

Mozambique Network on Protection against Sexual Exploitation and Abuse: Standard Operating Procedures (SOPs) for Recording & Processing Complaints

1. Purpose

- 1.1 These Standard Operating Procedures (SOPs) are designed to **guide and define steps and measures to be taken when there is a suspected or alleged sexual exploitation and abuse (SEA)** committed by humanitarian aid workers¹ in Mozambique. Sexual harassment of staff members is not included in the scope of the SOPs.
- 1.2 The purpose of the SOPs is to **facilitate a consistent approach across all potential SEA complaints** received, from every possible channel, implementing Secretary-General's Bulletin ST/SGB/2003/13, dated 9 October 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 February 2017 on "Special measures for protection from sexual exploitation and abuse: a new approach", which emphasizes the importance of: (1) prioritising the rights and dignity of victims; (2) ending impunity through strengthened reporting and investigations; (3) engaging civil society and external partners; and (4) improving strategic communication for education and transparency.
- 1.3 The SOPs are designed to provide **consistency in the way complaints are recorded, logged and referred** to individual organisations for investigation, as well as the way **survivor-centred assistance** is provided.

2. Principles

- 2.1 Building on the [IASC's Six Core Principles Relating to Sexual Exploitation and Abuse](#), the work carried out by the Mozambique PSEA Network under these Standard Operating Procedures (SOPs) is premised on the following principles:
 - 2.1.1 **Survivor-centred:** All responses to SEA complaints and allegations will be developed in a manner that balances respect for due process with a survivor-centered approach in which the survivor's wishes, safety, and well-being remain a priority in all matters and procedures. The overarching approach, in line with best practice, will be to let the complainant/survivor be in charge of their case, letting them decide what they want to do, what information they want to share, who they want to talk to and what help they want. Allowing the complainant/survivor to make decisions about their case empowers them, which is particularly critical in cases involving sexual exploitation and abuse.
 - 2.1.2 **Confidentiality:** Complainants and subjects of a complaint (SOC) both have a right to confidentiality. Access to/sharing of information will be restricted and will create an environment enabling survivors/complainants to submit allegations and receive appropriate assistance without stigmatization.
 - 2.1.3 **Accessibility:** Multiple channels will be made for complainants/survivors and other persons to raise allegations, rumours and concerns regarding potential SEA cases. These options will

¹ For the purposes of these Standard Operating Procedures, the term 'humanitarian aid worker' encompasses all persons involved in providing protection and/or assistance to affected populations and who have a contractual relationship with the participating organization/partners, including incentive workers from target communities. It refers to all staff of humanitarian agencies and organizations, including UN agencies, IGOs, NGOs, implementing partners, and relevant CBOs including paid staff, volunteers, contractors, incentive workers, and anyone performing a task on behalf of any humanitarian agency or organization, regardless of the type or duration of their contract. See [here](#) for more information.

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be available to be used by as many people as possible in areas with humanitarian operations, and communities will be informed on how to report SEA.

- 2.1.4 **Safety:** The safety of the survivor will be a primary consideration at all times during reporting, investigation, and thereafter. All actions taken under these SOPs will consider potential dangers and risks to all parties, incorporate ways to prevent injury and harm, address potential retaliation to survivors/complainants, and offer a safe space for reporting. It is essential that a risk assessment be conducted for each survivor, and that a security/protection plan be developed if necessary, based on individualized needs.
- 2.1.5 **Transparency:** Members of the affected community will be educated on how to raise complaints and allegations, may offer input to improve how such complaints and allegations may be raised and handled, and will receive feedback on any complaint or allegation raised. This will be in a format that is accessible to all, regardless of age, literacy, language spoke or disability.
- 2.1.6 **Accountability:** Community members will be educated about their rights, including their rights to make and withdraw allegations. Complainants/survivors will be kept informed about any next steps related to their case, including investigation and referral to GBV services, and will be provided information on any obligation for service providers to report to the police, to enable them to make informed decisions.
- 2.1.7 **Best interests of the child:** If a decision is taken on behalf of a child, the best interests of the child shall be the overriding guide.

3. Minimum Requirements within Organizations (UN, INGO and NGO)

- 3.1 Each UN entity or NGO working in Mozambique is obliged to create and maintain an **environment that prevents sexual exploitation and sexual abuse.**
- 3.2 **Managers at all levels have a particular responsibility** to support and develop systems that maintain this environment, including but not limited to:
 - 3.2.1 adoption of the **Core Principles** and **Code of Conduct** developed by the IASC Task Force on Protection from Sexual Exploitation and Abuse;
 - 3.2.2 taking **action to prevent SEA cases**, including through awareness-raising, training and other measures;
 - 3.2.3 nomination of a **senior level PSEA focal point**;
 - 3.2.4 setting up of **internal protocols for investigation** of cases; and
 - 3.2.5 **taking disciplinary actions** in case the offense is proven.
- 3.3 All members of the PSEA Network commit to **timely and expeditious action** to provide assistance to complainants/survivors, to prevent, investigate and punish SEA, and to comply with all timelines for action laid out in these SOPs.

4. Roles and Responsibilities with Respect to PSEA Complaints

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- 4.1 **Humanitarian Coordinator (HC):** The HC bears the final responsibility for developing complaints mechanisms, ensuring that survivors have access to appropriate immediate and longer-term assistance, coordinating inter-agency allegation referrals and reporting regularly to the HCT as well as to the Emergency Relief Coordinator on PSEA in relation to humanitarian operations.²
- 4.2 **PSEA Network:** The PSEA Network will ensure that any complaint is received, logged, referred and followed-up on with the concerned organisation through a centralised repository. The PSEA network also has a responsibility to ensure that survivor assistance mechanisms are in place, which utilize existing gender-based violence services and referral pathways in order to harmonize service provision and avoid creating parallel SEA-specific service structures.
- 4.3 **PSEA Network Co-Chairs:** The PSEA Network Co-Chairs are responsible for ensuring action is taken on allegations and complaints received by the Network. In the event that there is initially inadequate information for a referral to proceed, the PSEA Network Co-Chairs are responsible to launch a preliminary inquiry to determine whether, based on already available information (e.g. partners operational in a given area), it is possible to identify an organisation for initial referral.
- 4.4 **PSEA Network Coordinator:** The PSEA Network Coordinator is a person who has a dedicated post focused on PSEA, with a direct reporting line to the HC/RC, that provides day-to-day technical support and expertise for the inter-agency PSEA Network and, in the absence of a Field Victims' Rights Advocate (FVRA), acts as focal point for survivors' rights and assistance.
- 4.5 **PSEA Focal Points:** PSEA Focal Points are senior staff designated by each organisation and are members of the PSEA Network. Under the SOPs, they have an obligation to receive and refer potential SEA complaints for action, including investigation, in accordance with their internal organisational procedures, to report complaints/allegations made against humanitarian aid workers engaged by their organisation to the PSEA Network, and to update the Network on progress in relation to complaints referred to their organisation.
- 4.6 **Recipient of the complaint:** The recipient of the complaint will request consent from the complainant/survivor to refer the complaint to the organisation's PSEA Focal Point for action (if a specific organisation is identified) and/or to the PSEA Network Co-Chairs (if no specific organisation is identified). The organisation's PSEA Focal Point and/or PSEA Network Co-Chairs are obliged to log the report to the PSEA Network in accordance with a standard format as well as to abide by their internal processes. The PSEA Focal Point or PSEA Co-Chairs will provide the complainant/survivor with information regarding how to access services.
- 4.7 **Concerned Organisation:** The final responsibility to address the complaint, and follow-up the investigation, lies with the organisation that employs the subject of the complaint. This is the organization responsible for investigating allegations of SEA and taking appropriate follow-up action. The organisation is also responsible to provide updates to the PSEA Network on the status of a referred 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 information) was provided to the survivor.

² In accordance with the Statement on Protection from Sexual Exploitation and Abuse by IASC Principals, dated 11 December 2015. See [here](#) for more information.

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4.8 **United Nations' role regarding Implementing Partners:** It is the responsibility of implementing partners to promptly report allegations of SEA to the UN partner entity. The UN entity shall report to the PSEA Network and shall have the right to investigate SEA allegations involving humanitarian aid workers engaged by implementing partners, notwithstanding related investigations undertaken by the implementing partners or national authorities.³

5. Procedures to be followed in making a complaint, including duty of humanitarian aid workers to report

5.1 **Complaints from beneficiaries can be received via any Complaint and Feedback Mechanism**, including the “Linha Verde”, the inter-agency complaints and feedback mechanism. Complaint and Feedback mechanisms may include call centres, SMS platforms, agency-specific or coordinated hotlines, cluster referrals, community focal points, suggestion boxes in camps, women’s centers, child-friendly spaces, gender-based violence referral mechanisms, and others. Complaints may be submitted online or through paper, voice message, text message or in-person.

5.2 **Humanitarian aid workers have a duty to report any concern, doubt, or allegation of SEA in accordance with the internal policies and procedures of their agency**, whether or not the subject of complaint is from the same agency. For United Nations staff, the Secretary-General’s Bulletin on SEA (2003) and many agency policies make reporting concerns or suspicions of SEA via “established reporting mechanisms” a mandatory requirement of staff. In line with this mandatory reporting requirement, agency protection for whistle-blowers needs to be robust so that staff are not harmed for fulfilling their duties. All implementing partners are expected to uphold the same requirements.

6. Procedures to be followed when receiving a complaint

6.1 **When a complaint is made through the “Linha Verde” hotline, it should be recorded using a standard complaint referral form** (Appendix 1- Complaints Protocol), which should be signed and dated by the person receiving the complaint. The person receiving the complaint should immediately refer the case to the concerned organisation’s PSEA Focal Point (if the organisation is clearly identified) OR refer the case to the PSEA Network Co-Chairs (if no organisation is clearly identified).

6.2 When a complaint is **made via another avenue** (e.g. in-person at a protection desk), the complainant/survivor should be referred immediately to the PSEA Focal Point of the relevant organisation (if a specific organisation is identified) or to the PSEA Network Co-Chairs (if no specific organisation is identified) to record the case using the standard complaint referral form.

6.3 The PSEA Focal Point or PSEA Network Co-Chair(s) who receives the case should immediately conduct a **risk assessment for the complaint/survivor**, and develop a security/protection plan if necessary, based on individualized needs.

6.4 The person recording the complaint **must ensure that the individual who makes the complaint is informed of the policy on confidentiality** and obtain consent from the complainant for the information to be made available to others within the Mozambique PSEA Network, which shall include the call center manager, PSEA Mozambique Network co-leads, concerned UN agency

³ In accordance with the United Nations Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners, 27 April 2018.

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PSEA focal points, and the head of concerned organization. If the recipient of the complaint is a UN staff member, the staff member must inform the complainant/survivor of the UN's mandatory reporting policy and explain who the complaint will be reported to.

- 6.5 The person recording the complaint must **provide immediate advice on available survivor assistance** systems, facilitate the provision of services **within 24 hours**, and provide clear information on any legal reporting requirements for support services, so as to enable the complainant/survivor to make an informed decision, without waiting for the outcome of the complaint. The Mozambique PSEA Network will work with gender-based violence (GBV) coordination mechanisms to ensure that SEA survivors have access to services. All actions taken must be with the full consent of the survivor.
- 6.6 The person recording the complaint should **identify whether the complainant/survivor consents to be contacted for follow up** and if so how and at what time and day of the week. If possible, an alternative contact channel should be gathered and shared with the PSEA Focal Point of the Concerned Organisation or the PSEA Network Co-Chairs (where the Concerned Organisation is not readily identifiable). The right to say no is paramount.

7. Action to be taken on complaints

- 7.1 Each SEA complaint received must be **treated as a matter of the highest priority** by the person recording it.
- 7.2 For all cases where the **subject of the complaint's organisational affiliation is known**:
- 7.2.1 The case should be **immediately referred to the Concerned Organisation** through the designated PSEA Focal Point, for follow-up within the next **24 hours**. If no focal point has been designated for that organisation, the case will be referred to the Country Director and/or Human Resources Department;
 - 7.2.2 The PSEA Focal Point should **identify whether the complainant/survivor has received assistance** through trusted assistance mechanisms, preferably via pre-established pathways, within 24 hours, and follow-up to resolve any blockages in case assistance has not yet been provided.
- 7.3 For all cases where there is **no clarity regarding the identity of the accused person or their organisational affiliation**, the person who receives the complaint should refer the case immediately to the PSEA Network Co-Leads, who will review the case within 24 hours and may **recommend a preliminary inquiry**.
- 7.4 A **detailed record of information gathered via the complaints protocol** should be kept confidentially on file, as it may be used in subsequent disciplinary or legal action. Every effort must be made to ensure the security of such files.

8. Action to be taken on complaints

- 8.1 If required, a preliminary inquiry should **take place within 72 hours** of receiving the complaint and should be tailored according to the nature of the complaint.

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- 8.2 The **aim of the preliminary inquiry** will be to gather **additional, readily available, information, that may help determine which organisation a case should be referred to**. This could include, for example, gathering information on which partners are operational in the area and in which sectors.
- 8.3 **A preliminary inquiry is held only to collect basic missing information** and must not step into the realm of investigation.
- 8.4 The following **steps** will be **taken during a preliminary inquiry**:
- 8.4.1 PSEA Network Co-Leads will contact 2-3 PSEA Focal Points to participate; and
 - 8.4.2 PSEA Network Co-Leads will designate a team leader, who is responsible for collecting and sharing findings, **within 72 hours**.
- 8.5 PSEA Focal Points contacted by the PSEA Network Co-Leads to participate in the preliminary inquiry have an **obligation to respond rapidly and cooperate promptly** and, as much as possible, contribute resources and technical expertise to the conduct of the preliminary inquiry of the complaint. Everyone involved in the process should adhere strictly to the confidentiality of the complainant. The list of PSEA Focal Points should include alternatives to allow for quick activation of a preliminary inquiry regardless of whether the primary is in country.
- 8.6 The preliminary inquiry report should be submitted to the PSEA Network Co-Leads **within one week**, who may either:
- 8.6.1 **refer it to an individual organisation**, if sufficient information is available to do so; OR
 - 8.6.2 where no organisation can be identified for referral, decide (depending on the sensitivity of the complaint) to **share the preliminary inquiry report with the full PSEA Mozambique Network**, to discuss the information available and determine whether there is an avenue via which the complaint can be taken forward. In addition, the PSEA Network Co-Leads should **follow-up with the complainant/survivor** to update them on the status of the case as well as to check on the status of services received and whether any further assistance is required.
- 9. Action and updates on complaints received by the relevant organisation, including feedback to the survivor**
- 9.1 The final responsibility to address the complaint, and follow-up the investigation, lies with **the individual organisation** that employs the Subject of Complaint (SOC). However, in cases of SEA committed by humanitarian aid workers engaged by UN **implementing partners**, the UN entity shall have the right to investigate SEA allegations, notwithstanding related investigations undertaken by the implementing partner or national authorities. Where the investigation is not conducted by a UN entity directly, the UN partner entity will seek all relevant information to determine whether the implementing partner has taken appropriate investigative and corrective action.
- 9.2 Where the organization that employs the Subject of Complaint (SOC) **does not have the capacity** to appropriately follow-up on the complaint, the PSEA Network, with support from the HCT, should utilise available resources and expertise to support rapid action by the organisation.

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- 9.3 Where appropriate and warranted, consideration should be given to conducting **joint investigations** in the interests of information and resource sharing, as well as limiting the number of interviews necessary.
- 9.4 The investigating organisation must **notify the complainant/survivors in a safe and timely manner of the status and outcome** of their investigation. Feedback to complainants/survivors is a two-fold responsibility: it is part of the required outcome of agency investigations under international commitments, and it is part of the survivor assistance package. Ideally, feedback should be given in writing to avoid confusion and/or differing interpretations of the feedback.
- 9.5 The PSEA Focal Point for the investigating organization is also obliged to **update the Mozambique PSEA Network** – with due respect for confidentiality of both the complainant/survivor and the subject of the complaint - on the progress of the investigation process taken by the organization, as well as services provided to the survivor/complainant.

10. Complaints against government, military and other personnel

- 10.1 If the complaint involves staff of **government, military personnel or other personnel**, the relevant entity must be informed of the complaint via established mechanisms or a joint strategy meeting should be convened urgently by the PSEA Network Co-Leads with at least three members of the Network to discuss the complaint and agree on a course of action. Where accusations are made in the context of a Government acting as an implementing partner for a United Nations entity, the relevant provisions apply (see above under 9.1).

11. Whistle-blower protections

- 11.1 A **whistle-blower is a type of complainant**, not the survivor, who is a humanitarian aid worker making a report of SEA. Organizational whistleblowing policies encourage staff to report concerns or suspicions of misconduct by colleagues by offering protection from retaliation for reporting, and clarify the rules and procedures for reporting and addressing such cases. The definition, scope, and protection measures may differ between organizations.

11.2 General principles (e.g. confidentiality) apply to whistle-blowers, as they would to any complainant, and internal agency policies shall protect whistle-blowers on SEA from retaliation, **so long as the report is made in good faith** and in compliance with internal agency policies.

12. PSEA Network reporting on SEA complaints

- 11.1 The PSEA Network Co-Chairs, in collaboration with the “Linha Verde” hotline and others, will provide regular updates to the PSEA Network on the **number of complaints recorded in the PSEA Network’s data repository and the status of these complaints**, including services provided to complainants/survivors. This information will also be shared directly with the HC, who will report to the Emergency Relief Coordinator.

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Mozambique - PSEA Referral Pathway

