



Standard Operating Procedure for Recording and Processing Complaints related to Sexual Exploitation and Abuse (SEA) through Helpline/Email

Sexual exploitation and abuse (SEA) must not be tolerated. These abuses violate universally recognized international norms and standards and have always been unacceptable behaviour. SEA represents a breach of the fundamental rights of the those for whom support, services and protection are provided. SEA brings harm to concerned populations whom humanitarian service providers are responsible to protect and damages the credibility of any agency that provides services to them; it also jeopardizes the reputation of all service providers and their ability to provide support and protection. Humanitarian, development and peace-building actors operating in Myanmar are expected to maintain the highest international standards of personal and professional conduct at all times as required by an agency's/service provider's code of conduct.

This Standard Operating Procedure (SOP) is an interim measure drafted for the PSEA Myanmar Network, in response to the COVID-19 situation in Myanmar. It is intended to be a working document in order to clarify how complaints made to a central number/email address will be handled. At present, complaints will be initially taken by World Vision International helpline staff, and then referred to the National PSEA Coordinator. This arrangement will be reviewed by the PSEA Network Technical Working Group in December 2020.

This Standard Operating Procedure is based on the following principles

1. Cooperation
 2. Participation
 3. Survivor-centered approach
 4. Non-discrimination
 5. Security and Wellbeing
 6. Child's best interest
 7. Age, Gender and Diversity approach
 8. Confidentiality
 9. Transparency
 10. Accessibility
 11. Mandatory Reporting
 12. Data Protection
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1. Complaints are received through UNICEF PSEA hotline number, which is handled by World Vision International (WVI) helpline staff . ~~The hotline will be staffed between 9am – 5pm Monday to Friday, and after hours there will be a voicemail option.~~ Complaints may be made via phone call, text, Viber, or Whatsapp. In addition, the Myanmar Country Office of UNFPA handles a central email for SEA complaints. The email is managed by the PSEA Coordinators, who receive and handle complaints according to this Protocol.



2. Upon receipt of a complaint, the WVI operator shall:
 - a. Inform survivors/ whistleblowers about the complaints process, including information about the mandatory/obligation to report and confidentiality about the allegation;
 - b. Assess the support and protection needs of survivors whenever possible, and refer to relevant assistance when informed consent is available;
 - c. Fill out the intake form of the PSEA Myanmar Reporting Framework Complaint **in Kobo tool**; and
 - d. Inform the PSEA Coordinator.

The PSEA Coordinator will refer the complaint to the relevant PSEA Focal Person if accused person's affiliation is known.

3. If the allegation is not related with UN staff nor any aid workers, the complainant will receive available information about public resources and services such as local or regional GBV helplines, the legal aid network, department of the social welfare services etc.
4. In order to ensure survivor assistance is provided, the PSEA Coordinator may refer the complainant to the relevant GBV or child protection service providers as soon as possible, provided informed consent is given. For example, a complainant may not be referred if the relevant PSEA Focal Point is already handling the referral to services. If there is a need of additional follow-up or information on services, the PSEA Coordinator will get in touch with GBV Working Group and/or Child Protection Working Group focal points. If there is no available CP or GBV working group focal points and its services, the provision of the services will fall under the concerned UN agency to provide victim assistance and referral services in accordance with UN victim assistance protocol: https://www.un.org/en/pdfs/UN_Victim_Assistance_Protocol_English_Final.pdf.
5. Once a case is referred to the organization through the most relevant PSEA focal point in the contact list (initially sharing un-identifiable information), the PSEA coordinator will follow up with the PSEA focal person within the agreed timeline about the investigation process and protection steps taken within the organization.
6. In the event when no substantial details are found about the nature of an incident, complainant and/or accused person, such complaints do not warrant a referral or full investigation, the complaints will be considered low priority. The PSEA technical group may decide on steps to address concerns in other ways (for example, addressing matters of poor practice via training, a change in working arrangements or a change in procedures).
7. If the complaint involves staff of other government or military personnel or non-staff personnel, the PSEA Coordinator will refer the case to UNICEF Child Protection lead, or the UNFPA GBV PSEA lead in that location for follow-up. Follow-up may



include GBV services for the survivor and pursuing accountability options if the survivor consents.

8. If the complaint is not, on the facts, an SEA case, the case will either be referred to the relevant organization of the alleged perpetrator, or if it has occurred in a humanitarian context, to the Protection Sector lead, GBV Working Group or Child Protection Working Group leads for follow-up. If the complaint is not, on the facts, an SEA case, and it has occurred in a non-humanitarian context, the case will be referred to the most relevant service provider (government or NGO).
9. The decision to refer SEA cases to national authorities for legal proceedings will be assessed and decided by Senior Management of the concerned organization.
10. Any person who has a direct contractual link with UN and Aid agencies who reports misconduct, provides information in good faith about alleged irregularities, cooperates or participates in an investigation, has the right to be protected by the relevant offices.
11. Data Protection - Information about PSEA/SH incidents should not be handled in physical files and all information will be recorded using the KOBO tool. Incident information will be transmitted via an internal reporting form, using password protected shared documents while the number of people copied must be limited to the people working directly on the case. Identifiable incident information with biodata should never be included in emails.

Definitions

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

Sexual exploitation is the actual or attempted abuse of 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.

Victim/Survivor is a person who is or has been sexually exploited or abused.

Perpetrator is a person (or group of persons) who commits an act of sexual exploitation or abuse.

Child is a person under the age of 18, regardless of the age of majority or age of consent in national legal systems.

Children born as a result of sexual exploitation and abuse are children who are found by a competent national authority to have been born as a result of acts of sexual exploitation and abuse by United Nations staff or related personnel or non-United Nations forces acting under a Security Council mandate.

