

## HCT PSEA STRATEGY: 2019-2020

### Commitment to PSEA

The UN and its partners in Myanmar have a zero-tolerance policy on sexual exploitation and abuse (SEA).<sup>1</sup> This strategy affirms the commitment of the UN in Myanmar and partners to actively prevent and respond to incidents of SEA by staff and affiliated personnel. It is never acceptable for any person in a position of power to abuse their authority under any circumstances and especially against the most vulnerable. Acts of SEA undermine the credibility of the UN and its partners and breaches the principle of do no harm. The UN and its partners recognize their leadership responsibility to strengthen the fight against SEA in Myanmar in order to achieve a true system of collective accountability.

SEA refers specifically to acts committed against members of the affected population by humanitarian and development actors, including international and national personnel of the UN and of NGOs. SEA represents a failure on the part of organisations to provide protection and care for communities, especially for the most vulnerable members of the population.

### Vision

The ultimate goal is to establish a robust and sustainable system among humanitarian and development actors to prevent, investigate and respond to incidents of SEA. Communities and individuals should be empowered to report incidents and should be confident that their complaints will be handled efficiently, safely and confidentially. Perpetrators should be held to account and disciplinary action taken to promote justice and accountability, to support victims, and as an example to others. The overall vision is that the humanitarian and development community treats beneficiaries with the dignity and respect, and a strong message sent that there is no place for SEA within the delivery of humanitarian aid or development assistance.

### Structure

The Resident Coordinator/Humanitarian Coordinator in Myanmar has system-wide responsibility for developing collective prevention of SEA strategies and ensuring that action plans are implemented, and assisting victims of SEA.<sup>2</sup> The HCT has a mandatory responsibility to ensure that a collective mechanism and approach to protection from SEA is in place, including a Code of Conduct for humanitarian workers.<sup>3</sup> A Protection from Sexual Exploitation and Abuse (PSEA) Network has been established in Myanmar to carry out operational functions for the prevention of SEA. The Network provides updates to the HCT and RC/HC. A dedicated PSEA working group has also been established in central Rakhine State chaired by UNHCR. As Myanmar is a context in which both HCT and UNCT are present, the national Network will also engage with the UNCT in order to give prevalence to this important matter and affirm commitment across development actors.

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<sup>1</sup> *Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse* (ST/SGB/2003/13), available at: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/documents> (accessed 16 August 2019).

<sup>2</sup> *Management and Accountability Framework of the UN Development and Resident Coordinator System* 18 March 2019 version, UN Sustainable Development Group.

<sup>3</sup> Inter-Agency Standing Committee, *Standard Terms of Reference for Humanitarian Country Teams*, February 2017.

The UN will take a strong leadership role in requiring one-hundred percent compliance with PSEA policies amongst its own staff and implementing partner organisations. In taking on this role, and in advocating for minimum standards amongst the broader network members, it is hoped that the vision will be achieved. While mandated accountability of the RC/HC extends only to the UN and its partners, the approach of this strategy is to be inclusive of all interested organisations, thus fostering a community of information-sharing and a common understanding of zero tolerance across the board.

## **Context**

Myanmar is a country which presents complex humanitarian and development needs. Emerging from decades of military rule, areas of the country are still beset with armed conflict. Coupled with this, Myanmar is one of the countries at highest risk of natural disasters in South East Asia. Over 244,000 displaced people remain in camps or camp-like situations after fleeing violence in Kachin, Kayin, Shan and Rakhine states.<sup>4</sup> Among displaced people, and non-displaced people, women and girls, stateless persons, youth, children without parental care, children living in institutions, lesbian, gay, bisexual, transgender, intersex and questioning, older persons and people living with disability who continue to require specific attention and support are particularly vulnerable and require targeted considerations.

In this context characterized by violence, ongoing displacement, restricted access, dismantled family and societal structures and weak rule of law, the risk of SEA is high. The continued need for staff on the ground to provide services to affected communities, particularly in remote locations, increases the risk of SEA.

Much work has already been done within NGOs and the UN in terms of prevention, such as the appointment of focal points, training staff and ensuring a code of conduct is signed by all staff, and awareness-raising among communities. Many of these efforts have been carried out by PSEA Network members, including UN agencies and non-governmental organisations involved in humanitarian, development and peacebuilding efforts in Myanmar. However, more work is necessary to achieve a robust and sustainable system to prevent SEA, receive complaints of SEA and respond to SEA incidents in line with global standards.

## **Overall approach**

This two-year strategy seeks to promote a coherent, harmonized and coordinated approach to prevention of and response to allegations of SEA in line with international best practice and standards. By carrying out activities according to an agreed action plan, the PSEA Network aims to achieve this goal and the overall vision under the following four pillars:<sup>5</sup>

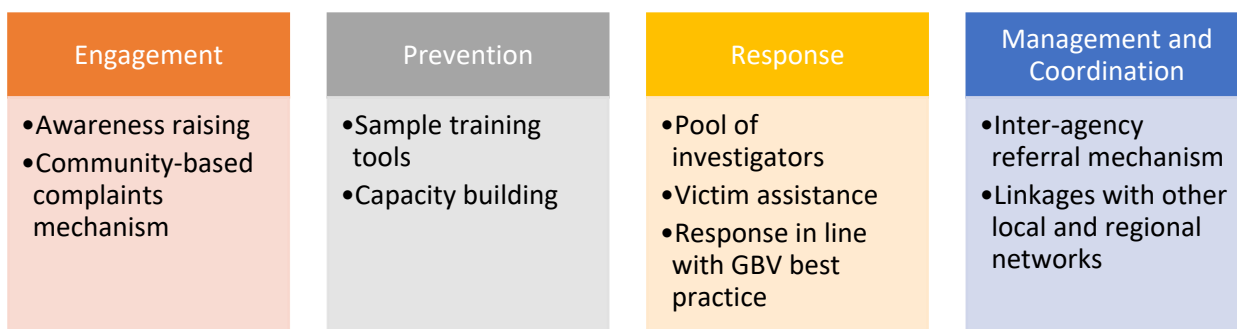
1. Engagement with and support of local populations
2. Prevention of SEA
3. Response systems
4. Management and coordination

The four pillars are illustrated below with examples of key activities.

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<sup>4</sup> OCHA, *Myanmar Humanitarian Needs Overview 2019*, [https://reliefweb.int/sites/reliefweb.int/files/resources/2019%20Myanmar%20HNO\\_FINAL.PDF](https://reliefweb.int/sites/reliefweb.int/files/resources/2019%20Myanmar%20HNO_FINAL.PDF)

<sup>5</sup> IASC Minimum Operating Standards on PSEA



Across the four pillars, the approach will be one of capacity development, where those actors with technical personnel (whether UN or NGO) are able to train and guide other network member organisations to reach minimum standards. The Network recognises the leadership role already taken by some international organisations with respect to capacity-building and embedding PSEA policies among partners. This approach is necessary in order to achieve sustainability and effective implementation. The role of the national PSEA Network is to support this approach by sharing information and materials including best practices, pooling resources and supporting area-based working groups, systematically identifying and registering risk and mitigation strategies, while streamlining processes as much as possible. Therefore, the PSEA Network will lead the development of joint planning and strategies to implement PSEA activities. In order to carry out its tasks efficiently, the PSEA Network will tap into existing coordination structures across both humanitarian and development fields and engage with donors and government counterparts as much as possible.

### Guiding principles

This strategy is guided at its core by the principles enshrined in the key PSEA global commitments: the Secretary-General’s Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse,<sup>6</sup> the UN Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners (2018), the IASC Revised Commitments on Accountability to Affected Populations and Protection from Sexual Exploitation and Abuse (2018), the IASC Policy on Gender Equality and the Empowerment of Women and Girls in Humanitarian Action (2017), the IASC Principals Statement on PSEA, including Minimum-Operating Standards on PSEA (2015), and the Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel (2006).

These principles are indelibly linked with those that underscore the Accountability to Affected Populations framework, as well as the centrality of protection in humanitarian action and gender equality. As SEA is a form of gender-based-violence (GBV), the GBV guiding principles that underpin all actions with individuals also apply. These are: taking a survivor-centred approach; ensuring the physical safety of the victim; establishing information and feedback mechanisms which are gender-sensitive; respecting confidentiality (within the boundaries of mandatory reporting); respecting the wishes, rights and dignity of the victim, and non-discrimination.<sup>7</sup> The best interests of the child will be considered when the victim is a child.

### Sustainability

A robust inter-agency mechanism should be sustainable with the buy-in of all involved. In order to mitigate against declining interest due to staff turnover, regular refresher training and leadership by the RC/HC and HCT is essential. The leadership will take the form of 1) proactively addressing PSEA

<sup>6</sup> ST/SGB/2003/13

<sup>7</sup> UNFPA, *Minimum Standards for Prevention and Response to Gender-Based Violence in Emergencies*.

implementation challenges as needed within the HCT/UNCT, 2) maintaining consistent handover practices to mitigate loss of PSEA knowledge due to personnel change, and 3) mainstreaming SEA risk education practices across organizations and sectors to ensure PSEA is embedded in the UN and NGO activities in Myanmar and not a stand-alone agenda. An Action Plan, annexed to this document, will be revised regularly in consultation with PSEA Network members, to support monitoring, joint action and accountability. This includes a section on resource mobilization in order to ensure that activities are able to continue beyond 2020.

*Endorsed by HCT 29 November 2019 and attachments*