



PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (PSEA) - Cox's Bazar Strategy and Action Plan 2018 - 2019

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Introduction

Sexual Exploitation and Abuse by humanitarian aid workers (SEA) can occur in any humanitarian or development context, and is a particular risk in emergency contexts characterized by violence, gross power imbalance, mass displacement, restricted access, and dismantled family and societal structures. Responding to the risks presented by the unprecedented volume of new arrivals added to the existing refugee population and the affected host population in Cox's Bazar, and the massive deployment of staff to respond to the Rohingya refugee crisis, the UN Resident Coordinator for Bangladesh called upon the humanitarian community in October 2017 to establish an in-country Network to prevent and respond to SEA. One of the primary activities of the Cox's Bazar ISCG PSEA Network (the "Network") is to design a collective strategy to ensure that the humanitarian community enacts SEA prevention measures, provides timely assistance to survivors, and refers all allegations to the relevant investigation unit for follow up.

Vision

Through the implementation of this strategy, Rohingya refugees and affected host community in Cox's Bazar live in a trusted, respectful and inclusive environment free from SEA perpetrated by humanitarian aid workers. Refugees feel safe, understood and empowered to report SEA incidents and humanitarian actors, take robust and visible action. Senior management, in particular, ensure institutional prioritization and that the necessary systems are in place to effectively prevent and respond to SEA.

This strategy has been developed by the PSEA Network in Cox's Bazar to prevent, mitigate and respond to SEA. It includes identification of SEA risks, coordinated referrals, within SGBV referral systems, to survivor-centred

care, assistance services. It also includes developing accessible systems that allow complaints to be reported in a safe, confidential and efficient manner. The strategy abides by the principles enshrined in the Secretary-General's Bulletin (SGB) on Special measures for protection from SEA (ST/SGB/2003/13) and reflects the numerous commitments made by agencies to actively engage on PSEA ¹.

The Strategy is steered by the Resident Coordinator and the Senior Coordinator for the Rohingya Refugee Response and has the buy-in and collaboration of all UN agencies engaged in the Cox's Bazar Response both at the Cox's Bazar and Dhaka levels.

Strategic objectives

The PSEA Network members agreed and developed four strategic objectives, to reach this goal:

- To build the capacities of humanitarian actors to prevent, mitigate and respond to SEA incidents;
- To raise awareness on PSEA, and effectively communicate to refugees the zero tolerance Policy on SEA, and how to report incidents;
- To provide a survivor-centred response to all SEA survivors, through coordination with GBV service providers, and commonly agreed principles embedded in reporting systems and community based complaint mechanisms;
- To ensure leadership and coordination of PSEA interventions related to the Rohingya response.

Objective 1: Capacity building

All UN Agencies and their partners and contractors are knowledgeable about the principles of the Secretary-General's Bulletin (SGB) on Special measures for protection from SEA (ST/SGB/2003/13), and relevant subsequent commitments on PSEA. They are able to recognise consequences of SEA for refugees and on affected communities, the seriousness of the problem, and understand what should be done to prevent and respond to SEA.

Area	Action	Responsible	Target group	When
Training	PSEA induction sessions	Human resources, PSEA focal point (FP)	UN staff and affiliated workforce (including secondees, deployees, interns, etc.)	Upon recruitment and, at a minimum, on an annual basis
		PSEA FP	Partners, contractors, and volunteers	
		PSEA FP, PSEA Network as appropriate, in coordination with the Protection Sector ²	Teachers, police, army and other actors (TBD)	

¹ Among these commitments are: the *Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel* (2006), which expanded the PSEA framework outside the UN and to cover all personnel; the Uniform policy on balancing the disclosure of information to national authorities with principles of confidentiality when receiving and handling allegations of sexual exploitation and abuse by persons acting under a United Nations mandate; and the UN Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners.

² Including the Child Protection and GBV Sub-sectors



		PSEA FP and Communication with Communities (CWC) working group (WG), in coordination with the Protection Sector	Community centres/ structures	
	Advanced training on PSEA	PSEA FP	UN staff and affiliated workforce, partners and contractors in direct contact with refugees and affected communities	
	Training on SGBV multi-sectoral response, including referral pathways	SGBV FP	UN staff and affiliated workforce, partners and contractors in direct contact with refugees and affected communities	

Objective 2: Awareness raising

Refugees are informed about their rights to humanitarian assistance and to report abuses against them through the use of reporting mechanisms. Refugees, host communities and humanitarian actors are aware of the impact of sexual exploitation and abuse on refugee's life and on the broader humanitarian response, and they understand the prohibition of exchanging money, employment, goods or services for sexual favours or other forms of humiliating, degrading or exploitative behaviour. Refugees, host communities and UN agencies and their partners and contractors are informed about the existence of community based complaints mechanisms available to them, the process of reporting SEA to Focal Points or investigation units, and where to go to for help.

Area	Action	Responsible	Target group	When
	Organize and engage in community consultations on PSEA	PSEA FP	UN staff and affiliated workforce, partners, contractors, refugees, and affected host communities	To be done in stages, depending on the purpose and modality of the consultations.
Awareness Raising	Develop and implement a communication plan that ensures affected communities are aware of: - Their right to file a complaint - The existence, purpose, parameters and process of the complaint procedure.	PSEA FP with CWC WG, in coordination with the Protection Sector	Refugees and affected host communities	



	Develop, translate and distribute Information, Education and Communication (IEC) material on PSEA, based on input from communities on the appropriate medium. The material should complement already existing material. It should be in Bangla, Rohingya and Burmese, as well as materials easy to understand by the unlettered.	PSEA Network members, PSEA FP with CwC WG	Refugees and affected communities	
	Ensures that translated information on complaints mechanisms are displayed prominently	PSEA FP	Refugees	

Objective 3: Response to SEA survivors, and reporting systems

SEA survivors are provided with effective and timely support, as well as multi-sectoral service provision to address their needs. Refugees, host communities and all UN, their partners and contractors are able to report SEA incidents to available channels. Prompt action is taken to refer allegations to appropriate investigation units for follow-up, including possible disciplinary action.

Feedback and complaint mechanisms are accessible channels for women, girls, boys, and men to communicate with UN Agencies, INGOs, LNGOs, and all partners and contractors and receive response in a timely manner. These mechanisms enable both personnel and refugees to make SEA complaints and to seek redress in a safe and confidential environment. A community based approach adds efficiency to the reporting mechanism by incorporating local solutions into the overall system. The reporting mechanisms should be safe, easily accessible, and have multiple entry points, including embedded entry points within existing services, to ensure maximum coverage. Reporting mechanisms will be designed based on community consultations to ensure maximum accessibility, acceptability and confidentiality when a report is made; mechanisms could take the form of a hotline, complaints or suggestion boxes, emails or face to face information points, or reception by trained and sensitized frontline workers.

Standard Operating Procedures (SOPs) are endorsed by all members of the PSEA Network, and are followed for all allegations of SEA in Cox's Bazar. Upon endorsement, the SOPs apply to each member agency of the PSEA Network, including all UN personnel and affiliated workforce, implementing partners, contractors, and volunteers.

Area	Action	Responsible	Target group	When
Response	Ensure SGBV referral pathways and response services are functional and include tailored assistance for SEA survivors	GBV SS, SGBV service providers	Refugees and affected host communities	



	Each UN agency and its partners and contractors develop and implement robust internal prevention, tracking and response mechanisms both to assist survivors and to address perpetrators and action against them.	Each UN Agency, its Partners and Contractors	Representatives, Heads of Sub-offices	ASAP
Reporting and Complaints Mechanisms	Map existing community based complaint mechanisms in all camps to report SEA	PSEA coordinator, National PSEA staff	All UN, and their partners and contractors	
	Consult refugees and affected communities about the effectiveness of existing mechanisms and ways to improve them.	Protection Sector, CwC WG, PSEA FPs	Refugees and affected host communities	
	Support a confidential and safe SEA reporting system, integrated into community-based complaint mechanisms	Site management, Protection, CWC WG, and PSEA FP	Refugees and affected host communities	
	Develop SOPs to report SEA for agencies that do not already have such SOPs in place	PSEA FP	UN staff and affiliated workforce, partners, and contractors	

Objective 4: Leadership and coordination

The SG Bulletin states clearly that responsibility for its implementation lies primarily with senior management of each Organization, as well as with each humanitarian aid worker. The SEG members and co-Chairs, the Senior Coordinator, Heads of Sub Offices and all senior managers create and maintain an environment which prevents, mitigate and responds to SEA. Full ownership of PSEA interventions is taken by leaders. They demonstrate an active commitment to use power responsibly by taking account of, giving account to, and being held to account by the people they seek to assist.

As most agencies have their own processing and investigation mechanisms and must follow those mechanisms, the PSEA Network ensures that common standards are applied by all humanitarian actors to ensure zero tolerance to SEA, in the Rohingya refugee response.

Priorities, needs, capacities and views of refugees are prioritized, in all PSEA interventions, decisions and actions of humanitarian aid workers and senior management.

Area	Action	Responsible	Target group	When
Leadership	Demonstrate Leadership through internal action on prevention and follow-up to complaints	Each UN Agency and its partners and contractors		
	Each UN agency to ensure that it has secured commitment and satisfaction from all its partners	Each UN Agency present in Cox's Bazar	Representatives and Heads of Sub Offices	



	and contractors at the robust application of prevention and response mechanisms in keeping with UN standards vide the SG Bulletin on Special measures for protection from SEA (ST/SGB/2003/13)			
	Ensure PSEA is prioritized within their respective agencies	Country representative	UN staff, partners, and contractors	Immediately
	Ensure PSEA is regularly discussed at the SEG and within different <i>fora</i>	SEG co-chairs		
	Ensure swift action is taken to address SEA incidents	Country representative		
	Liaise with authorities to discuss PSEA, foster trust, and enhance cooperation	Country representative, Senior Coordinator, PSEA Coordinator		
	Liaise with local authorities (including schools) to take appropriate measures on PSEA	Senior managers	Local authorities	
	Nominate PSEA FP	Country Representative	UN staff, partners, and contractors	
	Ensure agencies actively participate in CXB PSEA Network	Country representative	UN staff, partners, and contractors	Immediately
Coordination	Advocate with all humanitarian actors to participate in the PSEA network	PSEA coordinator		
	Organize joint planning and coordination meetings with Site Management, Protection, CwC and with ISCG	PSEA coordinator, PSEA FP through PSEA network	Humanitarian Actors	
	Provision of technical support on PSEA to all stakeholders	PSEA coordinator		
	Ensure State mechanisms to address misconduct and PSEA are included in the general complaint mechanisms	PSEA coordinator		
	Develop a checklist on how actors will implement the strategy			
	Develop a checklist for engagement of refugees who are appointed to the delivery of humanitarian services or who are	PSEA network		



	engaged in any kind of service to their communities on PSEA			
M&E	Verify that all complaints received are handled according to each agency's established standard operating procedures, including referral for investigation and victim assistance.	PSEA FP of each UN agency, partners, and its contractors	Refugees and host communities	
	Maintain complaints data (number and nature) of complaints submitted	PSEA FP of each agency, SGBV FP	Refugees and host communities	
	Analyse data and trends and advocate with internal decision-makers that anonymized, aggregated information on general trends be shared with the SC and PSEA Coordinator on a regular basis in order to have a comprehensive understanding on the scope of the problem.	Each UN agency	Refugees and host communities	
	Organize Participatory assessments with refugees	Protection actors	Refugees, and host communities	



Annex 1: Definitions³

Sexual Exploitation and Abuse: Particular forms of gender-based violence that have been reported in humanitarian contexts, specifically alleged against humanitarian workers.

- **Sexual Exploitation:** "Any 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."
- **Sexual Abuse:** "The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions."

Additional definitions:

Gender refers to the social differences between men and women that are learned, and though deeply rooted in every culture, are changeable over time, and have wide variations both within and between cultures.

Sexual and Gender-based violence (SGBV) refers to any act perpetrated against a person's will based on gender norms and unequal power relationships. It encompasses threats of violence and coercion. It inflicts harm on women, girls, men and boys.

Sexual Harassment versus SEA: SEA occurs against a person of concern to the humanitarian community or member of the host community. Sexual harassment occurs between personnel/staff, and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. Sexual harassment is not covered by this strategy.

Sexual and gender-Based Violence versus SEA: SEA can be seen as a form of SGBV, as victims of SEA are often abused because of their vulnerable status as women, girls, boys, or even men (in some circumstances). The procedures in this document only cover SEA complaints.

Complainant: A person who brings an allegation of SEA to the complaint mechanism in accordance with established procedures. This person may be an SEA survivor or another person who is aware of the wrongdoing. Both the survivor and the complainant, if different from the survivor, should be protected from retaliation for reporting SEA. Where there is any conflict of interest between the survivor and another interested party, the survivor's wishes must be the principle consideration in case handling, particularly when there is a risk of additional physical and/or emotional harm.

Whistleblower: A whistleblower 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. Internal agency policies shall protect whistleblowers on SEA from retaliation, so long as the report is made in good faith and in compliance with internal agency policies.

Survivor/victim: A person who has SEA perpetrated against him/her or an attempt to perpetrate SEA against him/her. The two terms might be used interchangeably, but this document use the term "survivor" for consistency. Persons who report SEA committed against themselves are treated as survivors for the purposes of security and needs assessments.

Victim: Also intended to reflect a person who has SEA perpetrated against him/her, used interchangeably with "survivor". However, as much literature on assistance provision that was sourced for this document uses the "victim" terminology, the strategy will follow in kind when discussing victim assistance. Neither designation is in any way meant to imply a lack of strength, resilience, or capacity to survive.

Humanitarian Aid Worker: For the purposes of this strategy, this term encompasses all persons involved in providing protection and/or assistance to affected populations and who have a contractual relationship with the

³ See IASC Global Standard Operating Procedures for Inter-agency cooperation in community-based complaint mechanisms, May 2016, available at <http://www.pseataskforce.org/uploads/tools/1490892363.pdf> [accessed on 6th June 2018].



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.

Staff: For the purposes of this strategy, “staff” of an organization is any person who works for or represents that organization, whether or not s/he is compensated monetarily and regardless of the type or duration of their contract.

Annex 2: Six Core Principles Relating to SEA⁴

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. Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. 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.

Annex 3: Roles and responsibilities of Senior Managers, PSEA Focal Points, All Personnel

All humanitarian actors must abide by a code of conduct and have individual PSEA responsibilities to maintain an environment free of SEA, reduce SEA risk, and report known or suspected SEA incidents following their organization’s internal complaint structure. Actors involved in complaint receipt, handling, referral and/or follow up, or in the oversight of the PSEA Network (“Stakeholders”) hold particular responsibilities under global PSEA commitments.

1. **The Strategic Executive Group (SEG):**

Under the leadership of the Co-Chairs (Resident Coordinator, UNHCR Representative and IOM Representative) this body is comprised of the UN Representatives, INGO and NNGO Representatives, Donor Representatives at country level (Dhaka) and will support the implementation and monitoring of PSEA activities through oversight of the Cox’s Bazar PSEA Action Plan. SEG members facilitate the identification or nomination of PSEA Focal Points from their respective agencies, actively participate in coordination meetings where PSEA will be raised, take PSEA-related decisions on behalf of their agencies, implement accountability and quality standards, and work collectively to develop prevention strategies and mobilize resources to support the Network activities.

A SEG member, as the head of his/her agency in Bangladesh, has the responsibility:

⁴ As stated in the Secretary-General’s Bulletin (SGB) on Special measures for protection from SEA (ST/SGB/2003/13).



- a) To ensure that all staff within his/her agency read, understand, acknowledge, and adhere to his/her agency's internal SEA complaints handling procedures, including the institutional Code of Conduct, internal reporting mechanism, investigation policies, and other policies as relevant. Staff directly involved in prevention of and response to SEA should receive specialized training.
- b) To raise PSEA awareness among staff through induction trainings for new personnel and refresher trainings for current staff on PSEA, the Code of Conduct, the importance of complying with SEA policies, and procedures to report incidents.
- c) To support PSEA focal points and ensure they have direct access to the head of office, head of sub-office in Cox's Bazar, and to agency headquarters to execute their functions, including to ensure that:
 - i) Both human resources and programmatic sides of their operations have completed PSEA training and are aware of their obligations to report allegations and the procedures to do so;
 - ii) The designated focal points are actively engaged in inter-agency PSEA activities, and are allotted the time to regularly participate in PSEA meetings;
 - iii) PSEA responsibilities of focal points are incorporated into their performance evaluation reports.
- d) To promote his/her agency's adherence to SEA prevention procedures as outlined in the IASC Best Practices Guide, including but not limited to:
 - i) Due diligence to prevent re-recruitment of offenders;
 - ii) Ensuring that victim assistance services are provided;
 - iii) Compliance for whistleblowing protection on SEA allegations; and
 - iv) Enforcing PSEA clauses in cooperative agreements.
- e) To raise the PSEA awareness and capacity of partners from the moment they are selected, including but not limited to:
 - i) Ensure that partners have a clear understanding of what SEA means and what their duties and responsibilities are in preventing and reporting cases;
 - ii) Encourage partners to engage with the Network and create/strengthen their own PSEA policies; and
 - iii) Include partners in PSEA trainings, as much as possible, to ensure adherence and commitment to PSEA.

Because the PSEA Network is seated in Cox's Bazar, Country Representatives may clearly and explicitly delegate PSEA oversight roles to Heads of sub-Office in Cox's Bazar, as appropriate. The Co-Chairs of SEG will nonetheless retain oversight seeking regular feedback from the Senior Coordinator Rohingya Refugee Response and Head of ISCG Inter-Sector Coordination group, who chairs the Heads of Offices Group.

2. The Resident Coordinator (RC):

- Is responsible for leadership on PSEA in Bangladesh
- Ensures an inter-agency PSEA strategy and implementation plan is in place.
- Provides of high-level support for the Network and helps to prioritize PSEA with senior management.
- Is kept aware of significant PSEA developments in CXB and receive biannual reports from the PSEA Coordinator and/or the Senior Coordinator, with further reports to be provided upon request from the Resident Coordinator. As part of the RCs role to co-Chair the SEG, the Co-Chairs will have oversight over the PSEA functions performed by the PSEA Coordinator, who will be directly supervised by the Senior Coordinator as well as activities undertaken on PSEA in Cox's Bazar.



3. PSEA Coordinator:

- Is appointed to the ISCG in Cox's Bazar;
- Reports directly to the Senior Coordinator and will also have a dotted reporting line to the RC;
- Initiates, oversees, and coordinates PSEA activities in Cox's Bazar;
- Advocates for high-level commitment and reports on PSEA progress and challenges both in-country and to global forums such as the IASC Task Team on AAP/PSEA, to ensure Cox's Bazar's country-based activities are understood and supported;
- Liaises between agencies and with external stakeholders, including government actors;
- Liaises with relevant service providers to ensure available and accessible assistance;
- Conducts regular Network meetings to facilitate information exchange, track collective progress, and identify common challenges and solutions;
- Coordinates and tracks implementation of the PSEA Network action plan;
- Builds capacities;
- Raises awareness on PSEA among humanitarian actors;
- Acts on behalf of the Network regardless of his/her employing agency, keeping a neutral role;
- When the complaints are received through the Network, s/he refers the complaint to the concerned agency's investigation unit for follow-up and the survivor to SGBV service providers.

4. All Senior Managers

- Create and maintain an environment which prevents and responds to SEA;
- Nominate PSEA Focal Points and submit their names to the PSEA Network;
- Empower and support the PSEA Focal Points in order for them to carry out their responsibilities;
- Ensure that every member of staff and affiliate workforce is trained on PSEA;
- Plan, coordinate, and oversee PSEA activities with governmental officials, partners, and persons of concern.

Checklist for Head of Office:

- ✓ Familiarise with the responsibilities of senior managers, focal points and the in-country network. If possible, participate in a "learning event" for senior managers
- ✓ Appoint and provide regular supervision to a senior-level PSEA focal point and alternate for the office and include the focal point responsibilities in their ToRs
- ✓ Agree on an action plan with the focal point, including participation in a PSEA network, and monitor implementation
- ✓ Support the focal point's efforts and promote action to protect from SEA in the agency, and the Strategic Executive Group (as appropriate)

5. PSEA Focal Points:

- Are nominated by the Country Representative of the Agency
- Support awareness raising activities on PSEA with Rohingya Refugees and the host communities;
- Support in the establishment of complaint mechanism, which includes SEA reports (in collaboration with other sectors);
- Ensure regular presence in the camps;
- Conduct regular meetings with refugees and host communities;



- Coordinate with SGBV focal points, GBV actors and the GBV Sub-Sector as appropriate to ensure that SEA survivors have access to survivor-centred response services including, but not limited to case management, medical care, psychosocial support, legal assistance, safe shelter and physical safety;
- Identify a data management and security protocol, including data access safeguards, for all information related to SEA;
- Monitor numbers of incidents reported;
- Provide input to the internal planning, budgeting, implementation, and reporting of PSEA activities;
- Support Senior Managers to coordinate with partners in relation to PSEA activities;
- Conduct training sessions in their area of responsibility;
- Work with Sr. Management to establish and/or strengthen community-based complaint mechanisms for SEA and related SOPs jointly with partners;
- Brief refugees on their rights and obligations; ensuring a special point on SEA is made.

Checklist:

- ✓ Familiarize yourself with key documents and resources
- ✓ Speak with your head of office / country representative to ensure joint understanding of your focal point role and agree on an action plan
- ✓ Participate to the PSEA network meeting
- ✓ Identify yourself as a PSEA Focal Point throughout your office/organization
- ✓ Begin to implement the PSEA Focal Point ToR
- ✓ Provide awareness-raising sessions for personnel
- ✓ See to designation and training of field Focal Points in your organization
- ✓ Support development of internal procedures for staff to report incidents
- ✓ Strengthen, in coordination with the in-country network, community-based complaints mechanisms
- ✓ Facilitate, in coordination with the in-country network, awareness raising in local communities on SEA, their rights and how to report incidents

6. **All staff and affiliate workforce:**

- Report concerns, suspicions, and complaints directly to their senior management, PSEA focal points or complaint mechanisms;
- Sign Code of Conduct;
- Completes the mandatory online course on PSEA.

Checklist:

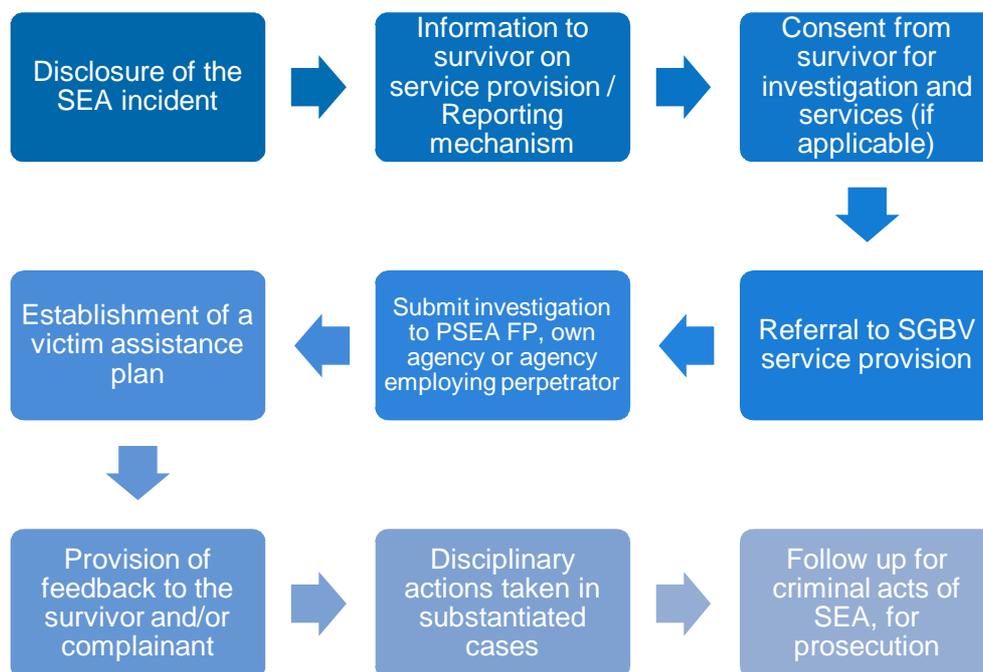
- ✓ Participate in an awareness raising session on PSEA
- ✓ Know the rules
- ✓ Know your PSEA Focal Point – if you don't, you can ask your human resources office

Annex 4: Standard Operating Procedures for SEA incidents

Objective

These Standard Operating Procedures (SOPs) have been developed by the Cox's Bazar PSEA Network to address sexual exploitation and abuse (SEA) incidents perpetrated by humanitarian workers, including developing systems that allow complaints to be reported in a safe, confidential and efficient manner; referring survivors to appropriate assistance service, and referring all SEA allegations to the relevant investigation units for follow-up. The reports may be collected through the community based complaint mechanisms that are in place in the camps and which adhere to the principles defined in the SG Bulletin and in the commitments made by agencies to actively engage in PSEA.

Flowchart



Step 1: Disclosure of the SEA incident

Multiple entry points are available for refugees to submit a SEA complaint. The disclosure can be in-person, by phone, or through a confidential system or by email/website (when relevant) put in place by the PSEA Network members. Disclosure of an SEA incident can include the following:

- A SEA survivor directly informs any humanitarian aid worker about the incident;
- A witness informs a humanitarian aid worker or the PSEA focal point about a suspected incident;
- The SEA survivor or the witness uses the community-based complaint mechanism in place in the camps to report the SEA incident.

Step 2: Information to survivor on service provision, on PSEA focal point and how the complaint is processed

When the information on SEA is received by the survivor, the PSEA FP or any staff informs him/her about the existing services on SGBV and orients him/her to the SGBV case management Agency, identified through the GBV referral pathways agreed upon in the respective camp.

The staff who receive the initial disclosure informs the survivor about the possibility of contacting one of the PSEA FP.

The survivor is also informed about complaint handling procedures, specifically on confidentiality, how SEA allegations are submitted to investigation units for follow-up, to what extent the survivor will be kept apprised of the investigation and the outcome. The mandatory reporting requirements of SEA incidents must be clarified to the survivor/complainant. It is important to note that not all agencies will provide feedback on the status of an investigation or its outcome which should be clearly explained to the survivor.

Step 3: Consent from the SEA survivor⁵

- If the SEA survivor consents to receive services, the PSEA Focal Point or the GBV Agency shares information, in alignment with relevant information sharing protocols/procedures, to organize the referral to services.
- If the SEA survivor consents to report, the PSEA Focal Point will refer the allegation to the relevant investigation unit for follow-up.
- If the survivor is a child under the age of 18, the PSEA FP, SGBV and child protection actors will liaise to assess the best interest of the child, in line with caring for child survivor principles.
- In case of SEA allegations without the consent of the survivor, the allegation will be sent to the investigation office that employs the alleged SEA perpetrator, without mentioning the survivor's name. No further action will be taken in Cox's Bazar.
- If the complainant is different from the survivor, but neither the identity of the alleged SEA perpetrator nor his/her employing agency are known, then the PSEA focal point must provide a report to his/her agencies' investigation unit emphasizing lack of details on the case.
- In circumstances where the complainant is anonymous, but the alleged SEA perpetrator and the agency where s/he works are known, the allegation must be forwarded to that agency's investigation unit for follow-up in accordance with its investigation policy and procedures.

Step 4: Referral to service provision

PSEA Focal Person, or SGBV focal point will orient the SEA survivor to relevant services, such as health, psychosocial, legal, security, as needed and wished, according to the survivor-centered approach.

Step 5: Allegation referral to investigation unit

Report SEA incident to the investigation unit of the Agency employing the alleged perpetrator, by the PSEA focal point, the PSEA coordinator, or through the contact details in Annex 5.

If the alleged perpetrator works for the government, the incident will be reported to the police, according to the Bangladesh legal framework. The PSEA Coordinator is available to facilitate such a police report, if requested.

If the alleged perpetrator is an independent volunteer, the incident will be reported to the police, according to the Bangladesh legal framework.

⁵ Refer to SGBV referral pathways and SOPs, where present.

Once the complaint has been referred to the Investigation unit of the Agency employing the alleged perpetrator, the PSEA focal point, or the PSEA coordinator, maintains a passive role of monitoring and assistance on that survivor or the complainant, if requested.

Step 6: Investigation on SEA

The Investigation unit of the Agency employing the perpetrator will perform the investigation, with no further actions or fact-finding by the PSEA FP, unless expressly requested by the investigation unit. All complaints will be processed according to the investigating agencies rules and procedures which include confidentiality measures.

Step 7: Establishment of a victim assistance plan

A tailored victim assistance plan will be established in line with existing GBV services and the GBV referral pathway by the SGBV focal point, or a GBV specialist, to help persons affected by SEA to access the services they need as a result of these acts. This could include, but is not limited to medical, psychosocial, legal assistance, and skills training.

Step 8: Provision of feedback to the survivor and to the complainant

The Investigation unit of the Agency employing the alleged perpetrator shall be responsible for notifying the complainant (and if separate, the survivor) in a safe and timely manner of the status and outcome of an investigation, in accordance with internal protocols. It is important to note that not all agencies will provide feedback on the status of an investigation or its outcome. PSEA Focal Points must understand their agencies' respective policies on this, and clearly explain this to survivors/complainants.

Step 9: Disciplinary measures

If the investigation concludes that there is sufficient evidence to substantiate misconduct, a report is sent to the department of Human Resources of the organization employing the SEA perpetrator, according to the internal mechanism. The decision to institute disciplinary proceedings rests with the latter organization.

Step 10: Follow up for criminal acts of SEA

If, after proper investigation, there is evidence to support SEA allegations and this incident constitutes a criminal offense according to the Bangladesh legal framework, it is the decision of the Agency employing the perpetrator to refer cases to the proper law enforcement authorities in conformity with the agency's internal procedures. The decision to refer a case to the national authorities should take into account the consent of the survivor/complainant, who may not wish to involve the local authorities. However, in some instances, the State and local government may also have mandatory reporting laws related to SEA incidents.

Annex 5: Agency contact list for allegation reporting and investigation

Agency	Name of Unit	Contact
CARE Intl	The Secretary General	Email: cisecretariat@careinternational.org Post: CARE International Secretariat, Chemin de Balexert 7-9, 1219 Chatelaine (Geneva), Switzerland
FAO	Ethics Office	Email: Ethics-Office@fao.org Phone 1: +39 06 57054151 Phone 2: +39 06 57053956
IMC	SEA Case Team	Email 1: seafocalpoint@InternationalMedicalCorps.org (SEA Focal Point) Email 2: seareport@InternationalMedicalCorps.org Phone: +1 (310) 826-7800 Fax: +1 (310) 453-3914
IOM	Ethics and Conduct Office	Email: Ethics&ConductOffice@iom.int
IRC	Reporting Hotline EthicsPoint (3 rd party mechanism for reporting anonymously and confidentially)	Hotline: integrity@rescue.org Website: www.ethicspoint.com Phone: +1 (866) 654-6461 (toll-free in the United States) Phone: +1 (503) 352-8177 (collect call outside the United States)
OCHA	OIOS Hotline	Website: https://oios.un.org/page?slug=reporting-wrongdoing Email: investigationsoios@un.org
OHCHR	Thematic Engagement, Special Procedures and Right to Development Division	Email: phicks@ohchr.org Email: investigationsoios@un.org Phone: +41 22 917 1234 (general switchboard)
Save the Children UK	Supporter Care Team (for general grievances) Accountability Programme	Email: supporter.care@savethechildren.org.uk Email: AccountabilityProgrammes@savethechildren.org.uk Phone: +44 0800 8 148 148



	(for complains related to programmes in the field - including PSEA)	Post: Save the Children, Supporter Care Team, 1 St John's Lane, London, EC1M 4AR
UNDP	Office of Audit and Investigations (OAI)	Email: hotline@undp.org Hotline: +1 770-776-5678 (worldwide) Hotline: +1 877-557-8685 (in the USA) Fax: + 1 770 409 5008 Post: Deputy Director (Investigations), Office of Audit and Investigations, 220 East 42nd Street, New York, NY 10017, United States of America ONLINE REFERRAL FORM
UNFPA	Office of Audit and Investigation Services (OAIS)	Online: Investigation hotline Email: investigationshotline@unfpa.org Phone: +1 (212) 297 5200 Post: UNFPA, Private and Confidential attention of the Director, Office of Audit and Investigation Services, 605 Third Avenue, 5th floor, New York, NY 10158, United States of America
UNHCR	Inspector General's Office	Email: inspector@unhcr.org Website: www.unhcr.org/php/cpmlaints.php Hotline: +41 22 739 8844 Fax: +41 22 739 7380 Post: 94 Rue de Montbrillant, 1202 Geneva-CH
UNICEF	Office of Internal Audit and Investigations (OIAI)	Email: integrity1@unicef.org Post: Director Office of Internal Audit and Investigation (OIAI) Investigation Section, United Nations Children's Fund, Three United Nations Plaza, New York, New York 10017, United States of America
WFP	Office of the Inspector General (OIG)	Email: hotline@wfp.org Hotline: +39 06 6513 3663 Fax: +39 06 6513 2063
WHO	Ethics Office	Email: ethicsoffice@who.int Hotline: www.who.int/about/ethics/en/
WVI	Integrity and Protection Hotline	Online Report: http://worldvision.ethicspoint.com



Annex 6: PSEA Network Terms of Reference

I. Network Description

The Cox's Bazar Protection from Sexual Exploitation and Abuse (PSEA) Network (hereinafter called CXB PSEA Network or the network) functions under the auspices of the Resident Coordinator (RC) to implement international commitments on PSEA including the Secretary-General's Bulletin (2003).⁶ The CXB PSEA Network will give regular reports to Heads of Office in Dhaka and to the RC, who will have ultimate oversight of the network and may delegate regular oversight to the Inter-Sector Coordination Group (ISCG) Senior Coordinator and Heads of sub-Office in CXB.

II. Principles

The humanitarian community in CXB affirms the Inter-Agency Standing Committee's (IASC)⁷ commitment to promote and protect the rights enshrined in international humanitarian, human rights and refugee law, particularly the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. The humanitarian community recognizes their responsibility, in fulfilling their mandates, to guard and protect vulnerable persons from sexual exploitation and abuse and to address such violations appropriately in their work. In particular, they must ensure their staff and partners do not abuse their power and influence to exploit and harm others.

III. Membership

Network membership is open to all UN agencies, INGOs and NGOs operating in CXB that either 1) have an SEA complaint handling and response policy in place, or 2) commit to developing an internal complaint handling and response procedure. Each of these organizations 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/organization and participate in network activities. These include, for example, PSEA trainings, site monitoring, and the establishment and ongoing maintenance of community-based complaint mechanisms for SEA. All PSEA Focal Points must be able to make decisions on behalf of their agencies in an inter-agency forum.

Participation as an observer in the CXB PSEA Network is open to all UN agencies, INGOs and NGOs operating in CXB regardless of their internal PSEA procedures, as well as Sector Coordinators who are encouraged to attend network meetings. Observer organizations may transition to full network membership, including voting privileges, by committing to develop complaint handling procedures for SEA. Sector Coordinators will provide two-way coordination between their sector and the network. Participation in the CXB PSEA Network will be reviewed to potentially include Government representation.

The Network will engage in outreach with non-member, non-observer organizations as part of ongoing activities. At a minimum all organizations in CXB should be aware of the inter-agency PSEA complaint referral system and be able to receive complaints against their own staff, regardless of their relationship to the Network. The Network will advocate for the strengthening and/or establishment of internal complaint handling systems for all organizations operating in CXB, and will offer support as needed where such systems are not in place.

⁶ *Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13)*. Available at <https://oios.un.org/resources/2015/01/ST-SGB-2003-13.pdf> (accessed on 11 November 2017).

⁷ The IASC is the UNGA-mandated body to coordinate humanitarian response. It is comprised of both members (FAO, IOM, OCHA, UNDP, UNFPA, UNICEF, UNHCR, WFP, WHO) and standing invitees (ICRC, ICVA, IFRC, InterAction, SCHR, RSG/IDPs, UNHCHR, and the World Bank).



IV. Responsibilities

Senior management within each organization are accountable for PSEA, and for ensuring that organizational processes and procedures supporting PSEA are in place, working effectively and are monitored and reviewed.⁸ The CXB PSEA Network will serve as the primary body for coordination, support, and oversight of PSEA between its member organizations. Due to the fact that the risk of SEA, and responsibility for action, is shared across all sectors of the humanitarian response, the CXB PSEA Network will be established under the Inter Sector Coordination Group (ISCG), and will report on a regular basis to the ISCG coordinator and the UN Resident Coordinator for Bangladesh.

The guiding Terms of Reference for the CXB PSEA Network are as follows:

1. Management and Coordination: The network will be Co-Chaired by IOM and UNICEF. Responsibility for PSEA activities will be divided equally amongst network members, which the co-chairs will manage and coordinate by:

- Liaising with IASC Task Team on Accountability to Affected Populations and PSEA
- Establishing an effective PSEA action plan to be implemented by all actors engaged in the humanitarian response
- Ensuring a dedicated PSEA Focal Point is committed from each agency/organization
- Holding regular meetings of the CXB PSEA Network on the first Wednesday of every month, with ad hoc meetings as necessary and needs reviewed quarterly

2. Engagement with Government, INGO and NNGO partners: The network will engage with Government and NGO partners by:

- Advocating effective engagement and commitment from INGOs, NGOs and Government entities to implement PSEA principles and action plan in CXB
- Ensuring communication and awareness raising of beneficiaries' rights with UN and other humanitarian partners
- Increasing capacity of humanitarian actors, including UN Staff, INGOs, NGOs, and government counterparts on preventing, protecting from and reporting SEA

3. Prevention & Protection: The network will seek to prevent SEA and protect survivors of SEA by:

- Liaising with the Protection Sector to receive and refer victims of SEA for proper reporting and appropriate assistance services
- Working closely with assistance service providers in CXB to address the particular needs of victims of sexual exploitation and abuse and adopt appropriate procedures for providing redress. Network activities will follow a survivor-centered approach, and respect the principles of informed consent and the best interests of the survivor.
- Advocating for and supporting mandatory regular training of all humanitarian workers in CXB on PSEA and complaint procedures

⁸ Secretary-General's Bulletin, as above n.1.



- Advocating with network members and partners to strengthen systems to prevent SEA, e.g. Human Resource practices, Codes of Conduct that include PSEA, and including PSEA in all field level agreements.

4. Response: The network will ensure appropriate response to SEA complaints in CXB by:

- Ensuring that agencies have effective internal complaints and investigation procedures in place which adhere to principles of confidentiality
- Establishing a complaint referral mechanism between UN agencies, NGOs, and other relevant entities
- *Note:* The CXB 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.

5. Commitment to Action: The network commits itself to implementation of the PSEA Action Plan, including:

- Establishing Standard Operating Procedures for complaint referral in CXB, covering comprehensive monitoring and evaluation of complaints, referral pathways and reporting lines, and follow-up procedures.
- Advocating for the rights, protection and well-being of people, in particular women and children as well as needs of adolescents, for the prevention of and response to sexual exploitation and abuse, as a priority throughout humanitarian programming.
- Collaborating on awareness-raising for the community on their rights, how to report abuse, and appropriate behavior of all humanitarian staff.

Drafted by UNHCR, IOM and UNICEF based upon consultations with the PSEA Task Force and Senior Coordinator, Rohingya Refugee Response. Discussed and endorsed at the Heads of Sub Office Group Meeting on 10 June and HOSOG comments incorporated subsequently on 18 June 2018.