

# Review of GP India's handling of Sexual Harrassment Complaints 2012-2015

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15 June 2015

## 1 Background

In recent months, ex-staff from Greenpeace India have written to Kumi Naidoo (IED, Greenpeace International) and me to raise concerns about sexual harassment—both about the handling of specific complaints, and about what is described as a pervasive culture—in Greenpeace India.

In 2015 there have been two batches of communication with GPI: the first in February, around Facebook posts by one ex-staff member who described her experiences in Greenpeace India. At the time, I spoke with the staff member concerned, and followed up with Greenpeace India. I heard then that (a) the case was being reviewed by the Internal Complaints Commission (ICC) in place at the time; (b) that the organisation had issued a public statement acknowledging that complaints had not been adequately dealt with originally; and (c) the Senior Management in Greenpeace India were taking steps to address the culture of the organization, including through openly addressing the issue in a staff meeting and through a series of workshops to foster a gender-sensitive workplace.

The most recent set of emails, in May, came from a group of ex-Greenpeace staff, apparently prompted by the outcomes of the further ICC review of the original complaints. These people once again urged Greenpeace International to look into the cases.

In light of the deep concern, serious allegations that GP India senior management condones a sexist culture in the office, and potential threat of adverse media coverage; and exerting Greenpeace International's obligation to uphold the reputation and standards of Greenpeace globally, I requested the ED of India to provide all material relating to the handling of these complaints, so that GPI can independently review the situation. These materials were promptly made available to me.

The Trustee of Greenpeace India has subsequently been informed of this review and is included in the circulation of this report which goes to the Board Chair, Trustee and to Board advisor Vrinda Grover.

## 3 Findings

3.1 It was a major failing for the HR Manager at the time to have declared these cases not to have been "sexual harassment" and not to have informed the two complainants of the outcomes of their original complaints in December 2012. This failing has been a major contributor to the subsequent breakdown of trust and failure to achieve satisfactory closure to the cases, both procedurally and personally for the people concerned.

3.2 It appears that there is an internal cultural problem in Greenpeace India. I say "appears" because I have not spoken to a wide sample of staff from the office to get a balanced view. My conclusion is based on the anecdotal accounts contained within the complaints, as well as in the descriptions of behaviours around the complaints, including reported comments from senior managers that make light of the harassing behaviours.

**Recommendation 1: It is vital that strong and visible steps are now taken to reset the culture, to make clear that there will be zero tolerance for sexual harassment from now on.**

**This needs to be accompanied by obligatory training for all, and strongly modeled and reinforced by the management hierarchy.**

3.3 There have also been several concerns expressed that other staff members are putting complainants under pressure not to take further action/not to “make a fuss” (especially now the organization is under such serious external threat). Management needs to reinforce the message that such behaviour is not acceptable.

**Recommendation 2: Senior management should actively, directly and explicitly discourage staff from putting pressure on women not to complain—either on the grounds of the external attack the organization is under, or indeed for whatever reason is current at the time.**

3.4 It is alarming to hear that the most recent ICC proceedings were flawed by breaches of confidentiality. This undermines confidence in the integrity of the ICC process and has fatally undermined the legal robustness of the outcomes. This was confirmed and stressed in the external legal advice obtained by the ED. It is good that a new ICC was constituted in April.

**Recommendation 3: The need for confidentiality is stressed with the new members of the ICC—and that they receive the training and support to maintain this confidentiality.**

3.5 It is clear from email trails that trust has broken down between the people who experienced and/or complained of harassment (and their supporters) and the leadership of Greenpeace India—to the extent that it is difficult to see what the organization could now do to repair that trust with those people. Those whose original complaints were not properly dealt with have declined to participate in any further due process, and have explicitly stated their lack of trust in the organisation’s processes. I note that most complainants in the cases subject to this review have now left the organization, and the perpetrators/accused parties on staff have announced their resignations.

**Recommendation 4: As past failures cannot be undone, senior management should now act to ensure the rebuilding of a robust, independent and confidential system that delivers due process in any future cases.**

**Recommendation 5: Because of the lack of trust in senior management, the Board should commission (a) an external audit of the procedures in place to address issues of sexual harassment and/or bullying, and the internal culture in which those procedures sit; and (b) ongoing external oversight of the implementation of changes recommended.**

3.6 The original complainants do not agree with the decision to give the accused a final written warning (rather than immediate dismissal, which they wanted to see). Having reviewed the decision of the ICC and the subsequent legal advice sought by the ED, in my opinion the right decision was made by the ED, under the circumstances and in particular given the earlier serious failures in due process and the breach in confidentiality in the 2015 proceedings.

I recognize that this finding will not give the complainants the sense of justice that they need.

3.7 The apology issued by the perpetrator was wholly inadequate and did not constitute the advised “unconditional apology for the serious hurt caused”. It is not surprising that this inadequate apology has caused anger on the part of the victims and their supporters. The ED advised him to write an unconditional apology—that the apology that was sent does not meet this standard is the responsibility of the perpetrator himself.

#### **4. Actions, Next Steps and Communications**

It is the responsibility of GP India Board and Management to take further actions in response to the finding and recommendations above. Acting to make it clear that sexual harassment is unacceptable—and to train ALL staff on the meaning of the term, combined with a robust and confidential ICC process, will make it easier to adhere to the principles of natural justice in future.