

116TH CONGRESS
1ST SESSION

H. R. 4092

To improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and build the capacity of humanitarian assistance to address the immediate and long-term challenges resulting from such violence, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2019

Ms. MENG (for herself, Mr. STEWART, Ms. FRANKEL, Mr. DIAZ-BALART, and Ms. HOULAHAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To improve United States consideration of, and strategic support for, programs to prevent and respond to gender-based violence from the onset of humanitarian emergencies and build the capacity of humanitarian assistance to address the immediate and long-term challenges resulting from such violence, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safe from the Start
5 Act of 2019”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Displaced, refugee, and stateless women and
4 girls in humanitarian emergencies, conflict settings,
5 and natural disasters face extreme violence and
6 threats, including—

7 (A) rape and sexual assault;

8 (B) domestic or intimate partner violence;

9 (C) child, early, and forced marriage;

10 (D) trafficking for the purposes of sexual
11 exploitation and forced labor;

12 (E) harmful traditional practices such as
13 female genital mutilation or cutting; and

14 (F) harassment, exploitation, and abuse by
15 humanitarian personnel.

16 (2) Gender-based violence is known to increase
17 during humanitarian emergencies. Violent acts such
18 as intimate partner violence and child marriage that
19 take place during times of stability are often exacer-
20 bated during times of crisis.

21 (3) Nearly one in five women report experi-
22 encing sexual violence during a humanitarian emer-
23 gency. For example, according to the United Nations
24 Organization Stabilization Mission in the Demo-
25 cratic Republic of the Congo, there was an increase

1 of 56 percent in reported cases of conflict-related
2 sexual violence between 2016 and 2017.

3 (4) Intimate partner violence is pervasive and
4 becomes increasingly common during times of con-
5 flict and crisis. Residence in a conflict-affected dis-
6 trict is associated with a 50-percent increase in risk
7 of intimate partner violence, and women who have
8 experienced 4–5 cumulative years of conflict are al-
9 most 90 percent more likely to experience such vio-
10 lence than women who are not living in conflict set-
11 tings.

12 (5) Child, early, and forced marriages increase
13 during humanitarian crises as tools of last resort to
14 cope with economic hardship and to protect girls
15 from increased violence. Conflict can exacerbate cul-
16 tural norms of child, early, and forced marriage or
17 create harmful cultural behaviors where they had
18 not previously existed.

19 (6) Women and girls are especially vulnerable
20 to trafficking during humanitarian crises, particu-
21 larly by non-State armed groups who abduct and
22 traffic women and girls for sexual exploitation, do-
23 mestic servitude, and child, early, and forced mar-
24 riage, among other forms of exploitation.

1 (7) Crises create markets for exploitative serv-
2 ices that are too frequently abused by aid workers
3 and peacekeepers, who seek sexual services from dis-
4 placed or vulnerable people. In 2018, the United Na-
5 tions received a total of 148 sexual exploitation and
6 abuse allegations directly involving United Nations
7 aid workers, and 111 involving staff from partner
8 organizations implementing United Nations pro-
9 grams.

10 (8) According to United Nations High Commis-
11 sioner for Refugees, marginalized populations are
12 particularly at risk of gender-based violence in hu-
13 manitarian crises, including adolescent girls, older
14 persons, persons with disabilities, sexual and gender
15 minorities, and female heads of households.

16 (9) Gender-based violence is under-reported,
17 both in times of stability and during crises. While
18 data may not be immediately available in each crisis
19 or conflict, evidence shows that gender-based vio-
20 lence is consistently a major and pressing concern
21 for women and girls facing humanitarian emergency
22 contexts and should be assumed to be a protection
23 concern in all humanitarian planning and risk as-
24 sessment.

1 (10) Men and boys play a critical role in pre-
2 venting gender-based violence, and engaging them
3 alongside women and girls in the transformation of
4 gender roles that lead to increased rates of gender-
5 based violence at the onset of emergencies leads to
6 lasting results.

7 (11) Survivors of gender-based violence and
8 their families in humanitarian emergencies require
9 immediate, life-saving assistance, including post-rape
10 care or access to other comprehensive medical and
11 psychosocial services, to address the physical, psy-
12 chological, and social impacts of gender-based vio-
13 lence. They also require long-term support such as
14 opportunities to earn livelihoods, build skills or re-
15 ceive an education, and access to justice and com-
16 munity-level reintegration. Early medical interven-
17 tions after incidents of rape can help to prevent in-
18 fections, HIV, and pregnancy.

19 (12) Empowering women to assume leadership
20 roles in delivering humanitarian response and mean-
21 ingfully engaging local organizations, including wom-
22 en’s rights, humanitarian, advocacy, and service-pro-
23 vider organizations, through training and directed
24 resources to operate in emergency settings and pro-

1 vide life-saving assistance is critical to supporting
2 survivors or those at risk of gender-based violence.

3 (13) The international community has priori-
4 tized addressing the issue of gender-based violence
5 in humanitarian contexts by launching a Global Call
6 to Action on Protection from Gender-Based Violence
7 in Emergencies in 2013, which the United States
8 operationalized through establishing a Safe from the
9 Start initiative, implemented by the Department of
10 State and the United States Agency for Inter-
11 national Development.

12 (14) Safe from the Start aimed to prevent and
13 respond to gender-based violence at the onset of an
14 emergency and to provide resources to strengthen
15 the core capacity of humanitarian assistance imple-
16 menters to address gender-based violence at the ear-
17 liest phases of an emergency, including through de-
18 veloping training, guidelines, toolkits, and other re-
19 sources to guide operations.

20 (15) The Women’s Entrepreneurship and Eco-
21 nomic Empowerment Act (Public Law 115–428) re-
22 quires the United States “to strive to eliminate gen-
23 der-based violence and mitigate its harmful effects
24 on individuals and communities” in its development
25 cooperation policy. Recognizing the need to prevent

1 and respond to gender-based violence globally, Con-
2 gress has appropriated \$150,000,000 annually from
3 fiscal Years 2013–2019 for this purpose.

4 (16) The United States has further committed
5 to prevention and response to gender-based violence
6 globally through the interagency United States
7 Strategy to Prevent and Respond to Gender-Based
8 Violence Globally, the National Action Plan on
9 Women, Peace, and Security, the U.S. Global Strat-
10 egy to Empower Adolescent Girls, U.S. Strategy to
11 Support Women and Girls at Risk from Extremism
12 and Conflict, and the U.S. Government Strategy on
13 Advancing Protection and Care for Children in Ad-
14 versity.

15 **SEC. 3. STATEMENT OF POLICY.**

16 It is the policy of the United States—

17 (1) to take effective action to prevent, mitigate,
18 and respond to gender-based violence in humani-
19 tarian emergencies around the world to promote re-
20 spect for basic human rights and gender equality,
21 economic growth, improved public health, and peace
22 and stability;

23 (2) to systematically integrate and coordinate
24 efforts to prevent and respond to gender-based vio-
25 lence in United States foreign policy and foreign as-

1 sistance programs, including conflict prevention, hu-
2 manitarian relief and recovery, and peace-building
3 efforts;

4 (3) to promote accountability and access to jus-
5 tice for acts of gender-based violence;

6 (4) to build local capacity in countries respond-
7 ing to humanitarian crises, including the capacity of
8 governments at all levels and nongovernmental orga-
9 nizations, especially women-led organizations, to pre-
10 vent, mitigate, and respond to gender-based violence;

11 (5) to consult, cooperate, coordinate, and col-
12 laborate with a wide variety of nongovernmental
13 partners and international organizations, including
14 women-led organizations, when designing and imple-
15 menting humanitarian response programs;

16 (6) to support activities that prevent and miti-
17 gate the impacts of gender-based violence in humani-
18 tarian settings and that empower survivors or those
19 at risk of gender-based violence, including through
20 economic opportunities, access to education and
21 skills building, and promotion of women's leadership
22 and participation in humanitarian response;

23 (7) to ensure that international organizations
24 and nongovernmental organizations receiving fund-
25 ing from the United States have the capacity and in-

1 ternal protocols to identify gender-based violence, in-
2 cluding sexual exploitation and abuse committed by
3 humanitarian personnel, integrate gender-based vio-
4 lence prevention and response initiatives into policies
5 and programs, and report regularly on efforts to
6 prevent and respond to gender-based violence;

7 (8) to employ a multisectoral approach to pre-
8 venting and responding to gender-based violence
9 globally, including through activities in the eco-
10 nomic, education, health, protection, nutrition, and
11 legal sectors;

12 (9) to ensure protection against sexual exploi-
13 tation and abuse by and against humanitarian ac-
14 tors; and

15 (10) to include the active leadership and par-
16 ticipation of women and girls in humanitarian pro-
17 gram design, implementation, and evaluation.

18 **SEC. 4. SAFE FROM THE START AUTHORITY.**

19 (a) **SAFE FROM THE START PROGRAMMING.**—The
20 Secretary of State, in consultation with the Assistant Sec-
21 retary of the Bureau of Population, Refugees, and Migra-
22 tion and in coordination with the Administrator of the
23 United States Agency for International Development (in
24 consultation with the Director of the Office of Foreign
25 Disaster Assistance), shall direct and oversee all United

1 States foreign assistance that addresses humanitarian cri-
2 ses in a manner that implements a “Safe from the Start”
3 programming focus on the following objectives:

4 (1) Preventing and reducing the incidence of
5 gender-based violence.

6 (2) Ensuring quality protection for survivors of
7 such crises beginning with the onset of the emer-
8 gency through timely and effective action.

9 (3) Promoting standards and activities to pre-
10 vent, mitigate, and respond to gender-based violence.

11 (4) Advance the empowerment of survivors and
12 individuals at risk of gender-based violence.

13 (b) STANDARDS AND GUIDELINES.—The Secretary
14 shall develop guidelines, toolkits, reporting mechanisms,
15 and other institutional response and accountability meas-
16 ures through the Safe from the Start programming de-
17 scribed in subsection (a) in order to incorporate effective
18 gender-based violence prevention and response activities
19 across all humanitarian assistance programs and projects,
20 including through—

21 (1) the promotion of minimum standards, indi-
22 cators, and metrics to assess the adequacy of inter-
23 ventions relating to gender-based violence, taking
24 into consideration the Guidelines for Integrating
25 Gender-Based Violence Interventions in Humani-

1 tarian Action published by the United Nations Inter-
2 Agency Standing Council in 2015, the assessment
3 released by the Real-Time Accountability Partner-
4 ship on Gender-Based Violence in Emergencies in
5 2016, and the Minimum Standards for Child Protec-
6 tion in Humanitarian Action published by the non-
7 profit organization Sphere in 2012;

8 (2) the establishment and implementation, in
9 coordination with international organizations and
10 nongovernmental organizations, of standards, proto-
11 cols, and accountability mechanisms for preventing
12 and addressing sexual or other gender-based exploi-
13 tation or abuse perpetrated by personnel delivering
14 humanitarian assistance; and

15 (3) the development of monitoring tools across
16 all humanitarian assistance programming to stand-
17 ardize monitoring and accountability relating to gen-
18 der-based violence prevention and response.

19 (c) IMPROVEMENT OF PROTECTION MECHANISMS.—
20 The Secretary shall improve the delivery and quality of
21 United States assistance to protect survivors of gender-
22 based violence, through the Safe from the Start program-
23 ming described in subsection (a), by improving activities
24 in the following areas:

1 (1) Access to and quality of comprehensive
2 medical services for survivors and at-risk populations
3 in line with international standards, including—

4 (A) post-rape and post-sexual assault med-
5 ical care;

6 (B) psycho-social and mental health serv-
7 ices; and

8 (C) hygiene and dignity kits.

9 (2) Service delivery to hard-to-reach popu-
10 lations, prioritizing services that reach—

11 (A) shelters for survivors of natural disas-
12 ters;

13 (B) internally displaced person camps;

14 (C) active conflict zones; and

15 (D) refugees living in urban areas.

16 (d) AUTHORIZATION OF ASSISTANCE TO LOCAL AC-
17 TORS.—The Secretary of State is authorized to provide
18 assistance to organizations based outside the United
19 States who are working to provide humanitarian relief in
20 affected regions or countries, prioritizing such organiza-
21 tions that are led by refugees or displaced or stateless
22 women and youth, through Safe from the Start program-
23 ming in accordance with subsection (a) for the following
24 purposes:

1 (1) Building capacity to identify, prevent, and
2 address gender-based violence in humanitarian set-
3 tings and to support survivors and those at risk, in-
4 cluding through training and deploying female hu-
5 manitarian aid workers.

6 (2) Promoting women’s leadership and partici-
7 pation in the design, implementation, and evaluation
8 of humanitarian responses.

9 (3) Developing safe spaces for meaningful dia-
10 logue, psycho-social interventions, and culturally-spe-
11 cific support.

12 (4) Developing technical skills for advocacy,
13 monitoring, data collection, evaluation, and commu-
14 nications.

15 (5) Performing on-the-ground gender analyses
16 and otherwise rapidly assessing and communicating
17 the needs of women, girls, and other populations
18 that are vulnerable to gender-based violence in cri-
19 ses.

20 (e) AUTHORIZATION OF ASSISTANCE TO INTER-
21 NATIONAL NONGOVERNMENTAL ORGANIZATIONS.—The
22 Secretary of State is authorized to provide support to en-
23 hance the capacity of international nongovernmental orga-
24 nizations to achieve the following:

1 (1) Improving technical expertise and avail-
2 ability of dedicated gender advisors to prevent and
3 respond to gender-based violence in humanitarian
4 settings through the Gender Based Violence Area of
5 Responsibility forum and across sectors of humani-
6 tarian action, including through training and sen-
7 sitization of humanitarian aid workers on identifica-
8 tion of and care for survivors of gender-based vio-
9 lence.

10 (2) Promoting supportive partnerships with
11 local humanitarian actors and nongovernmental or-
12 ganizations, including for women’s leadership and
13 participation in humanitarian response.

14 (3) Increasing and improving empowerment ac-
15 tivities, including women’s and girls’ access to eco-
16 nomic opportunities and livelihoods, education and
17 skills, and leadership roles.

18 (4) Training for international development im-
19 plementers during the onset and transformation of a
20 humanitarian crisis so that such implementers are
21 equipped to continue relief, recovery, and reconstruc-
22 tion work that is sensitive to the prevention and
23 mitigation of gender-based violence after the imme-
24 diate humanitarian engagement has finished.

1 **SEC. 5. SAFEGUARDING AGAINST SEXUAL EXPLOITATION**
2 **OR ABUSE BY HUMANITARIAN PERSONNEL.**

3 In accordance with the Safe from the Start program-
4 ming focus described in subsection (a), the Secretary of
5 State and the Administrator of the United States Agency
6 for International Development shall prioritize support for
7 activities ensuring that employees and contractors of the
8 Agency delivering United States humanitarian assistance
9 are equipped to prevent sexual exploitation and abuse in
10 settings of humanitarian aid delivery, including by
11 strengthening guidelines, training, reporting mechanisms
12 and remedies, and other appropriate responses. Such ac-
13 tivities shall include efforts to—

- 14 (1) recognize the indicators of sexual exploi-
15 tation or abuse among refugee, displaced, or state-
16 less populations by humanitarian aid workers; and
17 (2) identify and address risks within the hu-
18 manitarian aid context that create vulnerabilities for
19 sexual and other exploitation, perpetrated by or
20 against humanitarian aid workers.

21 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

22 There is authorized to be appropriated such sums as
23 may be necessary for each fiscal year to carry out this
24 Act but not less than the amount expended in fiscal year
25 2018 to carry out the Safe from the Start program of the
26 Department of State.

1 **SEC. 7. REPORTS REQUIRED.**

2 (a) **PROGRESS REPORT.**—

3 (1) **IN GENERAL.**—Not later than 1 year after
4 the date of the enactment of this Act, and annually
5 thereafter, the Secretary of State, in coordination
6 with the Administrator of the United States Agency
7 for International Development, shall submit to the
8 appropriate congressional committees a report on
9 the progress made by the United States and by part-
10 ners in the implementation or delivery of humani-
11 tarian assistance, including international organiza-
12 tions, to prevent, mitigate, and address the incidence
13 of gender-based violence in humanitarian emer-
14 gencies.

15 (2) **ELEMENTS.**—The report required by para-
16 graph (1) shall include each of the following:

17 (A) An aggregation and examination of
18 data and research regarding the key drivers of
19 gender-based violence in humanitarian emer-
20 gencies, the critical needs of and services re-
21 quired by survivors or those at risk, and suc-
22 cessful program models to address, prevent, and
23 mitigate such violence.

24 (B) A detailed description of the programs,
25 diplomatic efforts, and other activities under-
26 taken by the United States to implement the

1 Safe from the Start programming focus de-
2 scribed in section 4(a) of this Act, including
3 specific descriptions of—

4 (i) the steps taken to integrate pre-
5 vention, mitigation, and response to gen-
6 der-based violence into humanitarian as-
7 sistance, development of humanitarian
8 standards, and responses to specific hu-
9 manitarian crises;

10 (ii) the progress made, as of the date
11 of the submission of the report, toward
12 achieving specific objectives, metrics, and
13 indicators for implementation of Safe from
14 the Start programming, disaggregated,
15 where appropriate, by gender, age, and
16 type of violence;

17 (iii) a list of the projects funded or
18 supported through the Safe from the Start
19 programming focus, with specific details on
20 levels of funding or assistance and impacts
21 of such projects disaggregated, where ap-
22 propriate, by gender, age, and type of vio-
23 lence;

24 (iv) an assessment of the extent to
25 which consultations with nongovernmental

1 organizations, including local actors, and
2 intergovernmental actors have led to the
3 development of programs, standards, and
4 interventions to combat gender-based vio-
5 lence

6 (v) a list of the policies or programs
7 implemented by international or multilat-
8 eral organizations receiving funding from
9 the United States Government to improve
10 capacity and internal protocols to identify
11 signs of gender-based violence, including
12 sexual exploitation and abuse, and inte-
13 grate initiatives to prevent and respond to
14 gender-based violence into all programs of
15 the organization; and

16 (vi) a description of any diplomatic
17 action taken bilaterally, multilaterally, or
18 with international organizations to encour-
19 age the governments of other countries and
20 international organizations to adopt poli-
21 cies to prevent and respond to gender-
22 based violence in emergency situations, in-
23 cluding any diplomatic efforts to strength-
24 en the Global Call to Action on Protection
25 from Gender-Based Violence in Emer-

1 agencies by increasing the number of gov-
2 ernments participating in and contributing
3 to its gender-based violence prevention and
4 response activities.

5 (3) CONSULTATION REQUIRED.—In developing
6 the report required by paragraph (1), the Secretary
7 of State shall consult with the Assistant Secretary
8 for Population, Refugees, and Migration of the De-
9 partment of State and the Associate Administrator
10 for Humanitarian Assistance of the Agency for
11 International Development.

12 (4) FORM.—The report required by paragraph
13 (1) shall be submitted in unclassified form but may
14 include a classified annex. The unclassified portion
15 of such report shall concurrently be published on a
16 publicly available website of the Department of
17 State.

18 (b) BUDGET REPORT.—Not later than 120 days after
19 the submission of each budget submitted to Congress by
20 the President under section 1105(a) of title 31, United
21 States Code, after the date of the enactment of this Act,
22 the Director of the Office of Management and Budget
23 shall submit to the appropriate congressional committees
24 a budget crosseut report that—

1 (1) displays the budget proposed, including any
2 planned interagency or intra-agency transfer, for
3 each of the principal Federal agencies that will be
4 carrying out activities through the Safe from the
5 Start programming focus described in section 4(a) of
6 this Act in the fiscal year for which such budget is
7 submitted;

8 (2) separately reports the amount of funding to
9 be provided pertaining to the Safe from the Start
10 strategy under subsection (a), to the extent such
11 plans are available; and

12 (3) to the extent practicable, identifies all as-
13 sistance and research expenditures at the account
14 level in each of the five previous fiscal years by the
15 Federal Government using Federal funds for Safe
16 from the Start activities.

17 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
18 FINED.—In this section, the term “appropriate congres-
19 sional committees” means—

20 (1) the Committee on Appropriations and the
21 Committee on Foreign Affairs of the House of Rep-
22 resentatives; and

23 (2) the Committee on Appropriations and the
24 Committee on Foreign Relations of the Senate.

○