



**GREEN
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Response matrix for comments received on the draft document "Revised Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment"

Summary

This document contains the response matrix for comments received from the Board on the draft document "Revised Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment" during the consultation period taking place from 25 January to 5 February 2021. Feedback from the active observer representing civil society organizations from developed countries is also contained in the document and is to be further considered during the meeting between the Executive Director and civil society organizations to take place in advance of B.28.

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Response matrix for Board comments received on the draft document "Revised Policy on the Prevention and Protection from Sexual Exploitation, Sexual Abuse, and Sexual Harassment"

Country	Section	Text	Board comment	Type	Secretariat Response
Italy	General	N/A	<ul style="list-style-type: none"> • We would like to express our support for the revised SEAH Policy as we can see the ratio behind withdrawing chapter 6.2 as the broadness of the policy and the reference to counterparties was an unmanageable grey area for the GCF. We also agree that including harassment in project safeguarding translated into very high costs of implementation and exposed both the Fund and the counterparties to unpredictable liabilities and risks. • Yet, we would like to highlight that such amendment could have a reputational effect on the GCF. From the outside, it could be seen as we are doing a step behind on SEAH, given that our initial policy was very ambitious and forward-thinking. As the revised policy is in line with the international best practice and, consequently, with our Governing Instrument (art.65), the exposure to criticism might be minimal. Nevertheless, we think we should take this circumstance as a lesson for the future. We think it might be better to start drawing strong but less bold policies for the future and then trying to reinforce them over time. • Finally, we are particularly pleased to note the updated version of the definitions (SEAH Chapter 3, n. 13 and 16, letter "o" and "r".) as the proposed revisions integrate a gender-fairer language. 	Note	Thank you, and well-noted

Germany	General	N/A	<ul style="list-style-type: none"> • While “Delivery Partners” – e.g. NDAs/Focal Points – are excluded from the current policy, the GCF might benefit from explicitly targeting NDAs/FPs in SEAH-related actions for awareness and capacity building, particularly in the first phase of integrating SEAH considerations. • In how far have AEs been consulted on the feasibility of addressing SEAH-risks in the Environmental and Social Policy? We would appreciate if information on AE consultation would be included in the yet to be drafted section on “consultations”. 	Secretariat recommendation / Request	<p>As per the ES Policy revisions, GCF will provide technical assistance to AEs in the development of projects, and also provide capacity building to DAEs through the Readiness and Preparatory Support program</p> <p>AEs have been fully consulted and the feedback received during the consultation period has been taken onboard in the finalisation of the Policy revisions.</p>
Sweden	General/ Reporting and Investigation (SEAH Policy para.34)	Para.34 ' false and malicious reporting'	<p>Many thanks for your work on this important policy.</p> <p>We very much appreciate the survivor-centred approach and the support and protection of survivors covered in the policies</p> <p>In regards to para 34 in the “Policy on the prevention and protection from Sexual Exploitation, Sexual Abuse and Sexual Harassment”, we understand the intention behind the point but would like to raise some concern that this may discourage from reporting. It would be interesting to hear your views on that and on how these concerns possibly could be addressed, e.g. through a clear definition on false or malicious reporting. We would very much appreciate if you could elaborate on this during the technical session next week.</p> <p>We also note references to international standards and Annex IV refers to having “examined the approaches of several comparable international organizations in order to benchmark”. We believe benchmarking is great, however we see no reference to any international frameworks on SEAH in the policy documents. We would appreciate a clarification of which international standards the GCF policy is compliant to and references to these in the policy documents.</p>	Substantive	<p>Re False and malicious reporting: the reporting section of the SEAH Policy is unchanged from the original. It mirrors the reporting protocols set out in the Policy on the Protection of Whistleblowers and Witnesses (PPWW). False and Malicious report is defined within the PPWW and is also reflected in the SEAH Policy definitions section as meaning 'an inaccurate or misleading report that is made recklessly, or knowingly or deliberately for the purpose of gaining undue advantage or causing harm to a person or entity'.</p> <p>Re 'international standards':The policy revisions are benchmarked against the best practice of international financial institutions in line with paragraph (d) of Board decision B.25/05. These practices are set out in detail in the Comparative Analysis paper (in Annex IV) which identified that IFIs address SEAH safeguarding as a social risk in their financed activities through reliance on their environmental and social safeguarding framework. The references in the document point to the 'practice of international financial institutions'. However, as highlighted in the introduction, the guiding principles are aligned with the UN Inter-Agency Standing Committee on SEA's six core principles</p>

Finland / Hungary / Switzerland	General	N/A	<p>Since SEAH Policy in relation to counterparties is proposed to be included to ES Policy it will be important that the SEAH Action Plan will be good and sufficient – SEAH aspects should not be overshadowed by other aspects.</p> <ul style="list-style-type: none"> - We would prefer to see term “persons in vulnerable positions and situations” used. <p>Vulnerable groups is a bit old-fashioned term and does not reflect the reality where this vulnerability is often due to e.g. discrimination.</p> <ul style="list-style-type: none"> - Besides ‘zero tolerance towards SEAH’ important principle to keep in mind is ‘no tolerance towards inaction in relation to SEAH’ – SEAH cases have to be properly dealt with and survivor-centered approach is important in this context. 	Substantive	<p>Recommendation regarding SEAH Action Plan are well taken. The vulnerable groups terminology has been amended accordingly. Also the background document has been updated to reflect zero tolerance towards inaction in relation to SEAH. However, the Secretariat is of the view that 'zero tolerance to SEAH' is all encompassing and would also subsume 'zero tolerance to inaction'.</p>
Denmark / Netherlands / Luxembourg	General	N/A	<ol style="list-style-type: none"> 1. We agree with the overarching recommendation to separate the SEAH policy that pertains to covered individuals from the SEAH risks and impacts that pertain to contracted counterparts, which has been incorporated in the Environmental and Social Policy. 2. While generally we agree with the revised SEAH proposal, we believe the proposed edits to the ES Policy should be more succinct. They could be less detailed without losing substance. In this way, there is no risk of unbalancing the ES Policy, nor of making the incorporation of the SEAH appear daunting to some AEs. We look to the Secretariat to revise the edits. 3. Furthermore, the Board decision should contain a direct reference to the need for the Secretariat to prepare an appropriately resourced and time bound SEAH Action Plan, including the risk assessment tool and implementation guidelines. 	<ol style="list-style-type: none"> 2 - Substantive Editorial recommendation 3 - Secretariat request 	<p>The revisions to the ES Policy are relatively succinct as they are primarily under two brief new paragraphs - 8(k) and 19. AE feedback has been mainly positive and supportive of the proposed revisions.</p> <p>The Board decision has been updated to include the following new paragraph:</p> <p>"Requests the Secretariat to develop a SEAH Action Plan as described in the Environmental and Social Policy adopted by this decision, no later than the thirtieth meeting of the Board;"</p>

US	Background document - Introduction on page 1	Footnote on Counterparties: The SEAH Policy defined counterparties as any party that contributes to, executes, implements, bids for, or in any way participates in Fund-related Activities, including receiving a grant, loan, or other form of financing or support from the Fund.	This footnote suggests that this is a definition unique to the SEAH Policy, when it is consistent across GCF Policies. Suggest having a revision to reflect this	Editorial	Footnote clarification included
US	Background document - Policy Rationale on page 2	1. The current stand-alone SEAH Policy which imposes obligations on both covered individuals diverges from many peer organizations which address counterparty SEAH related issues in the context of their safeguard policies	Assume this is intended to be “both covered individuals and counterparties”? Otherwise, what is the “both” being referenced?	Editorial	Corrected
US	Background document - Policy Rationale on page 3	The inability of existing AEs to adopt equivalent SEAH policies, as well as the constraints preventing the modification of their institutional standards to match the GCF SEAH Policy obligations has led to a lack of buy-in from many AEs.	Are these constraints specifically delineated, and are they really institutional hurdles or reflecting a lack of will? One intention of the GCF Policy was to set a higher bar that institutions would have to potentially push to reach	Substantive	Nature of constraints clarified within the main text.
Finland / Hungary / Switzerland	Background document - Policy Rationale on page 3	5. There is currently a gap in subject-matter expertise within the Secretariat, and there is a critical need to retain in-house subject matter expertise (This is important, necessary expertise (as well as adequate resources) are crucial for successful implementation of SEAH-work	Note	Thank you, and well-noted

Finland / Hungary / Switzerland	Background document - Policy Rationale on page 3	2. The IRM report highlighted that the SEA related failures in the projects reviewed resulted less from the absence of robust safeguard policies, and more from the Bank's implementation of its existing policies .	Important finding, will this be addressed with the current modifications/changes?	Substantive	The revised ESP provides for the explicit set of measures to address SEAH concerns and the SEAH specialist at the Secretariat will undertake reviews of FPs . In addition to developing guidelines and risk assessment tools, the GCF will also provide technical support to AEs to enhance effective implementation of the ES policy revisions Narrative in the background paper has been revised to confirm that the proposed revisions are designed to enhance effective implementation
USA	Background document - Analysis of policy proposal on page 3	First, consistent with international best practice in comparator organizations, counterpart coverage would be limited to Sexual Exploitation and abuse, and would not cover sexual harassment	The safeguards revisions include zero tolerance of sexual harassment, so what exactly is the change here? It doesn't seem to be appropriate that the GCF would find it acceptable that an AE tolerated sexual harassment either internally or in its projects	Editorial	The proposed revisions encompass Sexual harassment. Therefore, the narrative reflected here is outdated and incorrect. Text revised accordingly
USA	Background document - Analysis of policy proposal on page 3	Finally, and also consistent with international best practice.	Presume this is a formatting error and the sentence continues in the next paragraph? Generally, there are several formatting and spelling inconsistencies, especially with regard to proper capitalization of defined terms, so recommend a thorough proofread before Board submission	Editorial	Yes, this is a formatting error. Now corrected.

<p>USA</p>	<p>Background document - Analysis of policy proposal on ES Policy on page 4</p>	<p>The implications of the revisions to the ES Policy is that Accredited Entities will have to demonstrate that they have undertaken the necessary assessments</p>	<p>Will AEs no longer be asked to demonstrate that they have some form of SEAH policies and procedures in place, nor will the GCF encourage them to adopt such policies? That seems like a significant weakening that isn't necessary for implementation or to address the identified problems with the prior Policy (which were that institutions were being asked to essentially impose the GCF's Policy, including with respect to their own Counterparties, when they had their own in place). Whether an institution has e.g. a code of conduct for its employees, relevant reporting and redress mechanisms, etc. seems like an important thing for the GCF to know and encourage from a risk management standpoint of the GCF's consideration of the worthiness of accreditation of an entity and/or providing financing to it. We think it would be important to include a reference that Counterparties should provide their applicable policies/codes of conduct at some point in the process, but not that the GCF requires those policies to have particular content. The GCF can make a determination upon reviewing the provided documents whether there are risks in undertaking a relationship with a Counterparty that may have weaker standards. The AML/CFT Policy for instance contains language that might be a useful example:</p> <p>6. The GCF shall take steps to ensure that Accredited Entities, and all other entities that participate in the implementation of GCF activities, have policies that are consistent with the GCF's AML/CFT Policy.</p> <p>9. GCF shall take steps to encourage its counterparties to adopt policies and procedures that are consistent with the principles set out in this Policy, with the purpose of safeguarding GCF resources from being used for Money Laundering or the Financing of Terrorism.</p>	<p>Substantive</p>	<p>The current fiduciary standards applicable to Accreditation assessments already reviews the institutional code of ethics of prospective/existing AEs. Furthermore, the accreditation standards for ES capabilities assesses AE capabilities to discharge the scope of their environmental and social safeguarding responsibilities under the ES Policy. The Secretariat considers that at this time, a revision to the ES standards is not necessary as the key objectives of the GCF to ensure SEAH safeguarding in GCF financed activities is robustly addressed through the ES policy revisions.</p> <p>Also, note that the ES Policy is significantly substantively more prescriptive than the AML/CFT Policy which sets out high level principles without specific due diligence requirements and obligations. Therefore, the AML/CFT Policy principles are appropriate in light of the relative substantive paucity of the AML/CFT Policy provisions regarding express safeguarding requirements.</p> <p>Lastly, the Secretariat highlights that the Indigenous People's Policy (which is derived from the ES Policy) is not considered separately as part of accreditation assessment. Rather, it is considered within the context of AEs capabilities to implement projects in compliance with the scope of the ESS standards and the ES Policy.</p> <p>Nevertheless, the Secretariat highlights that as per paragraph (c) of decision B.07/02 adopting the Interim ESS Standards (which is the IFC Performance Standards), the implementation is to be guided by the IFC Guidance Notes (board decision reproduced below). The Secretariat confirms that related Guidance Notes covers SEAH - please see link below.</p> <p>https://www.ifc.org/wps/wcm/connect/9fc3aaef-14c3-4489-acf1-a1c43d7f86ec/GN_English_2012_Full-</p>
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					<p>Document_updated_June-27-2019.pdf?MOD=AJPERES&CVID=mRQmrEJ</p> <p>The Board, having considered document GCF/B.07/02 Guiding Framework and Procedures for Accrediting National, Regional and International Implementing Entities and Intermediaries, Including the Fund's Fiduciary Principles and Standards and Environmental and Social Safeguards:</p> <ul style="list-style-type: none"> a. Decides to adopt the initial guiding framework for the Fund's accreditation process as contained in Annex I to this document, recognizing that it also applies to private sector entities; b. Also decides to adopt the initial fiduciary principles and standards contained in Annex II to this document, and will conduct a review of these standards within three years; c. Further decides to adopt, on an interim basis, the Performance Standards of the International Finance Corporation (IFC), as contained in Annex III to this document, noting that their use and implementation will be guided by the IFC Guidance Notes;
Finland / Hungary / Switzerland	Background document - Analysis of policy proposal on ES Policy on page 4	Based on the findings and level of risk, Accredited Entities will be required to propose actions to mitigate and address SEAH related issues including monitoring and reporting on implementation.	Also prevent them	Editorial	Revised accordingly
USA	Background document - Analysis of policy proposal on ES Policy on page 5	The Revised SEAH Policy seeks to provide the IIU (together with the Ethics and Audit Committee) with the right to propose remedies for survivors of SEAH acts perpetrated by Covered Individuals and determine appropriate	Is there a plan to provide details on what these remedies might look like? Otherwise, the parameters remain open-ended, and may discourage survivors from coming forward if they are not sure what remedies will be available to them, or if there is inconsistent treatment of different survivors. Inconsistent treatment due to a lack of guidelines could open up a range of additional legal risks.	Substantive	<p>The SEAH Policy under section VIII already provides a reference to the available remedies in the Policy on the Protection of Whistleblowers and Witnesses.</p> <p>para 30 and 32 provide that:</p> <p>p.30 Any Survivor who reports, attempts to report, is believed to be about to report, or is believed to have reported suspected or actual SEAH (including concerns of suspected SEAH) in by a Covered individual in relation to a Fund- related Activities</p>

		<p>steps if remedies are not implemented, while allowing the GCF Secretariat to implement those remedies as appropriate.</p>			<p>shallactivity shall be entitled to all the protection (which includes anonymity and confidentiality, and protection from retaliation) and remedies, afforded to 'whistleblowers' as set out in the GCF Policy on the Protection of Whistleblowers and Witnesses [emphasis added]</p> <p>p.31 Any other person who reports, attempts to report, is believed to be about to report, or is believed to have reported actual or suspected SEAH, or cooperates, attempts to cooperate, is believed to be about to cooperate, or is believed to have cooperated with a GCF investigation concerning a report of suspected SEAH by a Covered Individual in relation to a Fund-related activity, shall be deemed a 'whistleblower' or as a 'witness', as appropriate, and shall be entitled to all the related protection (which includes anonymity and confidentiality, and protection from retaliation) and remedies, as set out in the GCF Policy on the Protection of Whistleblowers and Witnesses. [emphasis added]</p> <p>In addition, paragraph 35 provides that: Where an act of SEAH is perpetrated by a Covered Individual, or retaliation against an actual or suspected Survivor is perpetrated by a Covered Individual has been substantiated through an investigation conducted by GCF, and corrective or disciplinary measures have been imposed against a Covered Individual, the IIU, in consultation with the EAC, may recommend that GCF or the Counterparty take appropriate remedies , such as the provision of referral contacts and services and counselling for the benefit of the Victim. GCF survivor. The GCF Secretariat shall endeavour to implement such remedies without undue delay</p>
USA	Background document - Analysis of policy proposal on ES Policy on page 5	The Revised SEAH Policy seeks to provide the IIU (together with the Ethics and Audit Committee) with the right to propose remedies for survivors of SEAH acts perpetrated by Covered Individuals	This term is inconsistently capitalized. As it is defined in the Policy, it should be capitalized.	Editorial	Revised accordingly

		and determine appropriate steps if remedies are not implemented, while allowing the GCF Secretariat to implement those remedies as appropriate.			
Finland / Hungary / Switzerland	Background document - Analysis of policy proposal on ES Policy on page 7	(i) any risks or potential adverse impacts on women, men, girls and boys are identified as early as possible as part of GCF financed activities screening and reflected in relevant safeguards instruments, and differentiated by gender where relevant, including adverse impacts on gender equality, Gender-Based Violence (GBV), and Sexual Exploitation, Sexual Abuse and Sexual Harassment (or the similar terms employed by the Accredited Entities that are equivalent to those of the GCF in all material respects), and	Check the wording – adverse impacts on gender equality and on GBV are different sides of the coin.	Substantive	Agreed. However, Gender based violence has now been removed from the scope of the ES policy revisions for consistency with the SEAH Policy
Finland / Hungary / Switzerland	Background document - Analysis of policy proposal on ES Policy on page 7	(a) the relevant safeguards instruments includes measures to avoid, minimise or mitigate adverse impacts on gender equality, GBV and SEAH	As above. Could it be considered to be modified “measures to enhance gender equality and to prevent, address and eliminate GBV and SEAH”?	Substantive	Correct. Revised accordingly. For conciseness, and to reflect what is possible to achieve, we have not referred to "eliminate" as well as "prevent".

Finland / Hungary / Switzerland	Background document - Analysis of policy proposal on ES Policy on page 7	(ii) Gender-based discrimination particularly against women and girls is avoided , mitigated and appropriately addressed when such; discrimination occurs; and	Rather speak about prevention	Editorial	Revised accordingly
Finland / Hungary / Switzerland	Background document - Analysis of policy proposal on ES Policy on page 7	Established survivor-centered reporting and response protocols in place, with specific procedures for GBV and SEAH including confidential reporting with safe and ethical documenting of GBV and SEAH cases, that indicate when and where to report incidents, and what follow-up actions will be undertaken	Does this mean investigation of cases?	Substantive	Appropriate follow-up actions would be determined by the grievance redress mechanisms (both on project and institutional levels)
USA	SEAH Policy - Introduction	SEAH risk mitigation in all GCF financed activities (as described under the Environmental and Social Policy) will be addressed through the relevant provisions of the Environmental and Social Policy .	The short form ES Policy has already been introduced above, so should use it here, and throughout	Editorial	Revised accordingly
USA	SEAH Policy - Scope	SEAH safeguarding risk mitigation in all GCF financed activities (as described under the Environmental and Social Policy) will be addressed through the relevant provisions of the Environmental and Social Policy.	What is safeguarding risk mitigation as opposed to just mitigation?	Editorial	Revised accordingly

USA	SEAH Policy - Scope	SEAH safeguarding risk mitigation in all GCF financed activities (as described under the Environmental and Social Policy) will be addressed through the relevant provisions of the Environmental and Social Policy.	Below, in the ES Policy, the SEAH Policy is noted as being “linked” to the ES Policy, which is a stronger/clearer formulation than that the risk mitigation will be addressed. Further, with the concurrent adoption of the Revised Policy and ES Policy, a future verb tense is inappropriate. Suggest revising to be more active, such as “This Policy is linked with the ES Policy, and SEAH risk mitigation requirements in all GCF-financed activities are addressed in the ES Policy.”	Editorial	Revised accordingly
USA	SEAH Policy - Definitions	Sexual Harassment” any includes unwelcome sexual advance, requests for sexual favour, or favors, and other verbal, non-verbal, or physical conduct of a sexual nature, that interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive environment in connection with a Fund-related Activity, and, for the avoidance of doubt,. Sexual Harassment may occurharassment occurs between or amongst persons of different sexes or genders or of the same sex or gender, personnel and may be initiated by any gender or sex; Staff.	This definition would mean that not all Covered Individuals can Sexually Harass, which is not the case. Suggest revising to include all Covered Individuals, consistent with the obligations noted below.	Substantive	The definition of Sexual Harassment has been reversed to the original definiton in the current SEAH Policy as it provides better context and clarity. Now reads: Sexual Harassment” includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, that interferes with work, or is made a condition of employment, or creates an intimidating, hostile or offensive environment in connection with a Fund-related activity

USA	SEAH Policy - Guiding Principles	GCF and its Covered Individuals shall not engage in SEAH, and shall not engage with Counterparties that enter into future engagements with those who condone, encourage, participate in, or engage in SEAH. in fund-related activities	Capitalize, as this is a defined term.	Editorial	Revised accordingly
Finland / Hungary / Switzerland	SEAH Policy - Guiding Principles, para.10	GCF and its Covered Individuals shall not engage in SEAH, and shall not engage with Counterparties that enter into future engagements with those who condone, encourage, participate in, or engage in SEAH. in fund-related activities	Should be deleted, SEAH is unacceptable in any context	Substantive	<p>Agreed that this is unacceptable in any context and the first guiding principle underscores this point. However, current SEAH policy the other guiding principles related to actions GCF will take (including the principle in question) is in the context of fund-related activities and this has been maintained in the policy revisions.</p> <p>If the words "in fund-related activities" were deleted, this would lead to a situation where GCF would be obliged not to enter into a new legal agreement with an AE for a funded activity in Country X, where that AE had condoned, encouraged, participated in or engaged in SEAH in Country Q which is totally unconnected to GCF financing. That is likely difficult to implement as GCF will not have jurisdiction to investigate an entity in circumstances unrelated to GCF fund related activities. Therefore, it will be difficult to implement this guiding principle if it extends further than fund related activities. For example: How will the GCF determine that an entity has condoned, encouraged, participated in or engaged in SEAH? Would it be based on media reports, an authorised investigative body or the judgment of a competent court of jurisdiction?</p> <p>Furthermore, for events falling outside the GCF's operations, what would be the threshold - i.e. if the entity in question accepts wrongdoing and establishes a robust framework to close strengthen their SEAH response, would the expectation be that they are eternally debarred? Also, an entity cannot</p>

					<p>be debarred where the underlying wrongdoing has no direct nexus to GCF operations (GCF currently does not have a cross-debarment agreement with any institution).</p> <p>The Secretariat recommends retaining the contextualisation of this provisions in order to render it implementable.</p> <p>Notwithstanding the above, the GCF Board would have the option to refuse approval of funding proposals with Accredited Entities that are considered to have serious and serial issues with condoning, encouraging, participating or engaging in SEAH in their operations.</p>
Finland / Hungary / Switzerland	SEAH Policy - Guiding Principles, para.11	GCF shall take all reasonable measures to prevent, mitigate, investigate, and remedy SEAH in relation to acts perpetrated by Covered Individuals in Fund-related Activities.	Replace by necessary	Editorial	Revised accordingly
USA	SEAH Policy - Guiding Principles, para. 12	GCF shall take all reasonable measures to prevent, mitigate, investigate, and remedy SEAH in relation to acts perpetrated by Covered Individuals in Fund-related Activities	Suggest this be “all appropriate” measures, given the zero tolerance (counselling for “all measures”), combined with other obligations e.g. on due process, which tempers “all measures”. There may be reasonable measures that are not appropriate, given the constraints	Editorial	Revised

USA	SEAH Policy - Guiding Principles, para. 12	GCF shall take all available reasonable measures to protect actual or suspected Victims survivors such as ensuring their anonymity, physical safety and removal from proximity to suspected perpetrators - from retaliation or any detrimental act, direct or indirect, recommended, threatened, or taken against them, because of a report of actual or suspected SEAH perpetrated by Covered Individuals in relation to a fund related activity .	Capitalize, as this is a defined term.	Editorial	Revised
USA	SEAH Policy - Guiding Principles, deleted paragraph	2. The GCF shall take steps to encourage its relevant Counterparties to adopt policies and procedures that are consistent with this Policy, with the purpose of safeguarding against SEAH in Fund-related activities.	This seems like a step the GCF can still take in some form, even if not as an obligation that Counterparties have policies with specific content. See note above with similar language from the AML/CFT Policy.	Substantive	<p>The Secretariat agrees that the GCF can promote the enhancement of counterparty institutional policies. However, given that this would not entail an obligation either on the part of the GCF nor its counterparties, it would not be appropriate to include this under the guiding principles section. Should the Board wish to set a specific requirement regarding the institutional policies of AEs, the Fiduciary Standards (which currently reviews Codes of Ethics and similar governance instruments of AEs) could be revised to include clear criteria on this point. The Fiduciary Standards are due to be updated as per the Board's workplan for 2021</p> <p>Nevertheless, to highlight the GCF's commitment to promote SEAH risk mitigation within the institutions it partners with, the following has been included in the SEAH policy introduction: "GCF will support entities it engages with to develop and implement policies and mechanisms that address Sexual Exploitation, Sexual Abuse and Sexual Harassment</p>

USA	SEAH Policy - Obligations of Covered Individuals, para 14	Covered Individuals shall not condone, encourage, participate in, or engage in SEAH in Fund-to Fund-related Activities .	Does this make grammatical sense? “engage in SEAH to Fund-related Activities”? Perhaps “with respect to” is a better preposition?	Editorial	Corrected
Finland / Hungary / Switzerland	SEAH Policy - Obligations of Covered Individuals, para 14	Covered Individuals shall not condone, encourage, participate in, or engage in SEAH in Fund-to Fund-related Activities .	Delete as above in paragraph 10	Substantive	<p>This is the context of the existing active provision under the current SEAH policy. Whilst the Secretariat can fully appreciate and agrees with the principle underlying the recommendation to delete reference to fund-related activities, this contextualisation is necessary as it would otherwise be unimplementable if GCF were responsible to monitoring and investigating the private lives of its Covered Individuals.</p> <p>Also, as per the paragraphs 37-39, disciplinary measures apply in the context of investigations into fund-related activities. This is also the scope of the prevention/due diligence section, and the context of the policy broadly.</p>
USA	SEAH Policy - Obligations of Covered Individuals, para 14 (a)	Use their position to sexually abuse, exploit, or harass any person implementing, engaged in, or benefiting from Fund-related Activities;	These are defined terms in this Policy, so should be capitalized. As noted above, the definition of Sexual Harassment does not appear to apply to all Covered Individuals. Suggest revising the definition, since this obligation is clearly one that we want to maintain with respect to all Covered Individuals.	Editorial	Revised accordingly
USA	SEAH Policy - Prevention and Due Diligence, Covered individuals, para. 31	GCF reserves the right to withdraw any offer of appointment , employment, or contract, or to terminate any contractual engagement if the applicant is found to have provided untruthful information concerning any past criminal or disciplinary records regarding acts of SEAH.	Why has this been removed? Board-appointed officials should also be required to submit Declarations.	Editorial	Retained accordingly

USA	SEAH Policy - Awareness raising, Communication and Training, para.23	The Secretariat will prepare as soon as practicable policy implementation guidelines and in the form of an action plan to support the dissemination and implementation of this Policy and to raise awareness across GCF of the issue of SEAH and its potential ramifications.	What is the timeline for these guidelines, given that these aspects of the Policy have been in place as these revisions have been developed?	Secretariat Request	This provision is as expressed in the original SEAH policy and has already been developed by the Secretariat in the first quarter of 2020.
Finland / Hungary / Switzerland	SEAH Policy - Awareness raising, Communication and Training, para.23 (b)	Developing through consultative processes with stakeholders, and making available, policy implementation guidelines in the form of an action plan, training, guidance and tools, and communication materials for Covered Individuals and Counterparties to raise awareness and support the implementation of this Policy.; This training, tools and guidance will be tailored to the needs and contexts of the target audience.	Some of the training should be compulsory	Recommendation	Agreed. The training is currently compulsory.

USA	SEAH Policy - Awareness raising, Communication and Training, para.23 (c) - <i>deleted text</i>	Conducting, to the extent possible, awareness raising and training activities for and/or in collaboration with Covered Individuals, Counterparties, GCF beneficiaries, and relevant stakeholders in Fund-related Activities;	Couldn't this still be a useful activity for the GCF to undertake with respect to Counterparties and beneficiaries, even if the obligations of the Revised Policy are different	Substantive	<p>The SEAH Policy is an internal facing policy , therefore it would be unusual to reflect training for counterparties with regard to their institutional awareness or capacity within the SEAH Policy. This would be beyond the scope of internal facing policies e.g. other institutions do not undertake code of conduct training for their beneficiaries and other stakeholders who are not under the control of the institution.</p> <p>However, the GCF promotes and requires AEs to undertake awareness raising engagements through the relevant provisions of the ES Policy regarding stakeholder consultations and mitigation hierarchy. Furthermore, the ES Policy requires AEs to undertake inclusive consultations with stakeholders (including affected communities), as well as to disseminate information regarding reporting and services for survivors as a standard aspect of project development.</p> <p>Also, the new revisions which address operational SEAH safeguarding provides for technical support for AEs and capacity building particularly for direct access entities through the Readiness and Preparatory Support program.</p>
Finland / Hungary / Switzerland	SEAH Policy - Reporting and Investigation, para.2	Reports of actual or suspected SEAH regarding a Co-Chair, Board Member, Alternate Member, Adviser, the Executive Director, or the Head of the IIU, shall be submitted to the Chair of the EAC who shall bring any such report to the attention of the EAC for its consideration in accordance with the procedures to be determined for such a case	Does this meant that procedures may depend on the case? Well-established procedures should be in place, no ad hoc procedures.	Substantive	<p>This is a currently active provision within the SEAH Policy and the Secretariat has not reviewed, as is not covered by the directions under decision B.25/05 para (d). However, agree that procedures should be well established and predictable. Therefore, the provision has been revised accordingly.</p> <p>However, in rare cases which may fall under the jurisdiction of both IRM and IIU, and these cases will follow the procedures agreed pursuant to para. 30 of the SEAH Policy which addresses collaboration between IIU and IRM in these instances</p>

Finland / Hungary / Switzerland	SEAH Policy - Reporting and Investigation, para.3	Reports of actual or suspected SEAH regarding a GCF Personnel working under the authority of the Head of the IIU shall be made to the Head of the IIU at the IIU points of contact stated in subparagraph (a) above, or to the Chair of the EAC at the EAC points of contact stated in subparagraph (c) above on an interim basis until other mechanisms are established. and appropriately communicated.	Any plans for this?	Question	This is an existing active provision within the current SEAH Policy. IIU is responsible for this aspect and the Secretariat is not aware of any other established mechanisms for reporting. However, as IIU had expressed that the reporting lines are interim 'until other mechanisms are established', the Secretariat has proposed including 'and appropriately communicated' to enhance transparency and effective socialisation should the contact details be reviewed in the future
USA	ES Policy - Definitions	Activities	Generally, throughout the sections that follow, this word is not capitalized, and it seems that it should be in at least many instances.	Editorial	Revised throughout the SEAH revisions. However, this terminology already existed within the ES Policy and those existing provisions have not been revised.
USA	ES Policy - Definitions	Sexual Harassment” includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual Harassment occurs between personnel and staff ;	Who are the "personnel and staff" in this context?	Substantive	The definition of Sexual Harassment has been reversed to the original definition in the current SEAH Policy as it provides better context and clarity. Now reads: Sexual Harassment” includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, that interferes with work, or is made a condition of employment, or creates an intimidating, hostile or offensive environment in connection with a Fund-related activity
Finland / Hungary / Switzerland	ES Policy - Objectives and Scope, Policy objectives - para.3(c)	Give due consideration to women and girls . vulnerable and marginalised populations, groups, and individuals, especially women and girls , local communities, indigenous peoples, and other marginalized groups of	This modification proposed as women as such are not a vulnerable group	Substantive	Agreed and revised accordingly

		people and individuals that are affected or potentially affected by GCF-financed activities			
Finland / Hungary / Switzerland	ES Policy - Objectives and Scope, Policy objectives - para.3(c)	Give due consideration to . vulnerable and marginalised populations, groups, and individuals, especially women and girls, local communities, indigenous peoples, and other marginalized groups of people and individuals that are affected or potentially affected by GCF-financed activities	Recommend changing to "including"	Substantive	Agreed and revised accordingly
Finland / Hungary / Switzerland	ES Policy - Guiding principles, para (e)) Equality and non-discrimination. In meeting the ESS standards, all activities financed by GCF will require that, where they are unavoidable, adverse impacts do not fall disproportionately on women and girls , vulnerable and marginalised groups, especially women and girls , and individuals that are affected or potentially affected by GCF-financed activities, and avoid prejudice and discrimination in providing access to development resources and benefits;	Modification proposed as above	Substantive	Agreed and revised accordingly
USA	ES Policy - Guiding	Equality and non-discrimination. In meeting the ESS	This should say "including" or leave this phrase out entirely. Women and girls are not the only group	Substantive	Revised accordingly

	principles, para (e)	standards, all activities financed by GCF will require that, where they are unavoidable, adverse impacts do not fall disproportionately on vulnerable and marginalised groups, especially women and girls, and individuals that are affected or potentially affected by GCF-financed activities, and avoid prejudice and discrimination in providing access to development resources and benefits;	subject to discrimination. Putting women and girls above other people downgrades others.		
USA	ES Policy - Guiding principles, para (f)	Mitigation hierarchy. The GCF adheres to the mitigation hierarchy as an overall principle to managing environmental and social risks and impacts , - especially with regards to SEAH , - suitable for all instances of GCF- financed activities.	<p>This is a description of the mitigation hierarchy. The overall principle is really important, and SEAH is not really relevant. It should not be an opportunity to imply a lesser importance of other issues.</p> <p>There is substantial text below focusing on women and girls and SEAH. This reference is not needed here.</p>	Substantive	Revised accordingly

USA	ES Policy - Guiding principles, para (g)	Coherence and links with relevant policies and practices of GCF.3 The Environmental and Social Policy is an overarching policy that shall be consistent and linked with the relevant policies and practices of GCF, such as those related to accreditation, monitoring and accountability, the redress mechanism, information disclosure, gender, SEAH , and others, as appropriate, including those relevant policies that are still to be developed;	As noted above, the linkage in the SEAH Policy itself could be strengthened.	Substantive	Linkage strengthened within the SEAH Policy as per the following recommendations of the US team on row 35: Below, in the ES Policy, the SEAH Policy is noted as being “linked” to the ES Policy, which is a stronger/clearer formulation than that the risk mitigation will be addressed. Further, with the concurrent adoption of the Revised Policy and ES Policy, a future verb tense is inappropriate. Suggest revising to be more active, such as “ This Policy is linked with the ES Policy, and SEAH risk mitigation requirements in all GCF-financed activities are addressed in the ES Policy ”
USA	ES Policy - Guiding principles, para (j) , Gender sensitive approach	GCF has zero tolerance for all forms of sexual wrongdoing including SEAH in GCF-financed activities...	As this isn’t a defined term under these safeguards (except “Activities”), and there is significant overlap with “Fund-related Activities” (but perhaps some differences, as noted in the introduction to this note), perhaps some overall clarification of the terms and how they overlap would be useful	Substantive	The terminology 'GCF financed activities' is self-explanatory and already existed within the ES Policy/ is used interchangeably with the "Activities" terminology throughout the policy (before the SEAH revisions). However, for clarity, we have included the following definition within the ES Policy definitions: GCF financed activities means Activities financed with GCF proceeds.
USA	ES Policy - Guiding principles, para (j) , Gender sensitive approach	GCF has zero tolerance for all forms of sexual wrongdoing including SEAH in GCF-financed activities . Sexual Exploitation, Sexual Abuse and Sexual Harassment violate human dignity and universally recognised international legal norms	While we may wish this is the case, I don’t think that SEAH rises to the level of jus cogens, so suggest rewording.	Substantive	This is the language used in the introduction to the existing B.23 Board adopted SEAH Policy. However, we have amended the paragraph in line with US recommendations on row 77 below.

Finland / Hungary / Switzerland	ES Policy - Guiding principles, para (j) , Gender sensitive approach	It creates hostile interpersonal relationships and work- related environments, which limit the ability of affected persons to thrive and GCF to achieve its mission. SEAH in any form is not acceptable at GCF	Change to unacceptable	Editorial	Revised accordingly
USA	ES Policy - Guiding principles, para (j) , Gender sensitive approach	It creates hostile interpersonal relationships and work- related environments, which limit the ability of affected persons to thrive and GCF to achieve its mission. SEAH in any form is not acceptable at GCF	Suggest adding a reference here to “or in the GCF’s Activities” (or whichever consistent term is determined to be most appropriate).	Editorial	Amended
USA	ES Policy - Guiding principles, para (p) , Indigenous peoples	...All GCF-financed activities will support the full and effective participation of indigenous peoples, especially women and girls ...	Suggest changing to "including"	Substantive	Agreed and revised accordingly.
USA	ES Policy - Overview of GCF roles and responsibilities, para 11 (8)	8. The SEAH provisions of this policy will be operationalized via a SEAH Action Plan for the GCF which will stipulate how these provisions will be implemented across the GCF and infor all GCF financed activities	Same comment as above	Substantive	The terminology 'GCF financed activities' is self- explanatory and already existed within the ES Policy/ is used interchangeably with the "Activities" terminology throughout the policy (before the SEAH revisions). However, for clarity, we have included the following definition within the ES Policy definitions: GCF financed activities means Activities financed with GCF proceeds
USA	ES Policy - Overview of GCF roles and responsibilities, para 11 (8)	8. The GCF will technical support to Accredited Entities to enable them to undertake the necessary SEAH risk assessment	word missing here	Editorial	Corrected

USA	ES Policy - Overview of GCF roles and responsibilities, para 11 (8)	8. The GCF will technical support to Accredited Entities to enable them to undertake the necessary SEAH risk assessment	As noted above, there remains scope for training and awareness raising on SEAH concerns that the GCF can and should provide with respect to Counterparties, even if there is no direct obligation on Counterparties through the SEAH Policy, so it is unclear why that is not reflected as an aspect of the Revised Policy.	Substantive	The SEAH Policy is an internal facing policy, therefore it would be unusual to reflect training for counterparties with regard to their institutional awareness or capacity within the SEAH Policy. However, the ES Policy which addresses operational SEAH safeguarding provides for technical support for AEs and capacity building particularly for direct access entities through the Readiness and Preparatory Support program
USA	ES Policy - Overview of Accredited Entities roles and responsibilities, para 19)	In the case of activities proposed for GCF financing , GCF will require the accredited entities to undertake all necessary measures to ensure that activities financed by the GCF are developed and implemented in such a manner that considers potential adverse gender-related impacts, including Gender-Based Violence, Sexual Exploitation, Sexual Abuse and Sexual Harassment (or the similar terms employed by the Accredited Entities that are equivalent to those of the GCF in all material respects).	Is there any plan to require these same steps for existing Activities? Below only notes that the impact will be assessed, but seems it would be important to do a fulsome review of existing projects and programs to root out potential issues.	Substantive	The Secretariat appreciates the value in gaining a better perspective of its existing portfolio. Therefore, the Secretariat intends to conduct an inhouse review of the GCF portfolio, for its own knowledge and using the risk assessment tool it will develop. However, the Secretariat does not recommend requiring, retrospectively, that SEAH safeguards instruments are put in place for existing activities. This would require renegotiation of FAA provisions and there is no assurance that this could be agreed with AEs. Furthermore, this approach will be contrary to industry practice of grandfathering as explained below.

<p>Finland / Hungary / Switzerland</p>	<p>ES Policy - Overview of Accredited Entities roles and responsibilities, para 19</p>	<p>In the case of activities proposed for GCF financing, GCF will require the accredited entities to undertake all necessary measures to ensure that activities financed by the GCF are developed and implemented in such a manner that considers potential adverse gender-related impacts, including Gender-Based Violence, Sexual Exploitation, Sexual Abuse and Sexual Harassment (or the similar terms employed by the Accredited Entities that are equivalent to those of the GCF in all material respects). Accredited Entities are required to ensure that:</p> <p>(iv) any risks or potential adverse impacts on women, men, girls and boys are identified as early as possible as part of GCF financed activities screening and reflected in relevant safeguards instruments, and differentiated by gender where relevant, including adverse impacts on gender equality, Gender-Based Violence (GBV), and Sexual Exploitation, Sexual Abuse and Sexual</p>	<p>Check the wording – adverse impacts on gender equality and on GBV are different sides of the coin.</p>	<p>Substantive</p>	<p>Language revised - however, please note that GBV is no longer reflected within the proposed revisions to the ES Policy for consistency with the scope of the SEAH Policy, and as explained in further detail in row 77 below</p>
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		<p>Harassment (or the similar terms employed by the Accredited Entities that are equivalent to those of the GCF in all material respects), and</p> <p>(a) the relevant safeguards instruments includes measures to avoid, minimise or mitigate adverse impacts on gender equality, GBV and SEAH</p> <p>(b) all measures to mitigate and manage the identified risks and impacts are implemented, monitored and continuously improved</p> <p>(c) progress and performance are monitored and reported to GCF and stakeholders throughout implementation of the GCF financed activities</p> <p>(v) Gender-based discrimination particularly against women and girls is avoided, mitigated and appropriately addressed when such; discrimination occurs; and</p> <p>(vi) In case incidences of Gender-Based Violence and/or Sexual Exploitation, Sexual Abuse and Sexual Harassment occur, there</p>			
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		<p>are:</p> <p>(c) Established survivor-centered reporting and response protocols in place, with specific procedures for GBV and SEAH including confidential reporting with safe and ethical documenting of GBV and SEAH cases, that indicate when and where to report incidents, and what follow-up actions will be undertaken; and</p> <p>(d) Modalities to provide timely services and redress to survivors. including as appropriate, medical care, psychosocial support, legal support, community driven protection measures, and reintegration,</p>			
Finland / Hungary / Switzerland	ES Policy - Overview of Accredited Entities roles and responsibilities, para 19 (iv)	(iv) any risks or potential adverse impacts on women, men, girls and boys are identified as early as possible as part of GCF financed activities screening and reflected in relevant safeguards instruments, and differentiated by gender where relevant, including adverse impacts on gender equality, Gender-Based Violence (GBV), and Sexual Exploitation, Sexual Abuse and Sexual Harassment	Check formulation	Substantive	Please see comment above

USA	ES Policy - Overview of Accredited Entities roles and responsibilities, para 19	In the case of activities proposed for GCF financing, GCF will require accredited entities to undertake all necessary measures to ensure that the grievance redress mechanisms established by the accredited entities and/or executing entities, as described in paragraph 78, address GBV and SEAH in addition to other environmental and social impacts of the activities.	What about with respect to AEs currently developing projects under the current ESS? How will these revisions be implemented across the board?	Substantive	The typical industry approach when a new policy takes effect is to grandfather existing projects. In other words, implementation is not retrospective as to do so will entail operational disruption. Projects under implementation will follow the policies and legal agreements in force at the time these projects were approved. The good practice guide (similar to the World Bank's approach following the two SEAH cases detailed in the IRM SEAH Advisory Report) is to conduct an in-house portfolio wide risk assessment (using the risk assessment tool the Secretariat will develop) to identify/ monitor high risk ongoing projects.
USA	ES Policy, Section 6.4, Environmental and Social due diligence (General comment)		Suggest a mention of SEAH as being included among the due diligence measures undertaken by the GCF, as suggested above. An alternative would be to include references to SEAH related due diligence and management plans in para 19.	Substantive	Paragraph 19 has been amended to reflect due diligence requirements related to ESIA and ESMP.
USA	ES Policy, Section 6.8 Monitoring and Reporting, para. 57	GCF will monitor the compliance of accredited entities with the applicable environmental and social safeguards requirements, pursuant to the ESS standards and the monitoring and accountability framework of GCF. On an annual basis, the accredited entities will provide GCF with a self-assessment of their compliance with the applicable environmental and social safeguards of the accredited entities,	The definition above notes that when used in long form it refers to the safeguards of the entities, so this seems like an unnecessary addition.	Editorial	Revised accordingly.

		pursuant to the ESS standards of GCF			
USA	ES Policy, Definitions, para. 24	24. “ Sexual Harassment” includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual Harassment occurs between personnel and staff;	We recommend deleting this sentence. It is unclear, confusing and overly restrictive	Substantive	The definition of Sexual Harassment has been reversed to the original definition in the current SEAH Policy as it provides better context and clarity. <i>Now reads: Sexual Harassment” includes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, that interferes with work, or is made a condition of employment, or creates an intimidating, hostile or offensive environment in connection with a Fund-related activity</i>
	ES Policy, Definitions, para 25.	Gender-Based Violence” (GBV) means any harmful act that is perpetrated against a person’s will and that is based on socially ascribed differences between male and female individuals, including acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, and coercion and other deprivations of liberty, whether occurring in public or in private life is an umbrella term for any harmful threat or act directed at an individual or group based on actual or perceived biological sex, gender identity and/or expression, sexual orientation, and/or lack of adherence to varying socially constructed	Proposed deletion in red and revision in bold. USG’s definition from the 2016 GBV Strategy*: Any harmful threat or act directed at an individual or group based on actual or perceived biological sex, gender identity and/or expression, sexual orientation, and/or lack of adherence to varying socially constructed norms around masculinity and femininity. It is rooted in structural gender inequalities, patriarchy, and power imbalances. GBV is typically characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social and other forms of control and/or abuse. GBV impacts individuals across the life course and has direct and indirect costs to families, communities, economies, global public health, and development. *U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally (2016)	Substantive	The GCF Board’s direction as per decision B.25/05 to the Secretariat is to establish revisions to the SEAH safeguarding framework. The original SEAH Policy was focused on SEAH only, and the revised SEAH policy also is focused on SEAH only. Therefore, the parameters of the revisions to the ES policy which give effect to the GCF SEAH Policy was intended to be focused on SEAH only. For this reason, and for consistency with the SEAH policy, all references to GBV has been removed from the ES Policy. The obligation of AEs is SEAH specific.

		<p>norms around masculinity and femininity. It is rooted in structural gender inequalities, patriarchy, and power imbalances. GBV is typically characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social and other forms of control and/or abuse. GBV impacts individuals across the life course and has direct and indirect costs to families, communities, economies, global public health, and development. [GBV includes acts that inflict physical, mental, or sexual harm or suffering; threats of such acts; and coercion and other deprivations of liberty, whether occurring in public or in private life</p>			
USA	ES Policy, Guiding Principles, para 8 (a)	<p>Integration of environmental and social sustainability. Sustainable development underpins the mandate and objectives of GCF and hence is a key consideration in the policies and governance frameworks of GCF. The ESMS and the policy provide an opportunity</p>	<p>Recommended inclusion: ' accessible and inclusive' .</p> <p>Ensuring development features are accessible to all - including individuals with disabilities - is usually costless or at minimal cost, whereas inaccessible projects harm community members with disabilities, who are overrepresented among women and girls in developing countries.</p>	Substantive	Agreed. Revised accordingly.

		for GCF to incorporate environmental and social considerations, including SEAH, in ways that not only include safeguard measures of “do no harm,” but also improve environmental and social outcomes and generate accessible and inclusive co-benefits to the environment and the communities, including women and girls, and indigenous peoples, that depend on it.			
USA	ES Policy, Guiding Principles, para 8 (b)	Transboundary risk and impact approach. The GCF shall ensure that in case of potential transboundary impacts of GCF-funded projects all necessary consultations and due diligence processes, including prior notification and accessible , inclusive, gender-sensitive consultations with the relevant stakeholders, including addressing their comments		Substantive	As per above. Revised accordingly
USA	ES Policy, Guiding Principles, para 8 (k)	(k) Zero tolerance of GBV/SEAH. GCF has zero tolerance for all forms of gender-based violence sexual wrongdoing including SEAH in GCF-financed activities. Gender-based violence Sexual	Edits proposed in bold and strikethrough text. Comments as follows: 1. re: new subheading: We recommend making this a separate principle. 2. Re strikethrough in red: This seems a bit out of place. Perhaps it should be in a definition, or	Substantive/Editorial	Separate paragraph maintained, and all revisions accepted except those related to GBV as GBV has now been removed from the revised scope of the ES Policy.

		<p>Exploitation, Sexual Abuse and Sexual Harassment is a violation of fundamental human rights. e human dignity and have always been unacceptable behaviour. Like all forms of gender-based violence, SEAH Sexual Harassment is based on unequal relations and power dynamics, resulting s in from a culture of discrimination and privilege., based on unequal relations and power dynamics. It creates hostile interpersonal relationships and work-related environments, which limit the ability of affected persons to thrive and GCF to achieve its mission. SEAH in any form is not acceptable at GCF. To give effect to the principle of zero-tolerance, GCF recognises the imperative for AEs and GCF-financed activities to prevent and respond effectively to SEAH and to protect persons, especially vulnerable individuals, and survivors of SEAH in GCF financed activities. These protections are essential to strengthen integrity</p>	<p>dropped entirely.</p> <p>3. Re the subsequent revisions in bold: We recommend making a connection between the principle and the provisions below on preventing and responding to SEAH. Similarly, we recommend greater specificity on who is doing the preventing and responding. This suggestion ties the principle to the AEs and GCF-financed activities.</p>		
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		and accountability throughout GCF.			
USA	ES Policy, Guiding principles para 8 (p)	Indigenous peoples. All GCF-financed activities will avoid adverse impacts on indigenous peoples, and when avoidance is not possible, will minimize, mitigate and/or compensate appropriately and equitably for such impacts, in a consistent way and improve outcomes over time; promote benefits and opportunities; and respect and preserve indigenous culture, including the indigenous peoples' rights to lands, territories, resources, knowledge systems, and traditional livelihoods and practices. All GCF-financed activities will support the full and effective participation of indigenous peoples, especially women and girls and recognize their	Can this be broadened to children?	Substantive	This provision is specific to indigenous people considerations. The GCF's Indigenous People's policy does not include the participation of children in this context. However, it does require taking into account the needs of children. Including children in this provision may distort its context. The indigenous People's Policy and its implementation guidelines elaborates on the interests of children. In this light, recommend retaining current text.

USA	ES Policy, Section 5.3, - Overview of roles and responsibilities with respect to the accredited entities, para 19	In the case of activities proposed for GCF financing, GCF will require the accredited entities to undertake all necessary measures to ensure that activities financed by the GCF are developed and implemented in such a manner that considers potential adverse gender-related impacts, including Gender-Based Violence, including Sexual Exploitation, Sexual Abuse and Sexual Harassment (or the similar terms employed by the Accredited Entities that are equivalent to those of the GCF in all material respects). Accredited Entities are required to ensure that:		Editorial	Please note that GBV has now been deleted from the revised scope of the ES Policy, as it is wider than SEAH which is the focus of the Board's request to the Secretariat through decision B.25/05 and is also consistent with the scope of the SEAH Policy.
USA	ES Policy, Section 5.3, - Overview of roles and responsibilities with respect to the accredited entities, para 19	(i) any risks or potential adverse impacts on women, men, girls and boys are identified as early as possible as part of GCF financed activities screening and reflected in relevant safeguards instruments, and differentiated by gender and age where relevant		Editorial	Revised accordingly

	<p>ES Policy, Section 5.3, - Overview of roles and responsibilities with respect to the accredited entities, para 19</p>	<p>In case incidences of Gender-Based Violence, and/or Sexual Exploitation, Sexual Abuse and Sexual Harassment occur, there are: (a) Established accessible and inclusive survivor-centered reporting and response protocols in place, with specific procedures for GBV and SEAH including confidential reporting with safe and ethical documenting of GBV and SEAH cases, that indicate when and where to report incidents, and what follow-up actions will be undertaken; and</p>	<p>Recommended deletion in strikethrough and addition in bold.</p> <p>Comment: Women and girls with disabilities are more likely to be victims of GBV that women and girls without disabilities; if the reporting mechanism is not consciously accessible/inclusive it will remain outside their availability</p>	<p>Editorial</p>	<p>Revised accordingly</p>
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Response matrix for comments received from the active observer representing civil society organizations in developed countries on the draft document

Country	Section	Text	Active Observer comment	Type	Secretariat Response
Erika Lennon	General	N/A	<p>Thank you for sharing the proposed decision on ways forward for the implementation of the Sexual Exploitation, Abuse, and Harassment (SEAH) standards. We have significant concerns with both the process for the development of these changes as well as the changes themselves. First, this draft was shared only a few days before the draft decision was to be presented prior to B.28 despite the fact that the Secretariat has been working on changes to address the SEAH policy for over a year, and it has been months since the completion of the consultant's review in October 2020. Given the changes to both the SEAH Policy and the Environmental and Social Policy (ESP), it should have gone through public consultation in line with prior GCF practice. The ESP specifically went through several rounds of public consultation before being approved by the Board</p>	Note	<p>The Secretariat notes the concerns raised regarding the policy development and consultation process. In line with the longstanding practice of the GCF, the GCF engages in CSO consultations on policies where specifically mandated by the Board through adopted decisions.</p> <p>As highlighted, the original Environmental and Social Policy went through rounds of consultations with Active Observers were specifically mandated by Board decision. However, the Board decision (B.25/05) requesting the Secretariat to revise the SEAH Policy and present consequential amendments to relevant policies, safeguards and standards did not include directions to conduct AE consultations. Therefore, the scope of pre-consultations consultations conducted were in line with the GCF practice and decision B.25/05</p>

Country	Section	Text	Active Observer comment	Type	Secretariat Response
Erika Lennon	General	N/A	<p>Secondly, the proposed changes to the SEAH policy and within the ESP related to SEAH appear to be rushed and slapdash rather than in a comprehensive manner, which may lead to even more confusion and trouble for the AEs. For example, SEAH is incorporated in some instances as a separate point and in others it seems to be inferred that it is part of social assessment.</p>	Note	<p>The Secretariat thanks the CSO for acknowledging (as above) that the Secretariat took time to develop the proposed revisions over the course of the past 12 months. The Secretariat assures the CSO that the revisions are informed by a recommendations presented to the Board at B.26 and B27 which were both open to response from Active Observers. In particular the revisions build upon:</p> <ol style="list-style-type: none"> 1. the recommendations set out in the Independent Redress Mechanism's SEAH Advisory Report presented to the Board at B.26 2. a comparative analysis of the SEAH safeguarding practices of international financial institutions (IFIs) and a technical assessment of the SEAH policy which set out the conceptual approach to aligning the GCF's SEAH framework with the practices of IFIs. Both were presented to the Board at B.27 and were open to response from Active Observers. <p>Therefore, the revisions are in line with the policy ES policy frameworks of comparable institutions. SEAH on project level is addressed as a social risk within the ES Policy. In other words, in the ESP, all non-environmental risks are social risks (including SEAH). The instances where SEAH has been emphasised are under the definitions, guiding principles, roles and responsibilities for GCF and AEs respectively. Furthermore, paragraph 19 expressly requires SEAH due diligence and prevention measures to be incorporated as part of the ESIA and ESMP.</p> <p>On the CSO's concern regarding potential for more confusion and trouble for AEs, the Secretariat has consulted the revisions with AEs. The feedback received been positive, supportive and confirms that confirms that the revisions are aligned with their operational SEAH safeguarding practices.</p>

Country	Section	Text	Active Observer comment	Type	Secretariat Response
Erika Lennon	General	N/A	It is also not clear to what extent the existing GCF interim ESS (the IFC Performance Standards) even sufficiently acknowledge and cover risk related to SEAH.	Note	<p>As the CSO is aware, paragraph (c) of decision B.07/02 adopting the Interim ESS Standards (which is the IFC Performance Standards), requires the implementation to be guided by the IFC Guidance Notes (board decision reproduced below). As highlighted in the introduction to the policy revision document, the Secretariat confirms that related Guidance Notes covers SEAH as per link below.</p> <p>https://www.ifc.org/wps/wcm/connect/9fc3aaef-14c3-4489-acf1-a1c43d7f86ec/GN_English_2012_Full-Documents_updated_June-27-2019.pdf?MOD=AJPERES&CVID=mRQmrEJ</p> <p><u><i>Paragraph (c) of Decision B.07/02:</i></u></p> <p><i>The Board, having considered document GCF/B.07/02 Guiding Framework and Procedures for Accrediting National, Regional and International Implementing Entities and Intermediaries, Including the Fund's Fiduciary Principles and Standards and Environmental and Social Safeguards:</i></p> <p><i>c. Further decides to adopt, on an interim basis, the Performance Standards of the International Finance Corporation (IFC), as contained in Annex III to this document, noting that their use and implementation will be guided by the IFC Guidance Notes; [emphasis added]</i></p>

Country	Section	Text	Active Observer comment	Type	Secretariat Response
Erika Lennon	General	N/A	<p>The GCF should undertake a longer period of consideration including consultation with stakeholders to ensure that SEAH is incorporated systemically and resulting obligations for AEs with respect to necessary assessments, risk categorization, etc. are spelled out. By doing so, the GCF can ensure that the two policies are updated in a manner that allows for the GCF and the AEs to ensure that they are able to incorporate addressing SEAH concerns fully into their actions.</p>	Recommendation	<p>The guiding principle underpinning SEAH as a social risk, as well as the necessary due diligence, consultations, prevention and response obligations on AEs are expressly spelled out in new provisions (specifically under paragraph 19 and 20 of the revised policy).</p> <p>Furthermore, as per the revisions to the GCF's roles and responsibilities in the ESP, the GCF will establish a SEAH action plan, risk assessment tool and guidelines (which will be consulted with AEs) to support the effective implementation of the revisions.</p> <p>Lastly, as confirmed, the feedback received from AEs during the consultation period has been supportive of the revisions and concerns regarding ability to incorporate SEAH into their social risk considerations were not raised.</p>