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**PRACTICAL
GUIDE FOR
VICTIMS OF
SEXUAL OR
GENDER-
BASED
HARASSMENT**



MINISTERIO
DE ASUNTOS EXTERIORES, UNIÓN EUROPEA
Y COOPERACIÓN



Who is this Guide intended for?	3
What is harassment?.....	3
SEXUAL HARASSMENT	3
GENDER-BASED HARASSMENT	3
SEXUAL EXTORSION	5
ENVIRONMENTAL SEXUAL HARASSMENT	5
How to act if you are a victim of or witness a situation of harassment.....	5
How to start the complaints procedure.....	6
Who can file a complaint?.....	6
How should a complaint be filed?	6
Who are the confidential advisors?	6
What is the complaints procedure?	7
Complaint form	8

**THIS GUIDE INFORMS VICTIMS OF SEXUAL OR GENDER-BASED
HARASSMENT HOW TO REPORT THIS SITUATION**

For further information, see the AECID Protocol for action.

AECID rejects sexual and gender-based harassment and reiterates its determination to prevent this behaviour, in accordance with the principles, objectives and commitments set out in **Royal Decree 247/2024**, of 8 March.

Furthermore, it rejects any action that may constitute sexual or gender-based harassment, in any shape or form, regardless of who the victim or the harasser may be and regardless of their status within the organisation, reaffirming the right of public employees to receive respectful and dignified treatment.

Who is this Guide intended for?

This guide is addressed to all persons who provide services to AECID, whether or not they are formally employed by this organisation.

What is harassment?

To clarify the difference between sexual and gender-based harassment:

SEXUAL HARASSMENT

is any behaviour, verbal or physical, of a sexual nature that has the purpose or produces the effect of violating the dignity of a person, in particular when it creates an intimidating, degrading or offensive environment.

GENDER-BASED HARASSMENT

Is any behaviour performed according to a person's gender, with the purpose or effect of violating their dignity and creating an intimidating, degrading or offensive environment.

In accordance with the definitions established in Organic Law 3/2007, of 22 March, and by way of example and without any intention of exclusion or limitation, the following conduct may constitute sexual or gender-based harassment.

NON-EXHAUSTIVE LIST OF FORMS OF CONDUCT CONSTITUTING SEXUAL HARASSMENT

Verbal conduct:

- Sexual insinuations, propositions or pressure for sexual activity.
- Offensive flirtations.
- Insinuating, suggestive or unpleasant comments.
- Unwanted phone calls or contacts on social networks.
- Jokes or comments about sexual appearance.
- Questions and insinuations about a person's private life, which affect their sexual integrity and self assurance.
- Indecent or compromising invitations.

Non-verbal conduct:

- The display of sexually suggestive or pornographic photos, objects or writings; indecent scrutiny and/or gestures.
- Letters or email messages or messages on social networks that are offensive and have an evident sexual content.

Physical conduct:

- Deliberate and unsolicited physical contact.
- Unwanted hugs or kisses.
- Excessive and unnecessary physical closeness.
- Obscene gestures.

- **NON-EXHAUSTIVE LIST OF FORMS OF CONDUCT CONSTITUTING
GENDER-BASED HARASSMENT**

- Denigration of professional worth due to maternity or paternity.
- Hostile behaviour towards those who exercise their rights to reconcile personal, family and professional life.
- Public, repeated criticism of a person, their job and their professional commitment, due to gender.
- Undervaluation, contempt or isolation of those who do not behave in accordance with the social roles assigned to their gender.
- Engaging in discriminatory behaviour based on gender.
- Assigning tasks that are meaningless or impossible, or imposing unreasonable deadlines, based on gender.
- Using derogatory ways of addressing people of a particular gender.
- Assigning a person to a job position with less responsibility than that corresponding to their capability or qualifications, solely because of their gender.
- Making derogatory comments about women or men or about values considered feminine or masculine and, in general, making sexist comments due to gender prejudices.

- Ridiculing or belittling the capabilities, skills and intellectual potential of a person because of their gender.
- Ignoring, excluding and/or failing to take seriously a person's contributions, comments or actions because of their gender.
- Using physical force to show the superiority of one gender over another.

The following forms of harassment may also be detected:

SEXUAL EXTORSION

This consists of forcing the victim to choose between submitting to sexual demands or losing workplace benefits or experiencing poorer working conditions, such as access to vocational training, continued employment, promotion, remuneration or any other decision in relation to this matter. To the extent that it constitutes an abuse of authority, the harassing party is defined as the person who has the power, either directly or indirectly, to provide or withdraw a benefit or working condition.

ENVIRONMENTAL SEXUAL HARASSMENT

In this type of sexual harassment, the harasser creates an intimidating, hostile, degrading, humiliating or offensive environment for the victim, as a result of unwanted attitudes and behaviour of a sexual nature. Such actions may be performed by any member of the organisation, regardless of their position or status, or by third parties present within the work environment.

How to act if you are a victim of or witness to a situation of harassment

- Don't hesitate to clearly express your disagreement with the behaviour that constitutes harassment.
- Don't tolerate any behaviour that could degenerate into harassment.
- Don't feel guilty.
- Don't let it pass, thinking it will get better. It won't.
- Don't think it's normal, that it's always been like this or that nothing will change.
- Above all, don't hesitate to **report it**.

How to start the complaints procedure

Who can file a complaint?

- The person alleged to be harassed (the victim) or their legal representative.
- The representation of public employees in the area in which they are employed.
- Any public employee who is aware of situations that could constitute sexual and/or gender-based harassment.

How should a complaint be filed?

- **By email** to this address: stopacososexual@aecid.es.
- **By post** to this address:
Jefatura del Departamento de Recursos Humanos, Conciliación y Servicios Generales de la AECID.
Avenida Reyes Católicos 4
28040 - Madrid.
Stating on the envelope “stopacososexual”.

The AECID **Registry** will record the delivery. However, they **will not open the envelope**, but send it directly to the stipulated Human Resources department.

- **In person**, at the AECID Head Office for Human Resources, Conciliation and General Services.

Who are the confidential advisors?

Confidential advisors are assigned by the Inspector General of Services at the Ministry of Foreign Affairs (IGSMAEUC) from the personnel responsible for this task, and must be informed of the situation within 24 hours of the complaint being filed. The person designated as confidential advisor, apart from their procedural duties, will accompany the victim throughout the process, providing advice and information about possible courses of action. Alternatively, the victim may request that their complaint be handled by the confidential advisor of their choice from among those available, in which case the IGSMAEUC will authorise this change, if circumstances permit.

What is the complaints procedure?

PHASE 1 (10 DAYS FROM THE ONSET OF THE PROCESS)

INITIAL MEASURES

- Either the complainant, a public-sector union representative or any employee who is aware of the facts may request the activation of the protocol.

The confidential advisor must be informed of the request within 24 hours.

SUBSEQUENT MEASURES AND REPORTS

The confidential advisory service may take appropriate action to gather the necessary information and determine (precautionary) organisational measures. When the investigation ends, an assessment report stating the conclusions drawn and the proposals decided will be submitted to the parties.

PHASE 2 (MAXIMUM 20 DAYS)

ALLEGATIONS

If the victim disagrees with the report, they have ten days to present allegations (but only if it states that the case should be rejected due to lack of evidence or if an offence other than sexual harassment or gender-based harassment was observed).

The Equality Unit must set up an Advisory Committee within seven days.

FINAL REPORT

The Advisory Committee, according to the allegations made, may terminate the investigation or propose a different final report, which will be forwarded to the parties for their information.

Complaint form

The communication form to request activation of the Protocol is available:

- On the AECID website.
- On the Intranet.
- On the noticeboards at every AECID workplace.
- On request by email addressed to: **stopacososexual@aecid.es**