

Financial Compensation Practices for Sexual Exploitation, Abuse, and Harassment

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Acronyms and Abbreviations

| | |
|-------|--|
| CRSV | Conflict-related sexual violence |
| DRC | Democratic Republic of Congo |
| GBV | Gender-based violence |
| HDP | Humanitarian, development, and peace |
| INGO | International nongovernmental organization |
| NGO | Nongovernmental organization |
| PSEAH | Protection from sexual exploitation, abuse, and harassment |
| RQ | Research question |
| S2S | Support to Survivors of SEAH |
| SEA | Sexual exploitation and abuse |
| SEAH | Sexual exploitation, abuse, and harassment |
| WHO | World Health Organization |
| WRO | Women's rights organization |

Glossary

| | |
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| Adolescent | People aged 10 to 19, divided into early (10-14) and late (15-19) adolescence to account for the different milestones and states of maturity that separate younger and older adolescents (WHO n.d.) |
| Child | Anyone younger than 18, even if national law stipulates a younger age, and as such, not able to give free and voluntary consent (UNICEF n.d.) |
| Child protection | Preventing harm to children using national policy, laws, and social welfare systems to prevent and respond to child abuse, with responsibilities often spread across government agencies and local authorities, nonstate providers, and community groups delivering services (Save the Children 2007) |
| Child safeguarding | The responsibility that organizations have to make sure that their staff, operations, and programs do not harm children (do not expose children to the risk of harm and abuse) and that any concerns the organization has about children's safety within the communities in which they work are reported to the appropriate authorities (Keeping Children Safe 2024) |
| Child sexual abuse | Any form of sexual activity—physical or not, in person or not—that an adult or another child with power over a child perpetrates on the child (UNICEF n.d.) |
| Gender-based violence service provider | An organization offering specific assistance to survivors of gender-based violence such as health care, psychosocial support, shelter, legal aid, and safety and security services (ADB 2023) |
| Protection against sexual exploitation, abuse, and sexual harassment | A set of actions an organization has in place to prevent sexual exploitation, abuse and sexual harassment from occurring; to protect people, especially vulnerable adults and children, from sexual exploitation, sexual abuse and sexual harassment; and to respond appropriately when harm does occur (Safeguarding Support Hub n.d.) |
| Reparations | Measures to redress violations of human rights by providing a range of adequate, effective, and prompt material and symbolic benefits to survivors or their families and affected communities (OHCHR n.d.) |
| Safeguarding | The responsibility of organizations to ensure that their staff, operations, and programs do not harm at-risk children and adults or expose them |

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| | to abuse or exploitation—covers physical, emotional, and sexual harassment, exploitation, and abuse by staff and associated personnel and risks caused by program design and implementation and may cover harm caused to staff in the workplace (Davey and Heaven Taylor 2020) |
| Sexual abuse | Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions, including sexual assault (attempted rape, kissing, touching, forcing someone to perform oral sex or touch); rape; and having children look at or appear in sexual images, watch sexual activities, and be encouraged to behave in sexually inappropriate ways. Under UN regulations, all sexual activity with someone under the age of 18 is sexual abuse, regardless of the local age of majority or consent. Mistaken belief in the age of a child is not a defense (Keeping Children Safe 2024). |
| Sexual exploitation | Any actual or attempted abuse of a position of vulnerability, difference in power, or trust for sexual purposes, including profiting monetarily, socially, or politically from sexual exploitation of another and including transactional sex, solicitation of transactional sex, and exploitative relationship (Safeguarding Support Hub n.d.) |
| Sexual harassment | A continuum of unacceptable, unwelcome behaviors and practices of a sexual nature, including sexual suggestions or demands; requests for sexual favors; and sexual, verbal, or physical conduct or gestures that are or might reasonably be perceived as offensive or humiliating (Safeguarding Resource Support Hub 2021) |
| Survivor | A person who has experienced sexual violence or another form of gender-based violence, including sexual exploitation, abuse, and harassment; generally preferred over the term “victim” because “survivor” implies resiliency (ADB 2023) |
| Survivor-centered approach | An approach based on a set of principles and skills designed to guide professionals—regardless of their role—in engagement with survivors who have experienced sexual or other forms of violence and to create a supportive environment in which the survivor’s interests are respected and prioritized and the survivor is treated with dignity and respect, helping promote the survivor’s recovery and ability to identify and express needs and wishes and to reinforce the survivor’s capacity to make decisions about possible interventions (World Bank 2018) |

Executive Summary

This desk-based research on provision of financial compensation to survivors of sexual exploitation, abuse, and harassment (SEAH) was conducted to highlight current evidence and practice and was conducted in three stages.

Stage 1: Literature synthesis

Stage 2: Semi-structured interviews

Stage 3: Analysis and report writing.

The research focused on defining financial compensation, differentiating it from financial assistance, understanding existing practice and lessons learned from it, and identifying risks associated with it.

Financial compensation

- Requires some form of legal process for determining liability and quantum (the amount legally payable)
- Is linked to a sense of justice for survivors
- Is usually unrestricted, meaning that the recipient may spend it as they like

Financial assistance

- Tends to be delivered as part of gender-based violence (GBV) response services and usually has no legal requirements

- Is provided to increase access to and efficacy of other services or forms of support
- Is calculated according to need

Various parties are involved in financial compensation to survivors of SEAH

The state

The prime responsibility for and duty to promote and protect human rights and fundamental freedoms lies with the state and is enshrined in international, regional¹ and national law. The state is also responsible for ensuring that survivors realize their right to redress.

Perpetrators

Several interviewees stressed the fundamental importance of holding perpetrators to account. Many highlighted the inaccessibility of judicial systems and the dangers to survivors in trying to access them. Some cautioned against over-reliance on the judicial system.

Organizations

Some interviewees stressed the importance of the role not only of states and perpetrators in paying compensation for SEAH, but also of organizations in the humanitarian, development, and peace (HDP) sectors. A minority of interviewees were critical of this view, believing that, if organizations

¹¹ Regional law includes instruments that are in force as a result of decisions by regional bodies (e.g. African Union or European Union).

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paid compensation for SEAH it would dilute the focus on holding perpetrators to account.

Given wide-ranging views, what tended to sit most comfortably with interviewees was the idea that organizations may have a moral duty to provide long-term financial assistance to survivors rather than financial compensation, although interviewees were divided on which type of organization should be responsible for paying financial compensation or long-term financial assistance to survivors or whether the responsibility could be shared.

Frontline implementers

Frontline implementers, often nongovernmental organizations (NGOs); civil society organizations; or companies with direct contact with communities, service users, and project participants working at a level where most SEAH risks are situated, are responsible for operational delivery of projects.

- Some interviewees felt that, if any organizations are responsible for paying financial compensation to survivors, it should be these frontline implementers.
- In contrast, a minority of interviewees believed that frontline implementers

had a role only in enabling survivors to seek justice through the courts.

Intermediate organizations

‘Intermediate’, ‘indirect’ or ‘second tier’ (note there is no formal terminology) describes organizations that are once removed from direct operational delivery and can include² foundations, fund managers, international NGOs (INGOs), and United Nations agencies or be involved as organizations leading on implementation, including those that lead implementation of portfolio programs involving multiple organizations.

- Some interviewees believed that responsibility to pay financial compensation could extend to intermediate organizations, for example, through transfer of duty of care when employer organizations cannot—or will not—take responsibility.
- Others felt that intermediate organizations should pay financial compensation if they had failed to adhere to their own protection-from-SEAH (PSEAH) policies and procedures and to perform necessary due diligence.

Funders and investors

They were categorized separately to highlight that they are intermediate organizations.

² Implementing leads can consist of multiple organizations, and portfolio programs may also involve or include several organizations.

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Funders and investors are furthest removed from direct operational delivery.

- Several interviewees questioned whether investors and funders could be responsible when they are so removed from operational delivery.
- Other interviewees believed that funders and investors had a moral duty to compensate survivors.
- Several interviewees emphasized the need to focus on sharing risk and responsibility in relation to payment of compensation.
- Others felt that funders and investors should pay compensation because they are the best resourced of aid organizations.
- Some interviewees believed that it may be preferable for funders and investors to pay so that frontline implementers do not have a disincentive to report.

Policies and practices

Information on official organizational policies and practices in relation to payment of compensation for survivors is minimal.

- The United Nations has taken a clearer stance on the issue than many: it does not pay financial compensation to survivors.
- Among funders and investors, the International Bank for Reconstruction

and Development and the Asian Development Bank do not pay direct monetary compensation to survivors.

- There was a general assumption that INGOs have been paying financial compensation to survivors but not stipulating that officially in policy.
- Numerous examples of compensation for conflict-related sexual violence (CRSV) were identified, but these have tended to be awarded through the courts, with minimal scope for transferable learning.
- Very few examples of compensation being paid for SEAH in HDP settings were identified, with no examples of funders or donors doing so.
- There were several examples of organizations or companies outside HDP settings paying financial compensation or assistance to survivors.

Potential benefits for survivors

Interviewees agreed that putting survivors back into the state they were in before the wrong was committed is not feasible with SEAH. Financial compensation was identified as:

- A potential tool for helping survivors rebuild their lives and reestablish a sense of financial autonomy and control as part of the healing process

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- Playing a vital role in helping protect survivors from further abuse and exploitation
- A way of communicating to a survivor that they are recognized as a whole person, with a full set of human rights and dignity

In addition, compensation that organizations paid in HDP settings was considered potentially valuable in terms of moving the sector away from the current worst-case scenario wherein survivors are shouldering the entire long-term costs of SEAH.

Financial compensation that funders or investors pay would allow for explicit acknowledgment that responsibility for PSEAH extends to all organizations in the delivery chain.

Risks to survivors and mitigation measures

Every interviewee identified risks to survivors in relation to financial compensation. Perspectives varied enormously on whether combined risks associated with financial compensation outweigh potential benefits.

There were conflicting views among interviewees about the extent to which risks related to financial compensation could be mitigated. Risk assessments, safeguards, and informed choice by survivors were identified as crucial.

Risks related to investigations

Risks included that frontline and intermediate organizations may be less likely to conduct adequate investigations into allegations of SEAH if they know they might have to pay compensation. It is also possible that an investigation resulting in a finding of “not substantiated” might prevent a survivor from accessing financial compensation or assistance.

Other risks included that survivors who do not participate in investigations may lose out on financial compensation or assistance. In addition, lack of confidence in SEAH investigations might mean that compensation is not paid or is delayed.

Efforts to mitigate risks during investigations

- Funders and investors making expectations clear on when and how frontline implementers and intermediate organizations are expected to conduct investigations into allegations of SEAH
- Funders and investors increasing scrutiny to ensure that investigations are adequate and requiring more accountability before and during investigations
- Frontline implementers ensuring that offers of immediate support to survivors are made before any investigation
- All organizations working on the basis that the risk that survivors lose out on

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compensation outweighs the risk of a false allegation

- Frontline implementers communicating clearly and repeatedly that participation in an investigation is not a condition for support or compensation

Risks during assessment

Risks included that assessing compensation claims could be retraumatizing, survivors might not be believed, and financial compensation might discount the harm and underestimate its impact.

There are also risks that the process of assessing financial compensation may lead to breaches in confidentiality and that conditions attached to eligibility for compensation may force survivors to access services they do not want.

Efforts to mitigate risks during assessments

- Ensuring that survivors have access to a local legal adviser during the process of being assessed for financial compensation
- Developing a scheme that ensures that cases are not overly scrutinized³
- Establishing an independent external mechanism to determine whether and how much to pay

³ Overzealous scrutiny may lead to misinterpretation of evidence, survivors losing trust in the system, and loss of confidentiality

- Ensuring that people assessing claims are knowledgeable about and sensitive to SEAH and GBV
- Not requiring survivors to relive the trauma or recount the experience repeatedly
- Ensuring that everyone working on claims understands how to and is comfortable using an intersectional lens
- Seeking to understand the psychological impact of SEAH; identify some things that are uniform across all survivors, including the disabling impact of shame; and ensure that such factors are factored into calculations
- Considering approaches to estimate payouts based on need rather than attempting to calculate all harm caused
- Ensuring that financial compensation schemes are well thought through and designed, avoiding inequitable payments for similarly situated individuals
- Using a gender-sensitive approach in calculating compensation
- Ensuring that a case-by-case approach to calculating compensation is adopted

and privacy. Repeat interviews can retraumatize survivors and lead them to believe that they did something wrong.

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- Ensuring that robust data protection measures are in place and limiting the number of people or organizations involved in making decisions about compensation
- Ensuring that survivors know that they can withdraw from the compensation claims process at any time and will still receive other support if they want it
- Explaining to survivors that, although other support may be offered, it cannot be mandatory that they receive it
- Working flexibly to allow survivors to be in control and accepting that survivors will spend payouts based on their own lived reality
- Encouraging survivors to see the value and utility of other support services but not making use of these services a condition of compensation
- Making special provisions for survivors who are children, ensuring that funds are held in trust until adulthood or used in their best interest, with a legal guardian managing accountability

Risks from payments

Risks included that compensation payments could make survivors identifiable and thereby increase stigma and could expose survivors to further abuse and exploitation. It was also felt that compensation could have a negative impact on help-seeking behavior of survivors, including encouraging them to prioritize immediate spending rather than financially planning for the long term, although many felt that this was a paternalistic perspective. There is also a risk that survivors who receive financial compensation are less likely to seek justice and perpetrator accountability.

Efforts to mitigate risks related to payments

- Ensuring that schemes maintain confidentiality of individuals wishing to remain private
- Maintaining a dual focus on financial compensation and supporting perpetrator accountability if a survivor wants to pursue justice through the legal system
- Avoiding giving survivors the sense that paying financial compensation means that the case is resolved and they should take no further action
- Ensuring involvement of legal expertise so that nothing about the process compromises the survivor's ability to hold a perpetrator to account
- Ensuring that nondisclosure agreements are not used at any point, even if lawyers suggest them
- Exploring possible mechanisms for perpetrators to contribute to compensation funds for survivors
- Conducting a thorough risk assessment in collaboration with the survivor rooted in the assumption that

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they understand the risks better than anyone

- Drawing on learning from women's economic empowerment and cash transfer programs
- Ensuring that survivors have access to legal advice to navigate any potential legal or tax implications
- Exploring options with survivors to see whether they want longer-term follow-up
- Establishing peer support groups to which survivors can be invited
- Mapping specific risks of compensation for child survivors of sexual abuse, including appropriate safeguards

Risks to future survivors

Risks included that others may push survivors to report SEAH when they do not want to in order to access compensation and that survivors may be less likely to be believed because people will think they are just trying to get money.

It was also identified that a focus on financial compensation may reduce attention on other PSEAH efforts, that organizations may make fewer safeguarding commitments if they know they may be committing to a greater responsibility to pay compensation, and that compensation for SEAH could create inequality among survivors and a greater sense of injustice for some.

Efforts to mitigate risks related to future survivors

- Increasing capacity of all staff within organizations to receive reports safely and promoting a nonjudgmental, empathetic approach
- Prioritizing confidentiality through the compensation process and choosing payment delivery mechanisms that are low visibility and context appropriate
- Not advertising that financial compensation is available to survivors so that people (including non-survivors) are not incentivized to encourage survivors to report SEAH when they otherwise would not
- Ensuring that financial compensation is an additional component of existing PSEAH practice, with sufficient resources so that it does not dilute the focus on prevention and immediate support services
- Maintaining confidentiality in the process and equipping survivors with knowledge and skills to maintain confidentiality for as long as they want to
- Proactively shaping the narrative so that the risk of false claims is understood to be extremely low and the emphasis is on survivors being believed
- Exploring options for paying compensation through state-run schemes available to survivors of all

forms of gender-based violence, such as CRSV, not only SEAH

Role of GBV service providers

Overall, it was believed that risks associated with financial compensation would be magnified if it was paid through GBV service providers. Additional risks included GBV service providers being put under unsustainable pressure because they did not have the capacity to take on a new role

- and losing the trust that enables them to operate because they are diverted from their core business.

1. Introduction

This research is not intended to assess or advise organizations on whether financial compensation should be paid to survivors of sexual exploitation, abuse, and harassment (SEAH). It is focused on defining financial compensation, understanding risks for survivors, and drawing lessons from existing practice. The research findings are intended to have wide value for people taking a humanitarian-development-peace (HDP) nexus approach. Many organizations are facing the challenge of determining financial compensation for survivors, which stimulates strong, conflicting opinions about what is right, safe, and fair. Rather than concluding with a definitive position, the research team sought to explore the topic in a balanced, thoughtful way to contribute to future discussions and learning.

There are three important points to note about the scope of this research.

- Financial compensation falls under the broader umbrella of reparations (the act of making amends, offering expiation, or giving satisfaction for a wrong or injury⁴), but this research focuses on financial compensation. Other forms of reparation are beyond the scope of this research (e.g., genuine apologies, access to therapeutic services).
- The research covers any SEAH that people and programs working in the HDP sectors, including private sector actors, perpetrate. Most perpetrators of SEAH are men. Victims and survivors of SEAH are often women and girls, but men, boys, and gender-diverse people also experience SEAH. SEAH can also be rooted in harmful cultural norms, for example related to nationality, race, disability, and colonialism. Perpetrators of SEAH are often individuals with greater structural, hierarchical, and situational power than survivors. Although not always explicitly revealed in the research findings, this understanding of SEAH underpinned the research team's approach and was reflected in many interviewee responses. For example, the risks that interviewees believed compensation could pose to survivors reflected a wide understanding of gender inequality and gendered social norms.
- In line with the global Common Approach to Protection Against Sexual Exploitation, Abuse and Harassment,⁵ SEAH and protection from SEAH (PSEAH) include child sexual abuse⁶ (including historical child abuse, which refers to an adult who was abused as a child). Because prevention and response measures for children are often neglected in PSEAH practice, which tends to focus on adults, the research identified limited evidence

⁴ See Merriam-Webster, <https://www.merriam-webster.com/dictionary/reparation>.

⁵ For further information, see Common Approach to Protection from Sexual Exploitation, Sexual Abuse and Sexual Harassment, <https://capseah.safeguardingsupporthub.org>.

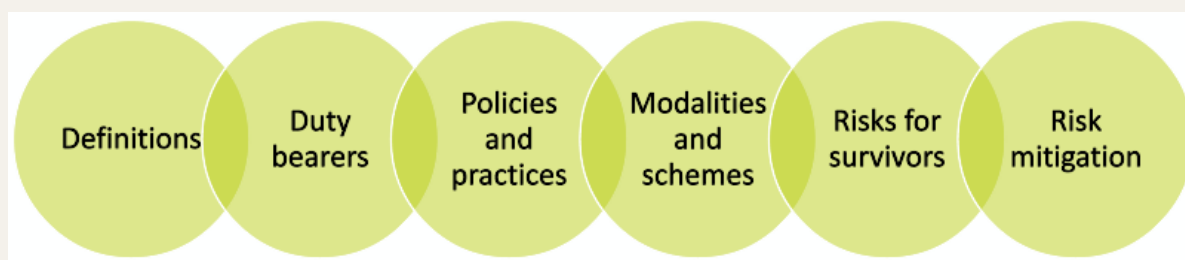
⁶ "Sexual activity with children (persons under the age of 18) by those engaged in HDP work is prohibited, regardless of the age of majority or age of consent locally." (See Common Approach to Protection from Sexual Exploitation, Sexual Abuse and Sexual Harassment, https://capseah.safeguardingsupporthub.org/sites/default/files/2024-06/CAPSEAH%20English%2005_24.pdf).

specifically about children. Related to this, the research team has been clear on two further points.

- Child abuse is a broad term that include other forms of harm against children. Although children who are sexually abused are likely to have experienced other forms of harm, these other forms of harm are beyond the scope of this research.
- Although many structural measures to prevent and respond to SEAH, such as those listed in the Common Approach to Protection Against Sexual Exploitation, Abuse and Harassment,⁷ will help prevent and respond to child sexual abuse, specific actions and measures must also be taken for children: for example, clarifying specific responsibilities and using different modalities for case management and referrals for child survivors and developing procedures related to children's consent, self-agency, and best interest.⁸ Because time and information were limited, this level of detail was not explored and is not presented in the findings.

1.1 Research methodology

The research focused on exploring the following areas related to financial compensation for survivors of SEAH.



A set of research questions (RQs) guided the scope of the research. (See Appendix A for a complete list of questions and sub questions.)

- RQ1: What is financial support, and what is financial compensation?
- RQ2: Who are the various duty bearers, and what are their responsibilities?
- RQ3: What are the modalities through which financial compensation could be paid?
- RQ4: What are current policies and practices of organizations working in HDP settings?
- RQ5: Which compensation-based modalities have been used to award compensation?

⁷ See Common Approach to Protection from Sexual Exploitation, Sexual Abuse and Sexual Harassment (https://capseah.safeguardingsupporthub.org/sites/default/files/2024-06/CAPSEAH%20English%2005_24.pdf).

⁸ For example, one concern within the child protection sector is that payment of compensation to children's families by perpetrators can be seen as a way of bribing families not to progress with a case.

- RQ6: How effective have existing compensation schemes been?
- RQ7: What risks are there to survivors if they are financially compensated?
- RQ8: Do risks to survivors differ according to the modality used?
- RQ9: Could therapeutic support help reduce or manage risks to survivors?

The research was entirely desk based and was conducted in three stages.

- Stage 1: Literature synthesis
- Stage 2: Semi-structured interviews
- Stage 3: Analysis and report writing

Fifty-three documents were reviewed, coded, and analyzed but yielded a limited amount of relevant information; the interviews took the research findings far beyond the literature. The findings in this report therefore draw more heavily on the interview data collected, with references to the literature where possible.

Twenty-four remote interviews were conducted with a diverse group of professionals, including those who work on PSEAH, including SEAH investigators; on GBV prevention and response; and in human resources, child protection, development programming, academia, and legal roles. The research included no intentional outreach to survivors' although some interviewees may have been survivors themselves, they were not interviewed from a survivor's perspective but because of their organizational position and expertise (Appendix B).

A full description of the methodology, including limitations and potential bias, is outlined in Appendix C.

1.2 Structure of this report

To reduce repetition and improve readability, the findings have not been presented against each research question in turn but instead were structured as follows.

- **Section 2** focuses on definitions and establishing clarity on what financial compensation is and is not.
- **Section 3** discusses various categories of organizations working within HDP settings and outlines perspectives on liability, duty of care, and moral responsibility.
- **Section 4** outlines the limited information available on current policies related to compensation for SEAH and provides examples of compensation or financial assistance being paid to survivors.
- **Section 5** presents findings on key benefits of financial compensation for survivors.

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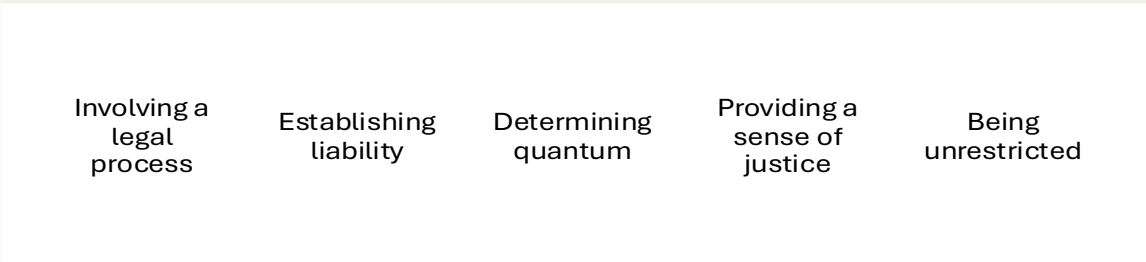
- **Section 6** outlines a range of risks to survivors related to financial compensation, including risks linked to investigations, assessments, and payments, and risks to future survivors.
- **Section 7** presents thinking on the role of GBV service providers, in particular women's rights organizations (WROs), in relation to financial compensation.
- **Section 8** lists lessons and ideas that interviewees shared and were highlighted in the literature on how to mitigate risks related to financial compensation.

2. Financial Compensation Versus Financial Assistance

This section presents findings in relation to what financial compensation is and is not. RQ1 focused on the distinction between financial compensation and financial support, but based on interviews and reading of legal documents, it appears to be more accurate and useful to define the distinction between financial compensation and financial assistance.

Financial assistance is often mistakenly referred to as compensation. Despite distinct differences between the two, some interviewees used financial assistance (eg petty cash to help someone reach a service provider) and financial compensation interchangeably, in part because of a lack of clear definitions. Others saw a sharp difference between financial compensation and financial assistance and stressed the importance of not conflating the two. Interviewees with legal training or who had worked closely alongside colleagues with legal expertise tended to articulate this most strongly. Interviewees’ views on the characteristics of financial compensation and financial assistance are outlined below.

2.1 Financial compensation



The award of financial compensation requires a legal process for determining liability and quantum (the amount payable). This can be by means of a determination by a national or regional court; a body set up by legislation; or an institutional mechanism that complies with expectations of a legally constituted body, such as being rule-bound, predictable, and impartial and having an avenue for accountability or an appeals process. This means that the legal aspects of financial compensation go beyond simply involving a lawyer to agree to a payout. Financial compensation is awarded to individual survivors, although it may result from a class action involving a group of survivors. An important feature is that financial compensation is paid not based solely on an allegation, but on a determination that a wrong has been committed, even if the perpetrator is not known or cannot be named.

For some interviewees, financial compensation was strongly linked to a sense of justice for survivors. It was viewed as a way of holding perpetrators, states, and other duty bearers to

account. In criminal proceedings, the award of financial compensation to survivor(s) can act as an additional sanction against the perpetrator—in short, that the perpetrator has not “gotten away with it”—although financial compensation does not depend on finding or naming a perpetrator. In cases such as the U.K. Criminal Injuries Compensation Scheme (Ministry of Justice 2012), a crime must be determined to have been committed, but the survivor is entitled to compensation regardless of whether the perpetrator is found, prosecuted, or convicted.

Interviewees placed different levels of emphasis on the need for decisions about compensation to be made in formal courts. Some emphasized the need for a judicial process to involve court decisions that identified a legal wrong and apportioned guilt, some considered this exclusive focus on courts to be a western view of how accessible and well-functioning legal systems are, and others cautioned that, even in the context of well-functioning legal systems, SEAH cases are severely under investigated and under prosecuted. These interviewees tended to explain that, although a legal entity (formally constituted, established by statute or statutory instrument) must be involved, justice does not necessarily require a decision by the courts⁹. Rather, at least some legal component must be in place when decisions about compensation are made. This might include compensation awarded based on criteria as part of an insurance scheme that has legal authority to undertake assessments. In reality, even in countries where the legal system functions well, survivors can wait years for compensation to be determined through the court system. Moreover, a court is not the only mechanism for determining liability or quantum, and a different body, with specialist adjudicators, usually led by a senior lawyer or judge, often does this more effectively and efficiently.

Interviewees highlighted determination of quantum as an important aspect of compensation. They explained that it includes determining the severity of abuse perpetrated and the nature and extent of harm caused. In common law jurisdictions, the accepted framework for determining quantum of compensation is “pain, suffering, and loss of amenity” (Munkman 2025). For example, if a person loses a limb because of an attack, the compensation quantum will include an amount to be used for their care, obtaining medical assistance (including psychological assistance), and loss of earnings, as well as compensation for their shock, trauma, and loss of confidence and self-esteem. In sexual violence cases, some national courts, international human rights bodies and the United Nations¹⁰ acknowledge the need to recognize the gendered nature of the harm caused and the survivor’s needs. In short, the aim of the compensation through litigation is to recognize the damage that has been done and the ongoing harm they may suffer and, as far as possible, to put the survivor in the position they would have been in if the harm had not been committed. Compensation may also help survivors meet their

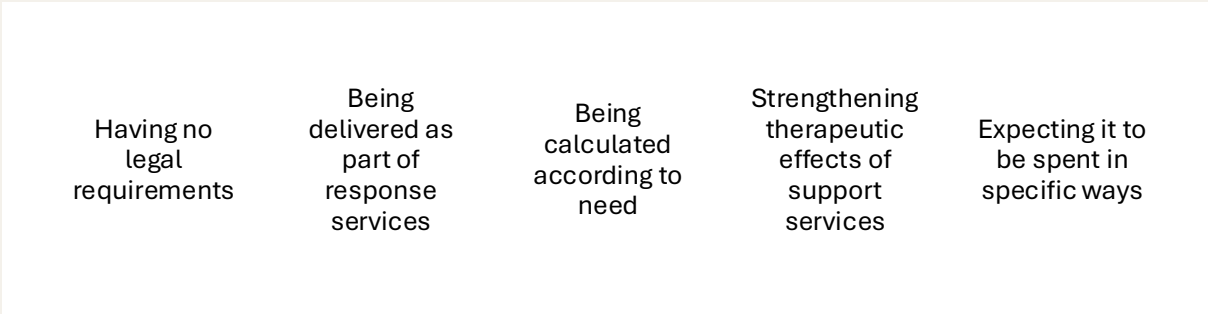
⁹ While resources and support for justice and legal recourse will overlap, not all legal services will lead to justice, and justice mechanisms in many contexts can fall outside of legal systems.

¹⁰ [A/HRC/48/60](#); [A/75/174](#); [Nairobi Declaration on Women’s and Girls’ Rights to a Remedy and Reparation](#)

own goals for healing. The nature of sexual or other gender-based violence, means that it is particularly complex to restore the *status quo ante*¹¹ and international jurisprudence and opinion increasingly recognize that, in the case of sexual violence or other violence against women and girls, experts in the field should consider and address the gendered specifics.¹² In addition, specialist practitioners should address child sexual abuse. Given the extent and range of harm that SEAH can cause, compensation awards could be sizeable.

Interviewees explained that financial compensation is usually unrestricted, meaning that the recipient may make their own decisions about how it is to be spent. Given this, some interviewees stressed the importance of compensation in terms of the role it can play in recognizing and restoring survivors’ agency, dignity, and self-determination when sexual violence has taken these away.

2.2 Financial assistance



Financial assistance for survivors tends to be delivered as part of GBV or SEAH response services and usually has no legal requirements. It is sometimes referred to as financial support. Interviewees explained that the purpose of financial assistance or petty cash or vouchers is to help survivors access services that they need as a result of harm that others have done to them. It does not matter who the perpetrator is or what organization they might be linked to. The focus of financial assistance is entirely on the needs of the survivor, not on the identity, role, or motivation of the perpetrator.

Rather than being given to survivors as a standalone payment, financial assistance may be given to facilitate and increase opportunities for access to and efficacy of other services or forms of support. In the immediate aftermath of an incidence of abuse or an early report, this can include ‘petty cash’ used within case management to facilitate prompt access to support services—for example, money to pay for travel to a service, to be able to file a report, or to pay for childcare so that a survivor can attend an appointment or have immediate legal representation. As such, financial assistance can form part of a wider package of support to help

¹¹ The position before the harm was perpetrated.

¹² [A/RES/60/147](#)

survivors recover, rather than being standalone. Some interviewees also stressed that financial assistance could go beyond immediate support needs for therapeutic services to include living expenses and support for income-generating activities for survivors to assist in their recovery. This might take the form of a one-time payment to start up a small business or cash transfers paid over a period of time as part of livelihood programming, for example alongside vocational training.

Interviewees described financial assistance as being calculated according to need.

Immediate financial assistance in the form of petty cash or long-term livelihood assistance tends to be calculated based on need—for example, how much money a survivor might need to travel to a service or start a business. Whether as part of immediate support through use of petty cash or payments to support livelihood activities, financial support is usually more modest than financial compensation.

Financial assistance is usually purposeful, with an expectation that it will be spent on certain things. Sometimes payments are calculated as a standard amount for all survivors, and sometimes they are based on the actual amount that an individual needs—for example, based on taxi receipts. Even when use of payments is not monitored, it is expected that the payee will use the cash for the purpose for which it is given.

There is confusion about what differentiates financial assistance from financial compensation. Although some interviewees maintained a sharp distinction between the two, others described what they viewed as blurred boundaries between them. Interviewees suggested that this stems from recognition that survivor assistance is often too narrowly confined to the immediate aftermath of SEAH, which has tended to mean that any financial assistance provided alongside other forms of survivor assistance has been small sums given in the short term.

Interviewees noted that it is increasingly acknowledged that survivors need assistance for longer than just a matter of weeks; for example, a standard six sessions of psychosocial support is unlikely to be sufficient. Sometimes there is a need for longer-term medical care; it may take an extended period to enable a survivor to find a secure livelihood position, especially if they have to cover the costs of a child born of rape or they were a child at the time of the abuse (Letourneau et al. 2018). Because various forms of survivor assistance may be needed over the long term, so too might the financial assistance included within it. This increases the overall amount of money being given as financial assistance. Nevertheless, many interviewees stressed that, although financial assistance may be provided to survivors over the long-term, that does not make it a form of financial compensation.

2.3 Ex-gratia payments

There is a third category of payment that emerged during the research: ex-gratia payments, which is when individuals or—more usually—organizations pay a certain amount of money to a survivor without going through a legal process or even (often) without admitting liability or any formal assessment of quantum. Many interviewees referred to organizations paying survivors without going through any process outside their own organization, but none were able to give details of examples. It is, by definition, impossible to know how many of these payments are made for SEAH; whether the survivors or payees are expected to sign nondisclosure agreements; or whether the payments are for compensation alone, compensation including financial assistance, or financial assistance alone.

3. Who Pays Financial Compensation or Assistance

This section focuses on RQ2 and presents interviewees' perspectives on the roles of the state, perpetrators, implementing organizations, and funders and investors in relation to financial compensation and assistance for survivors.

3.1 The state

The principle that the prime responsibility to promote and protect human rights and fundamental freedoms lies with the state is enshrined in international, regional and national law.¹³ This does not absolve individual perpetrators (whether individuals or corporate “persons”) from responsibility, a point of unanimous agreement among interviewees. A number of interviewees also stressed that this responsibility not to commit wrongs is explicitly linked to survivors' rights to justice through redress (United Nations General Assembly 1966)—another human rights principle. In particular, the state has the responsibility to ensure that survivors of discrimination (including violence against women) and others who have been subject to abuse or violations of their human rights realize their right to redress (CEDAW 2017).

Interviewees stressed that:

- The state has a duty in relation to conflict-related sexual violence (CRSV), including a duty to pay compensation.
- The state has a responsibility to protect and promote human rights that extends to its agents (e.g., police officers and other law enforcement officials and civil servants [e.g., government teachers, prosecutors, the judiciary]) and to policy-level decisions about how state institutions are run and how accessible they are to the public.
- The state's duty to protect and promote human rights results in a duty to ensure that the perpetrator is held to account. This could include a duty to establish a functioning judicial system, to ensure that the perpetrator is arrested for violence against women and girls as well as men and boys, and to ensure that mechanisms exist for payment of compensation by perpetrators to survivors.

3.2 Perpetrators

A number of interviewees stressed the importance of holding perpetrators to account through a judicial process (court). Interviewees were not firmly on one side or the other about

¹³ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms GA Resolution 53/144

whether the court decision should be in a criminal or civil context but viewed compensation as part of holding perpetrators to account. They felt that, in cases in which a child is born of rape or sexual exploitation, this should include child maintenance support. Although acknowledging how challenging it can be for survivors to seek justice through the courts, interviewees cautioned about the need for compensation from perpetrators to be awarded through legal processes and noted the dangers of informal out-of-court settlements, not least because they provide scope for further contact between the perpetrator and survivor, providing opportunities for manipulative behavior by the perpetrator that can exacerbate harm.

A number of interviewees underlined the inaccessibility of judicial systems and the dangers to survivors of trying to access them. Survivors faced considerable barriers in accessing justice systems, and even when they initially sought justice through the courts, attrition was extremely high. This is at least in part linked to barriers that gendered social norms create. They cited the small number of SEAH cases reported to the police as demonstrating how closed off the judicial system is to survivors. Although all interviewees acknowledged that survivors have a right to seek compensation, many stressed that this meant little to survivors who could not, in reality, exercise this right. Some interviewees stressed the complexities that survivors faced in navigating justice systems, including not always being able to identify individual perpetrators. Interviewees also highlighted the risk of further harm for survivors if they choose a legal route, including the likelihood of retraumatization, stigmatization, and in some cases, retribution. Interviewees stressed that this meant that perpetrators of SEAH were often not held to account and therefore not required to compensate survivors.

Some interviewees cautioned against over-reliance on the judicial system. They stressed that it was important to recognize that most criminal and civil justice systems fail to protect women's and girls' rights, especially in cases of sexual violence. They also underlined the need to remember that access to justice (even when the system functions well and there is legislation to protect women's and girls' rights) is, at best, patchy and slow and can be expensive (e.g., time off work, cost of childcare, transportation costs) and alienating. Research backs this up in noting the high attrition rates for sexual violence cases in criminal courts and the need to have legally and feminist-trained representatives for survivors of sexual violence. Some interviewees believed that it was fundamentally wrong to expect that survivors could obtain compensation only through the judicial process. For these interviewees, going to court to obtain compensation should be viewed as a last resort rather than the only option for survivors. They rooted this belief in evidence that, if a case reaches litigation, there is a real risk of retraumatization.

3.3 Organizations working in HPD settings

Some interviewees highlighted the importance of the role not only of states and perpetrators in paying compensation for SEAH, but also of organizations, including those working in HDP settings. This perspective was rooted in the idea that, although perpetrators

must take responsibility—and face sanctions—for their actions, so too must organizations that may have enabled SEAH to be perpetrated.

Some interviewees were critical of this view, believing that, if organizations paid compensation for SEAH, it would dilute the focus on holding perpetrators to account.

Others who believed that organizations taking responsibility for paying compensation to survivors would not reduce perpetrator or state accountability countered this view, feeling that the two were not mutually exclusive. These interviewees felt comfortable with the idea of organizations paying financial compensation because justice systems militate against survivors obtaining compensation any other way. With the costs of SEAH sitting with survivors themselves, they believed that it was crucial for organizations working in HDP settings to find a way to shoulder some of the long-term costs.

Some interviewees continued to emphasize legal processes in relation to organizations paying financial compensation for SEAH.

They—and some sources from the literature—feel that organizations may bear a varying degree of liability as well as duty of care. The literature also highlights that an organization or institution (or, less often, an individual) can assume or be ascribed a duty of care in the law of torts (civil cases).¹⁴ For example, occupiers of a building are required to take all reasonable steps to ensure that visitors are safe. In some countries, health and safety legislation includes requirements that employers ensure the safety of people who are not employed but are affected by the activities of the employer, but perspectives differed among interviewees about the extent to which organizations should compensate survivors because of legal liability and duty of care and the extent to which they should compensate because they choose to.

For some interviewees, organizations working in HDP settings should pay financial compensation even when they are not legally required to do so.

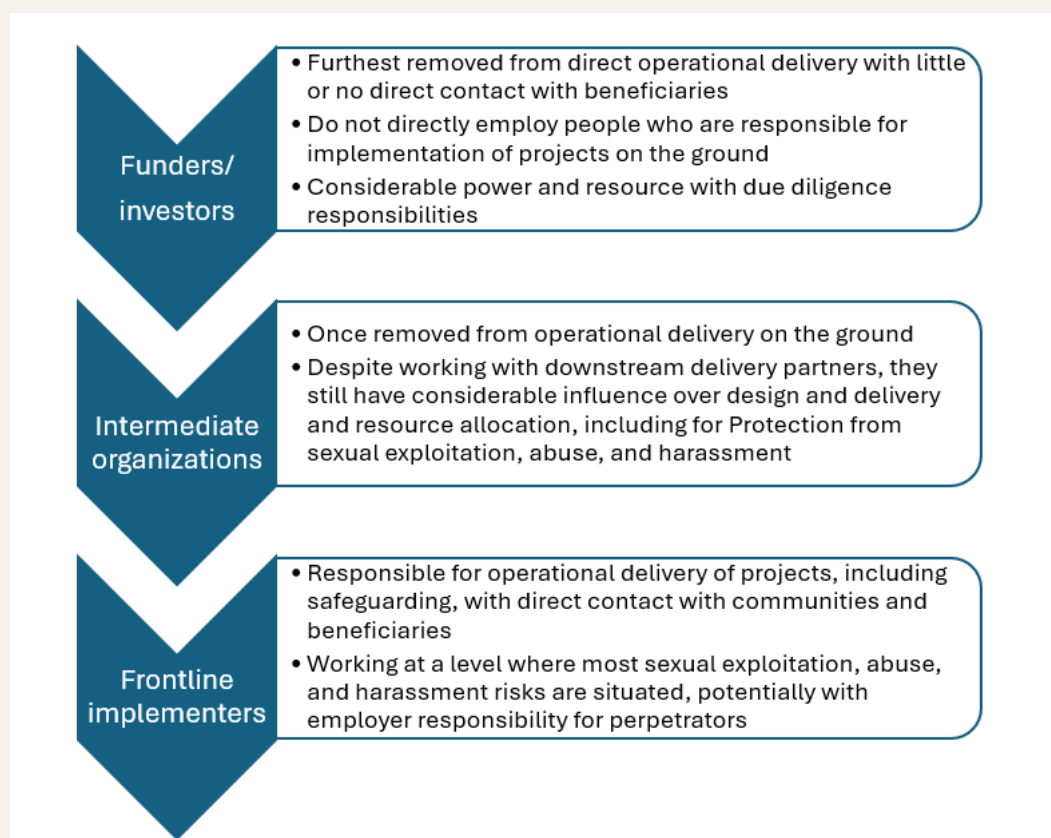
Organizations that pay compensation despite not necessarily having legal liability or direct duty of care were commonly believed to do so because of reputational concern or out of a sense of moral duty. Views of interviewees conflicted considerably, but some felt that it was wrong to view financial compensation for survivors only in terms of legal liability. These interviewees underlined the moral—if not legal—duty of organizations to compensate for SEAH. This led some interviewees to believe that organizations working in HDP settings need to find less-legalistic, more-humane, more-sustainable solutions for financial compensation. Perspectives of interviewees varied considerably on this, with others returning to the point that financial compensation should only ever be awarded through a legal process.

¹⁴ The Occupier Liability Act 1957 (England, Wales, Northern Ireland) states that “The common duty of care is a duty to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there.”

Given wide-ranging views, what tended to sit most comfortably with interviewees was the idea that organizations may have a moral duty to provide long-term financial assistance to survivors rather than financial compensation. This felt far more appropriate to those who firmly believed that compensation could—and should—be awarded only as a result of liability and through a legal process. In line with this view, despite recognizing that it may be unsafe and unrealistic for survivors to seek justice through the judicial system—even with legal assistance—their financial needs remain. Although these interviewees believed that it would be inappropriate for an organization to fill that space with compensation, they could be expected to have responsibility for providing financial assistance. Interviewees who felt this way tended to underline the importance of separating survivors' need for money from their need for justice. Interviewees tended to believe that, although many implementing organizations had given themselves a mandate to support or assist survivors, they tended—unrealistically—to limit this to immediate assistance (including financial assistance) in the aftermath of SEAH, rather than medium- or long-term assistance for ongoing needs.

Interviewees were divided on which type of organization should be responsible for paying financial compensation or long-term financial assistance to survivors. Interviewees acknowledged that people working in any organization operating in HDP settings can perpetrate SEAH. Even staff of organizations who are generally remote from on-the-ground delivery may have opportunities to perpetrate SEAH, for example during monitoring visits, although interviewees recognized that the highest risk of SEAH is during day-to-day delivery of project activities. As such, they tended to identify a difference between organizations involved in frontline implementation and those that are further removed from direct operational responsibility. Although multiple layers of organizations may be involved in a project or investment, Figure 1 separates organizations into what interviewees tended to see as three broad categories.

Figure 1: Categories of Organizations in Humanitarian, Development, and Peace Settings



For some interviewees, organizations in all three of these categories share responsibility for ensuring safety within programs and investments. Although safety roles vary between these categories, each role is vital, and they are interdependent. For these interviewees, an extension of this thinking is that organizations should share responsibility for compensating survivors.

Other interviewees felt that responsibility to pay financial compensation or long-term financial assistance to survivors varies depending on which of the three categories of organizations interviewees were referring to. Some interviewees felt that frontline implementers were better positioned to compensate survivors, whereas others questioned whether having the greatest operational responsibility for PSEAH should automatically mean having the greatest responsibility for paying compensation. These differing perspectives are outlined below under each of the three categories of organization.

3.3.1 Frontline implementers

These organizations—which are often nongovernmental organizations (NGOs) or companies with direct contact with communities, service users, and project participants working at a level where SEAH risks are greatest—are responsible for operational delivery of projects. Frontline implementers are often downstream partners within a program and were identified as those with day-to-day responsibilities for PSEAH and managing related risks. They

are also most likely to have employer responsibility—or at least management responsibility—for those most likely to perpetrate SEAH.

Some interviewees felt that, if any organizations are responsible for compensating survivors, it should be these frontline implementers—especially if the implementing organization was the employer of the perpetrator(s). Interviewees who emphasized the importance of considering duty of care in relation to financial compensation tended to be focused on frontline implementing organizations, including organizations that employed the perpetrator, the survivor, or both. For example, employers have a duty of care to employees and are therefore responsible for the acts of employees toward other employees and others, including service users and project participants, notwithstanding that the wrong is invariably out of the scope of their employment. An employer may also be held liable if a non-employee abuses an employee (e.g., if a patient assaults a care worker) if the employer has not taken the appropriate steps to prevent such abuse.

Interviewees tended to cite compensation for other forms of harm as potentially comparable with compensation for SEAH (e.g., traffic accidents involving company vehicles, kidnapping). Duty of care in relation to compensation for SEAH was also considered relevant in terms of wider operational delivery. This then extended beyond the responsibility of organizations as employers to their wider responsibility to safeguard an environment. Examples given included duty to prevent SEAH between patients, students, or customers.

Some interviewees felt that existing PSEAH procedures within many frontline implementing organizations provided a useful starting point for financial compensation. These interviewees explained that parallel reporting structures already exist for SEAH in the form of administrative reporting and investigative procedures, alongside the justice system. These interviewees believed that, in the same way that administrative investigations are sometimes more appropriate than legal ones, a system for administrative compensation may sometimes be more appropriate than legal compensation. The fact that not all forms of SEAH are criminal or even tortious in national law yet are still prohibited, not least because of the harm they cause and therefore should be compensated for, reinforced their feelings about this.

These interviewees highlighted that frontline implementers often had organizational PSEAH policies that extended beyond what national legal systems required. Therefore, when these frontline organizations were in breach of their own policies, they were not necessarily likely to be in breach of the law. This was essentially linking compensation for survivors to organizational failure to protect against SEAH, something they felt organizations could do without undermining the judicial system.

In contrast, a minority of interviewees believed that frontline implementers had a role only in enabling survivors to seek justice through the courts. This included efforts that frontline organizations could make to help survivors access and navigate legal processes and to

enable states to play their role as duty bearers. Some interviewees were adamant that frontline organizations (and indeed any other organizations) should not step beyond this role and risk taking over responsibility from the state. They indicated that organizations should not replace the justice system with compensation schemes but should focus on helping survivors access it so that perpetrators could be held to account.

3.3.2 Indirect organizations

These organizations are once removed from direct operational delivery and can include¹⁵ foundations, fund managers, international NGOs (INGOs), and UN agencies or organizations coordinating implementation

. Despite working with downstream delivery partners, they have considerable influence over design, delivery, and resource allocation, including for PSEAH. Funders and investors often have an expectation or requirement that these lead partners take responsibility for the PSEAH capacity of downstream partners. They tend to regulate and oversee local implementation, including risk management, due diligence, and application of PSEAH measures, and ensure that operations are in line with local legislation. They provide technical advice, human resource support, and training support where necessary. They may also have some control over the environment in which perpetrators act.

For some interviewees who believed that frontline implementers should be responsible for paying financial compensation, they clarified this by saying that this could extend to intermediate organizations too. Human resource experts in particular spoke of transfer of duty of care when employer organizations cannot—or will not—take responsibility. Others also felt that intermediate organizations should pay financial compensation—or at least financial assistance—if they failed to adhere to their own PSEAH policies and procedures and had not performed effective due diligence or technical support activities with frontline implementers.

3.3.3 Funders and investors

These organizations are furthest removed from direct operational delivery. They tend to have the least direct contact with service users and project participants and do not directly employ people who are responsible for implementing projects. As a result, some interviewees felt strongly that they cannot be held responsible for compensating survivors of SEAH. For these interviewees, the possibility of funders and investors taking on this responsibility was not only unrealistic and unworkable, but also unfair. They believed that, if funders and investors did not have control over delivery and implementation of safeguards and did not employ or manage the

¹⁵ Implementing leads can consist of multiple organizations, and portfolio programs may also involve or include several organizations. They were categorized separately to highlight that they are intermediate organizations.

perpetrators, it would be unreasonable for them to be held responsible for SEAH. It was noted in the literature that, in tort (civil) law, there is a causation requirement¹⁶ in order for an individual or organization to be liable for a wrong. Interviewees explained that layered delivery chains in development projects make funders and investors removed from perpetrators, making it unreasonable to ascribe liability to them.

Several interviewees questioned the idea of moral duty when investors and funders were so far removed from operational delivery. Beyond legal liability, these interviewees indicated that, because funders and investors were so far removed from perpetrators linked to frontline implementing organizations, it was difficult to see how a moral argument for paying compensation could be made. They stressed that funders and investors could have done everything according to their policies and procedures in terms of encouraging and enabling PSEAH, yet individuals could still perpetrate SEAH further down the delivery chain.

Other interviewees believed that funders and investors had a moral duty to compensate survivors, derived from the fact that funders and investors in HDP settings have made commitments, usually expressed through policy documents, procedures, and training of their own staff, to include SEAH in their conduct of due diligence and to supervise the activities they fund. These interviewees tended to believe that funders and investors have a moral responsibility to compensate survivors if they failed to follow their own due diligence and monitoring policies and procedures and to ensure that implementing partners met their safeguarding requirements. Some interviewees added to this, highlighting that investors and funders have considerable power, including determining what gets funded, when, and where. Sometimes these decisions are made according to political will and fundamentally affect SEAH risks.

Several interviewees emphasized the need to focus on risk and responsibility sharing in relation to payment of compensation or long-term financial assistance. They cautioned against what they saw as an overly simplistic or reductionist focus on frontline implementers as the only organizations responsible for SEAH-related compensation. They believe that collective responsibility and emphasis on a chain of accountability are crucial, meaning that responsibility for paying compensation or assistance should extend to funders and investors.

Another perspective of interviewees was that funders and investors should compensate survivors because they are the best resourced of all three categories of organization. This was rooted in the view that downstream organizations that employ perpetrators may not have the financial reserves to pay compensation and risk collapse if they do. Many frontline implementers are small, local organizations with limited income, much of which may be tied to project budgets, with little in the way of core funding to cover additional, unexpected costs. Some

¹⁶ See Tort claims—causation in law. LexisNexis. <https://www.lexisnexis.co.uk/legal/guidance/tort-claims-causation-in-law>.

interviewees characterized an emphasis on frontline implementers being responsible for compensating survivors as “risk dumping.”

Some interviewees believed that it may be preferable for funders and investors to pay financial compensation or long-term financial assistance to survivors based on concern that expecting frontline implementers or intermediate organizations to pay compensation could jeopardize their willingness to be proactive about reporting. Some also questioned whether it would be appropriate for organizations conducting or commissioning SEAH investigations to be responsible for paying compensation, which they felt could influence the extent to which investigations are conducted and the conclusions that they reach. To these interviewees, funders’ and investors’ distance from operational delivery may better position them to pay compensation or long-term financial assistance.

4. Policies and Practices Related to Financial Compensation

This section focuses on RQ3, RQ4, RQ5, and RQ6 and outlines current policies and practices of various organizations (funders and investors, intermediate organizations, frontline implementers) regarding payment of financial compensation to survivors of SEAH. Rather than exhaustively examine a specific sample of organizational policies, the research team sought to ask interviewees about their own organization's policies and their knowledge of the policies of any others. The literature review, which provided some references to organizational policy positions, supplemented this. The aim was to identify schemes that have been used to pay compensation and to gather information on the criteria they used. The information identified has been extremely limited because of lack of existing compensation schemes and publicly available information on existing schemes.

Overall, minimal information is available on official organizational policies and practices of funders and investors, intermediate organizations, and frontline implementers regarding payment of compensation to survivors. It appears that organizations working in HDP settings are often silent on the question of financial compensation to survivors of SEAH rather than having an explicit policy position (Taylor and Brostrom 2023).

The United Nations has taken a clearer stance on the issue than many: it does not pay financial compensation to survivors. The United Nations categorizes its support for survivors of sexual exploitation and abuse (SEA) as humanitarian rather than reparative. (It would therefore fall under the definition of financial assistance outlined above in Section 2 rather than financial compensation.) According to the UN 2008 Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by UN Staff and Related Personnel,¹⁷ compensation is not part of its framework, because accountability is placed on individual perpetrators. The 2009 UN Victim Assistance Guide, which specifies that UN support does not absolve offenders of their legal and financial responsibilities, reinforces this (UN 2009). For other forms of harm, the United Nations has occasionally compensated individuals for minor injuries or property damage caused by its presence through local claims review boards, but it does not compensate for criminal acts committed by its personnel, contributed troops, or police during peacekeeping missions (REDRESS 2017). The United Nations generally refuses to take responsibility for crimes that its personnel commit, citing its immunity from private lawsuits (Ferrstman 2020). Military and police personnel involved in peacekeeping operations are not UN

¹⁷ United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel. UNGA Resolution 62/214, Annex, UN Doc. A/RES/62/214, 7 March 2008.

staff and are the responsibility of contributing countries operating under the UN mandate. The United Nations commits to non-financial support of survivors, maintains that compensation is the responsibility of individual perpetrators, and rejects alternative settlement procedures that would compromise its legal immunity (Impunity Watch 2019). The United Nations also maintains a clear position on survivors having the right to access compensation through justice mechanisms (Oxford Pro Bono Publico 2016).

Among funders and investors, the International Bank for Reconstruction and Development (WB) and the Asian Development Bank also state in their guidance notes that they do not directly financially compensate survivors. Both institutions advocate for support or non-financial assistance rather than financial compensation, with funds allocated to services rather than monetary payments (Asian Development Bank 2023a). The World Bank advocates for support through designated service providers, offering transportation, housing, and legal documentation but no direct financial compensation (World Bank 2024). Similarly, the Asian Development Bank focuses on support services rather than compensation, ensuring that survivors receive immediate assistance and access to services.

For a number of interviewees, there was a general assumption that INGOs have been paying financial compensation to survivors—as frontline implementers or intermediate organizations—but not having an official policy to do so. In addition, the U.K. Foreign, Commonwealth and Development Office (FCDO)-funded Safeguarding Resource and Support Hub has noted that there is growing recognition among international development organizations of the importance of financial compensation for survivors, particularly in the context of long-term engagements (Safeguarding Resource Support Hub 2020), although this does not appear to be reflected in the formal policies of donors or INGOs, many of which remain silent as to whether they compensate survivors. Instead, they generally focus on the support and assistance that they provide to survivors, especially in the immediate aftermath of SEAH. Most organizations also acknowledge survivors' right to seek compensation through the courts and sometimes offer support to enable them to do so (Taylor and Brostrom 2023).

Several interviewees noted that some countries have implemented national policies for compensating survivors of SEAH. For example, India's Protection of Children from Sexual Offences Act 2012 provides for state-paid compensation for survivors of child sexual abuse, although the process is often lengthy (India Development Review n.d.).

Numerous examples of compensation for Conflict-Related Sexual Violence (CRSV) have been identified, although they have tended to be awarded through the courts, with minimal obvious and immediate scope for transferable learning in terms of modalities (mechanisms to get the money to survivors) or criteria (used to determine eligibility and

amount). Nevertheless, these CRSV examples have yielded some helpful lessons on risks and risk mitigation related to compensation (which have been reflected below in sections 8 and 9).

Very few examples of compensation being paid for SEAH in HDP settings have been identified—and no examples of funders or donors doing so.

The literature review and the interviewees repeatedly cited the same small number of examples of practices of survivor support, albeit not compensation, including the World Health Organization (WHO) financial assistance livelihood program paid to survivors enrolled in livelihood programs in the Democratic Republic of the Congo (DRC) after the Ebola crisis (which is an example of cash support for survivor services, not compensation) (Box 1). The literature also highlights the case of the Barrick Gold Corporation, which financially compensated survivors as part of a wider support package (Box 2) (Columbia Law School Human Rights Clinic and Harvard Law School International Human Rights Clinic 2015). This example provides some scope for transferable learning. Several interviewees described a case of an anonymous INGO paying financial compensation to a survivor in Malawi after someone working for one of its contractors perpetrated abuse, although this compensation was agreed to on an individual basis and paid directly from the INGO to the survivor and was not part of a wider scheme (Box 3). Another example was offered about an INGO in DRC. After discovering that SEAH had been perpetrated by staff, the INGO designed a compensation process that took potential contextual risks into account while still providing financial assistance to the survivors (Box 4). These are all one-off examples rather than established practice.

Box 1: World Health Organization (WHO) in the Democratic Republic of the Congo (DRC)

During the Ebola outbreak in DRC in 2018–20, WHO helped the government of DRC undertake surge recruitment to increase number of government staff available for the crisis response. Some individuals recruited by the government using WHO funding were reported to have sexually assaulted and exploited women in the communities they served. In a number of cases, this led to women giving birth to children. Although these perpetrators were not WHO staff nor official WHO contractors, they wore Government and WHO logo badges, creating a perception within the community that they were WHO employees.

The United Nations, including WHO, has an established commitment to support survivors of sexual exploitation, abuse, and harassment. In this case, WHO's interpretation of this commitment led to a focus on long-term assistance in addition to immediate support in the aftermath of the incidents. As part of its assistance package, WHO provided at least 104 women in DRC who reported experiencing sexual abuse or exploitation with \$250 each, as part of the livelihood programs in which they were enrolled. This amount, calculated to equate to approximately four months of living

expenses, was incorporated into a broader livelihood support initiative designed to help survivors start businesses.

This financial assistance was not intended as compensation but rather as a means of assistance, including business start-up. To receive these funds, recipients were required to complete income-generating training.

Source: Independent Commission on Allegations of Sexual Exploitation and Abuse 2021.

Box 2: Barrick Gold in Papua New Guinea

Barrick Gold Corporation started operating the Porgera gold mine in Papua New Guinea in 2006. The mine employed private security forces to prevent trespassing and illegal mining, including personnel with police and military backgrounds. Barrick Gold was not the direct employer of these security personnel but rather contracted their services.

Reports emerged of serious human rights abuses by these contracted mine security forces, including physical and sexual violence that survivors, local groups, and international organizations documented, although many victims, fearing stigma or retaliation, did not report the abuses.

In response to mounting evidence and public outcry, Barrick Gold initiated formal investigations in 2010 and expressed concern over the findings. Despite being one step removed from direct employment of the security personnel, the company recognized the urgent need to address the situation and implemented a range of remedial measures.

Barrick Gold established an individual cash compensation scheme and formed a complaints assessment team to administer tailored remediation packages. Victims received average compensation of 23,630 kina (\$9,248), which included 15,000 kina (\$5,871) designated as business grants. Barrick Gold also provided access to counseling and medical support along with business training programs and educational assistance for those in need. The company took corrective action that included terminating contracts with implicated security providers and referring cases for criminal prosecution and implemented measures to prevent future incidents of abuse.

Source: Barrick Gold n.d.

Box 3: Anonymous International Nongovernmental Organization (INGO) in Malawi

In Malawi, an INGO wishing to remain anonymous faced a critical challenge when it became aware of allegations of sexual exploitation, abuse, and harassment involving a

local contractor with whom it had partnered. Upon discovering the allegation, the INGO immediately began investigating, only to encounter a significant obstacle. A thorough mapping of local support services revealed a stark absence of appropriate, high-quality resources for the survivor. Faced with this challenge, the organization turned to the Supporting Survivors of SEAH (S2S) program for assistance. The S2S program is a U.K. Foreign, Commonwealth and Development Office-funded program that developed an independent mechanism to support survivors of SEAH in partnership with local women's rights organizations (WROs) that help survivors develop personalized case plans, report incidents, access services, and receive ongoing support. They also advocate for reparations that align with survivors' preferences and local needs.

Recognizing the delicate nature of the situation, S2S facilitated a connection between the survivor and one of their WRO partners. The WRO met with the survivor to conduct a comprehensive needs assessment, adhering to InterAction's Core Standards for survivor-centered SEAH support (InterAction 2023). The WRO not only identified and budgeted for the survivor's requirements, but also conducted a crucial risk assessment, helping her understand the potential consequences associated with different forms of reparation. Equipped with this information, the INGO crafted a multifaceted support plan. An initial cash payment addressed urgent needs, covering hospital visits and essential items for the survivor's baby.

Looking to long-term recovery, the INGO committed to funding a year of psychosocial care for the survivor and her child, and recognizing the importance of financial independence, they provided assistance for a business startup that included a cash payment. The INGO engaged a lawyer to support them in this process, who advised that a nondisclosure agreement was needed. In discussion with S2S, the INGO agreed that this was not appropriate and would go against a survivor-centered approach. The INGO financed these costs through existing budget allocations and withholding of payments from the contractor associated with the alleged perpetrator.

The INGO's approach demonstrated a commitment to flexibility and survivor autonomy. It offered options for fund disbursement as a lump sum or in multiple payments, allowing the survivor to choose based on her preferences and circumstances. The support came without conditions, respecting her right to use the funds as she saw fit. Even after initial support was provided, S2S continued to play a vital role, assisting the survivor with essential purchases and ensuring her ongoing wellbeing. They also helped her think through how she would respond if anyone asked her where she had obtained the money.

Box 4: Anonymous International Nongovernmental Organization (INGO) in the Democratic Republic of the Congo (DRC)

An INGO (wishing to remain anonymous) operating in DRC faced a situation involving sexual exploitation and abuse perpetrated by its direct employees. The INGO, which maintained an office in DRC for its local operations, found itself in a dilemma when its headquarters expressed a desire to compensate the survivors, with local staff members raising concerns about the potential risks associated with direct compensation. These risks were related to the survivors themselves but also to male staff who were working for the INGO and engaged in local operational delivery but were not involved in the perpetration. In-country managers were concerned for the safety of these staff members in case it became known that the INGO paid compensation and this prompted false accusations against them.

To address this situation while mitigating perceived risks, the INGO devised an alternative approach to support survivors without explicitly labeling it compensation. They implemented a strategy that involved providing funding to a local gender-based violence (GBV) response provider for one year. In exchange for this funding, the provider was required to support the survivors who the INGO's staff had abused and exploited, offering them their standard range of support services. This arrangement included the provider's usual livelihood program, which encompassed vocational training and business start-up kits. The INGO also stipulated that the response provider must distribute a one-time cash payment to all survivors (not only those connected to the INGO) as part of their support package. The year of funding also covered additional costs that the service provider incurred.

Initially, the INGO's headquarters advocated for substantial cash payments amounting to thousands of dollars per survivor, but field staff argued for a more contextually appropriate approach, suggesting that the amount should be based on precedents that the provider had set in past cash transfer programs for GBV survivors. Consequently, the payments were set at up to \$200 per survivor.

A key aspect of this arrangement was its confidentiality. Only the local GBV response provider and the survivors were aware of the link between these support services and the INGO. This approach addressed the INGO's concern about potential risks while still providing financial assistance to the survivors.

The literature and interviewees cited financial compensation that the Catholic Church has awarded to survivors (Bromirski 2020; Catholic New York 2016; Gleeson 2015; Méténier 2022; Sauvé 2021). Although helpful in terms of yielding some lessons for future schemes,

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details on the specifics of modalities and criteria used and impact on survivors are minimal. Appendix D outlines the financial compensation schemes that have been identified and provides details regarding the modalities and criteria used.

5. Potential Benefits of Financial Compensation for Survivors

This section largely draws on interview data to present findings on the key benefits of financial compensation to survivors. These key possible benefits apply mostly to financial compensation in general, regardless of who pays it. Benefits related specifically to financial compensation that organizations, including funders and investors, pay are noted at the end. Potential benefits to survivors of receiving financial compensation were identified in the literature and in interviews (Columbia Law School Human Rights Clinic and Harvard Law School International Human Rights Clinic 2015).

Interviewees agreed that the goal should not be to (only) provide support to help survivors restore to their previous state before the SEAH was committed and which may neither be the survivor's goal nor possible given the harm. These forms of harm can be fundamentally destructive to the survivor's life and future opportunities and trajectory, psychology, and sense of self. Interviewees advocated for all actions to be part of a more comprehensive approach to survivor support and justice, which may or not include financial compensation.

Financial compensation can help survivors rebuild their lives and reestablish a sense of financial autonomy and control as part of the healing process. Some interviewees also referred to evidence that sufficient funds and a secure financial future can increase chances of recovery for survivors of SEAH. Some interviewees felt reassured by a robust literature on economic empowerment that shows that, if women—including survivors—can control their own money, it can have empowering effects, including on their intrafamilial bargaining power (Marcus and Somji 2024; Nacka, Drichoutis, and Nayga 2024; Nordlund, Törnell, and Kabeer 2023). Some interviewees explained that financial compensation can act as a concrete form of apology, which can also help the healing process.

Financial compensation could play a vital role in protecting survivors against further abuse and exploitation. Interviewees explained that this included enabling them to leave environments where they had been abused or exploited so that they are not constantly retraumatized or at risk of further harm. Interviewees referred to the wider literature on cash transfers, which although not compensation, demonstrated the benefits of giving money directly to women and the role this played in reducing their vulnerability to GBV (El-Zogbi and Mehta 2023; UNFPA 2024; UNHCR 2019). This evidence included findings related to women's financial security and the role of cash in making it less likely that survivors would need to resort to harmful coping strategies, such as survival sex. Some interviewees believed that financial compensation could give survivors the means to be independent (and thus not be vulnerable to the next

predator). In line with this, a report on best practices in engaging survivors of SEAH that the U.K. Foreign, Commonwealth and Development Office–funded Safeguarding Resource and Support Hub (2020) developed highlighted that survivors consistently assert that reparations (including financial compensation) are the most survivor-centric approach to their recovery. Using money as a protective factor against exploitation appears to have been part of the motivation behind the survivor assistance package that the WHO provided to women who had been sexually abused and exploited during the Ebola crisis. Although not a form of compensation, part of the rationale for the longer-term assistance was to enable women to be financially independent, reducing their vulnerability to sexual exploitation.

Payment of financial compensation can be an important way to communicate to survivors that they are recognized as whole people, with a full set of human rights and dignity. This can be especially important for the healing process, given that the violence and the response of organizations, family, community, or officials may have stripped them of this. Some interviewees believed that financial compensation is restitutive and can be transformative, in that it puts the survivor in a position in which they are recognized as a person of intrinsic value.

5.1 Compensation that organizations working in HDP settings pay

Financial compensation could shift the approach that organizations working in HDP contexts take away from focusing on the current worst-case scenario. Several interviewees stressed that, at present, survivors are shouldering the entire long-term cost of SEAH themselves, including medical costs, legal costs, time away from work (whether paid or in the family or community) or loss of livelihood, care of children and other dependents, and the costs of long-term health sequelae (e.g., self-harm and other self-destructive behaviors). While shouldering the entire long-term cost is the worst-case scenario, these interviewees highlighted that organizations working in HDP contexts must find a way to change their approach. For some interviewees, financial compensation that organizations—whether frontline implementers, intermediate organizations, or funders and investors—pay is an important way to enable this.

Financial compensation that funders and investors pay would explicitly acknowledge that responsibility for PSEAH extends to all organizations in the delivery chain. For some interviewees, compensation schemes that funders and investors funded could demonstrate that responsibility for safeguarding extends beyond operational delivery, right up to the global level. For these interviewees, this would acknowledge the complexity of responsibilities and the important role that checks and balances of funding organizations play in preventing SEAH and ensuring that it is properly responded to.

6. Risks for Survivors

This section focuses on RQ7 and outlines findings in relation to risks to survivors of receiving financial compensation. A variety of risks may stem from financial compensation. Although some are related to survivors themselves, others may be related, for example, to reputational and financial organizational risks and social, political, and economic risks for government institutions. In line with the scope of the research, the findings presented in this section focus on risks related to survivors themselves, which tend to be relevant to any financial compensation paid outside the courts. These are therefore related to compensation that organizations (frontline investors, intermediate organizations, funders, investors) rather than states or perpetrators pay.

Every interviewee identified risks to survivors in relation to financial compensation. These tended to fall into the following categories.

- Risks to survivors related to investigations
- Risks to survivors during assessment for financial compensation
- Risks to survivors when they receive payments for financial compensation
- Risks to future survivors

The risks that interviewees described are outlined below under each of these four categories. Each of these risks was considered to be greater in conflict- or crisis-affected settings.

Perspectives varied enormously on whether the combined risks associated with financial compensation outweigh potential benefits. Those that felt that risks overshadow benefits explained that it was best for only courts to award financial compensation and for no other schemes or modalities to be considered. Those who felt that the potential benefits exceed the risks underlined the ways in which each risk could be mitigated. These various lessons and ideas are outlined in Section 9 and should be read alongside the following list of risks.

6.1 Risks related to investigations

When a concern is raised about SEAH, organizations (usually frontline implementers, sometimes intermediate organizations) conduct administrative investigations. These are different from criminal or civil law investigations and are typically conducted internally or outsourced to specialist SEAH investigators. These investigations typically use a standard of proof that the concern is more likely to be true than not, e.g. they are convinced that the claim is more than 50% likely to be true or not true.¹⁸ The burden of proof to guide the administrative decision on

¹⁸ This standard of proof is often known as 'on the balance of probabilities', and is the standard used in most civil cases..

such a claim is on the organization, rather than the alleged victim or perpetrator. The following risks were identified in relation to investigations.

The risk that frontline and intermediate organizations will be less likely to conduct adequate investigations into allegations of SEAH if they know they might have to pay compensation: Organizations can be reluctant to investigate allegations of SEAH for a variety of reasons, including potential for disrupting the program, the likelihood that some inconvenient action will be required (e.g., removing the perpetrator), and lack of capacity or confidence in their capacity to investigate SEAH. If organizations, especially smaller frontlines, one of them, will be required to pay compensation or financial assistance to survivors, they may be reluctant to initiate an investigation, hoping that the matter will disappear. Additionally, organizations may set up an investigation (e.g., by employing non-safeguarding experts) that is more likely to find that the allegations are not substantiated. The risk was believed to apply more to organizations that are already reluctant to take responsibility for conducting investigations. Although this was accepted as a credible risk, interviewees felt that the possibility of financial payment was unlikely to be a defining obstacle to conducting an adequate SEAH investigation.

The risk that an investigation resulting in a finding of “not substantiated” prevents survivors from accessing financial compensation or assistance: There are many reasons why an investigation may result in a finding of “not substantiated,” which does not mean that the SEAH did not happen. If compensation or financial assistance is conditioned on a finding of “substantiated,” survivors may lose out and even become more stigmatized as someone who fabricated the claim of SEAH.

The risk that survivors who do not participate in investigations lose out on financial compensation or assistance: There is a risk that, if compensation (or even financial assistance) depends on the outcome of an investigation, this may push a survivor into participating in an investigation when they do not want to or remove their access to compensation or assistance if they exercise their right not to participate.

The risk that lack of confidence in SEAH investigations results in compensation being delayed or not being paid: Especially if intermediate organizations or funders and investors pay compensation, there is a risk that they will not trust the result of the investigation that frontline implementers conduct. They may be reluctant to base compensation or even financial assistance payments on an investigation that they did not conduct and are not confident followed due process. This may require investigations to be repeated, which could be traumatic and stressful for survivors.

6.2 Risks during assessment

In addition to organizational investigations into allegations of SEAH, payment of financial compensation to survivors may require further assessment to determine eligibility and quantum. The following risks were identified in relation to the assessment process.

The risk that assessing compensation claims could be retraumatizing and survivors might not be believed: Most interviewees believed that there was the possibility within the assessment process for survivors to feel judged, to have to go back through distressing incidents, and to have to convince assessors that their claims were genuine. Some cited evidence of the effects of trauma on survivors, which can, for example, lead to them leaving out details, being inconsistent in recounting the violence they experienced, and displaying emotions (or not) in a variety of ways. Some interviewees were concerned about the degree of scrutiny that survivors might be exposed to and the level of distress that this could cause. Ultimately, they worried about the risk that survivors might not be believed, especially if strict criteria are used to determine eligibility, and the traumatic impact this could have. This was also noted in the literature, which highlighted that, for child survivors, the process of obtaining compensation can be especially challenging and retraumatizing, requiring them to recount their traumatic experiences multiple times to various authorities. Prolonged procedures related to compensation claims may discourage survivors from initiating or completing the process (ECPAT International 2017). Elsewhere in the literature, it was noted that the Catholic Church's Towards Healing compensation scheme has been criticized for its adversarial nature, lack of transparency, and reinforcement of power imbalances. Survivors have reported unresponsive and inconsistent decision makers who fail to assess cases individually. Such challenges highlight the potential pitfalls of compensation schemes, which can alienate or further harm survivors rather than providing the intended support (Bromirski 2020).

The risk that compensation might discount the harm and underestimate its impact: Interviewees stressed the complexities of estimating the harm that SEAH causes and the impossibility of being able to calculate an amount of money that would compensate for it. Some referred to the challenges of doing this even in a court setting, where a range of experts might be called upon to describe the effects. Outside the judicial process, they questioned whether it would be possible to make such a complex, multidisciplinary calculation based on preset criteria. In particular, they noted wide-ranging impacts such as shame and stigma associated with exploitation and abuse resulting in survivors not being able to marry, stay in school, or earn as much as they might have. They also believed that it could be highly traumatic for survivors to go through a process in which the severity of the abuse they suffered and the extent of harm it caused might be assessed. Interviewees tended to be especially cautious of the idea of any

compensation assessment that categorized various types of abuse in terms of severity or degree of harm.

Some interviewees noted the risk that compensation for SEAH could discount or trivialize the harm caused survivors, especially if psychological harm is not fully acknowledged. As a result, some believed that survivors would almost inevitably be left feeling that compensation payments were insufficient. Linked to this, it was noted in the literature that economic desperation might compel survivors to accept inadequate compensation, undermining their long-term empowerment (Columbia Law School Human Rights Clinic and Harvard Law School International Human Rights Clinic 2015).

Some interviewees also noted that a more fundamental challenge with compensation is that it risks monetizing abuse in a way that is unhelpful. These interviewees explained that defining the monetary value of harm risks commodification of suffering. Although they did not feel it was inevitable with financial compensation, they cautioned that it could be seen as a price tag for the abuse. This was coupled with the fact that some felt that a no-fault compensation payment (whereby there is recognition that the survivor has been harmed but no admission of liability for the harm), although meeting a financial need, might not give the survivor the recognition that the perpetrator (or anyone with a duty of care) bears responsibility. It was noted in the literature that, in Guatemala and Nepal, CRSV survivors stressed the importance of state acknowledgment when receiving compensation. They emphasized that financial compensation should be explicitly linked to official recognition of the harm they suffered. Without this connection, survivors felt that the impact and meaning of the compensation were significantly reduced (OHCHR and Impunity Watch 2022).

The risk that the process of assessing financial compensation may lead to breaches of confidentiality: Interviewees who were involved in investigations or survivor response highlighted the danger that the more people who know about an incident of SEAH, the more likely it is that there will be a confidentiality breach. They worried that a compensation assessment would require additional people to have information related to an incident and for them to be recorded in further organizational systems and bureaucratic processes. At the same time, they anticipated that compensation assessments would require that further detail on incidents be written down, increasing the volume of paperwork on a case, again increasing the risk of survivor information being exposed and putting survivors at risk of further harm. The literature identified, for example, that in Guatemala, CRSV payments were issued via checks that disclosed recipients' survivor status, leading to stigma (United Nations 2014).

The risk that conditions attached to eligibility for compensation may force survivors to access services they do not want: Some interviewees believed that even well-intentioned efforts to pair financial compensation with other services could mean that survivors felt they had

to access them to obtain financial compensation. They also felt that some survivors who wanted compensation might feel that they had to access services as part of proving that their claim was genuine. This could mean that survivors attend services primarily for eventual monetary payout rather than for healing or support. Some interviewees felt that survivors might feel coerced into participating in services to receive financial compensation, even if they were not emotionally ready or interested. They explained that this could lead to retraumatization and hinder their recovery or prevent them from benefiting from their entitlements.

6.3 Risks from payments

Once decisions have been made about whether to compensate a survivor (or provide financial assistance), there can be risks during the process of making the payment and after the money has been received. The following risks were identified in relation to payments.

The risk that compensation payout will make survivors identifiable and impose greater stigma: One of the most widespread concerns of interviewees was that, even if the compensation assessment process ensured confidentiality, survivors could become identifiable as soon as they received the money and started spending it. This was considered a particular risk in close-knit families and communities and for survivors who previously had little or no money of their own. It was felt that this could lead to stigmatization in their communities, which might perceive them as profiting from their experiences. It was felt that this could erode social support systems and make it more difficult for survivors to rebuild their lives. For some interviewees, there was a sense that, if compensation is paid by the courts or through a quasi-judicial mechanism, it can be a “cleaner” arrangement than if an organization pays it directly. They believed that direct payment by courts confers a greater risk that community members will perceive that the survivor “did something” to obtain the money. It may be assumed that survivors took money for sex or even that the family were rewarded for not protecting their daughter or son from sexual abuse. This was also highlighted in literature. For example, survivors seeking compensation in Guatemala for sexual violence have faced community accusations that they engaged in sexual acts with adversaries for monetary gain, exacerbating feelings of victimization and stigma (Gilmore 2020).

The risk that financial compensation could have a negative impact on help-seeking behavior: Some interviewees highlighted the risk that receiving financial compensation might make survivors less likely to receive the support services they need, especially if money is given instead of support services provided, and survivors find it difficult to access services without being given information, guidance and referrals. This was linked to the view that, although survivors might need money, especially in resource-poor settings, what interviewees felt they really need in terms of recovery is good-quality, effective services. Some gave examples of financial assistance to survivors, which although not compensation, showed that survivors had

not spent money on the support services they personally needed but rather on meeting the immediate needs of their children. Although this was something interviewees considered to be perfectly understandable, they also linked this to wider evidence of women's economic empowerment that shows that women often do not prioritize spending on their own needs. They highlighted that, in many contexts, if an individual obtains money, they are expected to take care of the whole family, rather than use it for themselves.

Although only a small minority of interviewees expressed this, there was also some concern that survivors who were not used to receiving relatively large amounts of money might prioritize immediate spending rather than planning financially for the longer term. Other interviewees felt that this was a paternalistic perspective. They also cited evidence from the literature on cash transfers for survivors that, although not being compensation, showed that survivors could be supported to use payments to cover the costs of the services they needed to recover (UNFPA 2024; UNFPA and Johns Hopkins Center for Humanitarian Health 2023; Wilson et al. 2024).

The risk that survivors who receive financial compensation may be less likely to seek justice and perpetrator accountability: Interviewees explained that survivors might feel that having received financial compensation, they 'should stop' pursuing justice or redress through reporting and formal channels, for example through the courts. They believed that this posed a risk not only for survivors in terms of their sense of justice, but also in terms of enabling perpetrators to act with a sense of impunity. In the literature, it was also noted that poorly executed compensation processes may feel to survivors like a price for silence (Sauvé 2021). Other interviewees countered that financial compensation might empower survivors to take the legal path and take perpetrators to court.

The risk that financial compensation could expose survivors to greater risk of further abuse and exploitation: Some interviewees counterbalanced the view that compensation payouts could be a protective factor. These interviewees expressed concern that receiving sums of money may put survivors at greater risk of being exploited, especially by family members. They cited literature about women's lack of control over income and assets (Jenkins and Hearle 2023; Nneli and Livingstone 2024). They felt that this risk was especially pronounced if the survivor was not used to handling money, may not have had a bank account, and had little financial literacy. They cited examples of widows who had received payments after the deaths of their husbands and of survivors of SEA perpetrated by Sri Lankan military peacekeepers deployed in Haiti whose male relatives had taken much of the money that the Sri Lankan government paid. Interviewees with this perspective firmly believed that the potential increase in vulnerability and harm from financial compensation would always outweigh potential benefits. This risk was also noted in the literature related to compensation that Barrick Gold paid; claimants faced serious risks related to financial compensation, including family appropriation of awarded funds through violence or intimidation. They noted that this dynamic can lead to

false claims, with individuals coerced into pursuing compensation (Barrick Gold Corp. n.d.). It was noted elsewhere in the literature that, in South Africa, one-time payments averaging approximately \$4,000 often ended up in male relatives' accounts because of prevailing power dynamics, limiting women's control over resources and potentially escalating family tensions and violence (United Nations 2014).

6.4 Risks to future survivors

In addition to risks for those who receive financial compensation directly, interviewees underlined wide, long-term risks for survivors. These risks tended to stem from it becoming known that financial compensation could be awarded to survivors of SEAH. The following risks were identified in relation to future survivors.

The risk that others may push survivors to report SEAH when they do not want to:

Interviewees explained that, if survivors tell anyone, they tend to report SEAH informally to family members, friends, neighbors, and community leaders initially. The reactions of these individuals then play a crucial role in determining whether survivors report incidents more formally. These interviewees used anecdotal examples to explain that people who survivors had confided in could recommend or nudge survivors to make official reports to access funds and negotiate that they would be given a share. They believed that this was most likely in contexts in which corruption was already widespread. As well as pushing survivors to do something they did not want to do, they also believed that the expectation of friends, family, and community workers that they might receive payment for involvement in cases related to compensation for SEAH could erode the culture of support and solidarity that is crucial in SEAH response efforts. A minority of interviewees went further, explaining that, if financial compensation for SEAH becomes a well-known practice, some families may arrange abuse to access payouts.

The risk that a focus on financial compensation may reduce attention on other PSEAH efforts:

This was linked to a concern that there are so many pressing challenges in relation to PSEAH, including ensuring vital basic response services, that the complexity of financial compensation could distract from other priorities. This applied to any type of organization that might pay compensation, whether frontline, intermediate, or funders and investors. Some interviewees also felt that there is a risk that organizations could form the view that it is cheaper to pay financial compensation to survivors than to safeguard properly and invest in prevention. This was seen as especially likely because payouts would often be in developing or middle-income countries, where the cost of living would mean that payouts would be only a tiny proportion of the overall budgets of international organizations. In this way, financial compensation could risk normalizing SEAH so that organizations think that they can just pay out.

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In contrast to this view, some interviewees believed that organizations might make fewer PSEAH commitments if they knew that they might be committing to greater responsibility to pay compensation. Similarly, it was noted in the literature that funders and investors offering financial compensation might inadvertently discourage clients and borrowers from adopting best practices in relation to safeguarding because they might rely on funders and investors to assume responsibility for wrongdoing (Saldinger 2024). Some also worried that financial compensation could lead to organizational inaction and tolerance of SEAH, especially if organizations were reluctant to make compensation payouts or be seen to be doing so. This could lead to organizations doing less to encourage reporting and more to keep cases quiet. This was seen as a greater risk with frontline implementers, who are less well-resourced than larger intermediate organizations and funders or investors.

The risk that survivors may be less likely to be believed: This was a widely held concern of interviewees. At the same time, there was little to no concern that financial compensation would motivate false claims by survivors. Given the stigma and distress of reporting SEAH and identifying as a survivor, few thought that false claims were a genuine concern. What they saw as a risk was that availability of financial compensation for survivors might feed the narrative that survivors make false accusations simply to receive money. This could result in survivors having a much more traumatic experience of reporting SEAH and not being believed, with a knock-on effect on other survivors' willingness to report.

The risk that financial compensation for SEAH could create inequality between survivors and a greater sense of injustice in some: If organizations establish mechanisms to pay financial compensation to survivors of SEAH, individuals who were exploited and abused by perpetrators not linked to organizations working in HDP settings might not receive the same level of compensation. For example, of two survivors who experienced the same type of abuse but in different contexts, only the one whose perpetrator was linked to a particular program, organization, or investment might receive financial compensation. This could lead to a sense of unequal treatment among survivors and a sense in some that the harm they experienced has not been taken as seriously as that of others. This could create resentment, deepen inequalities, and erode an important sense of solidarity among survivors.

7. The Role of GBV Service Providers

This section focuses on what interviewees saw as the risks of financial compensation being paid to survivors through GBV service providers. Although “GBV service providers” is a broad term, interviewees often referred specifically to WROs that play a central role in survivor response. These findings relate to RQ8 on whether risks for survivors differ according to the modality through which financial compensation is paid, but rather than exploring a range of modalities as originally intended, because of the information that interviewees provided, the findings focus on GBV service providers.

The risk associated with financial compensation would be magnified if it was paid through GBV service providers. Concern about this risk ranged from the practical to the fundamental. Interviewees explained that asking GBV service providers to deliver compensation to survivors could have a range of devastating impacts on survivors and on those providing services.

There were no examples of GBV service providers delivering financial compensation. This meant that interviewees’ concerns were based on anticipated risks, rather than ones they had directly seen, although this lack of examples was another reason that they thought it was an inappropriate, unsafe approach to consider in terms of delivering financial compensation to survivors and that using an untested approach to a complex, sensitive problem already loaded with risks would be reckless.

GBV service providers do not have the capacity to take on a new role. Interviewees stressed that GBV service providers are not structured to be a vehicle for paying compensation and are not experts in assessing and validating claims. Nor did they think they were able to develop this capacity. “GBV service providers” is a broad term, and even just WROs encompass a wide range of organizations. Nevertheless, they tend to be chronically underfunded, run on shoestring budgets, and have significant organizational capacity gaps, including weaknesses in key areas for financial compensation such as financial management capacity and data protection. Although often strong on psychosocial and paralegal support and enabling access to medical support for survivors, GBV service providers are known for being weaker on economic empowerment and livelihood support. Overall, interviewees tended to conclude that the GBV response sector is ill equipped to handle compensation claims.

Interviewees also stressed that asking GBV service providers to take on a role in delivering compensation would risk them becoming overwhelmed and unable to deliver core support services to survivors. Some also believed that it could compromise the wellbeing of those working on survivor response. They noted that the current workload of GBV service providers already takes a mental health toll on those who work for them. This links to wider evidence related to burnout and the need for self-care among those working to support survivors. These interviewees believed that adding to this workload by asking them to administer

compensation when they do not have the capacity or expertise to take on another role would be unethical and could compromise the wellbeing of their staff.

GBV service providers could lose the trust that enables them to operate. Community-level GBV service providers can do their work only because they have the trust of the community. The people (mostly women) who work there will rapidly lose their standing in the community and the trust of the community if they are perceived as funding agents. GBV service providers (especially WROs) also tend to operate on the premise of power sharing. Dispensing compensation could put them in a position of power over other community members, fundamentally compromising their role and ideology. Some interviewees highlighted that GBV service providers and those who work for them can be in vulnerable positions and under threat, including for their lives. They often work with little security, including in high-risk environments, and the work can be dangerous. Becoming a vehicle to deliver compensation would increase this vulnerability and put these people at greater risk of harm.

GBV response providers would not be impartial. Interviewees tended to stress the importance of any financial compensation to survivors being administered through an independent, neutral third party. Although they believed that the position of GBV service providers positioned them well to support survivors, they also believed that this positioned them poorly to deliver compensation. They stressed that GBV service providers are often in a complicated position—for example, needing to obtain funding from a range of sources,—and could encounter conflicts of interest. A minority of interviewees also noted that delivery of compensation could corrupt local GBV service providers.

Delivery of financial compensation by GBV service providers could compound the traumatic impact on survivors of not being believed. A foundational tenet of GBV service providers is that they should operate on the basis that they believe survivors, without discrimination. Interviewees explained that, if GBV service providers are the ones to question whether survivors are eligible for compensation, this could have a hugely damaging mental health effect on survivors and interfere with their ability to recover. They also felt that survivors who are found to be ineligible for compensation may become uncomfortable continuing to access support services from the service providers who found them ineligible. Some interviewees felt that, if GBV service providers delivered compensation, survivors might be reluctant to seek help from those organizations because the relationship between them will have changed fundamentally. Survivors may also feel that they cannot tell the GBV service provider that they are experiencing additional abuse (e.g., domestic violence) out of fear that the funds will cease. This was also identified in the literature related to the case involving Barrick Gold, which noted that, if survivors perceive that their claims are not taken seriously—especially by decision makers in GBV service provision—they may experience further trauma, deterring them from seeking additional support (Barrick Gold Corp. n.d.).

If an independent mechanism for financial compensation were established, GBV service providers would have a crucial role to play supporting and accompanying survivors, just as they would if a survivor sought compensation through the courts. Interviewees stressed the importance of survivors being supported during the process of being assessed and awarded financial compensation. For many, the obvious source of this support was GBV service providers, in particular community-level WROs. Although they did not tend to believe that service providers should play a role in delivering compensation, they stressed the need for them to advocate for, accompany, and support survivors. When survivors want them to, this could include helping navigate compensation assessments and even representing them or negotiating on their behalf. Some interviewees also believed that this could include helping ensure that risk assessments are conducted and that necessary, appropriate safeguards are implemented.

WROs would need additional support and resourcing to support survivors if any new compensation process were established. Returning to the fact that GBV service providers are underfunded and lack sufficient human resources, interviewees stressed that, although supporting survivors is part of their role, needing to accompany them through any new processes would require efforts to ensure that service providers have sufficient resources and capacity to do so.

8. Mitigating Risks

This section lists lessons and ideas that interviewees shared on how to mitigate risks related to financial compensation. These findings are related to RQ9 and whether provision of therapeutic support in conjunction with financial compensation could help reduce or manage risks for survivors, but rather than focus narrowly on the role of therapeutic support, interviewees provided information related to a broader range of ideas. These also draw on findings related to RQ6 on the effectiveness of existing schemes.

Interviewees had conflicting views about whether risks related to financial compensation could be mitigated. Some felt that these risks meant that financial compensation should be the preserve of the courts and that any processes to assess and award compensation outside the judicial system would be far too dangerous. In stark contrast, others firmly believed that the risks were not insurmountable, and that any aspect of work related to SEAH comes with risks, which must not be used as an excuse for inaction.

Risk assessments, safeguards, and informed choice by survivors are crucial. For those who believed that there was a way to navigate the risks associated with financial compensation, it was paramount that risk assessments be undertaken from the start. Interviewees stressed that no two individuals are the same, meaning that risk assessments and safeguards must be tailored to individual survivors. Following on from risk assessments, interviewees underlined the need for survivors to understand the risks that come with financial compensation, specifically in relation to their family situation and the wider local context. This was fundamental to survivors being able to make informed choices about whether they wanted to take the risk of receiving compensation. A firm belief in the principle that survivors know best also underpinned what interviewees described as the need for survivors to help identify risks and appropriate safeguards.

Outlined below are the risks identified in the previous section and further lessons and ideas that interviewees shared in relation to each of these risks. To identify these, interviewees often looked beyond examples of financial compensation to draw on knowledge related to financial support packages for survivors and wider work on economic empowerment and cash transfers.

8.1 Mitigating risks during investigations

The risk that organizations will be less likely to conduct adequate investigations and that lack of confidence in SEAH investigations might mean that compensation is delayed or is not paid

- Funders and investors make expectations clear at the start of an investment or project on when and how frontline implementers and intermediate organizations are expected to conduct investigations into allegations of SEAH.
- Funders and investors ensure that investigations are adequate. Funders and investors can impose stringent requirements that qualified people with full understanding of GBV, SEAH, and due process conduct SEAH investigations. This is linked to existing international movement toward professionalizing SEAH investigations and acknowledgment that SEAH investigations are different from other investigations, for example those related to fraud.
- Funders and investors require more accountability before and during investigations, without breaching confidentiality.
- Frontline implementers keep compensation processes separate from investigation and support processes, ensuring that the two functions are not merged.

The risk that an investigation resulting in a finding of “not substantiated” prevents survivors from accessing financial compensation or assistance

- Frontline implementers ensure that offers of immediate support are made before any investigation.
- Development organizations should prioritise ensuring that survivors do not miss support and compensation due to the complex process of substantiating SEAH claims, over preventing the relatively small risk of a false allegation being made.

The risk that survivors who do not participate in investigations lose out on financial compensation or assistance

- Frontline implementers communicate clearly and repeatedly that participation in an investigation is not a condition for support or compensation.
- Frontline implementers inform investigation teams that they must not pressure survivors to participate to access assistance or compensation, including stressing that the survivor-centered approach is clear about the rights of survivors to participate in investigations as much as they want, if at all.

8.2 Mitigating risks during assessment

The risk that assessing compensation claims could be retraumatizing and that survivors might not be believed

- Ensure that survivors have access to a local legal adviser during the process of being assessed for financial compensation.

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- Develop a scheme that ensures that cases are not overly scrutinized, including accepting that it is more damaging not to pay a genuine survivor than it is to pay someone making a false claim.
- Establish an independent external mechanism to determine whether and how much to pay, ensuring that survivors can appeal decisions and access clear procedures to enable them to do so.
- Ensure that those assessing claims are knowledgeable and sensitive to SEAH and GBV, including being well trained in a trauma-informed approach so that they understand how it can manifest and how to avoid retraumatizing
- Do not require survivors to relive the trauma or to recount the experience repeatedly. This means not asking them to go back through information they have already given to others, for example medical providers, but rather seeking consent for this information to be shared confidentially. For example, the Barrick Gold Complaints Assessment Team tried to prevent retraumatization by accepting previously validated claims and not requiring survivors to recount their experiences (Barrick Gold Corp. n.d.).
- Ensure that everyone working on claims is comfortable using an intersectional lens in making decisions about compensation, including training to surface any unconscious bias. This will be vital to ensure that preconceptions do not dictate decisions about which cases are genuine and which types of survivors are better able to manage money and to identify which survivors might be more vulnerable to exploitation.

The risk that compensation might discount the harm and underestimate its impact

- Seek to understand the psychological impact of SEAH and identify some things that are uniform across all survivors, including the disabling impact of shame, ensuring that this is factored into calculations.
- Consider approaches to estimate payouts based on calculating needs rather than attempting to calculate all harm caused. Calculating the severity of harm outside a legal process could retraumatize by underestimating the impact of abuse. A focus on calculating what survivors need to heal—to get their life back on track and become financially stable so that their vulnerability to future exploitation is reduced—is key. This may seem like a subtle distinction, but rather than looking back to go over the traumatic event and what it has done to their life (which could retraumatize), the focus can be on looking ahead to what they need to strengthen their future.
- Ensure that financial compensation schemes are well thought through and designed, avoiding inequitable payments among similarly situated individuals, which can elicit feelings of embarrassment and further victimization. Economic desperation may compel survivors to accept inadequate compensation, undermining their long-term

empowerment. Frameworks should be designed with survivor involvement so that packages reflect the gravity of the harm experienced (Columbia Law School Human Rights Clinic and Harvard Law School International Human Rights Clinic 2015).

- Use a gender-sensitive approach in calculating compensation, considering that traditional women's roles often do not generate direct income (Labenski 2020).
- Ensure that a case-by-case approach to calculating compensation is adopted. Lessons learned from the experience of the Catholic Church in France revealed that a method must be developed that reflects the specific suffering of each survivor, rather than categorizing crimes (Sauvé 2021).

The risk that the process of assessing financial compensation may lead to breaches in confidentiality

- Ensure that robust data-protection measures are implemented so that survivors' personal information is protected throughout the assessment process and over the long term.
- Limit the number of people or organizations involved in making decisions about—and allocating—financial compensation.

The risk that conditions attached to compensation may force survivors to access services that they do not want

- Ensure that survivors know that they can withdraw from the compensation claims process at any time without explanation and still receive other support, if they want it, and vice versa.
- Explain to survivors that, although other support may be offered as part of a package, it is not mandatory that they receive it. This is especially important to emphasize in contexts in which therapeutic services are undeveloped or not in line with feminist approaches (e.g., some delivered by religious institutions).

8.3 Mitigating risks from payments

The risk that compensation payout will make survivors identifiable

- Ensure that schemes maintain confidentiality of individuals wishing to remain private, with those working on them understanding that the stakes are high, with the potential for compensation to result in jealousy and backlash from family and community members (Akumu et al. 2022).
- Work flexibly to allow survivors to be in control, including enabling them to choose different cash modalities depending on their needs and vulnerabilities (e.g., lump-sum payments, structured settlements that offer regular payments over time). This includes

realizing that some survivors may not have access to traditional bank accounts and may rely on mobile money accounts for receiving payments (Akumu et al. 2022).

- Ensure that risk assessments include discussions with survivors about the extent to which they want others to know that they have received compensation and how they will manage that, including preparing them for how they will respond to questions about where the money is from and what they would do if others find out.

The risk that financial compensation could affect help-seeking behavior

- Do not assume, expect, or require compensation to be spent to meet survivors' own personal needs; accept that they will spend payouts based on their own lived reality, and recognize the need for support services such as psychological support and healthcare (if survivors want them) to be paid for separately alongside compensation, with referrals when survivors want them
- Encourage survivors to see the value and utility of other support services but do not make them a condition of compensation (Akumu et al. 2022), which means accepting that, if a survivor wants to receive financial compensation only and no other part of a support package, it is completely up to them.
- Note that special provisions must be made for survivors who are children, ensuring that funds are held in trust until adulthood or used in their best interest, with a legal guardian managing accountability of how these funds are used (ECPAT International 2017).

The risk that survivors who receive financial compensation may be less likely to seek justice and perpetrator accountability

- Maintain a dual focus on financial compensation and support perpetrator accountability if a survivor wants to pursue justice through the legal system, including clearly communicating that it is not a case of requiring survivors to choose one or the other.
- Avoid giving survivors the sense that receiving financial compensation means the case is resolved and they should take no further action and remain open to the possibility that financial compensation may contribute to them feeling strong enough to take perpetrators to court to the future and ensuring that support remains available for them to do so.
- Ensure the involvement of legal expertise throughout the compensation claim to ensure that nothing about the process or payment compromises the survivor's ability to hold a perpetrator to account.
- Ensure that nondisclosure agreements are not used at any point, even if lawyers suggest them, because their use can limit survivors' ability to pursue perpetrator accountability.

- Explore possible mechanisms for perpetrators to contribute to compensation funds for survivors, for example through a severance package. Given likely restrictions under labor law, this would need careful consideration and planning over the long term.

The risk that financial compensation might expose survivors to greater risk of future abuse and exploitation

- Conduct a thorough risk assessment in collaboration with the survivor, rooted in the assumption that they will understand the risks related to their lives better than anyone else. This should avoid being paternalistic and enable the survivor themselves to identify what measures might work best to safeguard them against further harm.
- Draw on from the experience of women's economic empowerment and cash transfer programs to enable survivors to mitigate risks from others. This would include positive framing so that, rather than being too focused on protection, the emphasis is on maximizing the potential for money to play a role in reestablishing autonomy, empowerment, and control as part of healing. At a practical level, this can include offering survivors financial literacy training tailored to their needs. This must recognize that survivors have different skill sets and levels of familiarity with managing money—from those who do not have a bank account to those who run their own businesses.
- Ensure that survivors have access to legal advice to navigate any legal or tax implications associated with their compensation payments.
- Explore options with survivors to determine whether they want long-term follow-up, which might include monitoring or support to ensure that they are not being exploited or harassed because of the money they have been awarded. Lessons from compensation for CRSV emphasize that, although procedural protections are necessary, especially for vulnerable survivors, compensation processes should respect survivors' agency by offering financial advice without being paternalistic, ensuring that they make informed decisions without having to disclose their spending (Gilmore 2020).
- Establish peer support groups to which survivors can be invited, which can provide space for survivors to share strategies for managing risks.
- Identify specific risks of compensation for child survivors of sexual abuse, including appropriate safeguards. This could include putting compensation money into a trust fund for child survivors, with staggered payments.

8.4 Mitigating risks to future survivors

The risk that others may push survivors to report SEAH when they do not want to

- Do not advertise that financial compensation is available to survivors so that it does not encourage others to advise survivors to report SEAH when they otherwise would not.

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- Prioritize confidentiality throughout the compensation process.
- Choose payment delivery mechanisms that are low visibility and appropriate for the context.

The risk that a focus on financial compensation may reduce attention to other PSEAH efforts

- Ensure that financial compensation is an additional component of existing PSEAH practice, with sufficient resources that it does not dilute the focus on other prevention and response efforts (Gawn and Fraser 2024).

The risk that survivors may be less likely to be believed

- Maintain confidentiality throughout process and equip survivors with knowledge and skills to maintain confidentiality for as long as they want to.
- Shape the narrative so that the risk of false claims is understood to be extremely low, instead emphasizing the importance of survivors being believed.
- Increase capacity and empathy of all staff within organizations to receive reports safely.

The risk that financial compensation for survivors of SEAH could create inequality between survivors and a greater sense of injustice in some

- Explore options for paying compensation through state-run schemes that are available to all survivors, not only those experiencing SEAH. This should help move to a point where compensation received as a survivor does not depend on the wealth or type of organization with which a perpetrator is connected. This would need to include exploring ways to ensure that state-run schemes do not encounter lengthy delays in being established and processing and paying claims.

9. Conclusion

Lack of written policies and documented practice on financial compensation for survivors of SEAH underscores the need for transparent, open discussion on this topic. This report cannot fill this gap or provide answers as to whether and how organizations approach financial compensation for survivors, but it can contribute to current thinking, which can stimulate and encourage debate. Dedicated facilitated space for such discussion is likely to be valuable given vastly divergent views, on financial compensation that intersect with broader issues related to power, resources, accountability, and responsibility.

Existing literature and interviews with experts underline not only the complexities of financial compensation for survivors, but also the range of perspectives on it. Most fundamentally, there is strong disagreement among development professionals about whether it is ever safe and appropriate for organizations to pay compensation outside the courts.

The shocking nature of SEAH perpetrated by people in positions of formal and informal power, especially people in companies and organizations working to bring economic and social growth to communities or providing services, including peacekeepers provided to support efforts to relive suffering in humanitarian contexts, leads many to emphasize the need to focus on primary prevention: stopping SEAH from happening in the first place. At the same time, shortcomings in provision of even basic services for survivors in many contexts has kept people working in PSEAH focused on trying to ensure support for survivors in the immediate aftermath of an incident. Severe gaps in both areas remain an ongoing challenge, although it is increasingly being recognized that the impacts of SEAH are long term, forcing reflection on whether the current response is sufficient.

Given that SEAH is a problem throughout the development sector, and given the complex interwoven nature of development projects, paying financial compensation for survivors requires a collaborative, sector-wide approach. Lack of collaboration risks creating inequality between survivors and could undermine rather than strengthen national justice systems. Collaborative approaches across organizations—from funders and investors to frontline implementers—will be vital, as will coordination with national governments. Within these approaches, discussions about organizational responsibility and accountability must include perpetrator accountability and responsibility and the role of the state. In the meantime, some people strongly believe that survivors should not be forced to wait for organizations in the sector to develop a collaborative approach, which could take years and might never happen.

Some frontline implementers and intermediate organizations are developing responses to the question of financial compensation for survivors of SEAH. This is often in isolation,

without collaboration with other organizations. This has commonly led to organizations adopting one of four options.

- Not paying financial compensation or financial assistance of any kind
- Paying financial compensation to individual survivors through direct negotiations involving a lawyer
- Paying financial compensation through a scheme wherein claims are assessed and multiple survivors are paid, again involving some legal input
- Not paying financial compensation but providing survivors with cash assistance as part of a livelihood programming package

A universal view of interviewees and the literature is that financial compensation comes with risks for survivors and the potential to cause further harm. The stakes are high for survivors, and risk assessment and mitigation must be at the heart of decisions related to financial compensation—or indeed, financial assistance. Those who support the idea of organizations compensating survivors tend to believe that it is preferable to bear the cost of paying some people who are not eligible than to subject survivors to rigorous, lengthy, potentially retraumatizing assessments

Many organizations in HDP settings have worked hard to establish the importance of a survivor-centered approach to PSEAH. With numerous risks identified, a survivor-centered approach is a vital part of any modality for paying financial compensation (or assistance) to survivors. This is about not just the details of how payments are made, but also fundamental decisions about which types of organizations are best placed to pay.

It has also come through clearly in the research that GBV service providers—including WROs—are not an appropriate option as a vehicle for paying financial compensation to survivors. Their vital role is to believe survivors and support them without discrimination. Making decisions about which survivors are eligible and how much they should be paid would fundamentally undermine service providers' roles and leave survivors in a far more vulnerable position.

Growing evidence that quantifies the costs of SEAH is helping raise awareness of survivors' long-term needs. These seem to be most clearly recognized when a baby is born because of exploitation or abuse, although survivors also experience many other, far less visible, physical, emotional, social, and economic impacts. Survivors pay these costs themselves, something that several interviewees believed was the worst-case scenario. A challenge for the humanitarian aid and development sector as it seeks to acknowledge and address the full harm of SEAH is that it needs to resource long-term efforts in a way that does not pull attention away from primary prevention and immediate response services.

For some interviewees, long-term financial assistance for survivors is the only realistic option to stop survivors themselves continuing to foot the life-long bill for the harm that they have incurred. The legal nature of compensation and the complexities of establishing eligibility and quantum deter some from thinking that this is a feasible way forward for organizations; financial assistance, based on an extension of existing survivor support, seemed to have far more widespread appeal among interviewees, especially those who are eager to separate survivors' need for justice from their need for financial support. It also appears to align better with a more nuanced approach that considers moral responsibility rather than focusing solely on legal liability and duty of care in relation to financial compensation.

A question is whether some of the more-empowering characteristics of financial compensation could be applied to design and delivery of financial assistance. In particular, this includes avoiding a paternalistic approach by allowing survivors to spend the money in the way that they think best meets their needs. It also does not require that survivors access certain services as a condition of receiving cash payments, which overrides their ability to choose the support they want to access. Efforts such as these may help preserve a survivor-centered approach.

Many of the risks to survivors associated with financial compensation are also associated with financial assistance. It is therefore vital that risk assessment and mitigation be carefully considered. This includes ensuring that survivors identify risks and appropriate mitigation measures based on their individual circumstances.

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Appendix A: Research Questions

The research questions (RQs) and accompanying subquestions are listed below.

- RQ1: What is financial (assistance)? What is financial compensation?
- RQ2: Who are the duty bearers, and what are their responsibilities for enabling survivors of sexual exploitation, abuse, and harassment (SEAH) and child sexual abuse to access financial compensation versus financial support (assistance)?
- RQ3: What are the modalities through which financial compensation could be paid to survivors of SEAH and child sexual abuse?
- RQ4: What are current policies and practices of organizations working in humanitarian, development, and peace (HDP) settings in relation to payment of financial compensation to survivors of SEAH and child sexual abuse?
- RQ5: For existing schemes that pay financial compensation to survivors of SEAH and child sexual abuse, which compensation-based modalities are used, and which criteria do they use to award compensation?
- RQ6: How effective are existing schemes that pay financial compensation to survivors of SEAH and child sexual abuse? Subquestions:
 - Have they encountered any challenges or generated any lessons?
 - How applicable are these schemes to development organizations, donors, and investors?
 - How applicable are these schemes to fragile or development contexts?
- RQ7: Applying a survivor-centered approach, what risks are there for survivors if they are financially compensated for SEAH and child sexual abuse? Subquestions:
 - Does financial compensation influence help-seeking behavior?
 - Are risks different for different types of survivors?
 - How do risks differ according to context? Are risks higher in conflict-affected settings?
- RQ8: Do risks to survivors of SEAH and child sexual abuse differ according to the modality through which financial compensation is paid to them?
- RQ9: Could provision of therapeutic support in conjunction with financial compensation reduce or manage risks to survivors of SEAH and child sexual abuse? Are there contexts in which this would not be possible?

Appendix B: Breakdown of Interview Participants by Profession

Listed below are the professional backgrounds of the 24 interviewees and the types of experience that they had. To avoid double counting, only the primary expertise of each of the 24 interviewees is reflected in the table, although many spoke from more than one area of professional expertise. This was the case, for example, when an interviewee originally trained and worked in human resources but then developed sexual exploitation, abuse, and harassment (SEAH) expertise or when someone trained in and practiced law but then worked as a gender-based violence (GBV) programming expert.

| Area of expertise | Organization type | Number of interviewees with this background | Types of experience |
|-------------------|--|---|--|
| GBV | Development finance institution | 1 | GBV prevention and response interventions in a range of development contexts |
| | Donor organization | 2 | |
| | Company | 2 | Design and delivery of development programming |
| SEA and SEAH | Donor organization | 3 | Development and implementation of safeguarding policies and systems |
| | UN agency | 3 | |
| | Company | 1 | Conduct of SEAH investigations |
| | International nongovernmental organization | 3 | |
| SEAH and GBV | Company | 1 | |

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|-----------------------------------|---------------------------------|---|--|
| Child safeguarding and protection | UN agency | 2 | UN policies and systems |
| | Academia | 1 | Academic research on child sexual abuse |
| Human resources | Company | 2 | Human resources knowledge in safeguarding situations in a range of development contexts Delivering compensation for other forms of harm |
| Law | UN agency | 2 | UN legal position and policies |
| | Development finance institution | 1 | International legal frameworks Range of national legal systems |

Note: GBV, gender-based violence; SEA, sexual exploitation and abuse; SEAH, sexual exploitation, abuse, and harassment.

Appendix C: Research Methodology

The research was conducted in three stages.

- Stage 1: Literature synthesis
- Stage 2: Semi-structured interviews
- Stage 3: Analysis and report writing

In conducting the research, the team abided by the World Health Organization Ethical and Safety Recommendations for Researching, Documenting, and Monitoring Sexual Violence (WHO 2007) and Social Development Direct's own ethical standards in research.

Stage 1: Literature synthesis

Step 1: Identify search terms

During the inception phase, the team developed a set of search terms to identify documents through online searches. Initial terms were derived from the research questions and then refined iteratively based on the results of preliminary searches. Boolean operators (AND, OR, NOT) were used to refine results. The search terms used were as follows.

- Primary search terms and variants: compensation, financial compensation, sexual, abuse, sexual exploitation and abuse, SEA, cash, remediation, reparation, scheme
- Secondary search terms and variants: aid sector, international development sector, church, mining, construction, faith-based, companies, private sector

Step 2: Use search strategies

A comprehensive literature search was conducted during the inception phase using a combination of academic databases and search engines. Primary databases included Emerald, Google Scholar, JSTOR, and specialized databases related to international development and human rights. To capture additional sources and grey literature, the team used search engines such as Google and Bing to identify relevant international development documents not indexed in academic databases. The initial search identified 103 documents, which varied widely and included materials from development finance institutions, media sources, and other relevant organizations.

Step 3: Select a sample

Rather than applying rigid inclusion or exclusion criteria, the team undertook a rapid light-touch review of the 103 documents to establish their relevance by examining their contents pages,

searching within the documents using the above search terms, and skim reading sections of text. Based on these light-touch reviews, the team summarized whether and how the document might provide relevant information for the research. Based on these summaries, the team identified 53 of the 103 documents to review in the main phase of the research.

The original terms of reference stated that the literature review should cover from January 2010 to the present, but the team felt that documents from 2006 should be included: one that helped identify risks related to financial compensation (Goldblatt 2006) and one that helped with definitions and providing survivor perspectives (Amnesty International 2009). The selected documents comprised a diverse range of sources, ranging from academic articles to grey literature such as policy briefs and nongovernmental organization reports.

Step 4: Review and code

Relevant information identified in documents was entered into a spreadsheet structured around the RQs that included a row for each document. The spreadsheet included basic information on each document, including publishing organization, organization type, and publication date, which enabled the team to sort the data according to these basic categories.

Stage 2: Semi-structured interviews

Step 1: Conduct exploratory interviews

During the inception phase, eight interviews were conducted with key experts to explore the potential scope of this research. These interviews helped identify documents and potential interviewees for the main phase.

Step 2: Select a sample

Further semi-structured interviews were conducted in the main phase of the research with key informants working in sexual exploitation, abuse, and harassment (SEAH), gender-based violence, child protection, human resources, legal, and environmental and social safeguarding departments in development finance institutions and other organizations in HDP settings. Sixteen interviewees were selected for the main phase from a longer list of potential interviewees after the inception phase.

Step 3: Conduct interviews

After further document review in the main phase, a semi-structured interview guide was developed. This was informed by emerging findings and helped ensure that the interviews provided additional information, going deeper than the literature review enabled. The interview guide was adapted for each interviewee.

At the start of each interview, the team provided:

- An overview of the research and its intended audience
- Reassurance that no individual or organization would be referenced based on the interviews
- An explanation that participants could pause or fully stop the interview at any time if they needed to without explanation

Interviewees were asked whether they would prefer for the interview to be audio recorded or for handwritten notes to be taken. This required a dedicated note taker in most interviews. Interviewees were reassured that they could ask the notetaker to pause note taking if they would prefer that something not be written down.

Step 4: Type up and code interview notes

Key points from handwritten notes were typed up as soon as possible after each interview, when the team had the best ability to recall accurately, and then coded into a version of the same spreadsheet as the document review.

Stage 3: Analysis and reporting

Once the literature had been reviewed and all interviews conducted, the team began to analyze the coded data in the spreadsheet column by column so that the team could examine all interviews and documents to see what information and evidence they had provided in relation to each of the RQs.

Limitations and potential bias

As with all research methodologies, this research had limitations and was vulnerable to forms of bias.

Finding little detail in published documents. The literature review was limited to documents published in English and readily available online. Although a considerable volume of literature was identified during the inception phase, many of the documents yielded little in terms of relevant information and evidence. Detail on compensation provided to survivors of SEAH was scarce, highlighting the importance of the team gathering diverse perspectives during interviews so that the research did not rely entirely on written evidence.

Being unable to reference individuals. It was clear from the inception-phase interviews that interviewees were far more comfortable speaking openly and honestly about the topic—and where their organization stood—if they knew that they were not going to be quoted and that they—or the organizations for which they worked—would not be identified in the research

report. This is because of the sensitivity of this topic, lack of global best practices on financial compensation schemes for survivors, and associated fears about individual and organizational reputation. As a result, maintaining the confidentiality of interviewees has been paramount, and only aggregated analysis has been shared outside the research team. The only references included in the research report were from documents already in the public domain. Quotations from interviewees were not included. This required that interview data being presented be synthesized, with a clear description of how perspectives differed.

Being unable to record. For the same reason that individuals were cautious about being referenced or quoted, many were more comfortable and open when they were not audio-recorded. Although it is likely that this increased openness, it also means that the team was not able to use verbatim transcripts to work with at the analysis stage. To overcome this, the team took detailed notes during interviews, often using a dedicated note taker.

Coming across differing terminology. From the initial review of documents and interviews conducted during the inception phase, it was clear that different terms are often used interchangeably in the literature and by experts. This increased risk of confusion, with interviewees and researchers talking at cross purposes and ultimately decreasing the consistency of the data, leading to misleading findings. Differences between American and British English may have compounded this.¹⁹ The team was alert to these risks and sought to clarify and define terminology throughout interviews.

Limited focus on children. Because prevention and response measures for children are often neglected in prevention of SEAH practice, which tends to focus on adults, this research identified limited evidence related specifically to children.

¹⁹ For example, in American English, “compensate” can mean “reimburse,” for example, “compensate for medical expense.”

Appendix D: Examples of Financial Compensation

| Sexual Abuse, Exploitation, and Harassment and Child Sexual Abuse | | | | |
|---|-----------------------------|--|---|--|
| Existing schemes that pay financial compensation | Type of organization | Modalities through which financial compensation was paid | Criteria used to award compensation | Other information on the scheme |
| Independent Reconciliation and Compensation Program | Catholic Church in New York | Administered by the Independent Oversight Committee that oversees implementation and administration of the scheme, headed by mediators | Those who had previously notified the New York Diocese about abuse allegations were contacted via letter and invited to participate in this program. When a new application is made, it must be reported to the district attorney's office per the Archdiocese of New York's policy to assess whether a crime occurred. This is then referred to the archdiocese so that the individual allegations can be investigated. The Independent Oversight Committee also investigates, and the archdiocesan lay review board reviews the case. | Provides financial compensation to clergy abuse victims. The goal is a quicker, less costly resolution than through lawsuits against individual clergymen. The program accepts new and past claimants, referring new allegations to district attorneys for independent review (Catholic New York 2016). It is not clear whether there is a statute of limitations. |
| Melbourne Response Compensation Scheme | Catholic Church Australia | Not explained in any of the documents | Reports of sexual and other forms of abuse by priests, religious members, and laypersons under the authority of the Archbishop of Melbourne are submitted to and investigated by an independent commissioner. | The Melbourne Response offers capped compensation of A\$75,000 (US\$36,000) but is often criticized for being overly legalistic. |

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| Towards Healing Compensation Scheme | | The scheme, conducted in association with the Catholic Church's insurance company, Catholic Church Insurances Limited, engages survivors in a pastoral, rather than adversarial, legal manner. | A professional standards office in each Australian state administers the scheme. The church invites victims to report details of the abuse, and the professional standards office forwards the complaint to the relevant diocese or religious order, which is required to respond. Too often, the response is evasive. | The Towards Healing scheme offers case-by-case financial reparations without standardized oversight, often requiring recipients to sign deeds that prevent future claims (Gleeson 2015). |
| Belgian and Dutch schemes | Catholic Church | Modality not explained in any of the documents | No specific criteria used to award compensation were mentioned. | Compensation schemes in Belgium and the Netherlands address victims' dissatisfaction with court processes. Since 1950, more than \$3 billion has been allocated, although these funds face criticism for taking legalistic approaches and following inconsistent regional protocols (Bromirski 2020). |
| Commission for Recognition and Reparation | French Catholic Church | Funds sourced from perpetrators and the Church of France through an endowment fund | No specific criteria used to award compensation were mentioned. | Established by the French Bishops' Conference to support survivors of sexual abuse within the Catholic Church. Compensation proposals suggest that funds be sourced from perpetrators and the Church of France through an endowment fund rather than donations from church members (Sauvé 2021). |

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| Independent National Instance for Recognition and Reparation | | Funds sourced from perpetrators and the Church of France through an endowment fund | Survivors who contact Independent National Instance for Recognition and Reparation are assigned a contact person from a team of eight professionals, including lawyers, psychologists, and mediators. The contact person gathers information, assesses the plausibility of the victim's account by liaising with relevant ecclesiastical bodies if needed, and assists in formulating requests for acknowledgement of the facts, victim status, and compensation for damages. | Established by the French Bishops' Conference to support sexual abuse victims within the Catholic Church. Compensation proposals suggest that funds be sourced from perpetrators and the Church of France through an endowment fund rather than donations from church members (Sauvé 2021). |
| Barrick Gold's Cash Compensation Framework | Private company | Complaints Assessment Team with oversight from a management committee of stakeholders evaluates claims and administers an individual reparations program with guidance from an expert advisory group on establishing the parameters of the program. | The committee uses a criterion to ensure that the claim is eligible and legitimate. An independent expert completes this process. | This framework combines individual and community-wide programs, focusing on accessibility and respect for local traditions. Compensation may include justice mechanisms, medical support, and financial reparations, with independent human rights experts overseeing claims. Packages average \$9,248 (Fredriksson 2020), but discrepancies between reported and actual amounts have led to calls for additional compensation, highlighting concerns over equity and legal waivers (Barrick Gold Corp. n.d.). |

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| Conflict-related sexual violence | | | | |
|--|---------------------|--|---|--|
| Colombia's Victim Unit Support Program | National government | Complex framework that includes multiple administrative, judicial, and extrajudicial mechanisms | No specific criteria used to award compensation were mentioned. | More than 5,500 conflict-related sexual violence survivors in Colombia have received financial compensation, and approximately 1,600 have accessed psychological recovery services. Under this program, victims can claim a maximum of 30 times the national minimum wage (approximately \$6,900). The law also recognizes vulnerable groups, including women and human rights defenders, and reduces evidence requirements from those in the previous transitional justice legal framework for reparations to victims of sexual violence. (Flisi 2016). |
| The Gambia's Truth, Reconciliation, and Reparations Commission | National government | Through hearings, public discourse, women's listening circles, community workshops, and documentation efforts that have highlighted survivors' experiences | No specific criteria used to award compensation were mentioned. | The government provided a budget of 200 million dalasi (\$4 million) to the commission and an additional 13 million dalasi (\$260,000) to assist with completion of the final report. This is inclusive of interim reparations that cost 37 million dalasi (\$595,000). The United Nations Peacebuilding Fund, through the United Nations Development Program Gambia's Transitional Justice Project, also assisted with resources. |

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|---|------------------------|--|--|---|
| Uganda Compensation for Conflict-Related Sexual Violence | National government | Awarded through the International Criminal Court | No specific criteria used to award compensation were mentioned. | Victims would be given reparations in the form of a symbolic individual payment of 750 euros and collective reparations such as rehabilitation programs and memorial sites awarded through the International Criminal Court's Trust Fund for Victims. |
| Peru | National government | Awarded through the Inter-American Court | No specific criteria used to award compensation were mentioned. | Survivors of conflict-related sexual violence were awarded compensation ranging from \$10,000 to \$25,000 for material damages and \$30,000 for rape (New Humanitarian 2023). |
| Other forms of harm | | | | |
| Argentina: Compensation for families of the disappeared | National government | Modality not explained in any of the documents | No specific criteria used to award compensation were mentioned. | This included an initial payment of \$224,000, calculated separately from industrial accident frameworks to emphasize the intentional nature of the harm. Argentina has disbursed \$1.17 billion to survivors of illegal detention and \$1.9 billion to families of the disappeared using public bonds for payments (Saldinger 2024). |
| ANZ Bank (Australia) compensation | Private company | Modality not explained in any of the documents | No specific criteria used to award compensation were mentioned. | ANZ Bank was found in violation of Organization for Economic Cooperation and Development guidelines for a loan that caused the displacement of 681 families. A conciliation meeting in 2020 resulted in the bank agreeing to allocate a portion of its loan profits to support |

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| | | | | affected communities and to review its human rights policies (OHCHR 2022). |
| U.K. Criminal Injuries Compensation Scheme | National government | Criminal justice system | To qualify, a survivor must report the crime to the police, and the authorities must recognize that a crime has occurred. The survivor must be of good character, meaning that they have no or limited criminal convictions. After lobbying from various groups, the requirement for survivors to recount their abuse to the Criminal Injuries Compensation Scheme was removed. | The Criminal Injuries Compensation Scheme operates within the criminal justice system and does not extend to noncriminal abuse or situations in which the survivor has not reported the incident to the police. |