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Guidance Note on Reflecting Protection from Sexual Exploitation and Abuse (PSEA) in Humanitarian Response Plans (HRPs)

Sexual exploitation and abuse (SEA) is a breach of the provisions of ST/SGB/2003/13 (Secretary-General's bulletin 'Special measures for protection from sexual exploitation and sexual abuse').

Sexual exploitation is any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

This note provides tips for integrating PSEA into Humanitarian Response Plans, and offers examples of good practice in reflecting PSEA in response activities, plans and monitoring frameworks. Additionally, PSEA should be linked to to accountability to affected populations (AAP) and centrality of protection actions.

The United Nations Secretary-General's Bulletin (ST/SGB/2003/13) applies to UN agencies and partnering organizations and staff and establishes protocols and standards of conduct and engagement. The Inter-Agency Standing Committee (IASC) Six Core Principles and Minimum Operating Standards for PSEA outline compliance requirements for all agencies regarding community engagement, prevention and response to SEA. The IASC PSEA Strategy (biennial) and global plan for PSEA Acceleration at the Country Level are important tools to provide guidance on specific priorities based on global progress and gaps.

The Humanitarian Programme Cycle is a primary tool and process through which PSEA - within the context of accountability to affected populations, centrality of protection policies, and the humanitarian Do No Harm principle - may be incorporated and institutionalized into humanitarian agencies' needs assessments, response, and monitoring and evaluation activities. This may be done in several ways such as articulating relevant questions and using participatory and listening approaches in needs assessments, developing and finding sufficient funding for victim assistance and safe and accessible SEA reporting channels, and assessing results and outcomes at the collective level in line with established policies, standards and best practices.

I. HRP planning

1. Understand the PSEA Structure at Country Level: The visual[1] presented below depicts a proposed PSEA structure at country level, with a clearly delineated role for senior leadership, technical support and implementation, and community participation. Not every inter-agency PSEA structure will exactly replicate this diagram but the senior and technical roles should be filled by the relevant bodies and communities must be engaged.

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[1] drawn from the 2018 IASC Plan for Accelerating PSEA in Humanitarian Response at Country Level

PSEA efforts are successful when (a) each organization engaged in the response fulfills its organizational commitments on PSEA (see, e.g. MOS-PSEA) and (b) the HCT and the PSEA Network deliver common tools, assessments, mechanisms and capacities to harmonize prevention and response to SEA across the response. In addition, linkages with AAP, GBV and Protection communities of practice remain critical.
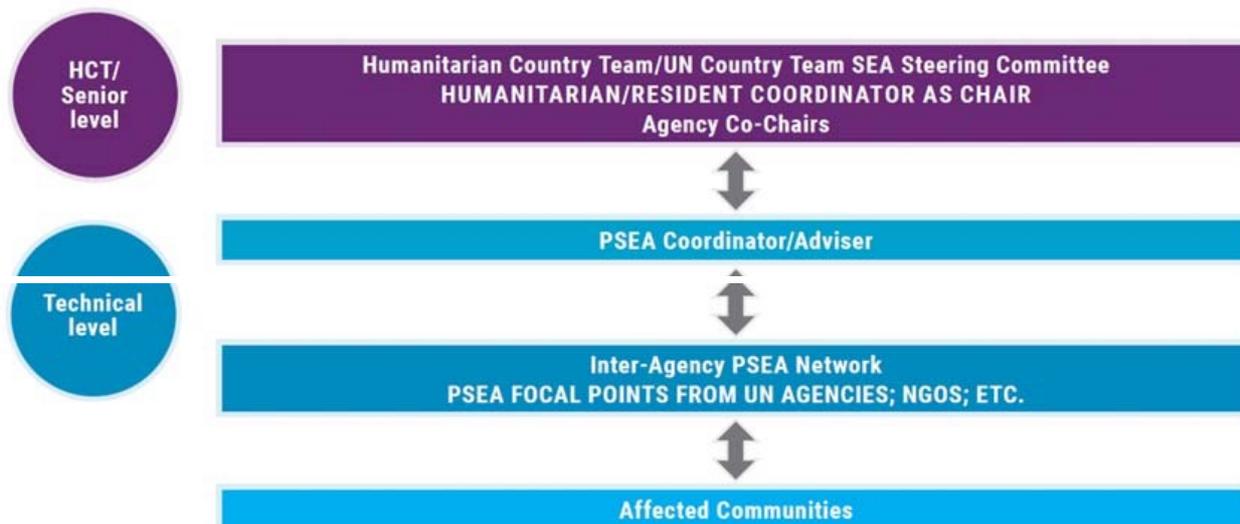
2. **Engage key colleagues early on**: It is important for OCHA staff to engage appropriate colleagues and partners early in the process for thematic advice. The main point of contact should be the inter-agency PSEA Coordinator whose mandate includes working to ensure PSEA inclusion in the HRP[2], and who maintains PSEA-specific communications lines to the HC, HCT, the ICCG, and the inter-agency PSEA Network. The PSEA Coordinator should be involved in HRP workshops and planning meetings to allow good coordination and information exchange and provide inputs. Where collective PSEA efforts are still nascent, engaging key colleagues early on can help provide an impetus for the acceleration of meaningful engagement on PSEA. Engagement later in the process creates the risk of merely 'checking-the-box'.

3. **Check whether the HCT has endorsed a collective mechanism and country-level plan of action for Protection from Sexual Exploitation and Abuse (PSEA):** This is part of the HCT Terms of Reference. In practice, this will mean instituting a PSEA Network or comparable body to advance and monitor technical level efforts, and endorse a country-level PSEA work plan or plan of action. Where this is not yet in place, use HRP workshops to facilitate/initiate the preparation of such a collective approach.

II. Drafting the HRP

1. **PSEA is a cross-cutting issue:** PSEA is a collective responsibility for all humanitarian actors and actors in all sectors are expected to work to prevent it and address incidents when they take place in a humanitarian operation. Therefore, PSEA should be reflected in a way that makes this clear. In addition, PSEA should be articulated as an integral part of AAP and centrality of protection. As a rule, addressing PSEA should be considered as part of "good programming" to achieve protection outcomes and follow the do no harm principle. Therefore, it is recommended

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[2] See generic TOR for InterAgency PSEA Coordinator: https://interagencystandingcommittee.org/iasc-task-team-accountability-affected-populations-and-protection-sexual-exploitation-and-abuse-3

that country operations reflect PSEA as part of their protection mainstreaming and AAP strategies/policies as underpinning elements of the response in the chapeau of the HRP, followed by mainstreaming of PSEA activities in relevant sector chapters, as appropriate. In addition, PSEA commitments and risks should also be outlined in the 'What If We Fail to Respond' section, and PSEA-specific indicators should be included in the Monitoring section. See Section IV. below for examples of existing practices. Where such mainstreaming of PSEA is not happening in practice, the Inter Cluster Coordination Group (and if exists PSEA Network or Community Engagement Working Group) should bring such issues to the attention of HCT for strategic guidance and implement relevant measures at the technical level.

(b) **Include PSEA activities in the HRP budget:** Work with the PSEA Coordinator or relevant leadership and/or focal points to attach a budget line to the HRP by including relevant activities such as community outreach activities, coordination activities, capacity building and other activities listed in the country level PSEA work plan or plan of action. Donors cannot fund response-wide PSEA work if it is not budgeted and has no clear contacts. Different options are feasible; coordinated PSEA engagement can be reflected as a percentage of an overall response, or as specific budget/programme line. The generic TOR for PSEA Networks and PSEA Coordinators are useful resources to understand the kind of collective activities that constitute PSEA programming.

(a) Note: A global Investigations Fund[3] and a global Victim Assistance Fund[4] are also operational, which can be reflected or incorporated into the HRP, as appropriate.

(b) Note: there is an OCHA standard operating procedure[5] on PSEA capacities required of recipients of Country-Based Pooled Funds and how SEA reports involving recipient organizations will be managed.

3. **Monitoring PSEA progress**: Ensure HRP monitoring framework includes inter-sector-level PSEA and AAP indicators, where relevant. Discuss with lead colleagues what indicators are appropriate to include. If the PSEA Network has country-level work plan in place, the monitoring framework of the work plan will have indicators that can be used in the HRP.

4. **Management & Coordination of PSEA:** Ensure that key coordination activities such as the setting up of the Network, endorsing of the Network's work plan, coherence with Protection/ AAP, and work to strengthen HCT member's individual capacities on PSEA is reflected in the HRP.

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[3] OCHA Investigations Fund: https://interagencystandingcommittee.org/iasc-champion-protection-sexual-exploitation-and-abuse-and-sexual-harassment/content/ocha-fund

[4] UN Vicim Assistance Fund: https://www.un.org/preventing-sexual-exploitation-and-abuse/content/trust-fund

[5] This SOP - which is based on the guidance of the UN Protocol on Allegations of SEA concerning Implementing Partners - is currently being finalized and this note will be update in due time.

5. **Engagement with and support of the affected population:** Ensure that efforts to raise awareness of the rights of beneficiaries, and efforts to obtain feedback from the local population on the appropriateness and effectiveness of PSEA activities are reflected in the HRP.

6. **Prevention**: Key prevention activities conducted collectively include organizing PSEA trainings for managers and humanitarian workers, supporting specific sectors in identifying SEA risks and integrating PSEA measures in programs, and sharing misconduct data systematically among all organizations to prevent transgressors from moving within organizations. These efforts should be reflected in the HRP

7. **Response to SEA:** Key response activities conducted collectively include mapping existing community and feedback mechanisms; setting up new complaint and feedback mechanisms where there are gaps; establishing an inter-agency community based complaints mechanism, working with GBV and child protection sub clusters to include victim assistance referral pathways into relevant SOPs. Plans to implement these should be reflected in the HRP.

8. **Include details of the inter-agency PSEA Coordinator and network:** It is good practice to include the contact details of the PSEA Coordinator in the HRP. In addition, the co-Chairs of the PSEA Network can also be noted, if agreeable to the concerned organizations.

III. Note on COVID-19 & PSEA

As seen in previous public health emergencies, when the humanitarian response scales up, risk of SEA increases. COVID-19 induced disruption to livelihoods, public services and the freedom of movement can exacerbate SEA risks for already-vulnerable populations, such as refugees, migrants and internally displaced persons. Scarce resources, in particular access to health services, may result in a concentration of power which could be wielded to the detriment of people in vulnerable situations. Food shortages, induced by the health emergency, can also increase vulnerabilities and lead to negative coping strategies, thereby increasing risk of SEA.

As with any emergency, PSEA prevention and response should be an integrated part of coordinated humanitarian response to COVID-19. The main thing to note in the preparation of the HRP is that **the COVID-19 pandemic response does not create new responsibilities; rather, PSEA actions during the COVID-19 pandemic should strengthen existing PSEA commitments to protect and assist people receiving humanitarian assistance.** Where social distancing measures are causing barriers to community engagement, adjustments should be made by PSEA professionals to address these barriers as much as possible e.g. augmenting online channels for feedback.

*For more guidance, consult "*IASC Technical Note: Protection from Sexual Exploitation and Abuse (PSEA) during COVID-19 Response*".*

IV. Examples of good practice on Reflecting PSEA in HRPs

This section highlight two instances of good practice from the 2020 Humanitarian Response Plans: Afghanistan and Sudan. The relevant texts from each HRP are references below.

Afghanistan: The 2020 HRP for Afghanistan provides good substance on the work plan of the PSEA Taskforce (Network) in the Section on Collective Accountability, and in addition, includes references to PSEA in several other sections of the HRP. It mentions the PSEA Taskforce in the section on response analysis; under the strategic objective on Protection; in the section on cross cutting response priorities; and importantly, in the 'What if We Fail to Respond?' section.

Sudan: The 2020 HRP for Sudan references the main institutional arrangements for PSEA in the section on Collective Accountability, and then references PSEA mainstreaming work under a subsection dedicated to cross cutting issues in the sectors of Protection and Child Protection respective; and then as a cross cutting issue in the Refugee Response Plan.

Afghanistan	**1.1 Response Analysis, p.17** *Textbox on Key achievements:* " • Protection and cross-cutting issues: Protection and cross-cutting issues: As part of the HCT calendar, a short update on one of four cross-cutting issues (Accountability to Affected populations (AAP), Gender-Based Violence)GBV), Protection, and Protection from Sexual exploitation and abuse (PSEA) is being made every week. • PSEA Taskforce: A rejuvenated PSEA taskforce is now meeting regularly, co-chaired by UNHCR and IRC. Mapping of the current PSEA architecture and landscape is complete, and an action plan is being implemented. "

1.2 Response Priorities by Strategic Objective, p. 21

Strategic Objective 2: "Protection violations are reduced and respect for International Humanitarian Law is increased"
Under sub-heading Accountability to affected populations

"In 2020, the HRP applies a rights-based approach to activities and in response to the sheer scale of the protection crisis facing the country, prioritises the mainstreaming of protection throughout all programming. Improving accountability to affected people will be heavily emphasised in the 2020 response with an anticipated scale-up of in-country resources in the first months of the year expected to boost capacity and reinvigorate buy-in from partners. Four integrated, Area-Based Response pilots planned for 2020 will also support a more intense field-level focus on Accountability to Affected Populations (AAP) issues. Continued support for the AWAAZ inter-agency feedback mechanism is critical to monitoring the views, complaints and preferences of affected people, alongside regular multi-sector needs assessments such as the WOA Assessment and individual agency feedback mechanisms. The revitalised PSEA Taskforce will also continue its work on system-wide improvements to awareness and referral processes in the humanitarian response. (See AAP-PSEA Section, pg 39) ."

1.3 Cross cutting response priorities, p. 26

PSEA is mentioned under sub-heading 'Centrality of Protection'

2.2. Collective Accountability, p.40

Section on PSEA
"Sexual Exploitation and Abuse (SEA) constitutes the most egregious breach of trust between humanitarians and those they serve, and measures must be in place at both the community level (AAP) and organisation level (PSEA) to prevent it, protect affected populations from it and contribute to the design of safer programming. There cannot be a collective approach to accountability unless it is linked with collective PSEA measures. Equally, there cannot be an effective system for preventing SEA without factoring-in the above-mentioned communications preferences and challenges and a commitment to strong information sharing between agencies, Clusters and the AAP Working Group.

"In line with the Peer-2-Peer recommendations, the HCT Compact and the AAP Strategy (CACE), the PSEA Taskforce for Afghanistan was re-established in mid-2019 with UNICEF, followed by IRC and UNHCR as co-chairs. The Taskforce meets each month. To date, the Taskforce has developed a work plan, approved by the HCT. The work plan focuses on five thematic areas: SEA risk identification and risk management; prevention from SEA; complaint reporting and response; enforcement and compliance standards; and PSEA coordination and engagement. Each thematic area has a smaller working group to move the actions forward and ensure progress in 2020.

"The Taskforce also undertook a capacity mapping exercise in 2019 to identify the key PSEA gaps in the humanitarian community. From this mapping, it was clear that the HCT needs to focus on raising awareness in local communities, making it clear how people can report SEA and strengthening victim assistance. The Taskforce has also drafted guidelines for mainstreaming PSEA across the Clusters and will roll-out training in 2020. The World Food Programme will fund a PSEA coordinator that will help guide the Taskforce in 2020. The Taskforce is providing regular updates to the HCT on progress via scheduled Mandatory Area of Responsibility presentations, ensuring relevant PSEA issues remain high on the national agenda."

5.6 What if We Fail to Respond?, p 88

"Without a robust system to protect people from and promote awareness of sexual exploitation and abuse, the humanitarian community and donors leave millions of beneficiaries at risk and fail to hold themselves accountable to affected people.

"Not extending appropriate capacity at the community and agency levels to raise awareness on SEA, establish clear reporting mechanisms and strengthening of victim assistance, means humanitarian partners have failed in their mandate to protect the people they aim to assist."

Sudan	**3.2 Accountability to Affected Populations, p 26**
	"…In 2019, the Prevention of Sexual Exploitation and Abuse (PSEA) network also conducted a mapping to assess partners' efforts against six core areas of policy, coordination, prevention, advocacy, complaints, and investigation. The findings showed that 94 per cent of the respondents have PSEA policies in place, while 86 per cent have accountability frameworks in place. These mechanisms need to be further operationalized with written guidance on the provision of survivor assistance, and establishment of GBV referral pathways. "
	"…Within this framework, the humanitarian community will work to coordinate perception surveys to inform planning and response; work directly with the SHF to strengthen AAP within pooled fund projects and the overall response; and work with the Sudan PSEA network to ensure information feeds back to where it can be appropriately addressed, compliment advocacy and messaging, support increasing knowledge of standards of conduct and safeguarding; and ensure that sexual abuse and exploitation systems are in place for prevention and reporting."
	4.8 Protection, p. 45
	Under section on Cross cutting Issues: AAP, Protection Mainstreaming, Gender Mainstreaming, Environment.
	"In line with the IASC plan for accelerating PSEA, the Protection Sector will build on previous years to establish a robust PSEA response across activities. This includes strengthening the culture of accountability across the operation through the integration of PSEA actions within protection functions and broader Accountability to Affected Populations (AAP) strategy. This will be achieved through regular PSEA training for humanitarian workers; regular SEA risk assessment and development and implementation of PSEA action plans in response areas; and collaboration with operational partners to establish or strengthen inter-agency and community-based complaint mechanisms accessible to affected populations in all priority response locations. "

4.9 Protection - Child Protection, p. 48

Under section on Cross cutting Issues: AAP, Protection Mainstreaming, Gender Mainstreaming, Environment.

"…Child Protection services and response interventions will be based on a quality and integrated approach including coordination and capacity-building with humanitarian actors to support protection mainstreaming, GBV risk mitigation and a do-no-harm approach. Additionally, partners will build on and integrate wherever possible, feedback mechanisms to strengthen accountability and support the inter-agency coordination mechanism for PSEA to respond to relevant complaints, sensitize its members on PSEA, systematically sign a Code of Conduct and are trained to provide orientation on the GBV referrals. The CPAoR will continue working closely with partners to ensure child safeguarding, monitor beneficiaries' feedback, share information and conduct community consultations, ensuring adequate AAP. Child protection training for partners will often include sessions on AAP, PSEA and child protection response. "

Refugee Response Plan, p. 58

Under section on Cross cutting Issues: AAP, Protection Mainstreaming, Gender Mainstreaming, Environment.

"The Refugee Response strategy seeks to strengthen AAP by emphasizing the development and implementation of effective and quality programming that enhances access to protection while also recognizing the dignity, capacity, and abilities of refugees in Sudan. The aim is to establish a culture of accountability across the refugee response by integrating AAP best practice, including prevention of sexual exploitation and abuse (PSEA), across refugee sectoral responses. This includes the adoption of age, gender and diversity policies to ensure that all refugees enjoy their rights and can participate fully in decisions that affect them, their family members and communities. "

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