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TANZANIA

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# Tanzania PSEA Network Guidance

Inter-Agency Sexual Exploitation  
and Abuse (SEA) Reporting, Referrals, and Feedback

**TANZANIA PSEA NETWORK**

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For any questions, please contact the PSEA Network Co-chairs and/or the PSEA Coordinator (See Annex 3).

## 1 Introduction

- 1.1 These Standard Operating Procedures (SOPs) define recommended inter-agency steps and measures to be taken when there is suspected, or alleged, SEA committed by staff and/or implementing partners operating in the development as well as the refugee context in Tanzania.
- 1.2 The SOPs aim to ensure a consistent approach for the Tanzania PSEA Network, both national and sub-national levels, in implementing the Secretary-General's Bulletin ST/SGB/2003/13, dated 9 Oct 2003, on "Special measures for protection from sexual exploitation and sexual abuse", as well as the Secretary-General's Report A/71/818, dated 28 Feb 2017, on "Special measures for protection from sexual exploitation and abuse: a new approach".
- 1.3 The SOPs cover the whole of the country and reflect the strong commitments made by the country team to actively respond to SEA through the Tanzania PSEA Network. Thus, upon endorsement, all Tanzania PSEA Network members are asked to (a) adhere to the protocols and documents contained in this document and to (b) ensure its roll-out amongst all staff and implementing partners.
- 1.4 The Tanzania PSEA Network will take lead in ensuring strong linkages and engagements with relevant national stakeholders in the roll-out of these SOPs, such as government, law enforcement, local actors, and implementing partners, to raise awareness; build capacity; and establish systems for safe victim-support, complaints handling, and data sharing.
- 1.5 The SOPs are not intended to change nor to override existing agency-specific guidelines on PSEA<sup>1</sup>. Instead, the procedures are meant to reinforce common actions for all Tanzania PSEA Network members for when reports need to be referred beyond one individual entity.
- 1.6 The SOPs will be complemented by effective linkages with gender-based violence (GBV) and violence against children (VAC) referral pathways; awareness creation for staff, implementing partners, and beneficiaries; and contextualised training for all PSEA Network stakeholders. It also includes an agreed Information Sharing Protocol for confidential sharing of information on SEA allegations (see Annex 8).
- 1.7 The SOPs are not meant to be a stand-alone resource, and a coordinated work plan must be established by the Tanzania PSEA Network to ensure compliance with the minimum actions required on PSEA<sup>2</sup>. As such, these procedures are meant to clarify how agencies can cooperate in a joint mechanism that still conforms with their own agency-specific policies and procedures.
- 1.8 The implementation of the guidance note will be monitored by the Tanzania PSEA Network Co-chairs with support from the Inter-Agency PSEA Coordinator, who reports directly to the Resident Coordinator.
- 1.9 Sexual harassment between staff members is not included in the scope of these SOPs.

## 2 Definitions

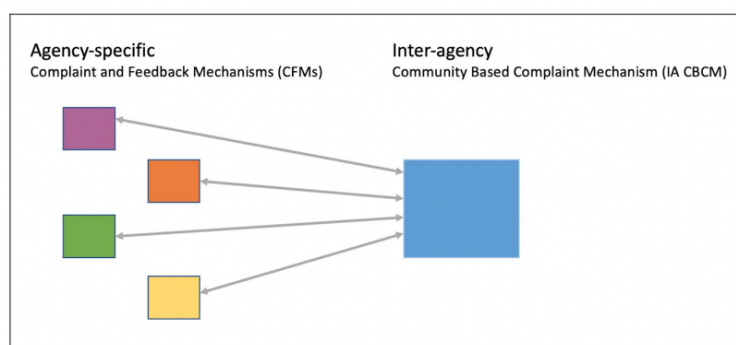
- 2.1 The main concepts related to the Tanzania PSEA Network SOPs have been defined below, as per the Secretary-General's Bulletin ST/SGB/2003/13 as well as global guidance and tools provided by the Office of the Special Coordinator on improving the UN response to sexual exploitation and abuse (OSCSEA) and Inter-Agency Standing Committee (IASC).
  - 2.1.1 **Sexual Exploitation:** any actual or attempted abuse of a person in a 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.
  - 2.1.2 **Sexual Abuse:** the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

<sup>1</sup> In case of contradiction between the SOPs and any agency-specific rules, policies, and/or procedures on PSEA, the latter shall prevail.

<sup>2</sup> IASC Country level checklist on the minimum actions required on the protection from sexual exploitation and abuse (2022).

- 2.1.3 **Child Sexual Abuse:** any sexual activity between a child and an adult or older child. It involves either explicit force or coercion, or circumstances where informed consent cannot be given by the victim because of his or her young age.
- 2.1.4 **Sexual Exploitation and Abuse (SEA):** the combination of sexual exploitation and sexual abuse. It occurs when people in power or position of trust exploit the vulnerability of the affected communities for sexual purposes. It is important to note that consent does not determine whether SEA has occurred because SEA victims have unequal power status.
- 2.1.5 **Protection from Sexual Exploitation and Abuse (PSEA):** policies, guidelines, procedures, mechanisms, and activities aimed to reduce the risk of SEA; mitigate the effects caused by SEA violations; and respond to SEA incidents.
- 2.1.6 **Victim/Survivor:** A person who has SEA perpetrated against him/her or an attempt to perpetrate SEA against him/her. Both terms are often used interchangeably, however, the Tanzania PSEA Network prefers to use 'victim' as opposed to 'survivor' from an access to justice point of view.
- 2.1.7 **Person Of Concern:** A person whose protection and assistance needs are of interest to UNHCR. This includes refugees, asylum seekers, stateless people, internally displaced people, and returnees
- 2.1.8 **Complainant:** A person who brings, in accordance with established procedures, an allegation of SEA to attention. The complainant may be a SEA victim or another person who is aware of the wrongdoing. Both the victim and the complainant, if different from the victim, should be protected from retaliation.
- 2.1.9 **Whistle-blower:** Any humanitarian and development actor who reports concerns of sexual exploitation or abuse. Whistle- blowers may be a type of complainant.
- 2.1.10 **Subject of the Complaint (SOC):** The alleged perpetrator is referred to as the Subject of the Complaint.
- 2.1.11 **Sexual Harassment (SH) versus SEA:** SEA occurs against a beneficiary or vulnerable member of the community, while sexual harassment occurs when one employee makes unwelcome sexual advances, requests for sexual favours, and other verbal or physical conduct of a sexual nature, to another employee, against his or her wishes. The distinction between the two is important.
- 2.1.12 **Gender-based violence (GBV):** GBV is an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed differences between males and females (i.e., gender). It includes acts that inflict physical, sexual, or mental harm or suffering, threats of such acts, coercion, and other deprivations of liberty.
- 2.1.13 **GBV versus SEA:** SEA is a form of GBV, as victims of SEA are often abused because of their vulnerable, intersectional status as women, girls, boys, or even men (in some circumstances). It is the mandatory reporting obligation for SEA that represents the key differences between SEA and GBV (as the latter does not have mandatory reporting). CBCM stakeholders, especially those working directly with beneficiaries, should be trained to recognize SEA and be aware of the role PSEA plays in larger protection campaigns.
- 2.1.14 **Intersections between Violence Against Children (VAC) and Violence Against Women (VAW):** VAC and VAW are critical, global human rights and public health problems that impede development. Although the fields of VAC and VAW developed separately, evidence highlights multiple intersections between the two, including shared risk factors, common underlying social norms, co-occurrence, intergenerational effects, common and compounding consequences, and adolescence as a vulnerable period (and opportunity for prevention) of both. These multiple and complex links suggest that greater collaboration may increase the effectiveness of efforts to prevent and respond to both VAV and VAW.

- 2.1.15 **Complaint and feedback mechanism (CFM):** CFMs are internal, agency-specific systems which seek feedback from beneficiaries on service and assistance received. As such, CFMs are also key to ensure that beneficiaries and host communities have access to avenues to hold aid actors accountable.
- 2.1.16 **Community-Based Complaint Mechanism (CBCM):** A CBCM aims to facilitate SEA reporting and referral of allegations, and help known and potential SEA survivors to access assistance and services. They are jointly developed with the community of concern, preferably in an inter-agency framework, and make use of the community's resources and structures. CBCMs should therefore be cultural and gender sensitive to remove barriers that may hinder communities from reporting SEA incidents.
- 2.1.17 **Links between CFM and Inter-Agency CBCM:** To ensure collective accountability, a SEA complainant should be able go to any formal and/or informal complaint and feedback mechanism (CFM) in-country to then be referred to the right entity (i.e., of the alleged perpetrator) for swift follow-up and action. The in-country system to achieve this aim is the inter-agency community-based complaint mechanism (IA CBCM), which ensures safe and accessible reporting channels and agreed referral pathways (SOPs) that link agency-specific CFMs and victim-assistance services. The IA CBCM should also include complaint monitoring, data protection, information sharing, and community awareness.



### 3 Principles

- 3.1 Building on the IASC Six Core Principles Relating to Sexual Exploitation and Abuse (See Annex 2), and in line with the UN Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse<sup>3</sup>, the following guiding principles must be respected by the Network under all stages of the implementation of these inter-agency SOPs:
- 3.1.1 **Victim-centred:** All responses to SEA complaints and allegations will be developed in a manner that balances respect for due process with a victim-centred approach (may also be referred to as 'survivor-centred' approach), in which the victim's wishes, safety, and well-being remain top priority in all matters and procedures. Victim assistance and support shall thus always be provided in a manner that is age, disability, and gender sensitive; non-discriminatory; and culturally appropriate. The best interests of victims shall guide design and structure. Moreover, assistance and support to child victims (under age 18) shall be provided in a manner consistent with the rights enshrined in the Convention on the Rights of the Child, in particular the "best interests of the child."
- 3.1.2 **Best interest of the child:** A determination of the child's best interests should inform all decisions related to the provision of assistance to children, including where children may be involved in accountability processes. Child victims should be provided with assistance from trained professionals who can provide child-focused care. This includes health, psychosocial, educational, and legal services in a child-friendly environment, which is appropriate to the age and developmental stage of the child. In all cases involving children, concerned agencies and organisations may work in close consultation with UNICEF to ensure that the rights and best interests of the child are upheld. UNICEF can provide guidance on how to support child victims in a safe and appropriate manner.

<sup>3</sup> UN Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse (2019).

- 3.1.3 **Accountability:** Awareness will need to be systematically raised among beneficiaries about their rights, including their rights to make and withdraw allegations. Complainants/victims will be kept informed about next steps related to their case, including investigation and referral to GBV and/or VAC services, and will be provided with information on any obligation for service providers to report to the police. Moreover, all actors are bound to treat all complaints without discrimination (for instance, linked to age, economic or social situation, race, disability, nationality, belief or opinion, gender, orientation, and/or reputation). Special support must be provided for children and people with disability to ensure their ability to safely report. Allegations from children and persons with disabilities should be taken seriously and not undermined because of the age and/or the disability
- 3.1.4 **Do No Harm:** Assistance provided to SEA victims shall adhere to the principle of “Do No Harm” and be provided in a manner which seeks to uphold their rights, dignity, and well-being. This may entail provision of safety measures to protect against retaliation, re-victimization, and re-traumatization. The safety of the victim and/or complainant will therefore be a primary consideration during reporting, investigation, and thereafter. All actions taken under these SOPs will consider potential dangers and risks to all parties; incorporate ways to prevent harm; address potential retaliation; and offer a safe space for reporting. It is essential that a risk assessment will be conducted for each victim, and that a protection plan to be developed, if necessary, based on individualised needs.
- 3.1.5 **Accessibility:** Multiple channels should be made for complainants/victims and other persons to raise allegations and report any rumours and/or concerns regarding potential SEA cases. These channels must be accessible by all people (including those who are at increased risk, such as women, children, persons who are illiterate or may not speak the dominant languages, and those with physical and/or mental disabilities). Options should therefore be available to be used by as many people as possible and communities should be informed of their rights and how to report SEA. Targeted efforts to remove barriers that may be gender-specific to women, men, girls, and boys, as well as refugees, will ensure that mechanisms are accessible to all. This can include options for victims to speak to someone of their preferred gender and/or in their preferred language.
- 3.1.6 **Mandatory Reporting:** It is mandatory for all staff and partners, who become aware of SEA, to report the incident immediately through established reporting mechanisms. This obligation may raise difficult questions and operational challenges related to consent, which must be resolved in close coordination with the Inter-Agency SEA Coordinator or Co-chairs. These SOPs emphasise that best efforts will be made to balance respect for complainant/victim’s rights while communicating the limits of confidentiality when it comes to mandatory reporting requirements. It is recommended that all staff who may be in direct receipt of first-hand reports of SEA are trained on how to communicate the limits of confidentiality<sup>4</sup> before a disclosure is made. This does not fully resolve issues of confidentiality, informed consent, and mandatory reporting, but it provides an opportunity for the complainant/victim to reflect on ‘what’ and ‘how’ regarding information to be shared/reported.
- 3.1.7 **Confidential:** The confidentiality of complainants, victims, and other relevant parties need to always be respected. All SEA-related information will be kept confidential, identities will be protected, and the personal information of victims shall be collected and shared only with the informed consent of the person concerned. Disclosure of information will be on a strict need-to-know basis. Where physical records are kept, documents will be stored safely to prevent accidental disclosures. Every participating agency shall adhere to the Data Protection Principles in any event that it collects, receives, uses, transfers, or stores any personal information.
- 3.1.8 **Transparency:** Members of the affected community will be educated on how to raise complaints and report allegations, may offer input to improve how such complaints and allegations may be raised and handled, and will be kept informed and receive feedback on the outcome of a complaint or allegation

<sup>4</sup> This should be explained in their own language and in such a way that it is easy for the complainant/victim to understand (a) the information and level of detail that will be reported, (b) who will have access to this information, and (c) what form of follow-up actions might be taken. The complainant/victim will be supported by the PSEA Network to better understand the process and assert their right to confidentiality.

raised, once available. This will be available in multiple formats to ensure it is inclusive and accessible to all, regardless of age, gender, literacy, ethnicity, religion, background, language spoken, disability and so forth. In line with the principle of ensuring Accountability to Affected Populations (AAP), beneficiaries need to be consulted on a regular basis to build trust and ensure that existing mechanisms are effective and appropriate.

## 4 Minimum Requirements

4.1 Each UN agency and their implementing partners<sup>5</sup>, as members of the Tanzania PSEA Network, are obliged to create and maintain an environment free of SEA, whereby all development, humanitarian, and refugee actors (i.e., staff and partners) have the responsibility to:

- Adhere to the core standards of the Secretary General's Bulletin ST/SGB/2003/13.
- Report all known or alleged SEA incidents in good faith and in respect of confidentiality.
- Ensure that all beneficiaries (regardless of gender, age, specific needs, disability, status, nationality, and so forth) have access to safe and confidential ways of providing feedback and raising complaints.
- Refer all known or alleged SEA incidents for victim-support, in line with the UN Protocol on Provision of Assistance to Victims of SEA.

4.2 Leadership has a particular responsibility to support and develop of the systems that maintain this environment, including but not limited to:

- Adoption of the IASC Six Core Principles Relating to Sexual Exploitation and Abuse.
- Roll-out of the inter-agency Code of Conduct<sup>6</sup> that clearly prohibits SEA and obliges reporting.
- Nomination of two senior-level PSEA Focal Points to actively contribute to the PSEA Network.
- Taking action to prevent SEA cases, including awareness-raising, training, and other measures.
- Strengthen internal protocols for referral of SEA cases that directly link to the inter-agency SOPs.
- Carry-out an appropriate PSEA screening-process, such as the UN Implementing Partner PSEA Capacity Assessment, before entering cooperative arrangements with implementing partners.
- Follow the mandatory requirement on sharing information on allegations of SEA with the UN Resident Coordinator, in line with the 2021 UN Guidance Note on SEA Information Sharing.
- Take disciplinary actions in case any offence is proven.

## 5 Roles and Responsibilities

5.1 All actors involved in receiving and handling SEA complaints, in referral and/or follow-up for victims of SEA, or in the oversight of the Tanzania PSEA Network (i.e., the "IA CBCM stakeholders"), hold additional collective responsibilities under global UN commitments. These stakeholders include:

5.1.1 **Resident Coordinator:** The Resident Coordinator (RC) bears the final responsibility for ensuring a functioning PSEA Programme<sup>7</sup> in-country, leads the UNCT in overseeing said Programme, and is actively advised by the Inter-Agency PSEA Coordinator on the issue. This also includes overall accountability for ensuring the UNCT-development of a collective PSEA strategy and work plan; safeguarding the collective coordination of inter-agency referrals; reporting regularly to Office of the Special Coordinator on the PSEA in-country actions; and including PSEA as a frequent agenda item at the UNCT meetings.

<sup>5</sup> Partnerships with public and non-public entities have become essential for most UN agencies in pursuing their mandates, whereby the UN assigns the implementation of programme activities to implementing partners (IPs), to which they allocate resources (funds and materials) to enable programme delivery. IPs vary widely and can include host government entities, national and international NGOs, civil society groups, as well as academic and research institutions.

<sup>6</sup> The Inter-Agency Code of Conduct (CoC) outlines behaviours and practices expected by all Tanzania PSEA Network member entities and their partners regarding the protection of beneficiaries from sexual exploitation and abuse. The OSCSEA template for "Country-Level Action Plan to Prevent and Respond to Sexual Exploitation and Abuse 2022-23" has made the distribution of an inter-agency CoC mandatory.

<sup>7</sup> It should be noted that the RC is not responsible for reporting on numbers of complaints received in-country. For one, this would duplicate the case reporting as UN agencies are responsible to report cases quarterly at HQ-level to the Secretary General (the data on which is collected by the Office of the Special Coordinator on improving the UN response to sexual exploitation and abuse (OSCSEA)). For another, given the systematic underreporting of SEA, it is not recommended to assess the success of a collective PSEA Programme based on SEA case numbers. Rather, RC reporting should be focusing on actions taken in-country to prevent and respond, including in the IASC priority areas.



In this regard, the Management and Accountability Framework of the UN Development and Resident Coordinator System (2021) is their source of accountability.

- 5.1.2 **UN Country Team:** The UN Country Team (UNCT) are accountable for ensuring that organisational processes and procedures that support PSEA are in place, working effectively, and are monitored and reviewed. This should be ensured in line with the IASC Minimum Operating Standards, whereby UNCT members have the responsibility to ensure that their staff fully adhere to SEA procedures and reporting mechanism; support policy and procedures; and understand disciplinary measures for misconduct. Heads of Agencies also need to appoint PSEA Focal Points with clear roles and responsibilities incorporated into ToRs and performance evaluations. Both human resources and programmatic sides should be engaged, and, where applicable, field level focal points should be appointed as well.
- 5.1.3 **Tanzania PSEA Network (national level):** The Tanzania PSEA Network was established in 2020 and encompasses one national level network for the whole of the country as well as one sub-national level network for the refugee response. The network structure represents the inter-agency technical body that implements the PSEA in-country programme and is the primary forum for PSEA coordination. The PSEA Network comprises focal points from all UNCT members (and the inclusion of implementing partners is currently under consideration). The Network is guided by a common strategy and work plan (endorsed by the UNCT), which all members are jointly accountable for implementing.
- 5.1.4 **Refugee Response Network (sub-network):** The PSEA Sub-Network in Kigoma, overseen by UNHCR, was established in 2018 and comprises PSEA Focal Points from UN, NGOs and CSOs. UNHCR's oversight of the Sub-Network is in line with their global mandate within the refugee response (which include leadership and coordination responsibilities) led by the UNHCR Country Representative. In this regard, UNHCR works closely with the Government, which has the primary responsibility for protection of refugees in Tanzania. The UNHCR Representative must also ensure close collaboration with the RC, including regular briefing to the UNCT on safeguarding developments within the refugee response.
- 5.1.5 **Reporting line between national-level network and refugee-response sub-networks:** The UNHCR Representative, the UNHCR PSEA Coordinator/Focal Point, and the PSEA Sub-Network for the refugee response must ensure close collaboration with the RC, national-level Co-chairs, Inter-Agency PSEA Coordinator, and wider Tanzania PSEA Network on all matters related to PSEA. This includes sharing anonymised data as well as providing status updates on PSEA-related issues in the refugee response. The UNHCR PSEA Coordinator should represent the sub-network in all national-level meetings, ensuring all activities are guided by the national level strategy and work plan.
- 5.1.6 **Network Co-chairs:** The Co-chairs, a role which has been taken on by the UN Women Country Representative and UNICEF Deputy Country Representative, commit to advocate for and promote PSEA in Tanzania. They oversee the implementation of the strategy and workplan; support inter-agency referrals; keep the RC updated on the implementation of the SOPs (and challenges to this); and support urgent interventions for SEA cases. The Co-chairs, who are supported by their own technical Focal Points, cover the responsibilities of the Inter-Agency PSEA Coordinator in his/her absence.
- 5.1.7 **Inter-Agency PSEA Coordinator:** The Inter-Agency PSEA Coordinator is the main entry point for SEA reporting in Tanzania. He/she is also responsible for the overall management and coordination of PSEA activities, including oversight of the application of these SOPs. These responsibilities are carried out in close coordination with the Co-chairs and PSEA Network Focal Points, who are responsible for ensuring the implementation of the SOPs within their own agency and partner organisations. The PSEA Coordinator will provide quarterly reports on PSEA activities and a SEA trends analysis of anonymised data to the Resident Coordinator.<sup>8</sup>
- 5.1.8 **PSEA Focal Points:** Focal points are appointed from within each PSEA Network member entity and represent their agency in inter-agency PSEA activities. All country team members should, as a bare

<sup>8</sup> In the absence of a fully dedicated PSEA Coordinator, these roles will be delegated to the PSEA Network Co-Chairs. However, the role of a dedicated and independent Inter-Agency PSEA Coordinator is very important, proposed by the IASC principles in 2016 Global SOPs and endorsed in the 2018 IASC Plan for Accelerating PSEA in Humanitarian Response at Country Level.



minimum, have one senior-level PSEA Focal Point and one alternate PSEA Focal Point in place to ensure full coverage. The PSEA Focal Points act as potential entry points for SEA reporting and have an obligation to receive and refer SEA complaints for action, including investigation per internal protocols. The PSEA Focal Points also lead on PSEA activities, including awareness raising and training, whereby they will report on progress and plans in meetings. For ToR, including selection criteria, see Annex 9.

- 5.1.9 **Role regarding implementing partners:** Tanzania PSEA Network members are responsible for ensuring that implementing partners (IPs) adhere to all PSEA protocols and standards and are allotted adequate resources and tools to ensure minimum standards for PSEA, including training and awareness raising for contractors, volunteers, and other third parties. It is the responsibility of IPs to then report allegations of SEA promptly to their partner. It is important that all IPs engage with the inter-agency CBCM and create/strengthen their own PSEA policies in this regard. Moreover, where required, and as appropriate, IPs should be supported by their UN partner(s) in internal investigations.
- 5.1.10 **Recipient of Complaint:** The recipient of the complaint will obtain informed consent from the complainant/victim to refer the complaint to the organisation's PSEA Focal Point for action (if a specific organisation is identified) or to the Inter-Agency PSEA Coordinator (if no specific organisation is identified). The Focal Point is obliged to log the report to the Tanzania PSEA Network in accordance with a standard format as well as to abide by their internal processes. The Focal Point and/or PSEA Coordinator will provide the complainant/victim with information regarding how to access victim-centred support and services.
- 5.1.11 **Concerned organisation:** The final responsibility to address the SEA complaint, and follow-up, lies with the organisation that employs and/or partners with the subject of the complaint. This is also the organisation responsible for investigating allegations of SEA and taking appropriate follow-up action. Said organisation is also responsible to provide updates to the Resident Coordinator and the PSEA Coordinator/Co-chairs on the status of a case, including when the complaint was received by the agency's investigative unit; when/whether investigation commenced or the complaint was determined an insufficient basis to proceed; when the investigation concluded; the outcome of the investigation; and when/whether the outcome (or any other information) was provided to the victim.

## 6 Procedures for Intake

- 6.1 SEA complaints in Tanzania may be reported directly by the victim or by anyone else who may have a suspicion and/or concern, e.g., staff, partners, volunteers, and affected communities. In this regard, complaints may be received from various complaint and feedback mechanisms (CFMs), such as Focal Points, community committees, call centres, online platforms, women centres, child friendly spaces, help desks, and GBV and VAC referral mechanisms. It is therefore important that anyone who may receive a SEA complaint make sure to:
- Treat the victim, or complainant (if different), with dignity and respect by always believing the victim, ensuring privacy, and making them as comfortable as possible.
  - Explain to the victim/complainant the mandatory requirement to report on all SEA allegations. If the victim is the complainant, seek their informed consent to share information confidentially. If a victim has not given consent to report the incident, there is nevertheless the obligation to report.<sup>9</sup>
  - Get basic incident information (See Annex 4) and only ask relevant questions required to gain a clear understanding of the SEA complaint, so that it can be safely referred to the appropriate agency. This typically consists of addressing: What, where, when, and who.<sup>10</sup>

<sup>9</sup> While reporting SEA is mandatory, this obligation may in practice conflict with the principles of confidentiality and the right of the victim to choose how they would like to address the incident. Agencies will need to internally reconcile this potential conflict by balancing the rights of the victim as well as the safety of the individual and broader community. One possibility is to inform the victim of the mandate to report SEA, while seeking informed consent to proceed. IASC Best Practices for IA CBCMs.

<sup>10</sup> It is important that the person receiving the allegation does not ask "why". Reporting should not be rushed, and complainants should be allowed to fully articulate the situation in their own words before clarifications are sought. It is also important to stress that it is not their fault and that they have the right to services and support.

- 6.2 If the person receiving the complaint is trained (and authorised) to receive SEA complaints as well as to refer victims via established GBV and VAC referral pathways in Tanzania, they should proceed with the below steps. **If they are not**, the staff member should directly refer the SEA complaint to either the PSEA Focal Point of the relevant agency or the Inter-Agency PSEA Coordinator, who will take over the process.<sup>11</sup> See Annex 3 for an overview of all Tanzania PSEA Network Focal Points.

## 7 For cases where the victim is the complainant:

- 7.1 An immediate assessment of the victim's health, safety, psychosocial, and other needs should be conducted. Based on the identified needs and informed consent of the victim, refer her/him to appropriate GBV or VAC case worker, in line with established referral pathways, including specific services for child victims. Confidential information and narrative regarding the case (including the name and agency of the alleged perpetrator) should never be shared with the service provider(s).<sup>12</sup> See Annex 6 for referral form to be used for referrals to service providers and/or assistance.
- 7.2 Ensure that safety measures are applied by developing a plan to mitigate any risks of retaliation and/or harm. If there is no capacity to conduct a safety assessment, refer to the nearest GBV or VAC case worker for support. It is important that caseworkers are sensitised to the intersectional and gendered needs of women, men, girls, and boys who are victims of SEA.
- 7.3 It is the responsibility of the agency of the alleged perpetrator (i.e., subject of the complaint) to ensure that the victim is referred for required assistance and services (with the informed consent of the victim). However, in cases where the allegation pertains to another UN or NGO entity, the agency receiving the allegation should still ensure that the victim is referred for initial assistance.<sup>13</sup>
- 7.4 Where the case constitutes a criminal matter, ensure the victim is informed of the option to report to the police and provide information regarding any support available in this process.
- 7.5 Ask the victim if they need any support/assistance and clarify how they would prefer to receive further communications about services as well as about the status of the case.

## 8 In cases where the victim is not the person reporting:

- 8.1 Do NOT seek out the victim.
- 8.2 Refer the information to the agency's PSEA Focal Point, who in consultation with the Inter-Agency PSEA Coordinator may conduct risk assessments and awareness raising activities in the identified area to share information on SEA, rights, and services available to the affected community, with the aim of promoting victim-centred support as well as encouraging reporting.
- 8.3 Ensure that all information is well-documented during the in-person interview using the Complaint Intake & Referral Form (Annex 4), so that the allegation can be immediately referred to the relevant agency. One should limit the number of interviews conducted, as this can contribute to further traumatising and may jeopardise the investigation by potentially tainting evidence.
- 8.4 Where the case constitutes a criminal matter, ensure the complainant is informed of the option to report to the police and provide information regarding any support available for this process.

<sup>11</sup> Every victim of SEA has the right to receive services irrespective of whether the victim cooperates with investigation procedures, regardless of decisions to investigate the case/the outcome of an investigation.

<sup>12</sup> The Victim Assistance and Services Referral Form (Annex 6) may be used for referrals to GBV and VAC service providers. The IASC SEA Intake and Referral Form (Annex 4) as well as the OSCSEA Reporting form to the RC (Annex 5) should NOT be used for this, as this document contains confidential information regarding the incident.

<sup>13</sup> The organisation of the alleged perpetrator is responsible for continued follow up to ensure all required assistance and services are provided, including covering costs in cases assistance is not available via established GBV and/or VAC providers. Longer-term assistance can include comprehensive health care, psychosocial support, access to legal assistance, livelihood support, skills training, and education.

- 8.5 Ask the complainant if they need any support/assistance and clarify how they would prefer to receive further communications about services and status of the case.

## 9 Handling Child Cases

- 9.1 If an SEA allegation or complaint reported is concerning a child (18 years and younger), ensure that protection principles and child safeguarding measures are in place to avoid the chance of children being put at risk for taking part in the CFM.
- 9.2 Ensure the child is referred to a professional with the required certification, training, and skills to support child victims of sexual exploitation and abuse, such as Child Protection Specialist.
- 9.3 For children who are too young to understand information about their rights and service options, this information should also be shared with their trusted adult who can support the child to participate in making decisions. Young children feel safe and secure with adults that they know and trust and can express themselves more openly in the presence of their trusted adult.<sup>14</sup>
- 9.4 UNICEF can provide support on cases involving child SEA victims, if needed.<sup>15</sup>

## 10 Reporting Personnel of Own Agency

- 10.1 The staff member receiving the SEA complaint should refer the case to the organisation's established complaint and feedback mechanism (CFM) or PSEA Focal Point within 24 hours.
- If, for whatever reason, the staff member does not want to refer to their own PSEA Focal Point, they should refer the complaint to a member of senior management or directly to the agency's Headquarter-level complaints mechanism, in accordance with internal policies.
  - If, for a good reason, the staff member does not want to report to internal mechanisms, she/he may report to the Inter-Agency PSEA Coordinator or to one of the PSEA Network Co-chairs, who will report the case to the agency's reporting mechanism at the global level and inform the RC.
- 10.2 When receiving a complaint, the PSEA Focal Point should NOT investigate. Instead, the PSEA Focal Point should report the incident following their own internal procedures.
- 10.3 The PSEA Focal Point must identify whether the victim/complainant has received assistance through trusted mechanisms, preferably via pre-established GBV and VAC referral pathways, within 24 hours, and ensure follow-up to resolve any blockages to assistance, while preserving confidentiality.
- 10.4 The PSEA Focal Point receiving the complaint should also inform the PSEA Coordinator or the PSEA Network Co-chairs for monitoring of the case and provision of support, if requested/needed.
- 10.5 The Focal Point must also support the Head of Agency to directly inform the Resident Coordinator. For more information, see "Information Sharing with Senior-Most UN Official" and Annex 5.
- 10.6 It is the agency's responsibility to ensure follow up and support for the victim and to keep the complainant (and, if separate, the victim) notified in a safe and timely manner of the status and outcome of an investigation, in accordance with the agency's own protocols.

<sup>14</sup> Further guidance on obtaining informed consent/assent from children and caregivers can be found in "Caring for Child Survivors of Sexual Abuse: Guidelines (2012)", chapter five, by UNICEF and IRC.

<sup>15</sup> UNICEF can provide guidance on how to support child victims in a safe and appropriate manner, including through referrals to specialised VAC services that may be available. Assistance to children should also include those that may be witnesses of SEA, given the serious potential consequences for their health and well-being.

- 10.7 All Tanzania PSEA Network members and partners agree that action should be taken on all cases within 24 hours for reporting and referrals. Whether a case constitutes SEA and requires investigation, should be determined within 72 hours.
- 10.8 The agency of the alleged perpetrator (i.e., subject of the complaint) is responsible for applying relevant administrative procedures, including (where required) administrative leave/suspension of the subject of the complaint while an investigation takes place. This does not constitute admission of culpability, pending the outcome of internal investigative procedures.

## 11 Inter-Agency Referrals

- 11.1 If the complaint is received via a helpline or helpdesk, the operator will work with the Inter-Agency PSEA Coordinator to do an initial assessment of the allegation to ascertain whether the case constitutes SEA and refer to the PSEA Focal Point in the concerned agency for follow-up in line with their internal protocols and procedures. In the absence of an Inter-Agency PSEA Coordinator, the operator will work with the PSEA Network Co-chairs.
- 11.2 If the complaint is received via the One UN Tanzania PSEA webpage, the Inter-Agency PSEA Coordinator will do an initial assessment of the allegation to ascertain whether the case constitutes SEA and refer the case to the PSEA Focal Point of the agency of the alleged perpetrator for his/her follow-up. In the absence of an Inter-Agency PSEA Coordinator, this role will be delegated to the PSEA Network Co-Chairs.
- 11.3 If the complaint is received through an agency-specific CFM, the staff member receiving the complaint should refer to the reporting system of the agency of the alleged perpetrator/subject of the complaint. However, if the reporting system is unknown, the staff member should refer the complaint to the PSEA Focal Point of their own organisation (**PSEA Focal Point A**) within 24 hours of receipt.
- If, for whatever reason, the staff member does not want to refer to **PSEA Focal Point A** (as the Focal Point of their own organisation), they should refer the case to the Inter-Agency PSEA Coordinator or one of the Co-chairs for assessing and referring the complaint.
- 11.4 **PSEA Focal Point A** should then refer the allegation to the focal point of the agency of the alleged perpetrator (i.e., **PSEA Focal Point B**) within 24 hours (See Annex 4), taking note of the date as well as requesting confirmation of receipt. **PSEA Focal Point B** must acknowledge receipt of the complaint within 24 hours.
- In cases where the organisation does not have an identified **PSEA Focal Point B**, the case may be reported to the Head of the Agency, unless there are circumstances that clearly indicate that this could be problematic (see Section 12 “Nonstandard Scenarios”).
- 11.5 **PSEA Focal Point A** should, within 24 hours, inform the Inter-Agency PSEA Coordinator or one of the PSEA Network Co-chairs for monitoring and support.
- 11.6 **PSEA focal point B** should report the incident immediately following internal procedures.
- 11.7 **PSEA Focal Point A** and **PSEA Focal Point B** should NOT investigate.
- 11.8 **PSEA Focal Point B** should identify whether the complainant (and, if separate, the victim) has received victim assistance and support, via pre-established GBV and VAC referral pathways, within 24 hours.
- It is the responsibility of the agency carrying out the investigation (i.e., the agency of the alleged perpetrator/subject of the complaint) to keep the complainant and/or victim notified in a safe and timely manner of status and outcome of any investigation, in accordance with internal protocols.

- 11.9 The agency/organisation of the alleged perpetrator/subject of the complaint must inform the Resident Coordinator (as the senior-most UN official in the country)<sup>16</sup> whether the case has been reported to an investigatory mechanism, in accordance with internal protocols, and of any interim administrative measures applied, if applicable, as well as of the outcome of the case. See Annex 5 for more information.

## 12 Non-Standard Scenarios

- 12.1 In case of so-called non-standard scenarios, the following procedures should be followed for inter-agency reporting and referrals.
- 12.1.1 **The victim's identity is unknown:** If the case is reported by a third party who does not know the identity of the victim, or the complaint is made anonymously, the allegation will still need to be referred to the appropriate unit in the concerned agency to determine if administrative follow-up and investigation would be advisable. The recipient agency will also inform the Inter-Agency PSEA Coordinator (or one of the Co-chairs) for monitoring and support, as needed/requested. Concerned agencies should not seek out the victim. Awareness raising activities on PSEA and how/where to safely report on SEA may be conducted in the relevant area/region (if this information is made available).
- 12.1.2 **Up-in-the-air allegations:** If neither the victim nor the alleged perpetrator is known, or if there is a rumour of an SEA incident, or wider concerns re SEA in an area, it is referred to as an "up-in-the air allegation" and the staff member should inform their own PSEA Focal Point without making further inquiries. The PSEA Focal Point should inform senior management in their own agency to assess the situation as to whether there is sufficient information for an investigation to take place. The PSEA Focal Point should also inform the Inter-Agency PSEA Coordinator or the Co-Chairs. In consultation with the agency who received the allegation, the Inter-Agency PSEA Coordinator and/or Co-Chairs, may form a small group to determine follow-up steps that can be taken regarding the rumours – *this should not constitute an investigation*. Actions may include but are not limited to: (i) awareness raising on PSEA with affected communities in the area; (ii) engaging staff working in the area to ensure PSEA training with Code of Conduct signing; and (iii) seeking information from community-level GBV/VAC workers.
- 12.1.3 **Allegations not pertaining to partners:** Recognising the high number of CSOs, faith-based charities, and volunteers/incentive staff engaged in aid delivery in Tanzania, allegations may be received regarding actors that are either (a) not a part of the Tanzania PSEA Network or (b) not an implementing partner of the UN. In such cases, allegations should still be reported to their own Head of Office and PSEA Focal Point, who should immediately inform the Inter-Agency PSEA Coordinator and/or the Co-chairs. In consultation with the agency who received the allegation, the PSEA Coordinator and/or Co-Chairs, may form a small group to determine follow up steps that can be taken regarding the allegations (for instance, to collect readily available information and determine possible lines of reporting and/or actions to take). *However, this should not step into the realm of an investigation*. Moreover, where appropriate, and in line with safety and confidentiality requirements, the complaint may need to be raised by the Resident Coordinator with the Head of Office of the entity employing the alleged perpetrator/subject of the complaint.
- 12.1.4 **Allegations pertaining to local community:** If the complaint implicates a member of the local community (who is not a volunteer nor an incentive staff mobilised by an organisation working in the development and/or refugee context), the case does not fall under the mandate of the Tanzania PSEA Network. As such, the recipient should inform the complainant/victim of relevant options and services, including the option of reporting to the police (i.e., if appropriate, and if the victim consents). Support for referral to GBV services providers, via established GBV and VAC referral pathways, and in line with informed consent, should still be provided in such cases. However, for SEA complaints related to

<sup>16</sup> In November 2021, the Office of the Special Coordinator on Sexual Exploitation and Abuse (OSCSEA) instated a system-wide guidance on mandatory procedures for all UN entities on sharing information on sexual exploitation and abuse (SEA) allegations with the most senior UN official in the country. For the Interoffice Memorandum and Guidance Note as well as the mandatory Reporting Form, see Annex 5. It is important that all UN entities follow this requirement in order to enable the RC in Tanzania to communicate to the local authorities, public, donors, and other stake-holders the seriousness with which SEA allegations are taken; (b) confirm that appropriate measures are being taken to address the current allegations; (c) remain apprised of trends and developments around this issue in-country; (d) provide answers about the readiness and competence of the UNCT to prevent and respond to SEA; and (e) lead UNCT system strengthening where needed.

community members and leaders mobilised by the UN, international NGOs, local CSOs, and so forth (i.e., such as volunteers and/or incentive staff), the complaint must be reported to the CFM or PSEA Focal Point of the entity implicated. All organisations have a responsibility to inform community members and leaders, whom they mobilise in their work, of expected PSEA code of conduct.

- 12.1.5 **Allegations pertaining to Government partners:** Should an allegation of SEA pertain to Government personnel, donor, and/or security actors either received by and/or partnering with members of the Tanzania PSEA Network, the allegation should be reported to the Inter-Agency PSEA Coordinator or Co-chairs, who will liaise with the RC to confidentially raise the allegation, as most appropriate, with the relevant entity. The RC may seek the support from OHCHR to report allegations.

## 13 Victim Assistance

- 13.1 All Tanzania PSEA Network member agencies shall provide support to victims as soon as information about an allegation is received. Assistance and support should be provided to victims by skilled and competent service providers<sup>17</sup> in line with the ‘do no harm’ and victim-centred approach<sup>18</sup>, with respect to GBV and VAC guiding principles, especially informed consent.
- 13.2 A victim of SEA has the right to assistance and support and must be able to access the GBV and/or VAC services (as appropriate). These services can include immediate assistance, such as: urgent medical care for the treatment of acute illness and injury; safety and protection; basic assistance to access services; psychosocial support, legal services, and support for children born as a result of SEA. Longer-term assistance can include comprehensive health care, ongoing psychosocial support (including mental health), legal assistance, livelihood support, and/or education.
- 13.3 Case management should be provided by a specialised service provider trained on the GBV and VAC case management processes in Tanzania. Moreover, it is preferable for a victim to access case management services (if available), including the option to have a trained professional, such as a social worker, accompany them throughout the process.<sup>19</sup>
- 13.4 **Below outlines the types of essential services that can be made available to support victims of SEA. These should be provided free of charge.**
- **Safety:** immediate safety and protection measures for victims, witnesses, and/or complainants (including whistle-blowers) to address the risk of retaliation and/or further violence, such as safety planning, safe shelter, and/or relocation support.
  - **Immediate medical care:** Immediate medical response to injuries as well as administering medication to prevent infections and/or unwanted pregnancies. Treatment within 72 hours should be provided, particularly to administer post-exposure prophylaxis for HIV and/or emergency contraception. In some instances, this may also include clinical Management of Rape (CMR), such as treatment, counselling, and follow-up care, as well as the collection of forensic evidence and the provision of a medical certificate. For victims who get pregnant and give birth because of sexual exploitation and abuse, prenatal and postnatal care may also be provided.

<sup>17</sup> The Tanzania PSEA Network, with support from protection-mandated agencies and C-SEMA, are undertaking a mapping of operational presence and GBV and VAC systems in-country to integrate community-based complaint mechanisms (CBCM) for PSEA into existing GBV, VAC and gender referral systems, December 2022-February 2023. This data will be added to the digitised 116 directory of service providers. From this directory, the Tanzania PSEA Network will identify key entry points of trained service providers for SEA support and services. For access to the system, please contact the Inter-Agency PSEA Coordinator and/or Co-chairs.

<sup>18</sup> When services are victim-centred and rights-based, they are specific, age and gender appropriate, culturally, and physically accessible, and driven by the needs of individual victims and support of their self-determination and decision-making.

<sup>19</sup> A victim has the right to make their own choices. This includes the option of refusing assistance or support, including after they have begun to receive it. They also have the right to access support at a later stage.



- **Dignity kits:** Dignity kits are generally provided to women and girls and typically contain standard hygiene items (such as sanitary napkins, hand soap, toothbrushes, toothpaste, and underwear, as well as information about GBV and VAC services (including where and how to access support).
- **Mental health and psychosocial support:** Mental health care, emotional and practical support, may be provided individually or community based. This may also include counselling and case management, assessment of service needs, provision of information, and referral of victims to other services. Victims who experience severe responses to abuse may need specialised services.
- **Legal services:** Legal assistance services may include free legal counselling by a legal aid provider of their choice, legal representation, advocacy, and/or other support.
- **Basic material assistance and socio-economic empowerment:** The provision of food, clothing, shelter, education assistance, and/or livelihood support falls under this category. Where the victim is a child, the child's caregivers may, for instance, be given access to some sort of livelihoods assistance.
- **Support for children born because of SEA:** Medical and psychosocial care and pursuit of paternity and child support claims, in conjunction with relevant national governments.

13.5 *It is **not** within the mandate nor the area responsibility of the Tanzania PSEA Network (such as the Inter-Agency PSEA Coordinator, Co-chairs and PSEA Focal Points) to provide case management to SEA victims directly. This should be left to trained and certified GBV professionals.*

## 14 Investigations

- 14.1 Each UN agency is responsible for ensuring adherence to its own internal investigation policies and procedures to coordinate, manage, assess, investigate, report, and respond to allegations of SEA. Investigation processes should seek to limit the number of times victims are interviewed regarding a particular case, noting the serious risk of further traumatising, such as children and persons with specific needs.<sup>20</sup> In this regard, the following principles must be respected under all stages of the investigation:
- 14.1.1 **Protection of victims and witnesses:** Agencies are strongly encouraged, in line with their internal accountability framework and systems, to alert the Inter-Agency PSEA Coordinator and/or Co-chairs, on SEA risks to ensure that adequate protection is ensured from the start of the investigation. A dedicated case management worker may prepare and accompany victims during interviews as part of the process (if the victim requests this). GBV and VAC service providers can provide technical support to ensure that an adequate safety plan is put in place, in line with the wishes of the victim, complainants, and/or witnesses. All agencies should be committed to provide timely feedback, in a safe manner, to victims and/or complainants on status and outcome.
- 14.1.2 **Lack of internal investigations capacity:** In the event of an implementing partner lacking the capacity to investigate internally, the Inter-Agency PSEA Coordinator, upon request from the concerned agency, can support by identifying PSEA-trained investigators from global investigation rosters (at the cost of the requesting agency<sup>21</sup>). All UN implementing partners are obliged to report allegations of SEA to the partnering entity. In this regard, feedback to complainants/victims is a two-fold responsibility: it is part of the required outcome of agency investigations under international commitments, and it is part of victim-assistance. Feedback should be given in writing to avoid confusion or differing interpretations.
- 14.1.3 **Where a case constitutes a criminal matter:** When an incident of SEA constitutes a criminal offence, it is the decision of the senior management of the investigating agency that employs and/or partners with

<sup>20</sup> Investigations of allegations of sexual exploitation and abuse should be undertaken exclusively by dedicated, trained, and experienced personnel of the entity of concern (that are charged with the responsibility and who have the necessary skills to undertake such investigations appropriately).

<sup>21</sup> Financial support for SEA investigations may also be requested from the [IASC Fund for SEA allegations](#), managed by OCHA globally.

the subject of the complaint (in close coordination with their legal office in headquarters) to refer the case to law enforcement in conformity with the entity's internal procedures. However, in such cases, as general rule, the relevant agency will fully cooperate with the national authorities, in accordance with the policies and procedures of the respective agencies (as well as national laws). A risk analysis and appropriate safety measures should be applied to ensure the safety and protection of the victim, complainant, and/or witnesses, and any referral for legal prosecution must be carefully commensurate to potential risks (including ones for the Subject of the Complaint) and evaluated in line with UN Human Rights due diligence. Moreover, victims are entitled to legal assistance and representation, and the decision of an agency to refer a case to the national authorities must consider the consent of the victim/complainant, who may not wish to involve law enforcement.<sup>22</sup>

## 15 Supporting Victims, Complainants, and Witnesses

- 15.1 All Tanzania PSEA Network members and their partners agree to a comprehensive approach to PSEA to safeguard the protection-needs of all parties involved in a SEA complaint. The following must therefore be ensured by the network members under all stages of the implementation of these SOPs:
- 15.1.1 Anyone making a complaint must be made aware of mandatory reporting on all SEA allegations to help prevent harm and abuse for all.
  - 15.1.2 All entities must respect the privacy, confidentiality, and rights of all those involved in an allegation of SEA, including the complainant, the victim, a whistle-blower, witness(es), and the alleged perpetrator.
  - 15.1.3 Complainants should be reassured that information will be shared strictly on a need-to-know basis, through established reporting mechanisms, and with full consideration of the wishes and best interests of the victim (while also ensuring safe access to applicable criminal procedures).
  - 15.1.4 Entities must consider both the immediate and on-going protection, safety, and/or assistance needs of anyone involved in a SEA allegation. This includes the victim, complainant, whistle-blower, witness(es), and the alleged perpetrator.
  - 15.1.5 To avoid malicious accusations: entities must reassure their personnel that no action will be taken against those who report in good faith<sup>23</sup> about a violation of the Code of Conduct, rules, and/or regulations regarding PSEA (even if following an investigation is proven unfounded).
  - 15.1.6 All Tanzania PSEA Network members must establish the appropriate environment within their entity to ensure that there is no retaliation, and the Tanzania PSEA Network will also support all members to ensure that retaliation between entities is prevented and managed.

## 16 Information Sharing with the Senior-Most UN Official

- 16.1 It is mandatory for all members, i.e., in both refugee/humanitarian and development contexts, to share information on SEA allegations with the senior-most UN Official in the country (which is the Resident Coordinator in Tanzania), so that he/she can perform their responsibilities and accountabilities in line with the Management Accountability Framework (MAF).<sup>24</sup>

<sup>22</sup> Additional guidance on referral of SEA cases to national authorities may be sought from Interpol's Project SOTERIA, which focuses on strengthening the capacity of law enforcement in Tanzania to investigate, prosecute, and arrest those who abuse aid recipients in a safe, gender-sensitive, and victim-centred manner. Project SOTERIA can be contacted by e-mail on [soteria@interpol.int](mailto:soteria@interpol.int).

<sup>23</sup> If personnel knowingly report false or malicious information regarding another staff, such false reports will lead to disciplinary action.

<sup>24</sup> In November 2021, the Office of the Special Coordinator on Sexual Exploitation and Abuse (OSCSEA) instated a system-wide guidance on mandatory procedures for all UN entities on sharing information on sexual exploitation and abuse (SEA) allegations with the most senior UN official in the country. For the Interoffice Memorandum and Guidance Note as well as the mandatory Reporting Form, see Annex 5. It is important that all UN entities follow this requirement in order to enable the RC in Tanzania to communicate to the local authorities, public, donors, and other stake-holders the seriousness with which SEA allegations are taken; (b) confirm that appropriate measures are being taken to address the current allegations; (c) remain apprised of trends and developments around this issue in-country; (d) provide answers about the readiness and competence of the UNCT to prevent and respond to SEA; and (e) lead UNCT system strengthening where needed.

- 16.2 The sharing of information with the Resident Coordinator should be: (i) on a need-to-know basis only; (ii) in line with the UN victims' rights approach and the principle of Do No Harm; (iii) without prejudice to the independent investigation process (including the rights of all persons involved in the investigation); and (iv) without negative impact on the safety and security of victims and/or witnesses.
- Within the refugee response, data sharing will be ensured by the UNHCR Country Representative, closely supported by the UNHCR PSEA Coordinator/Focal Point who chairs the Refugee Response Sub-Network in Kigoma.
- 16.3 Country Directors/Representatives are required to share appropriate information with the RC immediately when they become aware of an allegation involving staff and related personnel where there is sufficient information to identify an act of SEA using the OSCSEA-form "Early Incident Reporting on Sexual Exploitation and Abuse with the Senior Most UN Official in-Country" (See Annex 5).
- 16.4 Where allegations of SEA have been received by an inter-agency PSEA Coordinator or Network Co-chairs, and where there is an insufficient level of information to refer such allegations to a responsible entity, such allegations will be shared directly with the RC, as per the standard information above. In the event the entity for whom the alleged perpetrator works becomes known, the RC shall refer the allegation to the Country Director/Representative, for forwarding to the relevant entity's investigation services.
- 16.5 The Resident Coordinator must acknowledge receipt of the complaint by the Country Director/Representative within 24 hours, which need to identify whether the complainant (and, if separate, the victim) has received victim assistance and support, via pre-established referral pathways.

## 17 External Communications

- 17.1 All UN entities are responsible for communicating their efforts to prevent and respond to allegations of SEA committed by their staff and related personnel.
- 17.2 The Country Representative will usually be in the lead on any external communications (i.e., media requests) on SEA allegations concerning that entity and will decide, in accordance with the internal guidelines, on the timing and content of external communications.
- 17.3 The Country Representative will also usually be in the lead on any coordination with the RC and Inter-Agency PSEA Coordinator on external communications and media requests, based on advice and support from their respective headquarters.
- If the allegations solely relate to one UN entity's personnel, the Country Representative of that entity should remain in the lead (and all media requests would be directed to that entity accordingly). 'If asked' media lines should, however, be shared by the Country Representative with the RC to ensure that he/she is prepared, should questions arise during any upcoming (media) event and/or interview.
  - If the allegations are broader and involve multiple UN entities, Country Representatives of the affected entities should work in close cooperation with the RC, who would lead all external communications with support from the Inter-Agency PSEA Coordinator and PSEA Network Co-chairs.
- 17.4 In line with the Secretary-General's reporting mechanism for UN personnel, the UN can announce<sup>25</sup>:
- Nature of allegation(s),
  - Date of alleged incident and date of complaint,
  - Age, gender, and number of victims,
  - Assistance provided to a victim(s), including to realise their rights and dignity,
  - Category of perpetrator,
  - Whether matter has been referred to an investigation entity within the UN System.

<sup>25</sup> For more information and guidance on external communication, see «Communications Guidance to Respond to allegations of Sexual exploitation and Abuse by UN Staff and Related Personnel» by OSCSEA (2022).

- 17.5 The UN and partners must never announce the name of the victim(s) or witnesses, nor provide information that could help identify them. UN agencies, funds, and programmes as well as related organisations may identify the type of personnel involved (military contingent member, military observer, UN Police Officer, UN Volunteer, international or local civilian staff member, implementing partner), but they must not provide the name, rank or grade of the personnel, nor their section/unit.
- 17.6 The UN and partners can confirm the country where the alleged incident occurred but cannot give the specific location. The UN can provide the status of any UN investigation (such as: 'referral for investigation', 'under investigation', or 'closed') but cannot give information about an ongoing investigation or judicial process before completion. The UN can state the type of assistance provided to the victim (medical, psychosocial, legal, protection, shelter, referral services) but cannot give specifics on the location, provider, or detailed nature of assistance.

## 18 Challenges

- 18.1 In cases where challenges in implementing the Tanzania PSEA Network SOPs are raised, the below process will be followed to discuss the matter and determine appropriate actions to be taken and address the issue to facilitate inter-agency information sharing and referrals.
- 18.1.1 A meeting will be convened between the PSEA Focal Point(s) of the relevant entity/entities as well as the Inter-Agency PSEA Coordinator and PSEA Network Co-chairs to discuss the matter and to determine appropriate actions to be taken within two weeks from the identified challenges.
- 18.1.2 If unresolved, the matter should be referred to the Senior Management within a week, including the RC who will address the matter. In this regard, the UNCT commits to attend ad-hoc meetings, as necessary, to address any unresolved issues.
- 18.2 Pending the resolution of the matter, referrals and information sharing among Tanzania PSEA Network members should continue, noting that interruptions in the implementation of this mechanism may be considered misconduct within the regulations of individual entities.

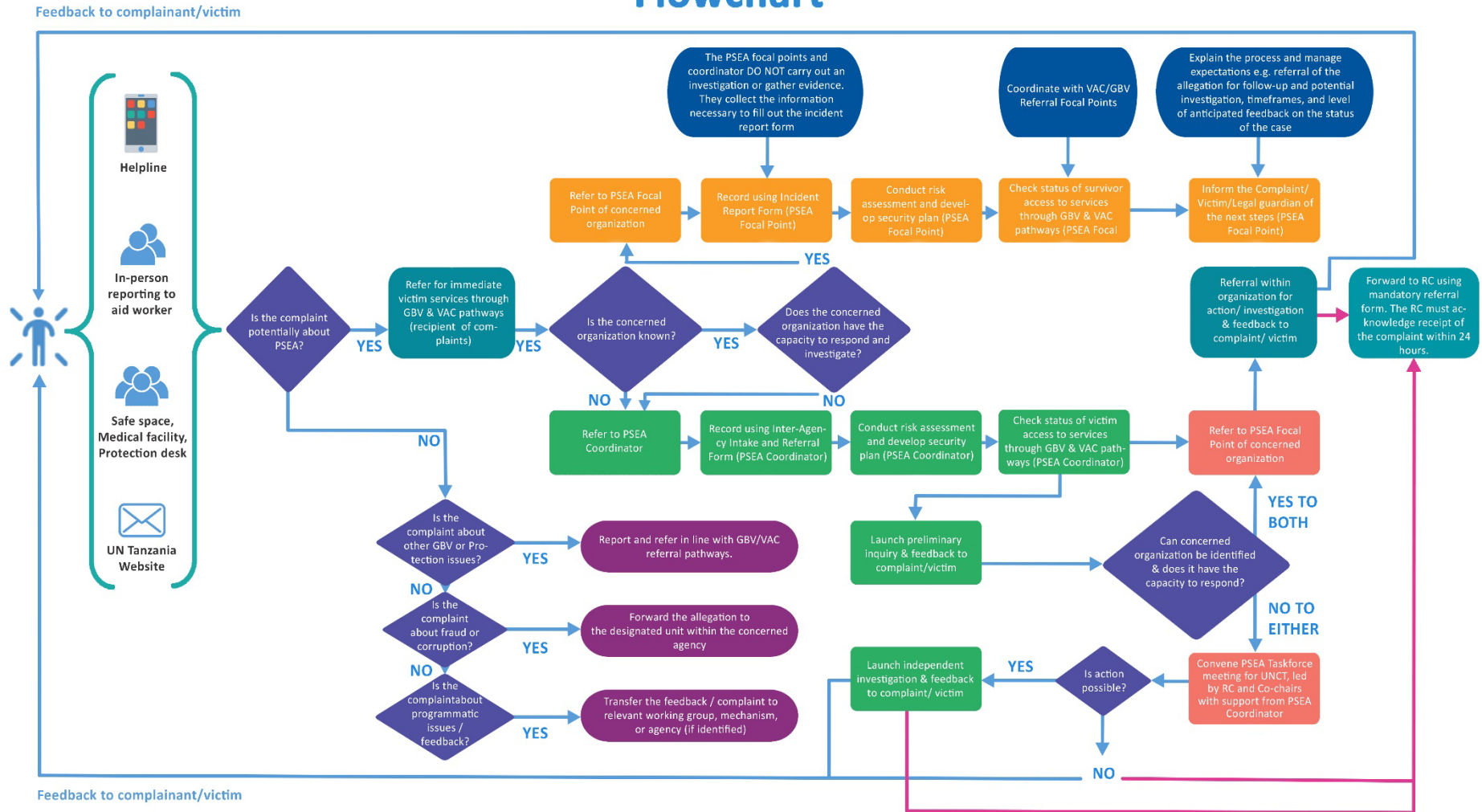
## 19 Participation

- 19.1 All Tanzania PSEA Network members are committed to protecting individuals from sexual exploitation and abuse by any of its personnel, and agree to extend the fullest cooperation and assistance to each other in adherence with the following:
- Apply the standards and agreements for inter-agency reporting, referrals and feedback on sexual exploitation and abuse allegations defined in this document.
  - Apply the principles and global best practice standards defined in this document.
  - Adhere to, and demonstrate a clear commitment to achieve, compliance with the Tanzania PSEA Network data protection standards (See Annex 8).
- 19.2 The SOPs shall be open for signature by all Tanzania PSEA Network members on an on-going basis, whereby all members will signify their interest to the to the PSEA Network Co-Chairs and/or Inter-Agency PSEA Coordinator, who will take the necessary steps to formally accept new agencies/organisations in the SOPs and the PSEA Network (i.e., both national and sub-national levels).

## Annex 1: Referral Flowchart

## Tanzania PSEA Network Referral Flowchart

TANZANIA PSEA NETWORK



## Annex 2: Six Core Principles

The IASC Six Core Principles Relating to SEA provides clarity on what constitutes sexual exploitation and abuse.

1. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.

### *The Swahili translation of the Six Core Principles below.*

1. Wafanyakazi wa mashirika ya kibinadamu wanaweza kuadhibiwa na hata kufutwa kazi kwa tabia isiyokubalika inayohusiana na ngono. Zifuatazo ni kanuni ambazo ni lazima zifuatwe.
2. Watumishi wa mashirika ya kibinadamu hawaruhusiwi kujihusisha na mahusiano ya kingono na mtu yeyote mwenye umri chini ya miaka 18, hata kama sheria inaruhusu katika nchi yao. Kusema ya kwamba haukujua umri halisi wa muhusika sio sababu ya kutosha kujitetea.
3. Watumishi wa mashirika ya kibinadamu hawaruhusiwi kulipia ngono kwa pesa, kazi, bidhaa au huduma - hii ni pamoja na kutumia bidhaa na huduma za msaada zinazotolewa kwa watu wenye uhitaji. Pia hawapaswi kutoa ahadi za vitu hivi ili kuwalazimisha watu wakubaliane na tabia za kudhalilisha na kuwatumia kwa aina yoyote. Hii ni pamoja na kulipa au kutoa fedha kwa ajili ya kununua huduma ya kingono kwa wanaofanya biashara ya kuuza miili yao.
4. Wafanyakazi wa kibinadamu wana ushawishi kwa watu wanaopokea misaada ya bidhaa na huduma. Hii inawaweka kwenye nafasi kubwa na mamlaka kwa watu wanaohitaji misaada. Kwa sababu hiyo, mashirika ya kibinadamu yanaweka msisitizo kuhimiza wafanyakazi wasiwe na mahusiano ya kingono na mtu yeyote aliyeathirika na majanga ya dharura ya kibinadamu. Mahusiano ya aina hii yanafanya shughuli za mashirika ya kibinadamu kuonekana yasiyo adilifu na kuaminika.
5. Ikiwa mfanyakazi wa mashirika ya kibinadamu ana wasiwasi au kuwa na shuku kwamba kuna mfanyakazi katika shirika lake au shirika lingine la msaada ambaye anawezakuwa anavunja kanuni za mwenendo na tabia za kingono wa mashirika ya kibinadamu, ana lazimika kutoa taarifa, kulingana na taratibu zilizowekwa na mashirika yao.
6. Wafanyakazi wa mashirika ya kibinadamu wanapaswa kujenga na kuendeleza mazingira ya kazi ambayo yanazuia tabia za kingono zisizokubalika na kuwahimiza wafanyakazi kuwa na tabia zinazokubalika kulingana na kanuni za maadili zilivyoainishwa katika miongozo. Wakurugenzi wote wana wajibu wa kusaidia na kuendeleza mifumo inayohifadhi mazingira haya.



## Annex 3: Contact Details of PSEA Focal Points

The list of PSEA Focal Points will be updated regularly by the Network Co-chairs/PSEA Coordinator and shared with the PSEA Network and other stakeholders. Upon request, additional contact details, such as phone numbers to the different focal points, can be made available. It is the responsibility of each PSEA Network member entity to inform the Network Co-chairs/PSEA Coordinator of changes to PSEA Focal Points and to substantively handover their responsibilities. Please check with the PSEA Coordinator or PSEA Network co-chairs for the most up-to-date list of focal points. This overview is from February 2023 and will be updated quarterly.

### Senior Most UN Official

Agency	Name	Sex	Email
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## Annex 4: SEA Inter-Agency Intake and Referral Form

This form is for intake and referral of SEA cases. All information needs to be kept confidential. Moreover, the complainant (and victim, if different) should be informed of mandatory reporting requirements (and limits of confidentiality) on SEA. ***This form should not be shared with GBV and VAC service providers.***

Information pertaining to the complainant	
Name:	Nationality:
Contact details:	Position (if applicable):
Sex:	Age:
How does the complainant prefer to be contacted?	

Information pertaining to the victim			
Name of victim (if not the complainant):	Nationality		
Sex:	Age:		
Contact Details:	Name and contact details of parents and/or legal guardians, if under 18:		
Has the victim given consent for the completion of this form?	Yes	No	Unknown
Is the victim receiving any type of aid? If known, include the name of the entity providing assistance.			
Date of incident(s):	Time of incident(s):	Location of incident(s):	
Brief description of incident(s) in the words of the victim/complainant:			
Brief description of service(s) provided to victim (if any):			
Explain any safety concerns to the victim, complainant, staff, and/or other beneficiaries.			
Has the victim, or does the victim, wish to report the incident to the police?			

Information pertaining to the alleged perpetrator	
Name of accused person(s):	Position/Job title of accused person(s):
Agency of accused person, including address/location:	

Person completing form		
Agency receiving complaint:	Name:	Position/Job title:
Signature:		Date:

Referral to concerned agency/organisation	
Name and agency of PSEA Focal Point receiving referral:	Date of referral:

Acknowledgment of receipt	
Signature:	Date received:

## Annex 5: UN Information Sharing with Resident Coordinator

In November 2021, the Office of the Special Coordinator on Sexual Exploitation and Abuse (OSCSEA) instated a system-wide guidance on mandatory procedures for all UN Country Representatives on sharing information on sexual exploitation and abuse (SEA) allegations with the most senior UN official in the country. Per the new Interoffice Memorandum and Guidance Note, the OSCSEA also shared the below mandatory 'Early Incident Reporting Form', which is to be submitted to the Resident Coordinator (RC) on all alleged SEA cases committed by UN staff and/or UN implementing partners.

Individual providing the report & contact details	<i>Name</i>
Agency	
Date information shared with Senior Official	

### Allegation

Date of the first report to UN entity	
Date of alleged incident	
Allegation referred to the relevant investigative mechanism	<i>Yes/No</i> <i>Date:</i>
If yes, is an investigation ongoing	<i>Yes/No</i>

### Victim

Gender	<i>Female / Male / Other / Unknown</i>
Age category	<i>Adult / Child under 18 / Unknown</i>
Nature of the allegation	
Victims' assistance provided	<i>Yes/No</i>
Brief description of assistance (medical, legal, security measures, etc.)	

**Note.** For additional victims, add as necessary.

### Alleged Perpetrator #1

Gender	
General category of alleged perpetrator	

**Note.** For additional alleged perpetrators, add as necessary.

### Any related actions taken in response to the allegation, or issues of concern that require RC engagement

**Comment:**

### Whether press coverage is likely (Yes / No)

**Comment:**

## Annex 6: Victim Assistance and Services Referral Form

This form should only be used for referral to service providers for support and assistance.

Referral by	Referral to
Entity:	Entity:
Location:	Location:
Focal Point Name:	Service Provider Name:
E-mail:	Email:
Phone:	Phone:

Case information	
<i>Only insert basic biodata and contact information which is needed for the case to access services.</i>	
Name:	Address/Location:
Sex:	Phone number:
Age:	Preferred method and time of contact:

Caregiver information (When case is a minor, i.e., below 18 years in age).		
Name of caregiver:	Address/Location:	
Sex:	Phone number:	
Relationship to child:	Preferred method and time of contact:	
Is the caregiver aware or informed of the referral? If no, explain:	Yes	No

Need for specific services and assistance			
<i>Indicate the service(s) for which you are referring to the case. Please refer to the service mapping to ensure the service is available and the case meets the eligibility requirements for the service.</i>			
<input type="checkbox"/>	Safety/Protection	<input type="checkbox"/>	Legal services
<input type="checkbox"/>	Immediate medical care	<input type="checkbox"/>	Material assistance
<input type="checkbox"/>	Dignity kits	<input type="checkbox"/>	Socio-economic empowerment
<input type="checkbox"/>	Mental health and psychosocial support	<input type="checkbox"/>	Support for children

Case narrative
<i>Describe the minimum information required by the receiving entity to be able to respond to the referral. This can include problem description, whether she or he receives other assistance, number in the household, and so forth. However, for referrals to GBV, VAC and SEA case management, do not provide details of the case.</i>
Any risks or immediate safety concerns observed/expressed?

Consent
Read the disclosure with the individual. Inform the individual how his/her data will be used by the service provider and answer any questions she or he might have before they sign the disclosure. For children under 18 years, informed assent must be sought instead. Explain to the individual that she or he has the right to request that their information is not documented or retrieval of information at any time. She or he has the right to refuse to answer any questions and the right to ask questions about the referral process.
I, _____, acknowledge that the Focal Point has clearly explained the procedure of the referral to me and has listed the exact information that is to be disclosed. I understand that my information will be treated with confidentiality and respect and will only be shared as needed. By signing this form, I authorise this exchange of information.
Signature: _____ Date: _____

Before referral Check that you have considered all aspects of conducting a safe referral.	
<input type="checkbox"/> The individual has been informed of available service options and consented to go ahead.	<input type="checkbox"/> The individual has signed consent to release the information.



## Annex 7: Referral Pathways: Key entry points for GBV and VAC

The Tanzania PSEA Network, with support from protection-mandated organisations and the national child helpline C-SEMA (116), undertook a mapping of operational presence as well as GBV and VAC mechanisms in-country, December 2022-February 2023. The aim was to (a) identify entry points and critical gaps, and (b) develop easily accessible (online) referral pathways. The data from this undertaking is added to the digitised C-SEMA (116) directory of service providers. From this directory, the Tanzania PSEA Network has identified key entry points of trained GBV and VAC service providers for SEA victim-centred support and services.

To access the online directory and referral pathways, use the links below to create an account.

### Mainland

- <http://providersbara.sematanzania.org/login>

### Zanzibar

- <http://providers.sematanzania.org/login>

In addition, the below UN Medical and Psychological Support Team are available to provide guidance, support, and/or care to focal points, complainants, and/or witnesses within the system.

- 0800 750 129 - Dr. John A. Mugaya, Dar es Salaam (*toll free*)
- 0784 872 663 - Dr. Alfred Chinyeu, Zanzibar
- 0784 442 299 – Dr. Alexander Mihonye, Kasulu (Northwest Area)
- 0784 401 204 - Dr. Kabango Mutamba, Arusha (Northern Area)
- 0800 750 130 - Ms. Zinat Fazal, UN Stress Counsellor (*toll free*)

## Annex 8: Information Sharing Protocol

### Introduction

This Information Sharing Protocol (ISP) is to set out the guiding principles for reporting incidents of sexual exploitation and abuse (SEA) and sharing anonymised statistical data on reported cases of SEA, received by members of the Tanzania PSEA Network and the PSEA Coordinator (or the PSEA Network Co-Chairs in the absence of a PSEA Coordinator). The ISP is intended to facilitate good practices on information sharing, responsible handling of data, and transparency between aid and development actors. Indeed, sharing and receiving non-identifiable SEA data will contribute towards improved inter-agency coordination; clearer prioritisation of actions; greater monitoring and accountability; and increased support for advocacy efforts.

The UN is required to report allegations of SEA to the Secretary-General as well as to the Resident Coordinator in-country. UN implementing partners also have an obligation to report allegations of SEA to their UN partner-entirety. For other organisations that are not affiliated with the UN (including local CSOs and faith-based organisations) sharing information on allegations of SEA in line with this Information Sharing Protocol (ISP) is strongly encouraged to strengthen collective accountability, support for victims, and improve the protective environment. Nonetheless, all aid actors have the responsibility to report SEA allegations, including those that do not pertain to staff or implementing partners. This ISP is therefore intended to increase confidence among all organisations in ensuring that information will not be misused or shared beyond the agreements specified in this document, in keeping with the best interest of the victim(s).

This protocol is based on the standard gender-based violence (GBV) information-sharing protocol for the GBV Information Management System and data protection guidance (as SEA is a form of GBV and its data carries some-what similar sensitivities and protection obligations). However, there is a mandatory requirement for aid and development workers to report on all SEA allegations (i.e., the mandatory reporting obligations is the key differences between SEA and GBV), and that there are therefore some limits to confidentiality.

### Ground Rules

Information submitted by PSEA Network members to the PSEA Coordinator (or co-chairs in the absence of the PSEA Coordinator) will be submitted in the agreed upon format and will not contain any identifying information of victims, complainants, witnesses, or alleged perpetrator. Non-identifiable SEA data is context specific but excludes data points that could result in a victim (or, in some cases, those organisations providing services to them) becoming known. The data points to be shared must consider all possible outcomes that could lead to a victim being identified and must consider both the number of cases being reported and the context, with SEA typically being severely under-reported in all contexts.

All Tanzania PSEA Network members agree to share confidential notifications to the Resident Coordinator (RC) either directly or through the Inter-Agency PSEA Coordinator (or Co-chairs in his/her absence) when an allegation has been received. After the investigation has been completed, the agencies' PSEA focal points shall inform the PSEA Coordinator – who has an obligation to inform the RC of the status of the investigation and action taken as soon as the information is received, which shall be done in accordance with the protocol of each organisation for sharing such information. This is to ensure that the RC, as the Secretary General's highest representative in a country, is not caught unaware of allegations within his/her area of responsibility.<sup>26</sup>

In addition, using the Tanzania PSEA Network reporting template, participating entities will on a continuously share consolidated information on SEA allegations/incidents with the Inter-Agency PSEA Coordinator, who will compile said information into an anonymous quarterly and annual PSEA report to be shared with the RC and the Tanzania PSEA Network to inform work plan and priorities on an on-going basis. In this regard, all Tanzania PSEA Network members will make every effort to protect information to ensure that no harm comes to any victim, service provider or the community from information sharing. The PSEA Network recognises that some entities may have a duty to report allegations of SEA to their donors<sup>27</sup>, and each PSEA Network member reserves the

<sup>26</sup> All SEA allegations, whether they pertain to UN staff, UN implementing partners or other actors (including CSOs, faith-based entities, government, donors, and for forth) should be reported to the Inter-Agency PSEA Coordinator or directly to the RC, and in line with the Tanzania PSEA Network SOPs for reporting, referrals, and feedback of SEA allegations.

<sup>27</sup> The requirements of mandatory reporting will depend on the individual agreements with donors, and any requests from donors for SEA information should be directed to the relevant organisation's Country Director and/or PSEA Focal Point.

right to share its own data externally (for example, for internal and/or donor reporting requirements, and for accountability purposes). Even when using its own data externally, each PSEA Network member is expected to do this in a responsible manner, using non-identifiable data/information only, that maintains the safety and security of SEA survivors/complainants, service providers and communities, as well as confidentiality regarding the alleged perpetrator. However, Tanzania PSEA Network members are **NOT** permitted to share SEA data reported within the Network with external stakeholders, without prior clearance by the Resident Coordinator.

*Following endorsement of the ISP by the Tanzania PSEA Network members, the PSEA Coordinator and Co-chairs have a responsibility to ensure all PSEA Focal Points are familiar with the standards and procedures.*

### Data Security

The PSEA Coordinator/Co-Chairs and the PSEA Network members will ensure that all data is safe and secure and will implement appropriate procedures to maintain confidentiality of the data. Organisations will submit an Excel document and will employ password protection. The password for these submitted files will be agreed upon by PSEA Network members and shared with the PSEA Coordinator/Co-chairs. According to this protocol data will be handled as follows:

- Received: Email to PSEA Coordinator or Co-chairs.
- Stored: Kept in PSEA Coordinator or Co-chairs' computer in non-shared drive and deleted annually.
- Protected: Employ password protection.
- Used by whom: PSEA Coordinator or Co-chairs.
- The title of any email communications should not include identifying information.

Entities must also follow internal agency-specific Data Protection Protocols and implement appropriate procedures to maintain confidentiality of all data gathered in relation to a complaint of SEA. Entities should keep all information safe and secure (both in regard to paper file security and electronic data security).

### Reporting

All Tanzania PSEA Network members will notify the Inter-Agency PSEA Coordinator (or, the Co-Chairs) whenever an allegation of SEA is received. The below information must be shared by PSEA Focal Point.

1. The date of the incident(s).
2. The nature of the incident (sexual exploitation and/or sexual abuse).
3. Whether the victim is an adult or minor.
4. Sex of the victim.
5. Confirmation that the victim has been referred for services and support, with her/his informed consent.
6. Confirmation that safety measures have been implemented to protect the victim/complainant.
7. The name of the entity employing the alleged perpetrator.
8. Intermediary actions taken (e.g., administrative leave/suspension of the alleged perpetrator)
9. Confirmation and date that the incident has been reported to the relevant investigatory mechanism, in accordance with internal protocols.
10. Notification of whether the incident has been reported to the police.
11. The outcome of internal investigations and disciplinary measures applied.
12. Information regarding SEA risks and mitigation measures applied.

*Note that in the case of inter-agency referral and reporting of cases, information related to number 7 and 8 should be reported by the entity conducting the investigation (i.e., agency of the alleged perpetrator).*

All Tanzania PSEA Network members will quarterly be requested to submit an excel table of anonymised statistical data on reported cases of SEA (see example below) to the Inter-Agency PSEA Coordinator or Co-chairs, who will consolidate all submitted data into an aggregate table and report on a quarterly and annual basis. This table will then be presented in PowerPoint format by the PSEA Network Coordinator or the PSEA Network Co-chairs at quarterly network meetings with PSEA Network members. The purpose is to update members on SEA trends and to ensure that accountability actions are taken. During or after the meeting, Network members may raise concerns about any of the data and/or request to amend data.



## Annex 9: Tanzania PSEA Network ToR

### Description

The Tanzania Protection from Sexual Exploitation and Abuse (PSEA) Network (hereinafter called PSEA Network or the Network) functions under the auspices of the Resident Coordinator (RC) and the UN Country Team (UNCT) in Tanzania to implement inter-agency commitments on PSEA preparedness and response in line with the Secretary-General's Bulletin: Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). As such, the Tanzania PSEA Network will be co-chaired by two UNCT members that will be responsible to give regular reports to the UNCT and to the RC. It is the RC who has the ultimate responsibility of the Network and may delegate day-to-day oversight to the Inter-Agency PSEA Coordinator.

The presence of the PSEA Network does not lessen the responsibility of network entities to develop, implement, and strengthen internal PSEA programs at the country level. Senior management within each member agency is accountable for PSEA within their organisations. The PSEA Network is responsible for implementing coordinated activities between members to minimise the risk of SEA by aid workers, ensure effective response when incidents do arise, and raise awareness of PSEA in Tanzania. The PSEA Network activities follow a victim-centered approach and will respect the principles of safety, confidentiality, respect, and non-discrimination. The PSEA Network is not responsible for investigating or adjudicating complaints. These functions rest exclusively with the entity that employs the individual against whom a complaint has been alleged, in line with internal policy.

### Membership

Membership to the Tanzania PSEA Network is open to all UN agencies, and all members should either have (a) SEA complaint handling and response policy in place or (b) commit to developing an internal complaint handling and response procedure. Each of these agencies will be represented in the Network by one PSEA Focal Point, and preferably an alternate. Focal Points will coordinate the implementation of PSEA activities within their agency as well as participate in network activities. These include, for instance, training, information campaigns, monitoring, and the establishment of community-based complaint mechanisms (CBCMs). All Focal Points must be able to make decisions on behalf of their agencies in an inter-agency forum.

Upon request, participation as an observer is open to implementing partners, such as NGOs, CSOs, and local authorities. Moreover, UN working groups leads are also encouraged to attend the Tanzania PSEA Network meetings to ensure two-way communication between their sector/area and the Network. Observers may transition into full membership, including voting privileges, by committing to develop complaints and handling procedures for SEA. Moreover, the Tanzania PSEA Network will engage in outreach with non-member or non-observer entities as part of ongoing activities. At a minimum, all members of the network should be aware of the inter-agency PSEA complaint referral system and be able to receive complaints, regardless of their relationship to the Network. The Network will advocate for the establishment of internal complaint handling systems for all organisations and agencies operating in Tanzania and will offer support as needed.

### Meetings

The PSEA Network will convene monthly, but additional ad-hoc meetings may be requested by any member. The notes of each meeting will be distributed among all members and filed in the records of the Network. As Network meetings should provide a supporting environment to discuss potentially sensitive challenges in PSEA, any information shared during meetings will be kept confidential. As a general matter, Network meetings should follow Chatham House rules and completely refrain from discussing individual cases. Any reference to SEA allegations or cases during meetings must be anonymized. In cases where a Focal Point cannot attend a regular network meeting, the agency will need to be represented by a sufficiently briefed alternate.

### Tasks

In line with the IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse, the PSEA Network will undertake the following tasks:

#### I. Coordination

- Establish and implement a measurable PSEA Network work plan with defined time frames and responsibilities, based on Network members specialty and capacity.
- Monitor the PSEA activities of Network members to avoid duplication and fill gaps.
- Work closely with other coordination bodies to support prevention and response to SEA.

- Identify training needs and resources to coordinate training for focal points and key partners.
- Advocate for the strengthening and/or establishment of internal PSEA policies and practices for all agencies operating in Tanzania and offer support to organisations as needed.

## II. Prevent

- Advocate for PSEA to be a priority throughout programming and support key actors working in operational areas to embed SEA risk mitigation in assessments, project design, implementation, and monitoring.
- Supplement members' internal initiatives through joint activities and sharing good practice.
- Encourage network members to carry out induction and refresher training on PSEA for all personnel and support such training with jointly developed and contextualised materials.

## III. Respond

- Jointly map trusted and functional complaint and feedback mechanisms (CFMs) in Tanzania to identify where there are gaps in the affected population's safe access to report SEA.
- Support members to establish new complaint channels to fill the gaps in access to reporting based on the mapping and informed by community preferences.
- Establish an inter-agency community-based complaint mechanism (CBCM) by linking the network members' complaint and feedback mechanisms (CFMs) through agreed Standard Operating Procedures (SOPs) on inter-agency complaint and assistance referral.
- Work with protection-mandated agencies to incorporate GBV and VAC referral pathways into the CBCM SOPs to provide immediate support for complainants and victims of SEA. *The PSEA Network does not create parallel assistance referral pathways for victims of SEA.*
- Raise awareness on the inter-agency reporting and referral mechanism among all actors.
- Receive aggregate, anonymized updates of complaints shared by network members. *Information sharing on anonymized SEA complaints with the network will be done in line with the principle of confidentiality, sharing only information needed to capture trends.*

*Note: The PSEA Network is not responsible for investigating complaints. This function rests solely with the entity that employs the individual against whom a complaint has been alleged, in line with internal policies.*

## IV. Engagement with and support to affected populations

- Raise awareness about SEA, the rights of affected populations, appropriate behaviour of personnel, mandatory reporting, methods to submit complaints, and how to access victim assistance services in Tanzania.
- Support members to assess and improve the effectiveness and appropriateness of PSEA activities within the targeted communities.
- Support members to create and/or adapt their aid delivery models to address power disparities, and actively give those in more vulnerable positions a sustained voice in how development aid is delivered.



## Annex 10: Tanzania PSEA Network Focal Point ToR

### Background

Sexual Exploitation and Abuse (SEA) in any organisation is an unacceptable breach of fundamental human rights and a deep betrayal of the core values of the United Nations (UN), especially as a sector that aims to support the most vulnerable people in the world. Indeed, SEA undermines the work of the UN as well as limits its ability to deliver positive change, and aid must always be delivered in an all-inclusive way that “Do No Harm”. Protection From Sexual Exploitation and Abuse (PSEA) is therefore a core commitment of the UN Secretary-General and the Inter-Agency Standing Committee (IASC), prioritising the acceleration of PSEA from the outset of UN response, with a focus on key priority areas including safe and accessible reporting, victims-centred response, and enhanced accountability. Within this context, it is necessary for all UN agencies and their implementing partners (IPs) to select focal points to (a) partake in the inter-agency PSEA Network and to (b) roll-out internal PSEA initiatives.

### Description

The PSEA Focal Point is a staff member tasked with implementing PSEA in direct coordination with their Country Representative, both internally and as an active member of the Tanzania PSEA Network. The nomination of a PSEA Focal Point does not relieve the Country Representative of their ultimate responsibility for PSEA in the office but supports senior management in that role. The Focal Point designation is not a full-time position, and, to respect the need to balance regular job with engagement on PSEA, the below responsibilities will be reflected in the Focal Point’s job evaluation. Moreover, to avoid the loss of institutional memory, the PSEA Focal Point should be able to commit to the role for a one year and prepare a briefing for their replacement when exiting.

To ensure the Focal Point is allowed enough time to their PSEA responsibilities, the organisation will designate two PSEA Focal Points, aiming to take gender balance into consideration. The responsibilities outlined in this TOR will then be divided between the Focal Points at their discretion and under the supervision of their respective Country Representative. The Country Representative and Focal Points are mutually responsible for ensuring each is kept up to date on collective and organisational PSEA developments for participation in the UNCT and PSEA Network. The role of the Focal Point is limited to PSEA. Although the PSEA Focal Points need to be able to identify links between SEA and other forms of staff misconduct, they are not responsible for implementing activities beyond PSEA. The PSEA Focal Point does not have an investigative role.

### Responsibilities

Under the 4 pillars of IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse, and in line with global standards on PSEA, the PSEA Focal Point(s) will undertake the following:

#### Coordination

- Attend monthly PSEA Network meetings (as well as ad-hoc meetings, as needed).
- Raise awareness of the Focal Points’ role and contact details throughout their own agency as well as within the inter-agency PSEA Network.
- Represent own agency at PSEA Network meetings, actively participate in fulfilling the Network’s work plan, and report back to the Head of Office on Network progress and lessons learned.
- Promote adherence to relevant inter-agency accountability mechanisms and reporting requirements.
- Assist the Head of Office to meet their senior leadership PSEA responsibilities, including the mandatory requirements for all UN entities to share information on SEA allegations with the RC.
- Share regular updates of anonymized, aggregate SEA allegations with the PSEA Network Coordinator.
- Track all PSEA-related activities, ensuring that all information is shared with PSEA Network.

#### Prevention

- Support the Country Representative to:
  - Ensure staff sign a Code of Conduct that clearly prohibits SEA, obliges reporting of such acts, and enforces these clauses when breached.
  - Develop an action plan to mainstream PSEA in accordance with the PSEA Network Work Plan.
- Take the lead on:
  - Collaborating with Human Resources to ensure all new hires receive induction on PSEA.
  - Regularly support training for staff and field personnel on PSEA Code of Conduct.

- In coordination with PSEA Network, provide PSEA training to implementing/cooperating partners.

#### Response

- Act as a channel to receive allegations of SEA. Report and where relevant refer allegations to assistance in line with internal procedure and available pathways.
- Limit sharing of sensitive complaint information to a “need to know” basis, in line with data protection principles and a victim-centred approach.
- Support program managers to strengthen and/or establish safe, accessible, and contextually appropriate channels to receive sensitive allegations, informed by good practice.
- Support the Country Representative to strengthen complaint handling protocols, including clear case handling responsibilities and the ability to enact disciplinary measures.

#### Community Engagement

- Disseminate awareness-raising tools and facilitate events for community members with emphasis on their rights, what SEA and staff reporting obligations are, and options for reporting/victim assistance.
- Work with the PSEA Network to establish an inter-agency Community-Based Complaint Mechanism, incorporating the agency’s existing complaint and feedback mechanism (CFM).
- Map existing community engagement projects and work with project leads to insert PSEA messages and/or gather community input where appropriate.

#### **Required Qualifications and Experience**

The PSEA Focal Point should be a staff member of their agency with easy access to senior management. Therefore, in line with this, they should be sufficiently senior level within the management structure of the agency. Once appointed, the PSEA Focal Point shall annually undergo the network-led “Tanzania PSEA Network Focal Point” ToT training (either online or in-person), which will assist them in carrying out their duties both within their agency and as a member of the PSEA Network. In selecting focal points, the following should be given due attention:

- Demonstrates sensitivity to cultural diversity and gender issues.
- Displays religion, race, nationality, and age sensitivity as well as adaptability.
- Proven communication skills.
- Professional work experience in the areas of safeguarding, protection, child protection, GBViE, gender, procurement, and/or human resources.
- Proven understanding of the institutional culture of the UN and operations with high personal integrity.
- Models high organisational values and ethical standards.

## Annex 11: Code of Conduct

The Tanzania PSEA Network Code of Conduct has been created to guide network members that do not already have in place their own Conduct and may be adapted to internal requirements. Note that the Code of Conduct should be signed by all staff as a part of mandatory onboarding training/information sessions.

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### Code of Conduct on Sexual Exploitation and Abuse (SEA)

In Tanzania, the development and humanitarian community are committed to create a safe environment for vulnerable adults, youth, and children, whereby all staff, affiliated personnel, and partner entities have a duty to uphold the principles enshrined in the Secretary-General's Bulletin ST/SGB/2003/13, dated 9 Oct 2003, on "Special measures for protection from sexual exploitation and sexual abuse".

As such, it is important that you know the rules:

- SEA is unacceptable and prohibited for all international and national workers (whether they work for the UN or implementing partners).
- It is strictly prohibited to have relations with anyone under the age of 18 (regardless of age of consent locally or in home country).
- It is strictly prohibited to have relations with anyone in exchange of good, services, employment, and/or favours. This also includes any form of prostitution (both in duty station and in home country).
- It is strictly prohibited for all UN staff and partners to engage in any form of sexually humiliating, degrading, and/or exploitative behaviour.

Moreover, you must fully understand that:

- Any act of SEA will be investigated, and punitive measures will be taken, if warranted.
- Any proven act of SEA will result in measures that may include but are not limited to suspension; immediate repatriation (if international staff); dismissal; and/or ban from future operations.
- You have a responsibility to report SEA immediately through PSEA mechanisms (and not investigate yourself). A failure to respond is a breach of the Code of Conduct.
- Individual who makes a report in good faith has the right to be protected against retaliation, whereas false and malicious reports are considered misconduct.

SEA complaints in Tanzania may be reported directly by the victim or by anyone else who may have a suspicion and/or concern, e.g., staff, partners, volunteers, donors, affected communities, and so forth. As such, complaints may be received from various mechanisms and actors, such as PSEA focal points, yourself as a trusted colleague, 116 helpline, online platforms, and other GBV and VAC mechanisms. It is therefore important that anyone who may receive a SEA complaint in Tanzania make sure to:

- Treat the victim, or complainant (if different), with dignity and respect by always believing the victim; ensuring privacy; and making them as comfortable as possible.
- Explain to the victim/complainant the mandatory requirement to report on all SEA allegations and seek informed consent to share information confidentially. If a victim has not given consent to report the incident, there is nevertheless the obligation to report.
- Get basic incident information and only ask relevant questions required to gain a clear understanding of the SEA complaint, so that it can be safely referred to the appropriate agency. This typically consists of addressing what, where, when, and who.
- Refer the SEA complaint to either the PSEA focal point of the relevant agency or the Inter-Agency PSEA Coordinator, who will take over the process.

You can seek support and guidance from:

- Your supervisor/head of office.
- PSEA focal point(s) from either your entity or any other member entity of the Tanzania PSEA Network
- Inter-Agency PSEA Coordinator, or PSEA Network Co-chairs
- Helpline (C-SEMA, 116 toll-free number), or UN Tanzania Webpage

I hereby declare that I have read, understood, and will comply with this PSEA Code of Conduct. I understand that breach of any provision of the Code may result in disciplinary action

Signed in Tanzania on \_\_\_\_ / \_\_\_\_ / \_\_\_\_ by \_\_\_\_\_

