

UNICEF Training of Trainers on Gender-Based Violence: Focusing on Sexual Abuse and Exploitation

Participant's Manual

Handout: The Gender Game	2
Handout: Key Human Rights Instruments	3
Handout: "What Do You Do?" Mini-Case Studies	5
Handout: Report of the IASC Task force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises	6
Handout: IASC Policy Statement on Protection from Sexual Abuse and Exploitation in Humanitarian Crises	14
Handout: Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse	17
Handout: Quiz – The Secretary General's Bulletin	21
Handout: Quiz: Why is this Misconduct?	23
Handout: Current Reporting Mechanisms	25
1) UNICEF Specific guidelines for dealing with allegations of misconduct	
2) Terms of Reference for in-country Focal Points on Sexual Exploitation and Sexual Abuse.	
3) Terms of Reference for in-country Networks on Sexual Exploitation and Sexual Abuse.	
4) Model Complaints Referral Form - Sexual Exploitation and Sexual Abuse.	
Handout: Tips for Managers on Establishing a Positive Climate	35
Handout: Case Study Exercise, The Case of Zanongo	36
Handout: Case Study Exercise, The Case of Eldova	39
Handout: UNICEF Field-Level Strategies and Actions	41
Handout: Evaluation Form	43

Handout: The Gender Game

The Gender Game

1. Women give birth to babies, men do not.
2. Little girls are gentle, boys are tough.
3. Amongst Indian agricultural workers, women are paid 40-60 per cent of the male wage.
4. Women can breastfeed babies, men can bottle-feed babies.
5. Most building site workers in Britain are men.
6. In Ancient Egypt, men stayed at home and did weaving. Women handled family business. Women inherited property and men did not.
7. Men's voices break at puberty, women's do not.
8. In one study of 224 cultures, there were 5 in which men did all the cooking, and 36 in which women did all the house-building.
9. According to UN statistics, women do 67 per cent of the world's work, yet their earnings for it amount to only 10 percent of the world's income.

Handout: Key Human Rights Instruments

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The Convention essentially constitutes the international bill of rights for women. It was adopted by the General Assembly in 1978 to reinforce the provisions of existing international instruments aimed at ending the continuing discrimination against women. It identifies many specific areas where there has been notorious discrimination against women, for example in regard to political rights, marriage and the family, and employment. In these and other areas, the Convention spells out specific goals and measures that are to be taken to facilitate the creation of a global society in which women enjoy full equality with men and thus full realization of their guaranteed human rights.

The Convention on the Rights of the Child (CRC)

The convention ratified by almost every country in the world covers the whole range of human rights – civil, economic, cultural, social and political rights – and applies them to children. A child is explicitly defined in the convention as any individual under 18 years of age (Art.1).

Optional Protocol to the CRC on the Sale of Children, Child Pornography and Child Prostitution

The Optional Protocol gives special emphasis to the criminalization of serious violations of children's rights – namely sale of children, illegal adoption, child prostitution and pornography.

Resolution 1261 of the Security Council, August 25 1999

"Requests the secretary general to ensure that personnel involved in United Nations peacemaking, peacekeeping and peace-building activities have appropriate training on the protection, rights and welfare of children, and urges States and relevant international and regional organizations to ensure that appropriate training is included in their programmes for personnel involved in similar activities."

Resolution 1379 of the Security Council, November 20 2001

10. Requests the Secretary-General to:

- a. "Take the protection of children into account in peacekeeping plans submitted to the Security Council, inter alia, by including, on a case by case basis, child protection staff in peacekeeping and, as appropriate, peace-building operations and strengthening expertise and capacity in the area of human rights where necessary;
- b. Ensure that all peacekeeping personnel receive and follow appropriate guidance on HIV/AIDS and training in international human rights, humanitarian and refugee law relevant to children;
- c. Continue and intensify, on a case by case basis, monitoring and reporting activities by peacekeeping and peace building support operations on the situation of children in armed conflict"

Resolution 1265 of the Security Council, September 17 1999

“Underlining the importance of the widest possible dissemination on international humanitarian, human rights and refugee law and of relevant training for, inter alia, civilian police, armed forces, members of the judicial and legal professions, civil society and personnel of international and regional organizations.”

Resolution 1314 of the Security Council, August 11 2000

16b “Consider including child protection staff in their peace and field operations and providing training to members of their peace and field operations on the rights and protection of women and children.”

Resolution 1325 of the Security Council, October 31, 2000

- 2) Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.

UN Transnational Crime Protocol

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children is a wide-ranging international agreement to address the crime of trafficking in persons, especially women and children, on a transnational level. It creates a global language and legislation to define trafficking in persons, especially women and children; assist victims of trafficking; and prevent trafficking in persons.

Handout: "What Do You Do?" Mini-Case Studies

1. You are a male humanitarian worker with a good friend – also male – who works for a partner NGO that distributes food aid. Your friend really enjoys going to the bar on Friday night and hanging out with the girls. He buys them drinks and often spends the night with one or another of them. You note that some of the girls look really young.

Questions: Is there a problem? What do you do?

2. You are a displaced woman with a 14 year-old daughter. Your daughter attends school 5 km away from the camp. She is fortunate enough to have access to this education. An NGO worker has been giving her rides to school and you are pleased as it means she is home sooner and can help out more. Lately your daughter seems reluctant to ride with him. You wonder why this NGO worker is being so nice to your daughter.

Questions: What questions do you have? Where can you find the answers? What do you do? Are there factors that are possibly contributing to sexual abuse?

- 3) You are working on a WAT/SAN project to deliver clean water to a community that is attempting to rebuild after a devastating conflict. The community is very poor and made up primarily of displaced people. The schools are only just starting to function. Most families have little money for clothes for their children.

One day you notice a group of very young girls leaving the site in the back seat of a jeep with 2 male engineers.

Questions: What questions do you have? Where can you find the answers? What do you do?

- 4) You are visiting a school. The girls are doing skits and role-plays. One skit depicts girls kissing and cuddling with humanitarian workers in order to be allowed to go to school.

Questions: What questions do you have? Where can you find the answers? What do you do?

Handout: Report of the IASC Task force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises

REPORT OF THE IASC TASK FORCE ON PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE IN HUMANITARIAN CRISES

A. Background

1. The grave allegations of widespread sexual exploitation and abuse of refugee and internally displaced women and children by humanitarian workers and peacekeepers in West Africa have highlighted the vulnerability of refugees, internally displaced persons and others, especially women and girls. Acknowledging the important challenge that this presents to the entire humanitarian community, in March 2002, the Inter-Agency Standing Committee (IASC) established a Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises. The Task Force was mandated, within the overall objective of strengthening and enhancing the protection and care of women and children in situations of humanitarian crisis and conflict, to make recommendations that specifically aim to eliminate sexual exploitation and abuse by humanitarian personnel and the misuse of humanitarian assistance for sexual purposes.
2. In setting up the Task Force, the IASC recognized that the problem of sexual exploitation and abuse in humanitarian crises is not confined to West Africa but is a global problem. No country, society or community is spared. The foundations of sexual exploitation and abuse are embedded in unequal power relationships. It represents a complex problem requiring responses from a broad range of actors and a shift in the organizational culture and approach of humanitarian agencies.
3. This report reflects the deliberations and analysis of the members of the Task Force, as well as the opinions and experience of other actors from the UN system, NGOs, donors and other Member States, gathered through a series of consultations. It is informed by the extensive work undertaken by humanitarian agencies in Sierra Leone, Guinea and Liberia, and draws on existing literature and guidelines, particularly in relation to gender-based violence.¹ The attached Plan

¹ *In particular, the extensive guidelines developed by UNHCR and the Reproductive Health for Refugees Consortium. Gender-based violence is violence that is directed against a person on the basis of gender or sex. Gender-based violence includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion, or other deprivations of liberty. While women, men, boys and girls can be*

of Action outlines a number of steps that the Task Force believes must be taken by the humanitarian community towards preventing sexual exploitation and abuse and responding to survivor needs. This plan is not a blueprint. It is part of an ongoing effort of the humanitarian community and will be refined on the basis of experience, pilot activities in selected countries and field visits to affected locations.

4. Once approved by the IASC, the Plan of Action will apply to all IASC members and standing invitees.² However, it is hoped that the Plan of Action will also have broader application. It will be an important guide for monitoring and evaluating progress made in efforts to eliminate sexual exploitation and abuse. It is hoped that it will form the basis for further discussions within the humanitarian community, with host governments, donors, peacekeepers and others engaged in working with and for populations affected by humanitarian crises, on the long-term measures and changes that need to be introduced to address the problem of sexual exploitation and abuse. It could also be used by donors for establishing requirements to be eligible for humanitarian funding or elements to be included in reporting on humanitarian activities.

B. The Context

5. Conflict and displacement inevitably erode and weaken many of the social and political structures that are designed to protect members of the community. Displaced populations, particularly in the context of armed conflict, have usually fled from an environment of violence and will often encounter further violence during the course of their displacement. The resources available to affected populations, and to the humanitarian community that is there to assist them, are frequently insufficient to meet basic needs. All too often, mechanisms for protection are not given sufficient priority.
6. Sexual exploitation and abuse occur in many different environments. However, in humanitarian crises, the dependency of affected populations on humanitarian agencies for their basic needs creates a particular duty of care on the part of humanitarian workers and peacekeepers, when present. Managers have an additional responsibility to ensure that there are proper mechanisms to prevent and respond to sexual exploitation and abuse. Humanitarian agencies must make every effort to create an environment where sexual exploitation and abuse are not tolerated. This is especially necessary given the following features of humanitarian crises:

a) the lack of economic opportunities for displaced populations may result in commercial and exploitative sex being one of the few options for income generation to meet basic needs;

victims of gender-based violence, because of their subordinate status, women and girls are the primary victims.

² For the purpose of this report and plan of action, the term “agency” will be used to cover all IASC members and standing invitees that endorse this report.

b) beneficiary communities have often come from an environment of gender-based violence with which community structures collude. Unless proper safeguards are put in place, the same patterns can continue or even be exacerbated in a camp or settlement environment; and

c) the usual social protections are not in place or are no longer functioning. Levels of protection and security are generally poor; justice and policing frequently do not exist in the displaced environment.

7. The question of who constitutes a humanitarian worker highlights another layer of complexity. The group is much more broadly defined than the internationally engaged staff of humanitarian aid organisations. Thousands of staff are engaged in a variety of work ranging from volunteers, casual labourers, drivers and warehouse guards to decision makers at the country, regional and international levels. Many of these staff are drawn from beneficiary communities themselves. This can blur distinctions between what constitutes professional and private relationships with other members of the beneficiary community. However, by accepting work with humanitarian agencies, humanitarian workers also have to accept the special responsibility of humanitarian care that goes with the job.

C. Key Definitions

8. There is general recognition of the existing problem of sexual exploitation and abuse in humanitarian crises. The problem is broader and harder to define than initially assumed and, by its nature, is difficult to investigate. Therefore, for the purposes of the plan of action, the Task Force has used the following definitions:

“sexual abuse” is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions;

“sexual exploitation” is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially or politically from the sexual exploitation of another; and

“humanitarian workers” include all workers engaged by humanitarian agencies, whether internationally or nationally recruited, or formally or informally retained from the beneficiary community, to conduct the activities of that agency.

D. Broader issues

9. *The Task Force identified the following constraints that will affect implementation of its recommendations and which will require further analysis by the humanitarian community.*

a) Humanitarian standards of behaviour: There is, as yet, no common code of conduct governing the individual behaviour of humanitarian workers. The problem of sexual exploitation and abuse has highlighted the need for clear standards of behaviour for humanitarian workers. The Task Force has focused on the narrower question of behaviour in relation to sexual exploitation and abuse. However, its recommendations should ideally be situated within a broader framework of generic standards of humanitarian behaviour. These have not yet been explicitly identified and should be given proper consideration by the humanitarian community. This will raise additional questions as to who should be responsible for enforcing standards of behaviour, and whether that responsibility should be individual or collective and lie at the country, regional or international levels. At present, such issues are dealt with on an ad hoc basis, from agency to agency, which limits the effectiveness of a common plan of action.

b) Protection: There is no commonly agreed operational definition of protection or any consensus on what constitutes core competencies. There is a need for a more thorough analysis as to what constitutes protection and what the acceptable minimum standards for protection are. The Task Force agreed that protection requires a holistic definition that encompasses legal, social and physical protection but more consideration must be given as to what this implies for humanitarian action.

c) Gender and power: Unequal power relationships provide the basis for sexual exploitation and abuse. Due to their unequal status, women and girls are particularly at risk of sexual exploitation and abuse. However, it is important to recognize that boys are also vulnerable to sexual exploitation and abuse.

d) Economic environment: The resource environment, particularly the lack of adequate food and services, contributes to the risk of sexual exploitation and abuse. Particular issues such as breaks in food pipelines are exacerbating factors that need to be addressed by the entire humanitarian community in a manner that reduces risk. Greater efforts must be made to provide displaced populations with alternative income generation opportunities, particularly for women.

e) Responsibility and accountability: There are no common systems of accountability for the humanitarian community. At present, accountability for the behaviour of staff exists only within individual agencies and varies, in level, between agencies. Further consideration must be given as to the adequacy of internal systems to maintain standards of behaviour. This should be complemented by more detailed discussion of the issue of collective responsibility, and at what level it should be considered. The Task Force's work revealed that avenues of recourse for beneficiaries are practically non-existent. Accountability to the beneficiary community should be strengthened and institutionalized. In a related vein, more attention must also be paid to

how the responsibilities of the humanitarian community relate to those of host governments.

E. Plan of Action: Core central recommendations

10. The Plan of Action is divided into three sections: prevention, response and management and implementation issues. It addresses protection from sexual exploitation and abuse during humanitarian crises by seeking to prevent exploitative and abusive behaviour from being perpetrated and addressing the conditions that make women and children vulnerable to exploitation and abuse. The following recommendations are elaborated in the attached Plan of Action and constitute the essential actions that the Task Force would expect the IASC to require of its members and standing invitees:

a) Behaviour of staff: All humanitarian agencies must clearly define the principles and standards of behaviour that they expect of their staff. In relation to sexual exploitation and abuse, these core principles have been identified as³:

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment;
- 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 in the age of a child is not a defence;
- 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.
- 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.
- Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, s/he must report such concerns via established agency reporting mechanisms.
- *Humanitarian workers agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.*

³ Different considerations will arise regarding the enforcement of some of these principles for humanitarian workers hired from the beneficiary community. While sexual exploitation and abuse and the misuse of humanitarian assistance will always be prohibited, discretion may need to be used in the application of the principles regarding sexual relationships for this category of humanitarian worker.

Further, these principles and standards should be incorporated into agency codes of conduct and staff rules and regulations. Mechanisms to ensure that these standards and principles are promoted, disseminated, integrated into personnel requirements, administrative standards, agreements with partners and contractors must also be established. In addition, mechanisms for reporting complaints, investigative procedures and disciplinary processes should be established. Clear definitions of management responsibility and accountability are vital.

- b) Protection from sexual exploitation and abuse will only be effective within a broader framework of effective protection from gender-based violence. Protection is a central and indispensable component of humanitarian action. It should not be compromised. Particularly in times of financial stringency, agencies must commit to sustaining protection activities.
 - c) The creation of an environment that is conducive to the prevention and elimination of sexual exploitation and abuse is key. Such an environment will include, at a minimum, enhanced beneficiary participation in all aspects of humanitarian programming and camp governance, improved delivery mechanisms to reduce their potential for exploitation, and dissemination of information on beneficiary rights, entitlements, responsibilities and complaints procedures. Accountability to beneficiaries is a necessary step toward creating an environment that discourages sexual exploitation and abuse.
 - d) The focus of the response by humanitarian agencies is to provide basic health and psychosocial care for survivors and ensure their access to mechanisms for recourse and redress. A key element in promoting accountability is to ensure that, wherever feasible, survivors have access to legal and judicial systems.
 - e) Accountability needs to be addressed at individual agency level and collectively. The sustainability and effectiveness of mechanisms to protect against sexual exploitation and abuse require an express commitment by management. Managers must be tasked with promoting a culture of protection in which exploitation and abuse is not tolerated and reports of possible violations are treated seriously and confidentially. Coordination between agencies is also essential to ensure a common approach to protecting against sexual exploitation and abuse and to foster a concept of collective responsibility. In each country in humanitarian crisis, a properly representative team, including UN agencies, and relevant national and international NGOs should be established to address this issue on behalf of the humanitarian community.
11. The plan of action seeks to ensure respect for, and fulfilment of, international human rights standards including those enshrined in the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. The Plan of Action recognises that humanitarian crises have different impacts and create different needs for men, women, boys and girls. The Task Force believes that it is critical that a gender perspective is adopted in all elements of design, planning and implementation of humanitarian activities. In the context of preventing sexual exploitation and abuse, this ranges from ensuring the presence of more women staff to addressing gender

inequalities in access to economic opportunities by beneficiaries and participation in decision-making processes.

F. Implementation

12. There are some issues where there is not yet clear agreement on how to move forward. In these circumstances, the Task Force recommends running pilot schemes and trialing some options in order to assess their practicability and feasibility. The Task Force emphasises the need to be realistic about what can be managed and has made every effort to ensure that its recommendations are practical and enforceable, especially in the area of codes of conduct.
13. The Task Force recognises that there needs to be collaboration between agencies on dissemination of information, in order to avoid fragmentation. The Task Force proposes that a common information and dissemination strategy be developed at the country level, with agreed target audiences. In addition, all agencies should agree to conduct information campaigns within their own agencies. A communications strategy has already been developed for external audiences. More needs to be done internally and with respect to mass information for beneficiary communities.
14. Training at all levels of humanitarian agencies was identified as an important element. However, there is again a risk of fragmentation unless efforts are coordinated. The consultations identified areas where no training or guidance exists, e.g. camp management; others where there is a need to promote consistency; and others where there is an abundance of training and guidelines but problems remain with ensuring their implementation. Effective implementation of the Plan of Action requires that these problems be addressed.
15. The Task Force has a further mandate for monitoring and evaluating the implementation of its recommendations, and perhaps where necessary, further refining them. It therefore recommends the extension of its mandate to the next IASC Plenary meeting in 2003, so that it can fully report on its activities in this regard.
16. The Task Force recognises the extensive work that has already been undertaken in West Africa. In particular, this has demonstrated the commitment in the field to addressing the problem of sexual exploitation and abuse effectively and responsibly. The Task Force is confident that the requisite good will to implement its recommendations exists in other parts of the world, as in West Africa. Enforcement will also rely on the responsibility of managers and humanitarian workers in the field. In acknowledging the commitment of humanitarian workers to address the problem, the Task Force also recognises the constraints under which they operate. Agencies need to consider the proportion of their budgets that goes to protection and activities to prevent sexual exploitation and abuse and allocate more resources to these issues.
17. The Task Force also recognises that responsibility for full implementation of the Plan of Action may rely on parties that are outside the IASC structure, such as

peacekeepers and host governments. It also calls on donors to promote some of the core recommendations with the humanitarian organisations that they choose to fund.

G. Conclusion

18. The humanitarian community has now acknowledged that the issue of sexual exploitation and abuse is a global challenge. This represents an important step forward. From consultations, it is clear that there is a genuine recognition from agencies that sexual exploitation and abuse represent a betrayal of trust as well as a catastrophic failure of protection. There is a real commitment on the part of agencies to address this problem and take responsibility for implementing necessary management changes.
19. In preparing this Report and Plan of Action, the members of the Task Force have often expressed different views and perspectives on some issues but their commitment to work together within the framework of the Task Force has been impressive. All members have learnt from each other. Perhaps the most important lesson has been that humanitarian agencies must be more accessible and better able to listen and make themselves accountable to those they wish to assist. Without the development of real and effective frameworks for accountability, little progress can be made in this area.
20. The Task Force acknowledges the way in which the IASC has responded to this issue. Its support has been exemplary. It has accepted a policy statement with serious implications in terms of staffing and management responsibilities and their relationship with beneficiaries. It hopes that the IASC will demonstrate the same spirit on receiving this Report and Plan of Action and that it will provide the leadership required to ensure its effective implementation.

13 June 2002

Handout: IASC Policy Statement on Protection from Sexual Abuse and Exploitation in Humanitarian Crises

Inter-Agency Standing Committee

Rome, 9 April 2002

IASC Policy Statement on Protection from Sexual Abuse and Exploitation in Humanitarian Crises

A. Background

Sexual abuse and exploitation in humanitarian crises are global problems. They violate not only the physical integrity and security of the individual victims but also their dignity and self-worth. They are a consequence of unequal power relationships; a dynamic that is often exacerbated during humanitarian crises, which are so often characterized by widespread and systematic violence, mass displacement, and the breakdown in traditional family structures and social, legal, governance and value systems. Women and children constitute the overwhelming majority of victims. The economic and social inequalities confronting women and children, in particular, put them at higher risk of exploitation by those in positions of power.

Sexual abuse and exploitation, in humanitarian crises or elsewhere, reflect a variety of failures or omissions attributable to a range of responsible actors and institutions. They represent a failure to uphold basic rights to protection. In institutional terms, sexual exploitation and abuse by humanitarian staff represents a failure on the part of humanitarian agencies, whose stated role is to provide protection and care.

B. Principles

The IASC⁴ reaffirms its commitment to promoting and protecting 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 IASC members recognise their responsibility, in fulfilling their mandates, to guard or protect vulnerable persons from sexual and other exploitation and abuse and to address such violations appropriately in their work. In particular, they must ensure that their staff and implementing partners do not abuse their power and influence to exploit and harm others.

Sexual exploitation and abuse of people affected by humanitarian crises represent a challenge to the entire humanitarian community. The IASC provides an important

⁴ The Inter-Agency Standing Committee (IASC) is comprised of both members (FAO, OCHA, UNDP, UNFPA, UNICEF, UNHCR, WFP, WHO) and standing invitees (ICRC, ICVA, IFRC, InterAction, IOM, SCHR, RSG/IDPs, UNHCHR, and the World Bank). All references to IASC members or staff in this document refer to both members and standing invitees and their staff.

mechanism for preventing and responding to such crises and should be used for consultation, information sharing, and collaboration as soon as such problems are identified.

The following principles will guide all efforts by the IASC to protect against sexual abuse and exploitation:

- Humanitarian assistance and services are to be provided in a manner that protects against and prevents sexual exploitation and abuse.
- Humanitarian actors will seek to redress and not perpetuate the abusive environment from which people are seeking protection.
- Meaningful protection requires an effective presence in the field.
- Transparency in humanitarian operations and the full participation of beneficiaries - men, women and children - in their planning and implementation, reduces the risk of humanitarian assistance and services being used for sexual abuse and exploitation.
- Humanitarian agencies reaffirm their accountability to the beneficiaries of humanitarian assistance for the actions undertaken on their behalf.
- Exploitative and abusive sexual activities by IASC staff and their implementing partners are absolutely prohibited and perpetrators will be held accountable. Any sexual activity involving the exchange or withholding of humanitarian assistance or services is, by definition, exploitative and abusive.
- Recognising that sexual exploitation and abuse are grounded in gender inequality, the IASC will ensure that humanitarian activities are conducted in a gender-sensitive manner and that the views and perspectives of women and girls are adequately considered.
- Clear, accessible and confidential avenues of complaint and recourse will be established for victims of, or persons aware of, attempted or actual sexual exploitation and abuse. All victims of sexual exploitation and abuse should benefit from effective forms of redress and rehabilitation.
- The IASC acknowledges that its management is accountable for implementing this policy and for ensuring that organisational processes and procedures supporting the policy are in place, working effectively and are monitored and reviewed.

C. Commitments to Action

The IASC commits itself to the following actions:

- Adopt codes of conduct that set minimum standards of behaviour, including prohibiting, as a minimum, any sexual relationship or activity between a staff member and children (meaning persons under the age of eighteen, irrespective of the age of majority in the host country).
- Strengthen recruitment and hiring guidelines and staff induction and training programs.
- Establish comprehensive monitoring and disciplinary regimes comprised of reporting lines, child and gender sensitive investigation protocols and appropriate penalties.

- Ensure that the rights, protection and well-being of all vulnerable people, in particular women and children, are a priority throughout humanitarian programming.
- Support efforts to protect civilians by educating vulnerable populations about their rights.
- Commit to strengthening and sustaining protection and basic social services.
- Seek safe and unhindered access to populations at risk and the resources necessary to ensure adequate staffing in terms of presence, quality and gender balance.
- Actively collaborate with UN peace missions to increase their capacity regarding child rights and protection issues.
- Address the specific needs of adolescents and use them as resources in their communities for the prevention of and protection against sexual exploitation and abuse.
- Address the physical, emotional and psychosocial needs of victims of sexual exploitation and abuse and adopt appropriate procedures for providing redress.
- Enhance HIV/AIDS prevention and care activities.
- Fully inform all beneficiaries, especially women and children, of assistance and delivery mechanisms.
- Establish monitoring and supervisory systems to ensure proper use of material assistance.
- Promote opportunities for income generation that will reduce the likelihood of sexual exploitation and abuse.
- Advise the beneficiary population as to the process and outcome of any investigations into sexual exploitation and abuse.
- Require our implementing partners to comply with the policies and codes of conduct established by the IASC and to monitor their adherence.

IASC members commit to establishing the necessary mechanisms to ensure the implementation and follow-up of the principles and actions outlined in this policy.



Handout: The Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse

Secretary-General's Bulletin Special measures for protection from sexual exploitation and sexual abuse

The Secretary-General, for the purpose of preventing and addressing cases of sexual exploitation and sexual abuse, and taking into consideration General Assembly resolution 57/306 of 15 April 2003, "Investigation into sexual exploitation of refugees by aid workers in West Africa", promulgates the following in consultation with Executive Heads of separately administered organs and programmes of the United Nations:

Section 1 Definitions

For the purposes of the present bulletin, the term "sexual exploitation" means 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. Similarly, the term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Section 2 Scope of application

2.1 The present bulletin shall apply to all staff of the United Nations, including staff of separately administered organs and programmes of the United Nations.

2.2 United Nations forces conducting operations under United Nations command and control are prohibited from committing acts of sexual exploitation and sexual abuse, and have a particular duty of care towards women and children, pursuant to section 7 of Secretary-General's bulletin ST/SGB/1999/13, entitled "Observance by United Nations forces of international humanitarian law".

2.3 Secretary-General's bulletin ST/SGB/253, entitled "Promotion of equal treatment of men and women in the Secretariat and prevention of sexual harassment", and the related administrative instruction⁵ set forth policies and procedures for handling cases of sexual harassment in the Secretariat of the United Nations. Separately administered organs and programmes of the United Nations have promulgated similar policies and procedures.

⁵ Currently ST/AI/379, entitled "Procedures for dealing with sexual harassment".

Section 3

Prohibition of sexual exploitation and sexual abuse

3.1 Sexual exploitation and sexual abuse violate universally recognized international legal norms and standards and have always been unacceptable behaviour and prohibited conduct for United Nations staff. Such conduct is prohibited by the United Nations Staff Regulations and Rules.

3.2 In order to further protect the most vulnerable populations, especially women and children, the following specific standards which reiterate existing general obligations under the United Nations Staff Regulations and Rules, are promulgated:

(a) Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;

(b) 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 in the age of a child is not a defence;

(c) 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 any exchange of assistance that is due to beneficiaries of assistance;

(d) Sexual relationships between United Nations staff and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of the United Nations and are strongly discouraged;

(e) Where a United Nations staff member develops concerns or suspicions regarding sexual exploitation or sexual abuse by a fellow worker, whether in the same agency or not and whether or not within the United Nations system, he or she must report such concerns via established reporting mechanisms;

(f) United Nations staff are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse. Managers at all levels have a particular responsibility to support and develop systems that maintain this environment.

3.3 The standards set out above are not intended to be an exhaustive list. Other types of sexually exploitive or sexually abusive behaviour may be grounds for administrative action or disciplinary measures, including summary dismissal, pursuant to the United Nations Staff Regulations and Rules.

Section 4

Duties of Heads of Departments, Offices and Missions

4.1 The Head of Department, Office or Mission, as appropriate, shall be responsible for creating and maintaining an environment

that prevents sexual exploitation and sexual abuse, and shall take appropriate measures for this purpose. In particular, the Head of Department, Office or Mission shall inform his or her staff of the contents of the present bulletin and ascertain that each staff member receives a copy thereof.

4.2 The Head of Department, Office or Mission shall be responsible for taking appropriate action in cases where there is reason to believe that any of the standards listed in section 3.2 above have been violated or any behaviour referred to in section 3.3 above has occurred. This action shall be taken in accordance with established rules and procedures for dealing with cases of staff misconduct.

4.3 The Head of Department, Office or Mission shall appoint an official, at a sufficiently high level, to serve as a focal point for receiving reports on cases of sexual exploitation and sexual abuse. With respect to Missions, the staff of the Mission and the local population shall be properly informed of the existence and role of the focal point and of how to contact him or her. All reports of sexual exploitation and sexual abuse shall be handled in a confidential manner in order to protect the rights of all involved. However, such reports may be used, where necessary, for action taken pursuant to section 4.2 above.

4.4 The Head of Department, Office or Mission shall not apply the standard prescribed in section 3.2 (b), where a staff member is legally married to someone under the age of 18 but over the age of majority or consent in their country of citizenship.

4.5 The Head of Department, Office or Mission may use his or her discretion in applying the standard prescribed in section 3.2 (d), where beneficiaries of assistance are over the age of 18 and the circumstances of the case justify an exception.

4.6 The Head of Department, Office or Mission shall promptly inform the Department of Management of its investigations into cases of sexual exploitation and sexual abuse, and the actions it has taken as a result of such investigations.

Section 5

Referral to national authorities

If, after proper investigation, there is evidence to support allegations of sexual exploitation or sexual abuse, these cases may, upon consultation with the Office of Legal Affairs, be referred to national authorities for criminal prosecution.

Section 6

Cooperative arrangements with non-United Nations entities or individuals

6.1 When entering into cooperative arrangements with non-United Nations entities or individuals, relevant United Nations officials shall inform those entities or individuals of the standards of conduct listed in section 3, and shall receive a

written undertaking from those entities or individuals that they accept these standards.

6.2 The failure of those entities or individuals to take preventive measures against sexual exploitation or sexual abuse, to investigate allegations thereof, or to take corrective action when sexual exploitation or sexual abuse has occurred, shall constitute grounds for termination of any cooperative arrangement with the United Nations.

Section 7

Entry into force

The present bulletin shall enter into force on 15 October 2003.

(*Signed*) Kofi A. **Annan**
Secretary-General

Quiz – The Secretary General’s Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse

1. Under the standards set out in the Secretary-General’s Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse, beneficiary employees are prohibited from having sex with under-18s – true or false?
2. In terms of sexual relationships, UNICEF staff are bound by:
 - a) The national age of consent
 - b) The age of the older partner
 - c) The age of 18
 - d) Ethical and moral codes
3. If you suspect that a staff member is violating the standards set out in the Bulletin, you must (circle all that apply):
 - a) Tell him/her to stop
 - b) Investigate on your own
 - c) Report (to the ombudsperson, human resources representative, etc.)
4. The SG’s Bulletin only applies to behaviour that takes place during working hours or when on mission for UNICEF – true or false?
5. The SG’s Bulletin applies to (check all that apply):
 - a) UNICEF staff – both international and locally-engaged
 - b) Staff of NGOs contracted by UNICEF
 - c) Military peacekeepers
 - d) Staff of other agencies (UNHCR, WFP, etc.)
1. Under the standards set out in the Bulletin, beneficiary employees are prohibited from having sex with under-18s – true or false?
2. In terms of sexual relationships, UNICEF staff are bound by:
 - e) The national age of consent
 - f) The age of the older partner
 - g) The age of 18

h) Ethical and moral codes

3. If you suspect that a staff member is violating the code of conduct, you must (circle all that apply):

- a) Tell him/her to stop
- b) Investigate on your own
- c) Report (to the ombudsperson, human resources representative, etc.)

4. The Code of Conduct only applies to behaviour that takes place during working hours or when on mission for UNICEF – true or false?

5. The Code of Conduct principles apply to (check all that apply):

- e) UNICEF staff – both international and locally-engaged
- f) Staff of NGOs contracted by UNICEF
- g) Military peacekeepers
- h) Staff of other agencies (UNHCR, WFP, etc.)

Handout: Misconduct Scenarios

Example of Prohibited Act	Why it constitutes misconduct
<p>Betty is a 16 year old girl living in a small village. Betty has four younger brothers and sisters. Her parents do not have very much money and find it very difficult to provide the costs for education, clothing and food for all of the children. There had even been some discussion about Betty dropping out of school to assist her mother in working at the market. However, all the problems have been solved as Betty has started a sexual relationship with Johnson, a senior UNHCR officer. He has promised to pay for her school fees and help to pay for her brothers and sisters to continue with their education. Betty's parents are very relieved that this opportunity has come and encourage Betty to maintain the relationship. It has really helped the family and now all the children can continue in school.</p>	
<p>Joey is a locally-hired driver for a UN agency, who transports relief items from the warehouse to the refugee camp where the items are distributed. On one of his trips he recognized a 15-year old refugee girl walking on the side of the road and gave her a lift back to the camp. Since then, to impress her and win her over, he frequently offers to drive her wherever she is going and sometimes gives her small items from the relief packages in his truck, which he thinks she and her family could use. The last time he drove her home she asked him inside her house to meet her family. The family was pleased that she had made friends with a UN worker. Joey really likes the girl and wants to start a sexual relationship with her. He knows her family will approve.</p>	
<p>Marie is a 30-year-old refugee whose desperate circumstances have forced her into prostitution. On Saturday night she was picked up by John, a UNICEF staff</p>	

member in a UN car, as he was driving back home after dinner. John took her home and paid her for sex. As prostitution is not illegal in the country where he is posted, he figured he was doing nothing wrong.	
Josie is an adolescent refugee girl in one of the camps. Pieter, one of the food distribution staff, who works for WFP, has offered to give her a little extra during the distribution if she will be his "special friend". She agrees willingly. Both of them agree that they should start a sexual relationship and neither one of them think that anything is wrong. Josie hopes that the relationship will be a passport to a new life in another country, and Pieter does nothing to discourage these hopes.	

Acknowledgement: A number of the scenarios above have been adapted from materials contained in the Facilitator's Guide: *Understanding Humanitarian Aid Worker Responsibilities: Sexual Exploitation and Abuse Prevention*, produced by the Coordination Committee for the Prevention of Sexual Exploitation and Abuse in Sierra Leone.

Handout: Current Reporting Mechanisms

Review of current mechanisms within UNICEF

1) Article X of the Staff Regulations, entitled "Disciplinary Measures", provides in regulation 10.2 that "the Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory." Staff rule 110.1, which defines misconduct, provides that "failure by a staff member to comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant may amount to unsatisfactory conduct... leading to the institution of disciplinary proceedings and the imposition of disciplinary measures for misconduct".

2) UNICEF Policy & Procedures Manual, Chapter 15, Section 4, states that if a staff member has reason to believe that another staff member has committed an act of misconduct for which a disciplinary measure may be imposed, including include any act of sexual abuse and exploitation, the following steps should be taken:

- The allegation of misconduct should be reported to the Head of Office/ Division or a responsible official;
- The Head of Office/Division or responsible official shall undertake a preliminary investigation;
- In some instances, during the preliminary investigation and before any formal charges are filed against the staff member who allegedly committed misconduct, the Executive Director may decide, in the interest of the organization, to place that staff member on suspension with full pay while further inquiries are made;
- If the investigation indicates that misconduct has occurred, the Head of Office/Division or responsible official should immediately report the matter to the Director, DHR, giving a full account of the facts and attaching documentary evidence relevant to the alleged misconduct;
- On the basis of the evidence presented, the Director, DHR, on behalf of the Executive Director, will decide whether the matter should be pursued;
- If the matter is pursued, the Head of Office/Division or responsible official will inform the staff member of the allegations and of his due process rights, e.g., right to seek assistance of counsel and a reasonable period to respond to the allegations;
- After the staff member submits a response to the allegations, the Director, DHR, will decide whether to (a) withdraw the charges and close the matter; (b) summarily dismiss the staff member from the Organization for serious misconduct; or (c) refer the case to a Joint Disciplinary Committee (JDC);
- If the case is submitted to the JDC, it will review the case and make a recommendation on the disciplinary action, if any, to the Executive Director;
- The Executive Director shall take a decision on the appropriate disciplinary measure(s), if any.

Handout: Terms of Reference for in-country Focal Points on Sexual Exploitation and Sexual Abuse.

Terms of Reference for in-country Focal Points on Sexual Exploitation and Abuse

Competencies and Experience:

The in-country Focal Point for Sexual Exploitation and Abuse (SEA) and his/her Alternate shall be a staff member, normally appointed at a sufficiently senior level (P4 and above). Either the Focal Point or the Alternate shall be a female staff member.

The Focal Point and the Alternate shall have the following competencies and experience: Proven integrity, objectivity and professional competence; demonstrated sensitivity to cultural diversity and gender issues; fluent in relevant languages; demonstrated experience of working directly with local communities; proven communication skills. Upon appointment, the Focal Point and the Alternate shall undergo specific training on prevention of and protection from sexual exploitation and abuse, as soon as is feasible.

Duties and Responsibilities:

The Focal Point and the Alternate shall participate in the in-Country Network on SEA, focusing in particular on sharing and implementing best practice in SEA prevention and response, and coordinating induction briefings and training on SEA for all staff, including raising awareness among staff of their responsibilities to report all suspicions of sexual exploitation and abuse committed by colleagues, pursuant to ST/SGB/2003/13 section 3.2 (e).

The Focal Point/Alternate shall be responsible for making appropriate recommendations to management on enhancing prevention strategies especially in situations where the volume or type of complaints received indicate that patterns of sexual exploitation and abuse may exist. This could include collecting and analysing information on actual/potential risk factors for vulnerability to sexual exploitation and abuse and elaborating measures to address these. The Focal Point/Alternate shall prepare quarterly reports to management containing statistics and analysis of complaints received, follow up actions taken, and recommendations that flow from the analysis.

The Focal Point/Alternate shall receive, in complete confidence and in a conducive environment, complaints and questions about alleged acts of sexual exploitation and abuse committed by all categories of the [Agency/Mission]'s personnel. (A complainant may choose which of the two s/he wishes to contact regarding his/her complaint.) Appropriate measures shall be taken to ensure safety and confidentiality for all visitors to the Focal Point/Alternate, whether staff members or members of the local community.

The Focal Point/Alternate shall also receive, if requested, complaints about alleged acts committed by national or international personnel from other organisations, or about alleged acts when the institutional affiliation of the perpetrator(s) is unknown or uncertain. The Focal Point/Alternate shall maintain (to the extent feasible in view of security considerations) an “open door” policy with regard to members of the local community, including refugees and other beneficiaries of assistance, national and international NGO personnel and all United Nations personnel, national and international.

The Focal Point/Alternate shall ensure the appointment of **field focal points** at all his/her organisation’s field/sub-offices with significant staff presence. The field focal points shall be trained and delegated to receive complaints on his/her behalf in field locations and to pass these on to the capital-level Focal Point/Alternate for action and follow up.

The Focal Point/Alternate shall ensure that all materials pertaining to complaints and referrals are held securely and handled strictly in line with applicable reporting and investigation procedures.

Upon receipt of a complaint, the Focal Point/Alternate (or his/her delegated field focal point) shall:

- a. Obtain the complainant’s informed consent (on the attached Referral Form) to document the complaint and to pass on the data recorded to the relevant management authorities, as well as to the RC/HC. Agreement may be secured on a separate consent form for possible disclosure of information to other external entities, including the police.
- b. Record the details of the allegation on the attached *Model Complaints Referral Form* and in line with the guidelines in the *Model Complaints and Investigation Procedures and Guidance Related to Sexual Abuse and Sexual Exploitation*;
- c. Immediately attend to the safety, security, health and legal needs of the complainant (in line with the abovementioned guidelines), including by providing necessary referrals.

If the complaint implicates a staff member of the Focal Point’s own organization:

- d. Forward the completed Complaints Referral Form and any other pertinent material(s) to the relevant management structures at Headquarters [insert organisation’s Headquarters’ focal point for sexual exploitation and abuse issues here] with recommendations for follow up action (e.g. an investigation, contact with local police, etc.);
- e. Act, if requested, as liaison between the complainant, including his/her family, and those persons conducting any subsequent investigation, ensuring at all stages that the safety, security, health and legal needs of the complainant are taken into consideration and that s/he is not subject to intimidation as a result of lodging the complaint.
- f. Be kept fully informed of the investigation’s proceedings and outcome, and help complainants understand how the investigation and discipline processes work.

g. Refer the complainant to local police, if appropriate and if s/he is interested in this option. (N.B. The Focal Point/Alternate should not get involved in acting as an advocate for complainants or victims with the local authorities).

h. Refer complainant to relevant NGOs or support groups for victims of sexual violence.

If the complaint implicates a staff member of a different organization:

i. Forward a copy of the completed form to Focal Point for sexual exploitation and abuse in the Accused person's organisation, as well as to the RC/HC, and meet up with the Focal Point to agree on responsibilities for follow up on the safety, security, health and legal needs.

j. Refer the complainant to local police, if appropriate and if s/he is interested in this option. (N.B. The Focal Point/Alternate should not get involved in acting as an advocate for complainants or victims with the local authorities).

k. Refer complainant to relevant NGOs or support groups for victims of sexual violence.

If the complaint is a rumour or the alleged perpetrator(s)' affiliation is unknown:

l. Forward a copy of the completed form to the RC/HC and – where one exists, the SRSG. The RC/HC will immediately call for a meeting of the Focal Points' Network and ask it to develop a strategy for assessing the veracity of these rumours or allegations.

m. The RC/HC or SRSG will then pursue the issue through the appropriate channels (if necessary launching a preliminary investigation) and also determine responsibilities for follow up and for responding to victims' needs.

If the complaint implicates a member of the local community:

n. Refer the complainant to local police, if appropriate and if s/he is interested in this option. (N.B. The Focal Point/Alternate should not get involved in acting as an advocate for complainants or victims with the local authorities).

o. Refer complainant to relevant NGOs or support groups for victims of sexual violence.

Produced by the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse

Handout: Terms of Reference for in-country Network on Sexual Exploitation and Sexual Abuse.

Terms of Reference for in-country Network on Sexual Exploitation and Abuse

Membership:

The Network will function under the auspices of the Resident Coordinator (RC), or Humanitarian Coordinator (HC) where appropriate, and report to him/her. Membership shall include at least one Representative from each UN Agency present in the country concerned, including from any DPKO or DPA-managed peace operation, as well as representatives of the Red Cross/Red Crescent Movement and relevant International and National NGOs. (To avoid the Network becoming unwieldy, the RC/HC should consult with the NGO community to ensure fair but manageable NGO representation). In general, membership should be comprised of the designated Sexual Abuse and Exploitation Focal Points and Alternates.

Responsibilities:

The Network on Sexual Abuse and Sexual Exploitation (SEA) will serve as the primary body for coordination and oversight on prevention and response to sexual exploitation and abuse of members of the beneficiary population by international or national staff of the UN or affiliated organizations. The Network is **NOT** responsible for investigation or adjudication of complaints, or for dealing directly with complainants. These functions rest exclusively with individual organizations or agencies. Individuals serving in the networks should not investigate claims.

The Network should:

Training, sensitization and community information campaigns

- a. Develop a plan for training of all staff on the Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (the SG's Bulletin), using generic SEA training modules (modules to be developed, building on existing resources, with support from UNDP and OHRM).
- b. Coordinate specialized training of all Focal Points and managers on handling complaints based on specific training modules developed for this purpose.
- c. Ensure widespread dissemination, through appropriate media, of materials explaining rights of beneficiaries, standards of conduct expected of personnel and channels of recourse (i.e. focal point system) for members of the local community, including refugees and other beneficiaries of assistance.

Sharing information on prevention and best practice

- d. Based on the Inter-Agency Standing Committee Plan of Action and other relevant reports (including those by police or local women's groups), assess gaps in prevention and response to SEA, share information on achievements, best practice and effective mechanisms in addressing SEA, and make recommendations to relevant agencies for action. Develop plan for monitoring implementation of recommended actions.

e. Establish such local policies, procedures and/or inter-agency arrangements as are necessary to ensure that adequate prevention measures are in place, and that robust complaints and investigation mechanisms are implemented and operated effectively by all relevant agencies.

f. Submit to the RC quarterly statistics and analysis of any complaints received (excluding names of complainants, victims or accused persons), follow up actions taken, and recommendations that flow from the analysis on enhancing prevention and protection.

Reporting to Headquarters on prevention and best practice

g. In cases of ongoing humanitarian crisis, the Network should report annually, through the RC/HC, to the Inter-Agency Standing Committee Working Group on progress made toward preventing and responding to sexual abuse and exploitation. OCHA will be responsible for producing a short analysis of all reports for consideration by the IASC WG. This analysis may also be considered by the Executive Committee for Humanitarian Affairs (ECHA).

h. In cases of transitional/development situations, the Network should report annually, through the RC, to the United Nations Development Group Office on progress made toward preventing and responding to sexual abuse and exploitation. UNDGO should be responsible for producing a short analysis of all reports for consideration by UNDG.

i. The lessons learned from these annual reports should be shared widely, so that adjustments to prevention and response strategies can be made, best practices shared, and the tools and guidelines adapted as appropriate. UNDP, OCHA, DPKO and UNICEF should be responsible for this effort.

Dealing with 'In-the-air' allegations

j. At the request of the RC/HC, the Network should be convened when any of the Focal Points receives information of rumoured or 'in-the-air' allegations of sexual exploitation and abuse, particularly where the institutional affiliation of the alleged perpetrator(s) is not known or is uncertain. The Network should develop a proposal addressed to the RC/HC (and SRSG if peacekeepers may be involved) outlining a strategy for assessing the veracity of these rumours.

k. On the basis of the Network's recommendations, the RC/HC (and/or SRSG) should then pursue the issue through the appropriate channels, including if necessary through launching a preliminary investigation. S/he should also determine responsibilities for follow-up and for responding to victims' needs. In the event of disagreement among members of the Network on responsibilities for following up on a case involving rumours or allegations involving perpetrators from multiple organizations the Special Representative of the Secretary-General (if peacekeeping personnel are involved) or the RC/HC will determine concrete follow-up procedures and allocate responsibilities among members of the Network as appropriate.

Procedure, confidentiality and other issues

l. The Network should hold regular meetings at least every two months, whose minutes will be circulated to all members. Ad-hoc meetings may be called on an as needed basis.

m. All minutes of the Network must be kept confidential and stored securely. Names of subjects and victims should never be recorded in minutes, nor shared during meetings. All cases discussed at the meetings of the Network should be referred to by a case number and no identifying information about victims or subjects should be shared with the group. All investigation processes must be kept separate from the work of the Network, to ensure confidentiality. Breaches of confidentiality may lead to members of the Network being relieved of their responsibilities.

n. The Network should refer to relevant agencies and/or the RC/HC any issues of concern which arise during the course of its work (e.g. regarding discipline or misconduct), but which fall outside the direct scope of SEA prevention and response.

o. The relevant members of the Network (i.e. the organization receiving the complaint and the organization(s) about which the complaint is made) should convene bilaterally when one organization receives a formal complaint about actions allegedly perpetrated by staff person(s) of another organization. At this stage, agreement should be reached on responsibilities among the involved organisations, including for responding to the victims' needs.

Produced by the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse

Handout: Model Complaints Referral Form - Sexual Exploitation and Sexual Abuse.

MODEL COMPLAINTS REFERRAL FORM (SEXUAL EXPLOITATION AND ABUSE)

Name of Complainant: _____ Ethnic origin/Nationality: _____

Address/Contact details: _____ Identity no: _____

Age: Sex: _____

Name of Victim (if different from Complainant): _____ Ethnic origin/Nationality: _____

Address/Contact details: _____ Identity no: _____

Age: Sex: _____

Name(s) and address of Parents, if under 18: _____

—

Has the Victim given consent to the completion of this form? YES NO

Date of Incident(s): Time of Incident(s): Location of Incident(s): _____

Physical & Emotional State of Victim (Describe any cuts, bruises, lacerations, behaviour, and mood): _____

Witnesses' Names and Contact Information: _____

Brief Description of Incident(s) (Attach extra pages if necessary): _____

Name of Accused person (s): Job Title of Accused person(s): _____

Organization Accused person(s) Works For: _____

Address of Accused person(s) (if known):

Age: Sex:

Physical Description of Accused person(s):

Have the police been contacted by the victim? YES NO If yes, what happened?

If no, does the victim want police assistance, and if not, why?

Has the victim been informed about available medical treatment? YES NO

If Yes, has the victim sought Medical Treatment for the incident? YES NO

If Yes, who provided treatment? What is the diagnosis and prognosis?

What immediate security measures have been undertaken for victim?

Who is responsible for ensuring safety plan (Name, Title, Organisation):

Any other pertinent information provided in interview (including contact made with other Organisations, if any): _____

Details of referrals and advice on health, psychosocial, legal needs of victim made by person completing report: _ _____

Report completed by: _____

Name Position/Organisation Date/Time/Location

Has the Complainant been informed about the Organisation's procedures for dealing with complaints? YES NO

Signature/thumb print of Complainant signaling consent for form to be shared with relevant management structure* and SRSG/RC/HC:

Complainant's consent for data to be shared with other entities (check any that apply): _____

Police Camp leader (name) _____ Community Services agency _____

Health Centre (name) _____ Other (Specify)

Date Report forwarded relevant management structure*:

Received by relevant management structure*:

Name Position Signature

(*Relevant management structure is the official(s) responsible for sexual exploitation and abuse issues in the Headquarters of the Organisation

where the Accused person works)

ALL INFORMATION MUST BE HELD SECURELY AND HANDLED STRICTLY IN LINE WITH APPLICABLE REPORTING AND INVESTIGATION PROCEDURES

Handout: Tips for Managers on Establishing a Positive Climate

Prevention:

- Show that you take the issue of sexual abuse and exploitation seriously. Discuss relevant policies and programmes at staff meetings.
- Make sure that all employees and supervisory staff who report to you are aware of what action to take if sexual abuse or exploitation occurs.
- Provide training opportunities for staff, so that they are aware of issues outlined in the Bulletin and that they become familiar with the implications of the standards for their behaviour and the behaviour of colleagues.
- Set an appropriate standard of conduct through your own behaviour.
- Actively maintain a harassment-free workplace. Put a stop to offensive jokes or comments; remove unacceptable posters, cartoons, or objects from the workplace.
- Include discussions of the policy and code of conduct in orientation sessions for new staff
- Raise the issue in dialogue with partners – both government and NGOs.

Taking Action

- Be aware of the latest mechanisms and policies regarding complaints' mechanisms
- Listen carefully to staff -- be supportive and respectful.
- If someone comes forward with a complaint, explain the complaints process and what options are available.
- Respectfully discuss the person's preferences for dealing with the situation.
- If appropriate, allow time for the person to consider how to proceed and arrange for a follow-up meeting.
- Keep a confidential record of all information relating to the complaint in a secure place.

Handout: Case Study Exercise, The Case of Zanongo

Zanongo is a country caught in a cycle of instability, which continues to threaten the safety and well-being of its population. Sporadic dissident attacks and counter-attacks by government, and rebel fighting in the border regions continue to escalate. These military activities and tensions combined with poor governance and the dwindling inflow of external resources has deepened poverty levels, reduced economic activities, intensified social problems, and made communities more vulnerable to communicable diseases such as HIV/AIDS.

It has been rumoured that both government and rebel groups from neighbouring countries are using rape as a weapon of war. Although no reliable statistics exist on the rate of HIV infection, it is estimated that 8% of the general population are infected with the virus, while rates are thought to be as high as 25% among combatants.

The ongoing conflict has resulted in steady migration and internal displacement of hundreds of thousands of people. Zanongoians are fleeing their homes in great numbers and are making their way to camps in neighbouring countries. Camp populations are rising steadily and as a result, many of the camps are overcrowded. In addition, an unknown number of IDPs are living with host communities and in camps, and about 200,000 more are in inaccessible areas in the fighting zones. The number of unaccompanied and separated children is estimated to be very high.

More than 20% of households are headed solely by women, with the percentage rising rapidly in the camps for displaced persons. The ongoing conflict and instability has interrupted women's economic activities, limiting their income and further reducing their ability to adequately care for their children.

Zanongo Humanitarian Assistance Programme

Specific projects include:

- 1) The provision of emergency supplies to camps including essential drugs, vaccines, Dry Skimmed Milk (DSM), high energy and protein biscuits, shelter materials, hand pumps, water equipment, Oral Rehydration Salt (ORS) and mosquito nets.
- 2) Working to prevent/reduce underage recruitment and rehabilitate former child combatants .
- 3) Emergency water and sanitation project. This project aims to ensure that every community has access to at least one secure water source and a number of communal latrines for refugee and IDP populations. In addition, the project will incorporate sanitation and hygiene education into its programming.
- 4) Support establishment of Child-Friendly Spaces (CFSs) in all camps for internally displaced persons. The CFSs are designated areas where integrated services are offered to children and youth. The facilities provide multi-purpose rooms, playgrounds, water points and latrines, and psychosocial support. The CFSs also offer support and guidance to refugee parents.

- 5) UNICEF is working with UNCHR to implement a community-based HIV/AIDS education, information and communication programme for IDPs and refugees.
- 6) UNICEF is working with partners to establish child-friendly education centres in the camps for refugees and IDPs. The project aims to establish rights-based, child-friendly schools, making them healthy, effective and efficient, so as to ensure quality learning.
- 7) UNICEF is working with partners to ensure that essential supplies and services are in place in the camps for refugees and internally displaced persons. UNICEF is working closely with UN agencies and NGOs to coordinate the provision of these services and the division of specific responsibilities. UNICEF is primarily responsible for education, water supply and sanitation. UNHCR is providing shelter materials, WFP is responsible for food distribution, and two NGOs, one local and one international, are offering health related services to camp populations.

Tasks for Small Group Discussions

You are a UNICEF staff member called to an inter-agency meeting to discuss recent reports of sexual exploitation and abuse in the Zanongo humanitarian assistance programme. You have been asked to:

- 1) Identify the specific conditions and circumstances in Zanongo's country profile that increase the vulnerability of children and women to sexual abuse and exploitation.
- 2) Review the specific projects in the country programme and identify elements of projects that present the potential for sexual abuse and exploitation, whether perpetrated by humanitarian assistance workers or others. Try to identify possible project entry points for strengthening preventative measures and developing appropriate responses to sexual exploitation and abuse.
- 3) Organize a meeting where you will present UNICEF's advocacy message on sexual abuse and exploitation within the context of the current situation in Zanongo. You will need to consider the following questions:
 - a. What will your central points/arguments be and how will you substantiate your call for action?
 - b. Who are the key UN agencies, NGO's, and local authorities that should be present at the meeting? How will you foster collaboration between UNICEF and these key groups around the issue of sexual abuse and exploitation?

- c. What are the key instruments i.e. policies, conventions, programmatic commitments that you can draw on for support?

Handout: Case Study Exercise, The Case of Eldova

Eldova is a country plagued by poverty, inequality, and political instability. The region is characterized by huge disparities in wealth, most notably between rural and urban areas, with the gap between rich and poor widening steadily. Last year, the poorest quintile received only 1.6% of the country's income, while the wealthiest quintile received 63.3%. Close to 45% of the total population is less than 18 years of age, with 75% living in poor households. The socio-economic situation of households forces many children and adolescents to contribute to household income and to neglect existing education opportunities. Available statistics on child labour suggest that about 400,000 children are working; this figure accounts for 12% of all children between the ages of 5 and 17 years.

At present, Eldova is experiencing a severe economic crisis accompanied by political instability and a massive deterioration of economic and commercial activities. Enormous rates of inflation have decreased the purchasing power of the majority of Eldovians, leaving many unable to meet their basic needs.

Rural areas are characterized by low levels of schooling and high rates of illiteracy. Where children are attending school, there is a significant gender gap, with male pupils consistently out numbering female pupils. Rural areas are vulnerable to food insecurity at the community and household level and deficiencies in local diets have resulted in widespread malnutrition. More than 20% of households are headed solely by women, with the percentage rising rapidly. The economic crisis has directly affected women's economic activities, limiting their income and further reducing their ability to adequately care for children.

The rate of unemployment is currently at 14%. Many Eldovians are leaving the country in pursuit of employment abroad. According to recent data, some 250,000 persons have emigrated over the last year, leaving behind approximately 150,000 children. The combination of these factors has resulted in an increase in the number of children living and working on the streets. In addition, large scale rural-to-urban migration has resulted in a large number of Eldovians, (the majority of whom are men) leaving their communities to work in Eldova's largest cities.

The Eldova Country Programme

- 2) UNICEF is working with the Government, and local NGOs to support the reintegration of street and working children, and other out-of-school youth, especially adolescent girls and child heads of households, through a range of developmental and psychosocial interventions, including informal education, skills training, and youth and recreational activities.
- 3) UNICEF is involved in capacity-building for social work and psychosocial support for children and families. This project aims to increase the capacity of teachers and other groups of professionals working with children to provide social work and psychosocial support. This will be achieved through a broad range of training interventions for teachers and health, social and community workers.

- 4) To help combat rural food insecurity, UNICEF is working with the government, NGO partners and the FAO on a project entitled "Household Gardens for Rural Food Security". The goal of the project is diversify local diets through the installation of household agro-forestry gardens consisting of products high in nutritional value for the direct consumption of beneficiaries. The project involves monthly visits to highly food insecure regions by agronomists, technicians and project staff. The majority of the work in the gardens is carried out by women and girls.
- 5) UNICEF is working with the government, and local NGOs to provide essential supplies to institutions dealing with orphaned and abandoned children, street children, child labourers and children involved in prostitution.
- 6) UNICEF is working with partners on the child-friendly school initiative. The project aims to establish rights-based, child-friendly schools, making them healthy, effective and efficient for child education, so as to ensure quality learning.

Tasks for Small Group Discussion

You are a UNICEF staff member called to an inter-agency meeting to discuss recent reports of sexual exploitation and abuse in the Eldova country programme. You have been asked to:

- 1) Identify the specific conditions and circumstances in Eldova that increase the vulnerability of children and women to sexual abuse and exploitation.
- 2) Review the specific projects in the country programme and identify elements of projects that present the potential for sexual abuse and exploitation, whether perpetrated by humanitarian assistance workers or others. Try to identify possible project entry points for strengthening preventative measures and developing appropriate responses to sexual exploitation and abuse.
- 3) Organize a meeting where you will present UNICEF's advocacy message on sexual abuse and exploitation within the context of the current situation in Eldova. You will need to consider the following questions:
 - a. What will your central points/arguments be and how will you substantiate your call for action?
 - b. Who are the key UN agencies, NGO's, and local authorities that should be present at the meeting? How will you foster collaboration between UNICEF and these key groups around the issue of sexual abuse and exploitation?
 - c. What are the key instruments i.e. policies, conventions, programmatic commitments that you can draw on for support?

Handout: UNICEF Field-Level Strategies and Actions

From the UNICEF publication “Technical Notes: Special Considerations for Programming in Unstable Situations”

Supporting strategies:

- Mobilize the community to develop a preventative plan using existing resources and mechanisms.
- Promote guidelines to limit further trauma to survivors of sexual violence.
- Sensitize medical and other service providers, including the law enforcement and security patrols about sexual violence.
- Ensure adequate and gender-sensitive medical attention for survivors of sexual violence, respecting their right to privacy.
- Ensure timely and appropriate psychosocial support for survivors and their families.

Field-level strategies for dealing with sexual violence should ensure protection, reduce the risk of such violence, protect survivors, and promote physical and psychological recovery.

Preventive measures to reduce sexual violence should include the following.

Design camps to increase the security of women: Adolescents and women are at greatest risk when they must travel away from their homes and communities for food, water and fuel wood or to use communal latrines. Improved lighting, widened paths to water and fuel/wood sources, security patrols of women wherever possible, and group accommodation for unaccompanied children and females are some of the interventions to promote physical safety.

Delegate women to distribute relief items: Too often women are coerced to engage in sexual relations in exchange for essential relief supplies.

Involve existing community organizations: Hold separate meetings for women and for men, to receive everyone's input on the need and the possible mechanisms for prevention and protection. Where there are no women's groups, promote their formation. Ask organizations to support vulnerable groups through such initiatives as women's income-generating projects and emergency credit schemes, volunteer security escorts and communal food preparation.

Include beneficiary women in decision-making processes: This is especially important in areas of health, sanitation, education, reproductive health, and food and water distribution. Ensure that women are protected from repercussions and backlash as a result of their participation: this calls for discussion with men as well.

Recognize the influence of teachers and religious and traditional leaders on the community: Enlist their cooperation in changing attitudes and behaviours. They can be involved in educating their followers on the causes and consequences of sexual violence. Ask them to encourage the reporting of sexual attacks, domestic abuse and involuntary prostitution.

Convene specific discussions with medical and other service providers on the topic to discuss the above strategies.

Individuals at risk, such as unaccompanied children and women and female heads of household, should be identified and appropriate strategies developed to ensure their protection.

Provide women in their communities with materials and knowledge to protect themselves: e.g. barbed wire, whistles and self-defence training.

Carefully screen foster families for unaccompanied children: This is critical to avoid the possibility of the sexual abuse of children by their foster parents and their relatives. Provide adequate monitoring after placement to ensure the continued well-being of children

Support public information campaigns: Campaigns should be designed to sensitize girls and women to the risks and to correct false rumours, misconceptions and misinformation about the extent and nature of sexual violence. Make use of the media as a training vehicle for women and to alert the public to widespread sexual violence.

Make the perpetrators and those in charge of protecting children's and women's rights accountable: This must be done in all relief programmes, and the implementation of prevention measures must be monitored. All cases of slackness must be noted for immediate corrective action.

Handout: Evaluation Form

1. In one word/sentence, the workshop was
2. In one word/sentence, the participants were
3. In one word/sentence, the facilitators were
4. Will you be able to apply what you learned during this workshop in your work?
Definitely not Probably not Not sure Most likely yes Definitely yes
5. Do you think the group will be able to apply what they learned?
Definitely not Probably not Not sure Most likely yes Definitely yes
6. What elements of the workshop were the **most useful**?
7. What elements of the workshop were the **least useful**?
8. Would you feel comfortable facilitating a workshop on gender-based violence, focusing on sexual abuse and exploitation? Why or why not?
9. Additional comments and suggestions are most welcome!