
Terms of Reference for HCT task force on Protection from Sexual Exploitation and Abuse (PSEA) by UN/NGO/INGO Personnel

Background

1. Further to the Resident Coordinator (RC) /Humanitarian Coordinator (HC) presentation to the UNCT on PSEA on 25 of July 2016, it was agreed a Task Force on PSEA be established under the direction of the RC/HC. The HCT Task Force will be the venue for collaboration among humanitarian actors.

Principles

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

Leadership

3. The PSEA Task Force will function under the auspices of the Resident Coordinator (RC) / Humanitarian Coordinator (HC) and report to him/her who will have ultimate oversight of the task force and may delegate consistent control. The PSEA Task Force will be chaired by the IASC Champion on PSEA and Sexual Harassment Agency (rotation for a period of 12 months) and supported by another co-lead from NGOs, and acts as secretariat – UNICEF until 31 May 2019 and UNHCR from 1st June 2019 to 30 May 2020; IRC from now until 30 May 2020 and DRC and UNFPA until May 2021.

Membership

4. Network membership is open to all UN agencies, INGOs, Donors, and NGOs operating in Afghanistan. Each agency/organizations will be represented in the Task Force by one PSEA Focal Point, and preferably an alternate.
5. PSEA focal points: Focal Points coordinate the implementation of PSEA activities within their agency/organization and participate in the Task Force activities. These include, for example, PSEA training, site monitoring, and the establishment and ongoing maintenance of community-based complaint mechanisms for SEA. All PSEA Focal Points must be able to make decisions on behalf of their agencies in an inter-agency forum.

Responsibilities

6. Senior management within each organization is accountable for PSEA, and for ensuring that organizational processes and procedures supporting PSEA are in place, working effectively and are monitored and reviewed¹.
7. The Task Force on PSEA will serve as the primary body for coordination and oversight of activities related to protection from sexual exploitation and abuse by international and national personnel of the UN and NGOs.
8. The Task Force is **NOT** responsible for investigation or adjudication of complaints, or for dealing directly with complainants. These functions rest exclusively with individual entities.

Major tasks

1. Management and Coordination

- Ensure a dedicated PSEA Focal Point is committed from each agency/organization/Donors.
- Hold regular meetings of the PSEA Network (quarterly) and ad hoc meetings may be called as necessary.
- Develop an effective PSEA action plan to be implemented by all actors engaged in the humanitarian response.
- Share information on achievements, best practices and/or effective mechanisms in addressing SEA and make recommendations to relevant entities for action. Develop plans for monitoring implementation of recommended actions.
- Present progress report to the HCT on a quarterly basis and as per the agreed priorities.
- Submit quarterly report to the RC/HCT on reported incidents of SEA and the subsequent action(s) taken.
- A review of the taskforce will take place 6 months after its installation.
- Contribute to the RC/HC annual report of the Secretary-General on Special Measures for Protection from Sexual Exploitation and Sexual Abuse.

2. Prevention & Protection

- Advocating for the rights, protection, and well-being of people, in particular women and children as well as needs of adolescents, for the prevention of and response to sexual exploitation and abuse, as a priority throughout humanitarian programming.
- Engage in outreach with non-member, non-observer organizations as part of ongoing activities.
- Conduct ongoing discussions with affected communities to assess their knowledge of PSEA.
- Map and support existing mechanisms on Accountability to Affected Populations (AAP).
- Collaborating on awareness-raising for the community on their rights, the standards of conduct expected of personnel of the UN and NGOs and the various contacts and entry points where they can lodge complaints/discuss incidents.
- Support regular training of all humanitarian workers on PSEA and complaint procedures. At a minimum, all organizations in Afghanistan should be aware of the PSEA complaint referral

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

system and be able to receive complaints against their staff, regardless of their relationship to the Task Force.

3. Response systems

- Develop *Standard Operating Procedures* for what to do when complaints are received by an entity implicating personnel of another entity, personnel of multiple entities or personnel whose entity is uncertain or unknown, including providing feedback to affected survivors.
- Harmonise procedures for personnel to report incidents of sexual exploitation and abuse and for such reports to be properly referred for investigation and assistance provided to the victims.
- Establish and coordinate the implementation of a survivor assistance mechanism, in collaboration with UNFPA/GBV partners for health assistance, Child Protection sub cluster and UNHCR/Protection cluster on legal aids and safe house where it is needed.