of illustration, sexual harassment includes acts or behaviour such as:

- a) unwelcome implied or explicit requests for sexual favours;
- b) sexual attention that is considered inappropriate and offensive by those who are the target of such attention;



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

- c) unwelcome physical contact;
 - d) derogatory and/or offensive attitudes, writings and verbal expressions directed at a person because of his or her gender or because of a different expression of sexuality;
 - e) displays of pornographic material, including in electronic format, in the workplace;
 - f) extortion of sexual favours in exchange for benefits, privileges or career advancement;
 - g) threats or retaliation following refusal of sexual attention;
 - h) offensive and inappropriate gestures or winks of a sexual nature.
3. Sexual abuse, on the other hand, is defined as any behaviour or threat consisting of physical intrusion of a sexual nature, perpetrated by force or in any case under coercive or unequal conditions.
4. Finally, the concept of sexual exploitation includes any behaviour, even if only attempted, that abuses positions of vulnerability or imbalance in terms of power or trust for sexual purposes, including behaviour aimed at obtaining temporary, social or political gain from the sexual exploitation of others.

Article 3 – Scope

- 1. All managerial and non-managerial Agency staff are required to comply with this Code.
- 2. Insofar as they are compatible, the conduct requirements set out in this Code also apply to AICS employees and consultants, regardless of the type of contract or assignment, working in any capacity at the Headquarters (Rome and Florence) and field offices abroad, and to employees in any capacity of non-profit entities pursuant to Article 26(2) of Law No 125/2014 and companies supplying goods or services or carrying out works on behalf of AICS.
- 3. All public and private entities referred to in Article 23(2) of Law No 125/2014 that are involved in development cooperation activities benefiting from public contributions must also abide by this Code.



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

4. All individuals and entities mentioned in the preceding paragraphs have an obligation to create and maintain an environment that prevents sexual harassment, exploitation and abuse and any other sexual conduct contrary to the principles of this Code and to promote the enforcement of this Code.
5. Managers of AICS offices and facilities are responsible for ensuring compliance with this Code and preventing sexual harassment, abuse and exploitation in the workplace and in relationships with direct and indirect beneficiaries of cooperation activities.

Article 4 – Joint prevention and support bodies

1. To prevent and tackle sexual harassment, AICS relies on the Joint Guarantee Committee for equal opportunities, promotion of employee well-being and non-discrimination (“the CUG” or “the Committee”) and a Support Desk at AICS Headquarters in Rome, which act in accordance with the provisions of current legislation. Support desks and/or PSEAH contacts may also be put in place and identified by the Agency at AICS field offices abroad. If support desks or PSEAH contacts are put in place at other AICS field offices, the individuals concerned can choose whether to seek support directly from the support desk at the AICS Headquarters in Rome or from another competent AICS field office.
2. The Support Desk is the first point of contact for anyone, whether an employee, associate in any capacity or beneficiary of AICS, who believes that he or she has been a victim or survivor of sexual harassment, abuse or exploitation in the context of activities carried out or funded by the AICS. The Support Desk is managed and coordinated by one or more confidential counsellors, in accordance with Article 13-ter of the Agency’s Code of Conduct, and initiates the most appropriate procedure to resolve the reported case, applying a victim-/survivor-centred approach and reporting to the public administration so that appropriate organisational and/or disciplinary measures can be implemented.
3. The CUG is regularly informed by the confidential counsellors about the number and types of cases handled by the Support Desk. For reports from outside the public administration, the confidential counsellors report to the Corruption Prevention and Transparency Manager (RPCT).

Article 5 – Procedures

1. *Informal procedure*



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

1.1. The Support Desk receives reports from direct or indirect beneficiaries of development cooperation projects and from persons working and operating in AICS facilities and with AICS itself relating to unwelcome acts or behaviours of a sexual nature committed by persons individuals and entities to apply this Code in accordance with Article 3(1), (2) and (3) above.

1.2. The Support Desk can be contacted electronically, by telephone or by email, and can also receive visitors by appointment, in person, with the necessary urgency based on the specific needs of the case.

1.3. Cases are handled in accordance with personal privacy requirements, within the scope of intervention identified. A declaration of consent to the processing of data must be signed by the individual concerned.

1.4. The informal procedure should be completed within a reasonable time frame, taking into account the sensitivity of the case.

1.5. This does not affect the right of the individual concerned to avail him or herself at any time – regardless of the outcome of informal procedures – of any form of protection provided for by current legislation.

2. *Formal procedure*

2.1. Even while the procedures referred to in the previous paragraphs are being carried out, the individual concerned may report the case to the Corruption Prevention and Transparency Manager using the tools made available pursuant to Legislative Decree No 24/2023.

2.2. If AICS considers the complaint to be well-founded, it implements the measures deemed most appropriate to safeguard the individual concerned and to restore a working environment in which that individual's physical and moral integrity is protected.

3. The procedures described in the previous paragraphs of this article must be managed by the staff responsible using an approach focused on the needs of those who have suffered sexual harassment, abuse or exploitation, and based on respect for human rights, as well as on the principles of confidentiality, safety and non-discrimination. This approach must also pay particular attention to the specific needs of persons in particularly vulnerable or at-risk situations, and in particular women, minors, persons with disabilities, and other categories subject to multiple (intersectional) discrimination. If any of the individuals and entities referred to in Article 3(1), (2) and (3) of this Code suspects sexual harassment, exploitation or abuse by any of the individuals and entities referred to in Article 3(1) and (2) of this Code, this must be reported using the mechanisms provided for in this article.



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

4. The individuals and entities referred to in Article 3(1), (2) and (3) of this Code that report such incidents are given appropriate protection in accordance with the principles and provisions of the applicable Italian legislation on the protection of persons who report illegal conduct of which they become aware in the context of a public or private employment relationship (Legislative Decree No 24/2023), as applicable.
5. To avoid discriminatory or retaliatory measures against them during the implementation of the cooperation project, the beneficiaries of cooperation projects who report such incidents are given appropriate protection, in particular with regard to the confidentiality and identity of the reporter, in accordance with the same principles as laid down in the applicable legislation on the protection of persons reporting illegal conduct referred to in the previous paragraph.

Article 6 – Liability arising from breach of the duties set out in this Code

1. Without prejudice to any civil, administrative, accounting and criminal liability governed by law, any violation of the provisions of this Code by Agency employees constitutes grounds for disciplinary action, to which the provisions of current legislation and collective bargaining agreements for the various categories of staff covered by the Code apply.
2. In accordance with Article 54(3) of Legislative Decree No 165/2001, serious or repeated violations of this Code will result in the application of the penalty referred to in Article 55-quater(1) of that decree, without prejudice to the application, by analogy with the individual cases governed by this Code, of Article 16(2), (3) and (4) of Presidential Decree No 62/2013.
3. In accordance with the provisions of Article 2 of Presidential Decree No 62/2013, for the individuals and entities referred to in Article 3(2) and (3) of this Code, liability resulting from violations of the Code is governed by the corresponding contracts, assignments, employment agreements, consultancy agreements or any other type of relationship established with the public administration.

Article 7 – Performance measurement and assessment

Violations of this Code are also relevant to the assessment of individual performance.



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

Article 8 – Confidentiality

1. In accordance with the provisions of Regulation (EU) 2016/679 on the protection of personal data (General Data Protection Regulation – GDPR) and Italian Legislative Decree No 196 of 30 June 2003, as amended, all persons involved in any capacity in the handling of cases of sexual harassment, abuse or exploitation, in particular those working in the structures set up for this purpose, are required to maintain the strictest confidentiality regarding personal data, facts, information and details of which they become aware in the course of their work.
2. Persons who believe they have been victims of sexual harassment, abuse or exploitation and report it to the competent authorities also have the right to absolute confidentiality of their personal data and to request that their names be omitted from any document subject to disclosure for any reason.

Article 9 – Public notification

1. This Code will be widely disseminated through publication, both in Italian and in the main languages of communication (English, French, Spanish, Portuguese and Arabic), on the institutional website of AICS and its field offices and by any other means that makes it possible to share it with cooperation project partners and local communities.
2. In particular, AICS undertakes to disseminate information on how to contact the Support Desk (telephone number and email address) through its institutional website and those of its field offices, and by any other means that makes it possible to share it with cooperation project partners and local communities.
3. A copy of this Code will be provided for signature when any new employee signs an employment contract or any consultant or contractor is commissioned or appointed, or any time any document is signed to initiate a working relationship between AICS and the individuals and entities referred to in Article 3(1), (2) and (3) of this Code.

Article 10 – Training

1. AICS provides appropriate training and refresher courses (ensuring that they are available to staff working at Headquarters and abroad, as well as to its cooperation project partners and local communities) in order to promote a culture focused on preventing and tackling sexual harassment, abuse and exploitation, and to improve the quality and safety of the working environment.
2. Periodically, ad hoc seminars will also be organised to further develop and update the training of operational personnel in prevention and support bodies in order to ensure that those who turn to them receive adequate psychological, legal and administrative assistance.



*Agenzia Italiana
per la Cooperazione allo Sviluppo*

Article 11 – Monitoring and evaluation of the functioning of the system for preventing and tackling sexual harassment, abuse and exploitation

1. In accordance with current legislation on the protection of whistleblowers and the protection of personal data, AICS keeps a record of the reports and complaints received, as well as the actions and proceedings initiated as a result of such reports and complaints, in order to monitor and evaluate the functioning of its system for preventing and tackling sexual harassment, abuse and exploitation, where applicable through coordination and exchange of information with other national and international bodies and organisations.

Article 12 – Coordination rules

1. For any matters not covered by this Code, the provisions of the current AICS Code of Ethics and Conduct apply.