



UNITED
NATIONS
UGANDA



**INTERAGENCY PROTOCOL ON
THE PROVISION OF ASSISTANCE TO VICTIMS
OF SEXUAL EXPLOITATION AND ABUSE**

18th June 2020

1. Purpose

1.1 This Victim Assistance Protocol commits all UN agencies and partners operating in Uganda to ensure assistance is provided to sexual exploitation and abuse (SEA) victims victim-centred, rights-based, age, disability- and gender sensitive, non-discriminatory and culturally appropriate manner. The protocol is aligned with broader United Nations efforts to prevent and respond to sexual exploitation and abuse and considers established good practices to address gender-based violence.

¹ The mandate for the provision of assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel is derived from the Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel adopted by the General Assembly (A/RES/62/214 of 21 December 2007) and the Secretary-General's 2017 strategy to prevent and respond to sexual exploitation and abuse (A/71/818). For the purpose of this Protocol, the provision of assistance and support to victims of sexual exploitation and abuse will go beyond the provisions of General Assembly 62/214, Annex and the distinction between victim and complainant has been removed (see definition of victim).

² See IASC Plan for Accelerating PSEA in Humanitarian Response at Country-Level, endorsed by IASC Principals in December 2018 <https://interagencystandingcommittee.org/iasc-champion-sexual-exploitation-and-abuse-and-sexual-harassment/content/iasc-plan-accelerating>



2. Scope

2.1 This Protocol applies to all United Nations agencies and UN partner organizations working in Uganda.

3. Principles

3.1 The following guiding principles and rights must be respected and carefully monitored at all stages in the provision of assistance and sustenance.

- Assistance will be offered to all victims of sexual exploitation and abuse and will not be denied to any victim on the basis that S/he does not cooperate with investigations or any other accountability procedure.
- Assistance shall be provided in a manner that is victim-centred, rights-based, age, disability-and gender sensitive, non-discriminatory and culturally appropriate. The rights, safety and best interests of victims shall guide how assistance and support are designed and provided. Assistance and support to 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.”
- Assistance provided to 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 rights of victims to privacy, confidentiality and informed consent in respect of assistance shall be respected. Victims (or their parents/caregivers where appropriate) have the right to decide on the assistance they need, and information should be provided on the full range of options available. Victims should be informed of the progress and outcomes of actions or processes that concern them.
- Victims are entitled to pursue applicable accountability measures, including legal redress where desired. The UN shall cooperate with States on all available measures to hold perpetrators of sexual exploitation and abuse accountable, while respecting due process, confidentiality and the principle of informed consent.

³ See SGB/2003/13, Section 6.



⁴ The definitions provided in the Victim Assistance Protocol are based on the United Nations Glossary on Sexual Exploitation and Abuse.

⁵ For the purpose of the Protocol, the term “victim” (rather than “survivor”) is used to avoid multiple terminology, mindful that different entities use varying terms, and in accordance with the definition in the Glossary. The Protocol covers victims of sexual exploitation and abuse perpetrated by United Nations staff and related personnel, non-United Nations forces operating under a Security Council mandate, and employees or other related personnel of an implementing partner of the United Nations, including employees or related personnel of an implementing partner’s subcontractor(s) as per the United Nations Protocol on Sexual Exploitation and Abuse Allegations involving Implementing Partners.

⁶ See United Nations Protocol on Sexual Exploitation and Abuse Allegations involving Implementing Partners.



4. Victim assistance

4.1 The responsibility of all agencies to provide assistance and support begins as soon as information indicating that an individual may be a victim of sexual exploitation or abuse is received in any way or form. It does not require the receipt of a credible allegation of sexual exploitation or abuse by a United Nations staff member or staff of UN partners.

4.2 Victims, as well as affected populations more broadly, should be fully informed of the guiding principles on the provision of assistance and support set out in this Protocol. They should also be informed that all United Nations staff and related personnel have an obligation to report allegations of sexual exploitation and abuse.

4.3 The assistance provided to victims of sexual exploitation or abuse perpetrated by United Nations staff or related personnel should be provided, first and foremost, through existing gender-based violence and child protection referral pathways in-country. The national PSEA Stakeholder Network is responsible for updating the referral pathways in collaboration with GBV and Child Protection actors.

4.4 All United Nations entities and all United Nations implementing partners are responsible for ensuring victims are promptly referred to qualified service providers within the programme sites in which they operate and for having personnel trained on the process for referring victims for assistance in a safe and confidential manner (as per SOPs for recording and processing SEA allegations).

4.5 Assistance for victims of sexual exploitation and abuse should be provided in a holistic, (multisectoral assistance) integrated manner with the support of a designated case manager where feasible and/or service provider with the necessary expertise and capacity. Assistance is provided on a case-by-case basis, in accordance with the needs of the victim. The common services for victims of sexual exploitation and abuse in Uganda include and are not limited to: safety and protection, medical care, psychosocial support, education, livelihoods and basic material assistance, legal services and support for children born as a result of sexual exploitation and abuse.

4.6 Where there are gaps in service coverage and needed services are unavailable, assistance and support will be provided to victims using United Nations entities' internal resources.⁷ Additional resources to address gaps in service coverage may be provided through, for example, the Trust Fund in Support of Victims of Sexual Exploitation and Abuse.

5. Special considerations for children

5.1 Children, including adolescent girls and boys, are particularly vulnerable to sexual exploitation and abuse because of their age, gender, size and dependency on others. In responding to child victims, UN entities and their partners shall adopt a child-sensitive approach that takes into account the vulnerabilities and capacities of the child, in a manner consistent with the Convention on the Rights



⁷ See for example the Report of the Secretary General on Special Measures on Protection from Sexual Exploitation and Abuse (A/70/729, paragraph 77), which states that in the absence of any other immediately available means, timely support in cases of sexual exploitation and abuse will be provided through mission budgets.



of the Child: non-discrimination; best interests of the child; the right to life, survival and development; the evolving capacity of the child and their right to express one's views and have them considered.

5.2 As a primary consideration, a determination of the best interests of the child involves an ongoing assessment as to what would best protect a child's physical, psychological and emotional safety, security and well-being, and applies to decisions which affect the child as an individual, as a member of a specific group, and in general. In cases involving children, UNICEF should be consulted, and the processes conducted should follow child protection procedures compliant with the UN Approach to Justice for Children.⁸

5.3 It is essential that those who interact with child victims have the necessary professional expertise and training. Because child victims of sexual exploitation and abuse may have particular assistance needs, assistance and support should be provided by, or in coordination with, child protection actors. The Protocol recognizes that adults who were victimized as children may also require special attention and appropriate measures will be considered.

5.4 In cases involving children, informed consent includes the informed consent of the child, according to their evolving capacities, and the child's parent, legal guardian or person acting *in loco parentis*, except when informing the parents or caregivers could put the child at risk (of retaliation, violence, abuse and/or neglect). Consent should be explained at the outset and obtained prior to, or in conjunction, with the provision of assistance to child victims.

5.5 During any investigation or legal process that may ensue, a child victim should be provided with appropriate assistance, which should include the accompaniment by a trained professional throughout the process when it is in the child's best interests.⁹ As in the case of any victim of sexual exploitation and abuse, children should be informed of the process and provided with clear information as to what to expect. This should include the provision of psychosocial support during information-collection and investigations. Interviews with children should be conducted in a way that is sensitive to the developmental stage and capacities of the child by persons who are properly trained on interviewing in a child-sensitive manner.¹⁰ The views of the child are important in the decision-making process and will be considered a significant factor in the settlement of the issue concerned.

¹³ For further details on the Trust Fund and terms of reference <https://conduct.unmissions.org/remedial-trust-fund>



References

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