



# Iraq

## Terms of Reference (ToR) for the Inter-Agency PSEA Network

The United Nations has **a zero-tolerance policy** toward Sexual Exploitation and Abuse (SEA).

These ToRs take into consideration the Iraq SOPs for Recording and Processing SEA Complaints which defines the process of receiving and referring a suspected or an alleged Sexual Exploitation and Abuse (SEA) complaints committed by humanitarian/development actors, which include UN Agencies/Missions and partner INGO/NGOs, as well as non-UN affiliates, including law enforcement actors in Iraq.

### 1. Overview

[The UN Secretary-General's Bulletin ST/SGB/2003/13](#) on “Special measures for Protection from Sexual Exploitation and Sexual Abuse (PSEA)” (9 October 2003) calls for reinforced action by all UN agencies and partners to protect beneficiaries of both humanitarian and development assistance from sexual exploitation and abuse (SEA). This call is further reinforced by the *IASC 2018 PSEA Strategy*, complemented by the *2018 IASC Plan for Accelerating Protection from Sexual Exploitation and Abuse in Humanitarian Response at Country-Level*. The 2018 IASC acceleration plan for PSEA calls for collective action and investment by IASC members in all countries with Humanitarian Response Plans or Refugee Response Plans. The plan seeks to achieve three key outcomes: 1) safe and accessible reporting, 2) quality assistance for survivors of SEA, and 3) enhanced accountability including investigations. To deliver these outcomes, the plan proposes an enhanced PSEA structure at the country level that builds on existing good practice in the field and contributes to a broader accountability strategy.

At the country level, the 2018 IASC acceleration plan proposes a structure (see figure 1 below) with the UN Country Team (UNCT) or Humanitarian Country Team (HCT) as the senior-level body holding primary accountability, decision-making and oversight authority for PSEA activities. In this capacity, the UNCT should adopt a PSEA Steering Committee for the **inter-agency PSEA Network** to provide direction, review progress, address obstacles, engage relevant stakeholders, and provide overall support to prevent and respond to SEA allegations. In Iraq, it has been decided that this function will sit within the UNCT.

To this end, in 2016, the Resident Coordinator/Humanitarian Coordinator (RC/HC) for Iraq established the inter-agency Iraq PSEA Network to implement the *Secretary-General's Bulletin on Special Measures for PSEA* and promote accountability to affected populations.

The Iraq PSEA Network serves as an independent inter-agency body for PSEA coordination and oversight, establishment and review of policies/guidance, and implementation of the PSEA Action Plan for Iraq, endorsed by the UNCT.

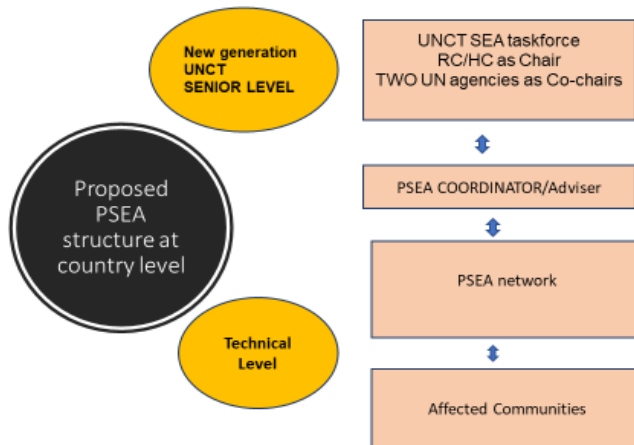


Figure 1: IASC recommended country level PSEA structure

## 2. Accountability Structure and Roles

- **RC/HC:** The Network is supported by regular RC/HC oversight. The RC/HC with support of the PSEA Coordinator engages in monitoring, discussion, and feedback on overall PSEA Network activities and implementation of Network’s action plan.
- **PSEA Coordinator:** Under direct supervision of the RC/HC, the Coordinator is responsible for overseeing and supporting PSEA activities of Iraq PSEA Network. The Coordinator:
  - Regularly reports to the RC/HC and works closely with PSEA Network Co-Chairs.
  - Provides day-to-day oversight and support to the PSEA Network in coordination with PSEA Network Co-Chairs to fulfil its responsibilities under these Tor’s and the Network Action Plan.
  - Reports regularly on Network activities, progress against PSEA Network Action Plan indicators, and anonymized SEA trends (depending on individual agencies/entities’ internal procedures/regulations) to the RC/HC.
  - Supports members to establish and maintain a functional an inter-agency community-based complaints mechanism (CBCM) by: linking the Complaint and Feedback Mechanism (CFM) of Network members through agreed referral pathways; establishing new CFM where reporting gaps are identified; and building capacity of PSEA Network members on inter-agency referral processes and protocols.
  - Represents the Network in relevant coordination bodies and advises country actors on good practices. To this end, the Coordinator attends the Iraq Accountability to Affected Population (AAP)/Communication with Communities (CwC) Working Group, the IASC PSEA global meetings, the UN Secretariat PSEA global meetings, and meetings chaired by the DSRSG/HC/RC.
  - Build capacity of the PSEA Focal Points on PSEA to strengthen their individual agencies PSEA activities.
  - Convenes Network meetings in coordination with the PSEA Network Co-Chairs.
- **PSEA Co-Chairs:** Two designated Co-Chairs support the Coordinator in the above functions. The current Co-Chair organizations for Iraq are UNHCR and UNICEF. While the organizations seated as Co-Chairs may change<sup>1</sup>, the Co-Chair roles remain fixed in order to:

<sup>1</sup> The Co-Chairs will be rotational (one-year term extendable), and Network members can express interest to take up new co-chairship functions. In the event multiple agencies express interest in the co-chair functions, the issue shall be taken up to UNCT for final decision.



- Provide sustainable leadership to the Network and co-chair the meetings of the PSEA Network.
  - Assist the Coordinator with preparing agenda items for the Network meetings prior to circulating to the rest of Network members for inputs.
  - In the absence of the PSEA Coordinator, convene and manage Network meetings and events, coordinate and oversee the implementation of PSEA Network Action Plan and represent the Network at meetings, as required, including UNCT/HCT meetings.
  - Provide inputs to the Coordinator regarding updates/briefings for UNCT/HCT meetings.
- **Network Members:** Membership includes Focal Points from each of the 24 UN Agencies/Missions operating in Iraq<sup>2</sup>, the NGO Coordination Committee for Iraq (NCCI) and 6 seats for I/NGOs (3 seats each) in line with an agreed election and representation structure within NCCI. Focal Points and their alternates should be sensitized, equipped and trained on PSEA.

Each member is obliged to mainstream the [Iraq SOPs for Recording and Processing SEA Complaints by the Inter-Agency PSEA Network](#) and all relevant PSEA Network guidance and principles into their respective agency/mission/organization programming. Members are responsible for developing and implementing their agency/organization specific PSEA Action Plan that is linked to the Network PSEA Action plan for Iraq.. Only designated Focal Points (including alternates) can represent and make decisions as part of the Network.

All members will actively participate in regular monthly meetings, information sharing on internal PSEA initiatives and coordination of activities under the PSEA Action Plan for Iraq and are responsible for technical support and coordination on PSEA within their organizations under leadership of their senior management. When main PSEA Focal Points cant attend monthly meetings, they should liaise with their alternates to attend the meetings on their behalf. Main PSEA Focal Points, have a duty to brief their alternates on PSEA Network activities/progresses to ensure no knowledge gap on new PSEA developments/processes.

- **Affiliates:** Coordinators from the National Protection Cluster, GBV and child protection sub-Clusters, AAP/CwC Working Group, and PSEA Task Forces established in different locations may also be invited to attend PSEA Network meetings based on needs and issues touching on their area of work.

PSEA Focal Points from donors and government can be invited on quarterly and/or ad hoc basis to PSEA Network meetings. The Donor Partnership Forum (DPF) will be briefed on a quarterly basis. The PSEA Network will engage in outreach with relevant non-member organizations as part of ongoing activities.

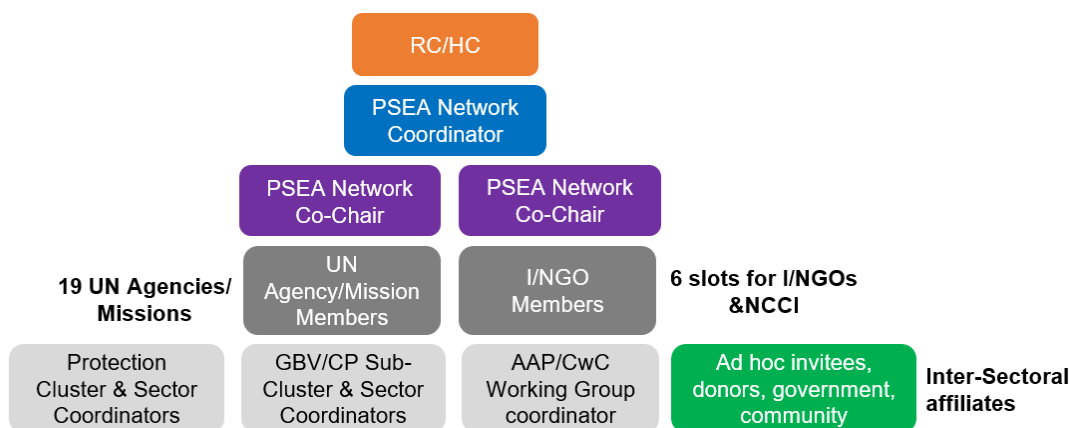


Figure 2: Current PSEA Structure for Iraq

<sup>2</sup> FAO, ILO, IOM, UNAMI/OHCHR, UNDP, UNDSS, UNESCO, UNFPA, UNHABITAT, UNHCR, UNICEF, UNITAD, UNMAS, UNOCHA, UNODC, UNOPS, UNWOMEN, WFP, WHO.



### 3. Responsibilities of the PSEA Network

Under the auspices of the RC/HC, the PSEA Network is the primary body for technical-level coordination and oversight of PSEA activities in line with the PSEA Action Plan for Iraq endorsed by the UNCT. The PSEA Network covers all areas of Iraq where UN and partner programs are present.

The presence of the PSEA Network does **not** lessen the responsibility of individual Network members to develop, implement, and strengthen their agency level internal PSEA programs in Iraq. Senior management of respective UN agencies/ I/NGOs are accountable for PSEA programming within their organizations.

The Network may form smaller, time-bound task teams of regular members with needed expertise to carry out specific deliverables as needed and in line with the PSEA Action Plan for Iraq.

At minimum, all organizations in Iraq should be aware of the *Iraq SOPs for Recording and Processing SEA Complaints by the Inter-Agency PSEA Network* and be able to receive (and refer) complaints against their own staff, regardless of their relationship to the Network. This will be achieved through regular capacity building training/discussions on the process of receiving and referring SEA allegations.

The role of the PSEA Network is limited to ensuring cases received by their individual agencies/organizations are logged, referred for investigations and assistance provided to victims. Besides, the concerned PSEA Focal Point (network member) in coordination with his or her organization head of office, will ensure feedback is provided to the victim on the status of their cases. The Network member (PSEA Focal Point) in liaison with his or her head of office should keep the PSEA Coordinator, and the DSRSG/HC/RC informed of actions taken and status of reported SEA allegations. When a case has been received and the organization that has employed the alleged perpetrator can't be identified, the PSEA Coordinator can convene a meeting with the PSEA Network with an objective to collect additional preliminary information that can help identify the alleged perpetrator and the organization he or she is working for. The Network or PSEA Focal Points are not supposed to conduct, adjudicate complaints, or oversee the investigation. This responsibility lies with the investigation unit (trained investigators) of the organization that has employed the alleged perpetrator. Additionally, the organization that has employed the alleged perpetrator has final responsibility to take any necessary disciplinary action depending on the outcome of investigation and the organization's internal policies, procedures and the *SOPs for Recording and Processing SEA Complaints*. However, in a situation where a UN implementing partners lacks capacity (CHS alliance certified investigators) to investigate an alleged SEA complaint involving their own employee, the UN agency that has a contractual agreement with the particular Implementing Partner (IP), that has employed the alleged perpetrator, has the responsibility to investigate the case on behalf of the IP.

The PSEA Network is responsible for implementing coordinated activities between members to minimize duplication of efforts (in attempts to mitigate SEA risks), ensure effective systems within individual organizations to respond to any SEA incidents, raise awareness of PSEA in Iraq, and ensure survivors are timely referred for assistance. The PSEA Network will ensure procedures follow a **survivor-centered approach**<sup>3</sup> and will respect the four guiding principles<sup>4</sup> for working with Gender-Based Violence survivors: right to safety, respect, confidentiality, and to non-discrimination.

### 4. Meetings of PSEA Network

The PSEA Network will convene regular monthly meetings and ad-hoc meetings as needed. Minutes of each meeting will be circulated among all Network members and filed in PSEA Network records. Meetings should provide a supporting and safe environment to discuss potentially sensitive challenges related to PSEA. Any information shared will be kept confidential by all participants, following a survivor-centered approach (in line with the PSEA Network Information Sharing Protocol that is being drafted). Any reference to SEA allegations or cases during meetings will be anonymized. The PSEA Network Coordination Team (PSEA Coordinator

<sup>3</sup> A survivor-centered approach ensures the rights and needs of GBV survivors come first and foremost. This means the survivor should be placed at the center of each step of the response process, and that every decision should be driven by the survivor's needs, wishes and capacities.

<sup>4</sup> [IASC Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action](#), 2015, p.47.



and Co-Chairs) is responsible for taking minutes of meetings, members can also volunteer to take minutes if needed.

## 5. PSEA Network Tasks

The PSEA Network will ensure implementation of the **4 pillars** of the PSEA Network Action Plan Priorities for Iraq in line with the 2021-2022 country-wide Action Plan and as follows:

### Pillar 1: Management and Coordination

- Carry out a joint PSEA risk assessment in Iraq, identifying potential risk factors and areas of concern. The risk assessment outcomes will inform strategic decision-making of senior leadership and the Inter-agency PSEA Network Work Plan.
- Develop and implement a measurable Inter-agency PSEA Network Work Plan with defined time frames and responsibilities. Designing and implementation of the Work Plan will be contextually and culturally appropriate and respond to the risk factors identified by joint assessments. The HCT/UNCT will proactively monitor Work Plan deliverables and provide additional support when warranted.
- Monitor the PSEA activities of Inter-agency PSEA Network members to avoid duplication and fill gaps.
- Work closely with other coordination bodies in Iraq including the *Protection cluster, AAP, GBV and Child Protection Sub clusters* to support prevention and response to SEA within the humanitarian and development programs.
- Engage with the government on PSEA in line with the 2018 UN protocol on SEA allegations involving implementing partners including government as an IP.
- Advocate for the strengthening and/or establishment of internal PSEA policies and practices for all organizations<sup>5</sup> operating in Iraq and offer support to organizations as needed where such systems are not in place, whether or not a Network member.
- Regularly update and liaise with regional and global bodies to ensure awareness of global developments and good practices in PSEA, and up-to-date understanding of actions taken to prevent and respond to SEA in Iraq.

### Pillar 2: Engagement with and support to the affected population

All engagements with populations should be done in coordination with actors working with affected populations including the Protection Cluster, CP/GBV Sub-clusters and AAP/CwC Working Group to avoid duplication of efforts and to inform said engagements.

- Raise awareness about rights of affected populations, what SEA is, what constitutes appropriate personnel behavior, the obligation of aid workers to report SEA incidents, methods to submit complaints, and how to access victim assistance services in Iraq.
- Support members to assess effectiveness and appropriateness of targeted PSEA.
- Engage community women and girls, support members to create and/or adapt aid delivery models to address power disparities, and actively give women and girls sustained voice aid delivery.

### Pillar 3: Prevention

- Advocate for PSEA as a priority throughout programming, and support actors working in operational areas to embed SEA risk mitigation in project design, implementation, and monitoring.
- Supplement PSEA Network members' internal initiatives to strengthen SEA prevention through joint activities and sharing good practice.
- Encourage the PSEA Network members to carry out induction and refresher training on SEA for their personnel and support such training with jointly developed contextualized materials.
- Ensure and, as necessary, coordinate the provision of awareness raising on PSEA for all personnel in the country, including their responsibility to report all SEA allegations, suspicions and concerns involving their staff members (ST/SGB/2003/13).

### Pillar 4: Response

<sup>5</sup> Particularly for local NGOs, based on outcomes of PSEA capacity assessment of Implementing Partners.



- Jointly evaluate effectiveness of available CBCMs in Iraq to identify where there are gaps in the affected population including women and children to safely access and report SEA allegations.
- Support members to strengthen existing CBCMs and establish potential new Complaint and Feedback Mechanisms to fill gaps based on evaluation of current CBCMs and informed by community preferences, to ensure safe, accessible, and contextually appropriate channels for any community member based on the age, gender and diversity approach to report sensitive allegations.
- Ensuring each agency regularly updates their CBCM SOPs.
- In collaboration with CP/review of GBV actors, regularly update the 4Ws matrix to ensure no gaps in critical survivor/victim services for health, safety and security, legal, psychosocial, and material support in Iraq and work toward strengthening assistance referral pathways.
- If requested, work with relevant CP/GBV Sub-Clusters to regularly ensure referral pathways are integrated into the CBCM SOPs to provide immediate support for complainants and victims of SEA. The PSEA Network does **not** create parallel referral pathways for survivors of SEA.
- Collectively advocate and work with the CP/GBV Sub-Clusters and implementing partners to address existing gaps so that the needs of all survivors are met.
- Raise awareness of CP, GBV and relevant actors, so that all personnel who may work with SEA survivors or receive a SEA complaint are aware of the complaint channels and referral pathways.

*These Terms of Reference shall be reviewed on a regular basis and revised as appropriate.*

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**Endorsed by UNCT (the senior leadership body overseeing the Iraq PSEA Network) on [27/09/2021]**

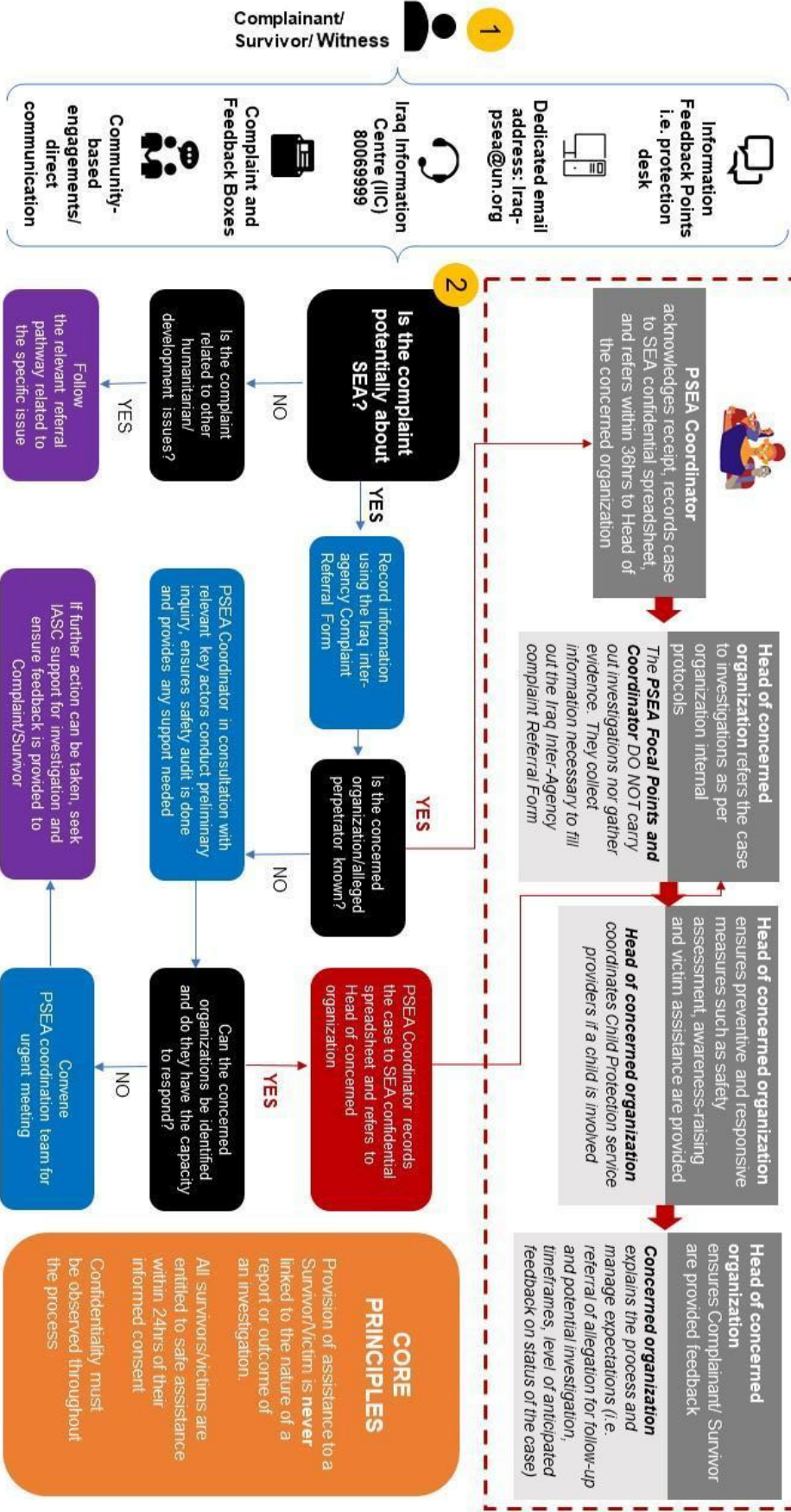
**For more information, visit the Iraq PSEA Network page:**  
<https://psea.interagencystandingcommittee.org/location/middle-east-and-north-africa/iraq>



INTER-AGENCY COMPLAINTS REFERRAL FORM (SEXUAL EXPLOITATION AND ABUSE)		
Information in this form is CONFIDENTIAL. All Forms must be PASSWORD PROTECTED. <b>Submit this form to the Iraq PSEA Network Confidential email: <a href="mailto:Iraq-psea@un.org">Iraq-psea@un.org</a></b>		
Name of Complainant:		Nationality:
Address (district/street/city, or camp sector & tent/caravan no.):		Contact details (phone/email):
Age:		Gender:
How does complainant prefer to be contacted ( <i>Give details. If a phone, include any person (i.e. spouse) who may have access to it</i> ):	Preferred time of day for contact (day/night)	Preferred language
Name of survivor (and nickname)*: <i>(if not the complainant)</i>		Nationality:
Address:		Contact details:
Age:	If under 18: <input type="checkbox"/> With family <input type="checkbox"/> Unaccompanied <input type="checkbox"/> Separated	Gender:
Name(s) and address of parent/guardian, if under 18:		
How does complainant prefer to be contacted (Check relevant box(s) and give details): <input type="checkbox"/> Phone <input type="checkbox"/> Email <input type="checkbox"/> Via family <input type="checkbox"/> Other		
Has the survivor given consent to the completion of this form and referral? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know		
Any urgent needs identified for the survivor/complainant including safety concerns? Please explain.		
Date of incident(s):	Time of incident(s):	Location of incident(s):
Description of incident(s) in the words of the survivor/complainant:		
Name (and nickname) of alleged perpetrator (person):		
Name of the humanitarian/development entity the alleged perpetrator belongs to:		
Position/Job title of perpetrator:		
Type of the entity (please select): Choose an item.		Other:
Address or location of the entity:		
Has the survivor been referred to an organization for assistance (give details on organization and services provided):		
Any other information/details:		
Report completed by:		
Date:		



**PSEA Iraq Process Flow**



**CORE PRINCIPLES**

Provision of assistance to a Survivor/Victim is **never** linked to the nature of a report or outcome of an investigation.

All survivors/victims are entitled to safe assistance within 24hrs of their informed consent

Confidentiality must be observed throughout the process





*Sexual Exploitation and Abuse (SEA) by aid workers violates core humanitarian principles and is prohibited conduct. SEA not only inflicts serious harm on those we are mandated to protect but jeopardizes the credibility of all humanitarian and development organizations. In 2016, the Iraq Resident Coordinator/Humanitarian Coordinator established the inter-agency Iraq Protection from SEA Network to implement the Secretary-General's [Bulletin on Special Measures for PSEA](#) and promote accountability to affected populations.*

### What is SEA?

**Exploitation:** Any actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes, including *inter alia* profiting monetarily, socially, or politically from beneficiaries and consensual sex in exchange for money regardless if prostitution is legal under local law.

**Abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

**All sexual activity with a child** (under age 18) regardless of consent or local age of majority. Mistaken belief as to age is never an excuse.

### The Iraq PSEA Network

Since 2020, Co-Chaired by UNHCR and UNICEF designated staff. Membership includes a Coordinator and Co-Coordinator, Focal Points from each of 19 UN Agencies and missions in Iraq, and 3 seats allocated for I/NGOs.

Serves as the inter-agency body for PSEA coordination and oversight, referral of complaints, establishment and review of policies/guidance, and implementation of the *2021 PSEA Action Plan Priorities for Iraq*, endorsed by the UNCT.

Organizes training and awareness raising to reduce risks and mitigate effects of violations.

### The UN has a **Zero Tolerance** policy toward Sexual Exploitation & Abuse

It is **mandatory** for all UN/partner staff and contractors to formally report all suspicions of SEA. Those who report are **protected from retaliation**.



### How to Submit a Complaint

A complaint can be made by or on behalf of a survivor via internal Agency pathways, and/or:

- **PSEA Network dedicated confidential email:** iraq-psea@un.org
- **Iraq Information Center (IIC):** toll-free and confidentially at 80069999
- Other Complaint & Feedback Mechanisms

Where possible, the *PSEA Iraq Inter-Agency Complaints Referral Form* should be used

### Where does the complaint go?

- 👏 Within 36 hours: The PSEA Coordinator logs and refers a complaint to the Head of the concerned UN Agency/mission and most senior staff of the partner agency (if relevant).
- 👏 The concerned Agency/mission follows internal PSEA procedures to investigate and share feedback with the Network Coordinator.

(For more information, see *Iraq Inter-Agency SOP on Recording and Processing SEA Complaints*)

### Ensuring Confidentiality

**Confidentiality is critical, including password protection of files and limited dissemination**

- Prior to recording, inform a complainant of the mandatory reporting and confidentiality policy.
- Humanitarian/development actors **always** have a duty to report, even if a survivor wishes to remain anonymous or does not wish to formally lodge a complaint.

### Survivor Assistance

**Survivor assistance is never linked to the nature of a report or outcome of an investigation.**

All survivors are entitled to safe and confidential assistance and should be immediately referred to GBV and/or CP relevant service providers on their consent.

*For more info, contact PSEA Network Coordination Team*  
 Robert Basil (robert.basil@un.org)  
 Manon Lesueur (lesueur@unhcr.org)  
 Matildah Musumba (mmusumba@unicef.org)





# Core Principles of Sexual Exploitation and Abuse (SEA)

## 1 No Second Chances

SEA constitutes acts of gross misconduct and are grounds for termination of employment

## 2 No Sex with Children

Any sexual activity with children (<age 18) is strictly prohibited

## 3 Do not hire or bribe anyone for sex

Exchange of money, employment, goods, or services for sex is prohibited, including hiring and soliciting commercial sex workers

## 4 No Sex with Beneficiaries

Any sexual relationship with beneficiaries involving improper use of rank or position is prohibited

## 5 Always report SEA

Humanitarian/Development workers **must** report any concerns of SEA by a fellow aid worker regardless of affiliation to [Iraq-psea@un.org](mailto:Iraq-psea@un.org)

## 6 Discourage SEA around you

Humanitarian/Development workers must create and maintain an environment free from SEA and promote their Code of Conduct



For more information, contact the Iraq PSEA Network ([Iraq-psea@un.org](mailto:Iraq-psea@un.org))

