



OCHA

OCHA Standard Operating Procedures on Sexual Misconduct: Protection from Sexual Exploitation and Abuse and Sexual Harassment

Eradicating sexual exploitation and abuse (SEA) and sexual harassment in the workplace is a priority for the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). SEA and sexual harassment both constitute sexual misconduct and have no place in OCHA. It is important to understand that these offences are the result of unequal power relations, abuse of power and, in most cases, gender bias. SEA and sexual harassment compromise trust, weaken humanitarian action and violate United Nations principles and codes of conduct.

This compendium of OCHA standard operating procedures includes:

- **Section 1: Prevention of and response to sexual exploitation and abuse by OCHA personnel**
 - Flow Chart: Management of Allegations of Sexual Exploitation and Abuse by OCHA Personnel
- **Section 2: OCHA support to Humanitarian Coordinators and Humanitarian Country Teams for country-level protection from sexual exploitation and abuse**
- **Section 3: Response to allegations of sexual exploitation and abuse involving implementing partners of Country-Based Pooled Funds**
 - Flow Chart: Management of Allegations of Sexual Exploitation and Abuse by Implementing Partners
- **Section 4: Sexual harassment in the workplace**
 - Flow Chart: Official Sexual Harassment Complaint Submitted to the Under-Secretary-General or OCHA
- **Annexes:**
 - Annex 1: Terms of Reference, PSEA Focal Point
 - Annex 2: Electronic Incident Reporting Form (e-IRF)
 - Annex 3: Standard Administrative Agreement
 - Annex 4: IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019
 - Annex 5: OCHA Cross-Functional Task Force
 - Annex 6: Model Code of Conduct
 - Annex 7: IASC Fund for Investigations into Sexual Exploitation, Abuse and Sexual Harassment

Abbreviations

CBCM	Community-based complaints mechanism	OIOS	Office of Internal Oversight
CBPF	Country-based Pooled Fund	OLA	Office of Legal Affairs
CBPFS	Country-based Pooled Funds Section	PFMB	Pooled Fund Management Branch
CEB	United Nations System Chief Executives Board for Coordination	PII	Personal identifying information
DRS	Donor Relations Section (OCHA)	PSEA	Protection from Sexual Exploitation and Abuse
e-IRF	electronic Incident Report Form	RC/HC	Resident Coordinator/Humanitarian Coordinator
GBV	gender-based violence	SEA	Sexual Exploitation and Abuse
HC	Humanitarian Coordinator	SOP	standard operating procedure
HCT	Humanitarian Country Team	UNDP	United Nations Development Programme
HFU	Humanitarian Financing Unit	UNICEF	United Nations Children's Fund
HoO	Head of Office	UNHCR	United Nations High Commissioner for Refugees
HR	Human Resources		
HFRMD	Humanitarian Financing and Resource Mobilization Division		
IASC	Inter-Agency Standing Committee		
ICCG	Inter-Cluster Coordination Group		
IRO	Incident Receiving Official		
LGBTI	lesbian, gay, bisexual, transgender and intersex		
MDS	Inter-Agency Misconduct Disclosure Scheme		
OAI	Office of Audit and Investigation (United Nations Development Programme)		
OCHA	United Nations Office for the Coordination of Humanitarian Affairs		
OCU	Oversight and Compliance Unit		
OHRM	Office of Human Resources Management		

SECTION 1

Prevention of and response to sexual exploitation and abuse by OCHA personnel

Contents

- 4 Context
- 4 Purpose and scope
- 4 Key definitions
- 6 Guiding principles and minimum standards
- 8 Roles and responsibilities
- 10 Prevention
- 13 Response using a victim-centred approach
- 15 Investigation
- 15 Reporting and tracking allegations of sexual exploitation and abuse
- 15 Providing information and feedback to victims
- 16 Implementing partners
- 16 Engagement with PSEA networks/mechanisms
- 17 Flow Chart: Management of Allegations of Sexual Exploitation and Abuse by OCHA Personnel

Context

1. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) is committed to implementing the United Nations zero-tolerance policy on sexual exploitation and abuse (SEA), in line with the Secretary-General's bulletin on "Special measures for protection from sexual exploitation and sexual abuse" ([ST/SGB/2003/13](#)).
2. In 2017, the Secretary-General outlined a strategy ([A/71/818](#)) to improve the Organization's system-wide approach to preventing and responding to SEA that focuses on four pillars: (a) prioritizing the rights and dignity of victims, (b) ending impunity, (c) engaging with civil society and external partners and (d) improving strategic communication for education and transparency. The objective of the strategy is to strengthen accountability for the prevention of and response to SEA across the United Nations system at all levels. Leaders are accountable for creating an environment that prevents SEA and where complaints can be made confidentially and without retaliation.
3. Sexual exploitation and abuse by OCHA personnel contradicts the principles that underpin humanitarian action and constitutes a fundamental failure by OCHA and the United Nations to fulfill our commitment and obligation to protect the people we serve. Furthermore, protection from sexual exploitation and abuse (PSEA) is an essential element of the Inter-Agency Standing Committee (IASC) commitment on the centrality of protection.

Purpose and scope¹

4. These standard operating procedures (SOPs) have been developed to facilitate clear and decisive action to prevent SEA, to mitigate risks and to respond effectively.
5. These SOPs are applicable to all OCHA operations at the headquarters, regional and country level. They are applicable to all OCHA staff and non-staff personnel, as defined in this document. SOPs related to allegations of SEA by implementing partners are discussed in section 3 of this document.

Key definitions

6. **Alleged Perpetrator(s):** A person(s) against whom there is an allegation of SEA who, at the time, has not been proven guilty.
7. **Confidentiality:** The disclosure of certain information is restricted. Sensitive information may be classified as "confidential" or "strictly confidential". The designation "**confidential**" shall apply to information or material whose unauthorized disclosure could reasonably be expected to cause damage to the work of the United Nations. The designation "**strictly confidential**" shall apply to information or material whose unauthorized disclosure could reasonably be expected to cause exceptionally grave damage to or impede the conduct of the work of the United Nations.²
8. **Complainant/declarant:** A person who brings an allegation or complaint of SEA to the attention of the United Nations in accordance with established procedures. This person may be a victim of SEA, a person acting on their behalf, or another person who is aware of the wrongdoing.
9. **Gender-based violence (GBV):** An umbrella term for violence directed towards or disproportionately affecting someone because of their actual or perceived gender identity. The term "gender-based violence" is primarily used to underscore structural, gender-based power differentials that put women and girls at risk for multiple forms of violence. These include acts that inflict physical, sexual or mental harm or suffering; threats of such acts; coercion; and deprivation of liberty, whether occurring in public or in private life. While women and girls

¹ This SOP should not create any rights or obligations beyond what is contained in the relevant Staff Regulations and Rules of the United Nations, Secretary-General bulletins (ST/SGBs) and administrative instructions (ST/AIs). Should there be any inconsistency between this SOP and the Staff Regulations and Rules and other administrative issuances, the duly promulgated issuances should prevail.

² See the Secretary-General's bulletin on "Information sensitivity, classification and handling" (ST/SGB/2007/6) <https://undocs.org/en/ST/SGB/2007/6>.

suffer disproportionately from GBV, men and boys can also be targeted. The term is also used by some actors to describe violence targeted towards lesbian, gay, bisexual, transgender and intersex (LGBTI) people where such violence relates to norms of masculinity/femininity and/or gender.

10. **Implementing partner:** A non-United Nations entity responsible and accountable for ensuring proper use of resources provided by OCHA pursuant to an agreement. Implementing partners may include – but are not limited to – Government institutions, inter-governmental organizations, non-governmental organizations and civil society organizations.³
11. **Incident Receiving Official (IRO):** IROs are designated and authorized to serve as focal points for receiving reports on cases of SEA. Their role includes the responsibility to receive and record complaints related to sensitive information. As such, a designated IRO must have the necessary competence, background and experience to gather sensitive information through statements from/interviews with victims, witnesses and/or persons wishing to report acts of SEA.⁴
12. OCHA IROs are appointed by the Executive Office and limited to Heads of Office (HoO), Deputies and designated staff who have permission to enter the secure, password-protected, web-based electronic Incident Report Form (e-IRF) system after completing the necessary training. The mandatory e-IRF system is hosted on United Nations servers to ensure consistency in reporting allegations of SEA across the United Nations, regardless of the affiliation of the alleged perpetrator.⁵
13. **Misconduct/unsatisfactory conduct:** Failure of a United Nations staff member to comply with their obligations under the Charter of the United Nations, the Staff Regulations and Rules of the United Nations or other administrative standards or to observe the standards of conduct expected of an international civil servant may constitute misconduct. SEA constitutes serious misconduct, resulting in the initiation of a disciplinary process and the imposition of disciplinary measures.
14. **Non-staff personnel:** Anyone with a contractual relationship with OCHA, including individual contractors, consultants, seconded staff, standby partners, volunteers, gratis personnel and national staff on United Nations Development Programme contracts. Non-staff personnel must comply with confidentiality measures and the “do no harm” approach.
15. **Perpetrator(s):** A person (or group of persons) who commits an act of SEA or other type of crime or offence.
16. **Sexual abuse:** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a person under the age of 18 – a child – is considered sexual abuse. Sexual abuse includes rape, sexual assault, sex with a child and sexual activity with a child.
17. **Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes including, but not limited to, transactional sex or profiting monetarily, socially or politically from the sexual exploitation of another.
18. **Sexual exploitation and abuse (SEA):** Breaches of the provisions of the Secretary-General’s bulletin ST/SGB/2003/13, or the same definitions as those adopted for military, police and other United Nations personnel.
19. **Subject (of an investigation):** A person or entity who/that is the focus of an investigation or has been implicated in unsatisfactory conduct/misconduct.

³ This includes all related personnel of implementing partners, such as sub-contractors, consultants, interns or volunteers working with or on behalf of an implementing partner. See United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners.

⁴ See e-IRF SOP (January 2021), #26, pp. 7-8. Depending on the number of competent United Nations personnel present at a duty station, at least two IROs should be designated per location. For example, if there are remote locations within a duty station where United Nations personnel operate, at least two United Nations individuals should be designated as IROs to enable complaints against the United Nations to be made. These IROs would be authorized to take complaints on behalf of any United Nations entity.

⁵ See e-IRF SOP dated 18 January 2021, #4, p. 3.

20. **Victim/Survivor:** A person who is, or has been, sexually exploited or abused. “Victim” is a term often used in the legal and medical sectors, while the term “survivor” is generally preferred in the psychological and social support sectors to refer a person who has experienced sexual or gender-based violence.
21. **Whistleblower:** In general, any United Nations staff or non-staff personnel who reports sexual exploitation or abuse, sexual harassment or other misconduct. In the context of the policy for protection against retaliation, in defined circumstances, a staff member, intern or United Nations Volunteer who reports misconduct, including sexual exploitation or abuse, may be entitled to protection under the terms of the Secretary-General’s bulletin on “Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations” (ST/SGB/2017/2/Rev.1).
22. **Zero-tolerance policy:** The United Nations policy establishing that SEA by United Nations personnel and implementing partners is prohibited and that every transgression will be investigated and subject to disciplinary or administrative action, as warranted.
23. For additional terms, see the [UN Glossary on Sexual Exploitation and Abuse](#) (2017).

Guiding principles and minimum standards

24. These SOPs are guided by the [Staff Regulations and Rules of the United Nations](#), the Secretary-General’s bulletin ST/SGB/2003/13, the Secretary-General’s 2017 strategy A/71/818 and related guidance, including the [United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse](#) and the United Nations Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners (IP Protocol).
25. OCHA-wide implementation on PSEA is informed by the IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019 and the [Minimum Operating Standards on Protection from Sexual Exploitation and Abuse](#) by Own Personnel, 2012.
26. OCHA staff and non-staff personnel shall adhere to the following guiding principles.

Victim/Survivor-Centered Approach

27. While recognizing that United Nations personnel have a duty to report concerns or suspicions regarding sexual abuse or exploitation, SEA must be prevented and responded to in a manner that balances due process with a victim/survivor-centred approach. All actions taken shall be guided by respect for the rights and dignity of the victim/survivor. This includes taking all possible steps to ensure their physical security when necessary and possible. Qualified and designated protection or GBV partners from in-country GBV referral mechanisms should develop a security/protection plan based on a risk assessment of each individual victim. The psychosocial well-being of the complainant, who may be stigmatized or ostracized by their family and communities owing to cultural attitudes and beliefs, must also be considered.
28. **Informed consent** is an integral pillar of a victim/survivor-centred approach. Those designated to interact with victims must establish a comfortable, respectful, culturally sensitive and empowering environment for the victim (or complainant, if different from victim). Informed consent signifies voluntary approval for information to be used as explained by the IRO. Consent is often given with limitations. Therefore, when counselling on consent, the IRO should specify whether all data and information provided, including the identity of the victim, can be used or whether the information can be used on condition that the identity of the victim is kept confidential. The victim/complainant may deem some parts of their reporting to be confidential. This should be recorded by the IRO.
29. To give informed consent, the victim must have all relevant facts at the time consent is given and have a clear understanding of the implications and future consequences of an action. They must also be informed of and empowered to exercise their right to refuse to engage in an action and to not be coerced. Children’s informed consent should take into consideration their evolving capacities. In the case of a child, informed consent requires the informed consent of the child and of their parent or legal guardian, where appropriate. Persons with disabilities may need specific support based on the nature of their impairment, whether it be physical, intellectual or mental, to give consent. Even if informed consent is granted, the IRO has an obligation to assess

the potential implications of the use of information for the safety of the victim and others involved, and to minimize any additional risk.

30. In addition to respect for informed consent, due consideration must be given to the best interests of the child, which involves an ongoing assessment as to what would best protect a child's physical, psychological and emotional safety, security and well-being. This applies to decisions that affect the child as an individual, as a member of a specific group and in general.
31. IROs are encouraged to consult with the relevant United Nations investigative body in situations where a parent or guardian may be involved in the misconduct and where the case involves a person with disabilities or a minor to ensure that proper consent was given, as this may be difficult to ascertain.
32. Note: The victim/complainant has complete control over their personally identifying information (PII)⁶, including whether the United Nations can share it. If the victim/complainant does not consent to share their PII, such information shall be kept strictly confidential and must not be shared with third parties outside the United Nations. The IRO shall also inform the victim/complainant that, should they request that their PII not be shared within the United Nations, they may decide not to proceed with the interview. If the complainant is not the victim, the IRO will seek to ascertain whether the victim agrees that their PII can be shared with bodies within the United Nations on a need-to-know basis. Even if the victim/complainant provides informed consent to share their PII, the United Nations Secretariat entity or United Nations agency, fund or programme will only do so upon determining that sharing the information does not present a risk of harm to the safety and security of any individual. While the victim/complainant has control over whether their PII is shared, the allegation may still be reported and investigated.

Confidentiality and “do no harm” approach

33. All SEA-related information shall be kept confidential. It is important to ensure that no harm, including potential physical, mental and emotional harm, comes to the victim/survivor through information-sharing. Information should be provided to authorized officials only as detailed in this SOP. (See Flow Chart: Management of Allegations of Sexual Exploitation and Abuse by OCHA Personnel, page 17, and **Receiving complaints**, page 13.)
34. Sensitive data should be transferred in a manner that renders it accessible only to those with the required authorization, in line with relevant guidance. Sensitive data should only be transferred through secure file transfer services. In cases where sensitive data is transferred to OCHA through insecure means, staff should notify the sender and reiterate the requirements for secure data transfers in the future.
35. All initial reports of an incident must be submitted via the e-IRF system. Any additional information related to an SEA case should be transferred through the United Nations OneDrive for Business platform. At no point should the completed e-IRF (original or copy) be shared with a party outside the United Nations system.
36. Data that is classified as confidential or strictly confidential must be stored in a manner that is compliant with relevant standards, including the Secretary-General's bulletins on “Use of information and communication technology resources and data” (ST/SGB/2004/15) and on “Information sensitivity, classification and handling” (ST/SGB/2007/06). Stored data, including documents and material related to SEA allegations, should only be accessible to authorized persons and must be stored safely to prevent accidental disclosure. Options for secure data storage include locked filing cabinets; digital storage on a secure server, computer or laptop; and official cloud storage. Where electronic records are kept, all computers used for data storage should be password-protected. OneDrive is the secure cloud-based data storage tool that should be used in this case.⁷

⁶ In general, personal identification information (PII) is defined as information that directly identifies an individual (e.g., in this form: full name, date of birth, address, telephone number, e-mail or other means of contact, visible identifying marks/tattoos) , <https://gdpr.eu/article-4-definitions/>

⁷ OCHA Data Responsibility Guidelines (pp. 27-30 and pp. 33-35), <https://centre.humdata.org/introducing-the-working-draft-of-the-ocha-data-responsibility-guidelines/>.

Coordination

37. Effective coordination is fundamental to operationalizing these SOPs. All OCHA staff members shall cooperate and assist each other to prevent and respond to SEA and adhere to these SOPs.
38. The OCHA Cross-Functional Task Force has been established to coordinate the whole-of-OCHA approach to PSEA. (See annex 4 for further information.)
39. A harmonized inter-agency approach to PSEA including collective efforts among humanitarian agencies in the field is critical. OCHA field offices shall participate in inter-agency PSEA networks, GBV networks and referral pathways, child protection networks and referral pathways, and community-based complaint mechanisms (CBCMs) where operational or coordinate with key stakeholders to establish one. (See section 2 of this document.)

Mandatory Reporting

40. In line with the Secretary-General's bulletin [ST/SGB/2003/13](#) and the [IASC Six Core Principles Relating to Sexual Exploitation and Abuse](#), 2019, the United Nations implements a zero-tolerance policy with regard to SEA. OCHA staff, non-staff personnel and implementing partners are obliged to report immediately all allegations, concerns or suspicions of SEA by humanitarian workers via established reporting mechanisms.
41. Personnel who in good faith report allegations of SEA should be informed of the measures for protection against retaliation under the Secretary-General's bulletin [ST/SGB/2017/2/Rev.1](#). It should be noted that knowingly and willfully reporting false or malicious information may lead to disciplinary action.
42. The national and local governments where a humanitarian response is located may also have regulations on mandatory reporting related to SEA.
43. Reporting mechanisms for OCHA staff are outlined under Receiving complaints, page 13.

Special Considerations regarding Children

44. Children (any person under 18 years of age) are particularly vulnerable to SEA. As a primary consideration, a determination of the best interests of the child involves an ongoing assessment as to what would best protect a child's physical, psychological and emotional safety, security and well-being, keeping in mind their age, developmental needs or other factors that could place a child at additional risk or cause trauma.⁸ In cases involving children, the United Nations Children's Fund (UNICEF) or other designated child-protection lead agencies should be consulted, including the United Nations High Commissioner for Refugees (UNHCR) when working with refugee and/or stateless children, and the provision of assistance should be implemented in coordination with the Child Protection Sub-Cluster. Those who are trained to address the special needs of child victims of sexual abuse and who are familiar with local procedures relating to the protection of children should also be consulted. Processes should follow child-protection procedures compliant with the United Nations Approach to Justice for Children.

Roles and responsibilities

45. The Secretary-General's bulletin [ST/SGB/2003/13](#) requires all United Nations workers, including all OCHA staff and non-staff personnel, to take responsibility for adhering to and maintaining systems to prevent and respond to SEA. Managers at all levels shall support and develop these systems.
46. PSEA responsibilities within OCHA are listed below.

Emergency Relief Coordinator and the Under-Secretary General for Humanitarian Affairs

47. The overall accountability for PSEA within OCHA rests with the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

⁸ UNICEF, 'Violence against Children', <https://www.unicef.org/protection/violence-against-children>.

48. As the Chair of the IASC, the Emergency Relief Coordinator (ERC) is responsible for the implementation of the [IASC PSEA Strategy](#) and for encouraging progress outlined in the IASC Plan for Accelerating Protection from Sexual Exploitation and Abuse in Humanitarian Response at the Country-Level, 2018.

OCHA Head of Office / Field-level PSEA Focal Point

49. The OCHA Head of Office has oversight responsibility for the prevention of and response to SEA in the country and regional office and serves as the field-level PSEA Focal Point. For additional support and to ensure that responsibilities and activities are covered in their absence, the HoO shall designate an Alternate PSEA Focal Point, with due regard to gender parity. The HoO may appoint additional focal points in sub-offices, if needed.
50. The PSEA Focal Point is responsible for the prevention of and response to SEA in the office and field operations under their leadership. This includes, but is not limited to, ensuring adherence to the guiding principles and minimum standards, conducting awareness-raising and capacity-building activities for OCHA staff, providing strategic and technical advice, representing OCHA in inter-agency PSEA networks and inter-agency CBCMs, and being the first point of contact for incoming SEA complaints relating to OCHA staff, non-staff personnel and implementing partners. In addition, the OCHA HoO as the PSEA Focal Point is also responsible for supporting the Humanitarian Coordinator in fulfilling system-wide commitments. The terms of reference for the PSEA Focal Point are included in annex 1 of this document.

Executive Officer

51. The Executive Officer is the global risk manager for SEA. The Executive Officer is responsible for referring SEA complaints to the Investigative Division of the Office for Internal Oversight Services (OIOS), as well as entering reported cases in the [iReport SEA Tracker](#), which provides information under the Secretary-General's mandatory reporting requirement.
52. In line with the IP Protocol, the Executive Officer is responsible for ensuring that all contractual arrangements with non-United Nations entities (including implementing partners, service providers, contractors and consultants) reflect PSEA commitments and standards, and that written confirmation of compliance has been received from such entities.
53. The Executive Officer also oversees staff development and learning, tracks compliance with mandatory training and related [Leadership Dialogues](#), and supports prevention by promoting integration of PSEA in OCHA training activities (e.g. the foundational Humanitarian Coordination course, OCHA HoO inductions, the Global Management Retreat).

Senior Coordinator for PSEA and Sexual Harassment

54. The OCHA Senior Coordinator for Protection from Sexual Exploitation and Abuse and Sexual Harassment serves as the global focal point for PSEA and chairs the OCHA Investigations Fund Grant Committee on behalf of the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. As Chair of the OCHA Cross-Functional Task Force on PSEA, the Senior Coordinator monitors compliance and implementation of organizational commitments and coordinates a whole-of-OCHA approach to SEA prevention, protection and response. The Senior Coordinator and the Cross-Functional Task Force make available appropriate guidance and training to OCHA PSEA Focal Points. The Senior Coordinator also coordinates input and supports the Executive Office lead on submitting the annual OCHA Plan of Action to the Secretary-General. The Senior Coordinator can be directly contacted for queries and advice at ocha.psea@un.org.

Operations and Advocacy Division

55. The Operations and Advocacy Division is responsible for overseeing HoO implementation of OCHA roles as detailed in this document; supporting field implementation of IASC guidance on PSEA through the Humanitarian Coordinator and Humanitarian Country Teams (HCTs); supporting implementation of the IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse by Own Personnel, 2012 at country level; and guiding OCHA field support to the Humanitarian Coordinator, HCTs and in-country PSEA networks.

Coordination Division

56. The Director of the Coordination Division is responsible for ensuring that PSEA strategies and programmes are reflected in all Humanitarian Response Plans.

Humanitarian Financing and Resource Mobilization Division (HFRMD)

57. The Director of the Humanitarian Financing and Resource Mobilization Division (HFRMD) is responsible for promoting victim support and SEA projects through OCHA pooled-fund mechanisms and implementing appropriate safeguards regarding recipients of pooled funds.
58. The Pooled Fund Management Branch of HFRMD supports Humanitarian Funding Units to conduct due diligence and capacity assessment of implementing partners eligible to receive funding from the Country-Based Pooled Funds (CBPFs), in line with the IP Protocol. HFRMD is responsible for verifying that (a) all contractual arrangements with implementing partners of CBPFs at the field level reflect relevant SEA commitments and protocols, (b) in line with the IP Protocol, implementing partners are informed of SEA prevention and reporting commitments and standards and (c) implementing partners provide written confirmation of compliance.
59. In consultation with the Executive Officer and the Senior Coordinator for PSEA and Sexual Harassment, HFRMD responds to OCHA donors on PSEA-related queries subject to and in accordance with United Nations regulations, rules, policies and procedures and the respective donor agreements.

All OCHA staff and related personnel

60. All OCHA staff and non-staff personnel are responsible for:
- Completing the mandatory training on PSEA in Inspira⁹;
 - Adhering to the SOPs outlined in this document;
 - Reporting SEA when they witness it or have a good faith suspicion or concern, in line with the principle of mandatory reporting;
 - Complying with the provisions of the Secretary-General's bulletin on "Special measures for protection from sexual exploitation and abuse" ([ST/SGB/2003/13](#)); and
 - Conducting themselves in a manner consistent with the IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019.
61. All OCHA staff members should access the OCHA PSEA Sharepoint for PSEA resources.

Prevention

62. OCHA's prevention activities can be categorized in four areas: (a) engagement with local communities, (b) PSEA capacity-building of staff and non-staff personnel, (c) ensuring adequate safeguards when engaging with implementing partners and (d) vetting and reference-checking job applicants to prevent transgressors moving within the system.

Engagement with local communities

63. OCHA field offices should raise awareness of the rights of affected populations, emphasizing that humanitarian assistance is never conditional on sexual favours. They should highlight the expected and appropriate behaviour of personnel and communicate how complaints can be submitted in the OCHA area of operation. Awareness-raising by all actors in a PSEA network should be encouraged.

⁹ Training modules 'Prevention of Sexual Exploitation and Abuse by UN Personnel' (LMS-2398) and 'Prevention of Sexual Exploitation and Abuse by UN Personnel: Managers and Commanders' (LMS-2399).

64. The identity and contact details of the PSEA Focal Point, Alternate PSEA Focal Point or other designated PSEA focal points should be made known throughout the OCHA area of operations, and any updates should be reported to the Senior Coordinator for PSEA and Sexual Harassment at ocha.psea@un.org.
65. PSEA activities implemented within communities should be assessed regularly for effectiveness and appropriateness. This can be done collectively by all actors in a PSEA network.

PSEA awareness-raising and training of staff and related personnel

66. All staff should log onto Inspira and complete the training module '[Prevention of Sexual Exploitation and Abuse by UN Personnel](#)' (LMS-2398). Managers should complete the training module 'Prevention of Sexual Exploitation and Abuse by UN Personnel: Managers and Commanders' (LMS-2399). All new staff and managers are expected to complete the training as a priority and within the first month of employment. Managers have a responsibility to reinforce PSEA awareness-raising through refresher sessions held on an annual basis. All OCHA implemented training (including induction, refreshers, etc.) should integrate PSEA, as appropriate.
67. All staff should familiarize themselves with the Secretary-General's bulletin [ST/SGB/2003/13](#) and the IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019.
68. Awareness-raising materials on PSEA should be context-specific, use language that is easily understood, and be available in accessible formats. An [online SEA product repository](#) includes posters, banners, videos and other material that can be tailored to the local context and needs.

Ensuring adequate safeguards when engaging with implementing partners

69. OCHA adheres to the provisions of the IP Protocol. The protocol stipulates that OCHA shall take into consideration the capacity of implementing partners to prevent and respond to SEA when determining their eligibility and managing associated risks. As such, OCHA assesses the PSEA capacities and code of conduct of a prospective implementing partner during the screening process to determine eligibility and risk level. OCHA then determines the risk management modalities that apply to projects (funding ceiling, schedule of disbursements and frequency of monitoring conducted by OCHA).
70. Furthermore, when entering into grant agreements with eligible partners, OCHA requires that they acknowledge and agree to the United Nations zero-tolerance policy towards abuse and misconduct, including SEA. Partners are required to communicate to their personnel and sub-contractors and to take all reasonable measures to prevent abuse and misconduct and to comply with the United Nations Standards of Conduct. Failure of an implementing partner to take effective measures to prevent such abuse or other misconduct, or failure to investigate allegations of the same and to take disciplinary and corrective actions when misconduct is found to have occurred, will constitute grounds for termination of the agreement with OCHA.

Vetting and reference-checking applicants

71. OCHA has a zero-tolerance recruitment policy. Those who have committed violations of international human rights or humanitarian law; acts of sexual exploitation, sexual abuse or sexual harassment; or on the basis of reasonable grounds are believed to have been involved in the commission of any of these acts will not be considered for employment.
72. OCHA participates in UN ClearCheck, a system-wide centralized screening database, in order to ensure that former United Nations staff members or non-staff personnel who have been dismissed as a result of substantiated allegations of SEA or sexual harassment, or who have resigned during a pending SEA investigation, are not re-employed within the United Nations system.
73. In order to extend such checks against offenders across all humanitarian agencies, in line with administrative instruction ST/AI/2017/1, section 10.2, OCHA will provide information about any ongoing investigation and/or disciplinary processes concerning a staff member to a non-United Nations system entity or prospective employer of a staff member upon the request of such entity or prospective employer, provided that written consent of the staff member to the disclosure of such information has been obtained by the entity or prospective employer and a copy of such consent provided to OCHA.

74. If a candidate was previously employed by an organization that is a member of the Inter-Agency Misconduct Disclosure Scheme (MDS), OCHA may consult the MDS registry and contact the relevant focal point to request a reference.¹⁰
75. All OCHA contracts for consultants and individual contractors/affiliated personnel include general conditions indicating that the contractor must comply with the standards of conduct contained in the Secretary-General's bulletin ST/SGB/2013/13 and the IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019. All consultants/individual contractors should sign the United Nations Code of Conduct. Staff members are required to acknowledge in writing, upon entry into service, contract renewal and reassignment, and annually, their knowledge and understanding of the United Nations standards of conduct, in particular regarding SEA, and the consequences for non-compliance.

¹⁰ More information on the MDS is available at schr.info/the-misconduct-disclosure-scheme.

Response using a victim-centred approach

76. Response to complaints of SEA should follow the guidance below on (a) receiving complaints, (b) referring complaints, and (c) respecting confidentiality.

Receiving complaints

77. Complaints may originate from the victim, the in-country CBCM or any witness, including OCHA personnel, who have a duty to report any allegation of SEA of which they are aware. The victim or witness who brings forward the complaint is referred to as “the complainant”.
78. If an OCHA staff member witnesses or suspects that they have witnessed SEA, they should report directly to OIOS. In a United Nations mission setting, the report should also be made to the Conduct and Discipline Team. In addition, staff may also confidentially reach out to the Executive Officer of OCHA.
79. OCHA PSEA Focal Points can also receive complaints directly from victims or witnesses in line with the guiding principles listed in this document. The contact details of OCHA PSEA Focal Points should be easily accessible in the area of operations.
80. Assisting and protecting the victim must be prioritized during the intake process. The victim is under no obligation to answer every question and can choose to stop at any time.
81. In special circumstances, for example if the complaint cannot be recorded in good faith by the OCHA PSEA Focal Point for fear of retaliation or owing to a conflict of interest, the complaint can be recorded by the Alternate PSEA Focal Point, the Senior Coordinator, the Executive Officer, OIOS and in mission settings, a Conduct and Discipline Officer or the Field Victims’ Rights Advocate at the duty station.
82. **e-IRF:** The OCHA IRO (PSEA Focal Point/HoO/Alternate or other designated PSEA Focal Point) shall complete the password-protected, web-based electronic e-IRF to record the initial SEA complaint, which will be submitted electronically to the Clearing Officer (for OCHA, the Executive Officer) for review. Subsequent to the review, the complaint will be forwarded to OIOS, or the IRO will be asked for clarifications and/or additional information. (The e-IRF is included in annex 2 of this document.) If an OCHA PSEA Focal Point needs to clarify any aspect related to the e-IRF, they can seek advice and guidance from the Executive Officer or OIOS or the OCHA Senior Coordinator for PSEA.
83. **Implementing partner:** If a complaint regarding staff, non-staff personnel or personnel of an implementing partner is reported directly to OCHA, the OCHA IRO (PSEA Focal Point/HoO/Alternate or other designated PSEA Focal Point) shall use the e-IRF, where available. The e-IRF or other report should not be filled out by the victim, their legal guardian or a person making a complaint on behalf of the victim, nor should the e-IRF be shared with anyone outside the United Nations system.
84. If the complaint is made through the complaint channels of the implementing partner or the CBCM, the implementing partner or other actors in the CBCM may use their own intake form. It is the responsibility of the implementing partner to inform OCHA of the allegation; this responsibility shall be explicitly reflected in the cooperative agreement with the implementing partner. (See section 3 of this document.)

Referring complaints

85. A mapping of in-country assistance should be available from the inter-agency PSEA Coordinator, the Senior Victims’ Rights Officer or the relevant GBV and Child Protection networks and cluster/sub-clusters.¹¹
86. **Referral for immediate victim-assistance services:** All victims of SEA should receive a needs assessment as soon as possible. At the time of intake, an assessment of the victim’s health, security and psychosocial, economic and legal needs should be conducted by a trained protection expert in order to make a referral to the relevant victim-assistance, GBV or protection services. The PSEA Focal Point is responsible for ensuring that the victim receives the appropriate referrals to services and that services are provided in collaboration

¹¹ If not available, the OCHA PSEA Focal Point should ensure this mapping is compiled and available.

with in-country PSEA networks, the Protection Cluster, the GBV Sub-Cluster and the Child Protection Sub-Cluster.

87. Where the complainant is not the victim, for example, if a witness is reporting SEA committed against a beneficiary or if a victim sends a representative on their behalf due to fear of retaliation, the PSEA Focal Point has oversight responsibility. This responsibility includes ensuring that the appropriate victim-support services are discretely and safely contacted and that a holistic needs assessment is undertaken in a timely matter, subject to the victim's wishes and safety.
88. All OCHA PSEA Focal Points should be familiar with General Assembly resolution 62/214 and the [UN Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse](#).¹² The protocol elaborates a common set of norms and standards based on existing frameworks to guide a coordinated, system-wide approach to the provision of assistance and support that prioritizes the rights and dignity of victims, regardless of the affiliation of the alleged perpetrator.
89. **Immediate transmittal:** The IRO shall immediately, without delay, submit the e-IRF to the OCHA Executive Officer (Clearing Officer), informing ocha.psea@un.org. In case of allegations involving personnel of a CBPF implementing partner, the Chief of the CBPF Section and the Oversight and Compliance Unit of the CBPF Section should be informed.
90. In addition to the above, the IRO shall immediately share information about the allegation with the Resident /Humanitarian Coordinator. Such information should not include any PII¹³, nor should it include the e-IRF. Finally, the IRO should follow the procedures in the in-country CBCM in terms of sharing information regarding SEA allegations with the in-country PSEA network.
91. For applicable procedures regarding allegations involving personnel of a CBPF implementing partner, see section 3 of this document.
92. **Referral for investigation:** The Executive Officer (Clearing Officer) shall submit the report (e-IRF) to OIOS immediately upon receipt from the IRO.
93. All allegations must be reported to OIOS, including allegations involving implementing partners, regardless of the amount of information known or received.
94. The Executive Officer shall confirm in writing to the Under-Secretary-General for Humanitarian Affairs and the OCHA Senior Coordinator for PSEA and Sexual Harassment (and, if an implementing partner is concerned, the Chief of the CBPF Section) that an SEA allegation has been submitted to OIOS.
95. **Information-sharing with other entities regarding implementing partners:** Where an OCHA implementing partner is implicated, the IRO may share non-identifiable information of the allegation, in good faith, with other entities if there are inter-agency SOPs in place to facilitate such information exchange. However, the e-IRF should not be shared.
96. **Donor reporting:** OCHA shall keep its donors informed on PSEA issues in a timely manner. A streamlined United Nations system-wide response to donor queries and reporting requirements has been agreed under the auspices of the Office of the United Nations Special Coordinator on improving United Nations response to SEA (via a [Standard Administrative Agreement and Memorandum of Understanding](#)). The following standard language shall be used for OCHA donor agreements: “[Donor] will be promptly notified of allegations of Sexual Exploitation and/or Sexual Abuse received/under investigation by the OCHA, as well as of any allegations credible enough to warrant an investigation received from OCHA’s implementing partners, through the Secretary-General’s reporting mechanism on Sexual Exploitation and Sexual Abuse (the “Report”)¹⁴ without prejudice to the status of OCHA.

¹² See OCHA PSEA Sharepoint.

¹³ PII is information that directly identifies an individual (e.g. full name, date of birth, address, telephone number, e-mail or other means of contact, visible identifying marks/tattoos).

¹⁴ The level of detail of information included in the Report at different stages of the investigation process is available at www.un.org/preventing-sexual-exploitation-and-abuse/content/data-allegations-un-system-wide. Information is published in real time and in monthly reports.

97. See annex 3 of this document for more information on the Standard Administrative Agreement and Memorandum of Understanding related to SEA.

Confidentially

98. Any allegation of SEA is strictly confidential and classified information. Disclosure shall be restricted to a minimum number of persons, based on their need to know due to their responsibilities, including as it pertains to conduct and discipline functions.
99. OCHA staff shall not disclose any confidential information obtained as a result of their service with OCHA. This obligation continues after separation from service.¹⁵
100. Staff shall refrain from making public statements on the substance of a case or any proceedings.
101. Unauthorized disclosure of confidential information may constitute misconduct.
102. All file management and correspondence related to SEA allegations must comply with United Nations regulations on the handling of sensitive and confidential data and OCHA Data Responsibility Guidelines.¹⁶ Where physical records are kept, documents must be stored safely to prevent accidental disclosure. Where electronic records are kept, all computers used for data storage should be password-protected.

Investigation

103. OCHA, as part of the United Nations Secretariat, falls under the mandate of OIOS.
104. The Investigations Division of OIOS reviews all reports of possible wrongdoing it receives to determine whether a report merits investigation. The Investigations Division has discretionary authority to decide which matters to investigate and, where suitable, may also decide to refer a report to another entity for appropriate action, including investigation. An OIOS investigation is defined as an administrative fact-finding activity, which means collecting evidence to either support or refute the reported violations.
105. After the investigation, OIOS submits an investigation report to the Under-Secretary-General for Humanitarian Affairs or to the Department of Management with a copy to the Under-Secretary-General.
106. If investigative findings reveal possible criminal conduct, the matter must be referred to the United Nations Office of Legal Affairs for consideration of a possible referral to national authorities for purposes of criminal accountability.
107. If an allegation involves personnel of a CBPF implementing partner, the implementing partner is responsible for initiating its own investigation into the allegation. For more information on procedures for allegations involving personnel of a CBPF implementing partner, see section 3 of this document.

Reporting and tracking allegations of sexual exploitation and abuse

108. As part of the United Nations Secretariat, OCHA is required to report all allegations in real time to the Secretary-General using the iReport SEA Tracker. The tracker provides consolidated data on allegations and substantiated cases of SEA in real time on www.un.org/preventing-sexual-exploitation-and-abuse. Data are also published in the quarterly updates of the Secretary-General.

¹⁵ Staff Regulations of the United Nations.

¹⁶ See the Secretary-General's bulletin on "Information sensitivity, classification and handling" (ST/SGB/2007/6) and the working draft OCHA Data Responsibility Guidelines: <https://centre.humdata.org/introducing-the-working-draft-of-the-ocha-data-responsibility-guidelines/>

Providing information and feedback to victims

109. A victim of SEA should receive feedback on their report or on any report made on their behalf. Timely response and feedback is essential to building and maintaining trust and respecting the rights and dignity of victims. The victim can be advised to reach out to the OIOS investigator directly to obtain an update.

Implementing partners

110. OCHA shall comply with the IP Protocol. All staff members who work with or support processes related to implementing partners should be familiar with this protocol.¹⁷ All PSEA Focal Points should review the IP Protocol in full.

111. In line with the UN IP Protocol, relevant OCHA personnel shall:

- Assess the PSEA capacities and code of conduct of the prospective implementing partner during screening to determine eligibility and SEA risk levels, which in turns determines the funding ceiling, schedule of disbursements and frequency of monitoring conducted by OCHA.
- Use the 2019 Grant Agreement Template, which reflects the requirements of the IP Protocol, including informing implementing partners that they are expected to abide by the standards of conduct in ST/SGB/2003/13 and that inaction on PSEA may be grounds for termination of the grant agreement.
- PSEA monitoring should be included in CBPF monitoring activities in line with the CBPF project-monitoring toolkit, which covers monitoring conducted by OCHA as well as by third-party providers.

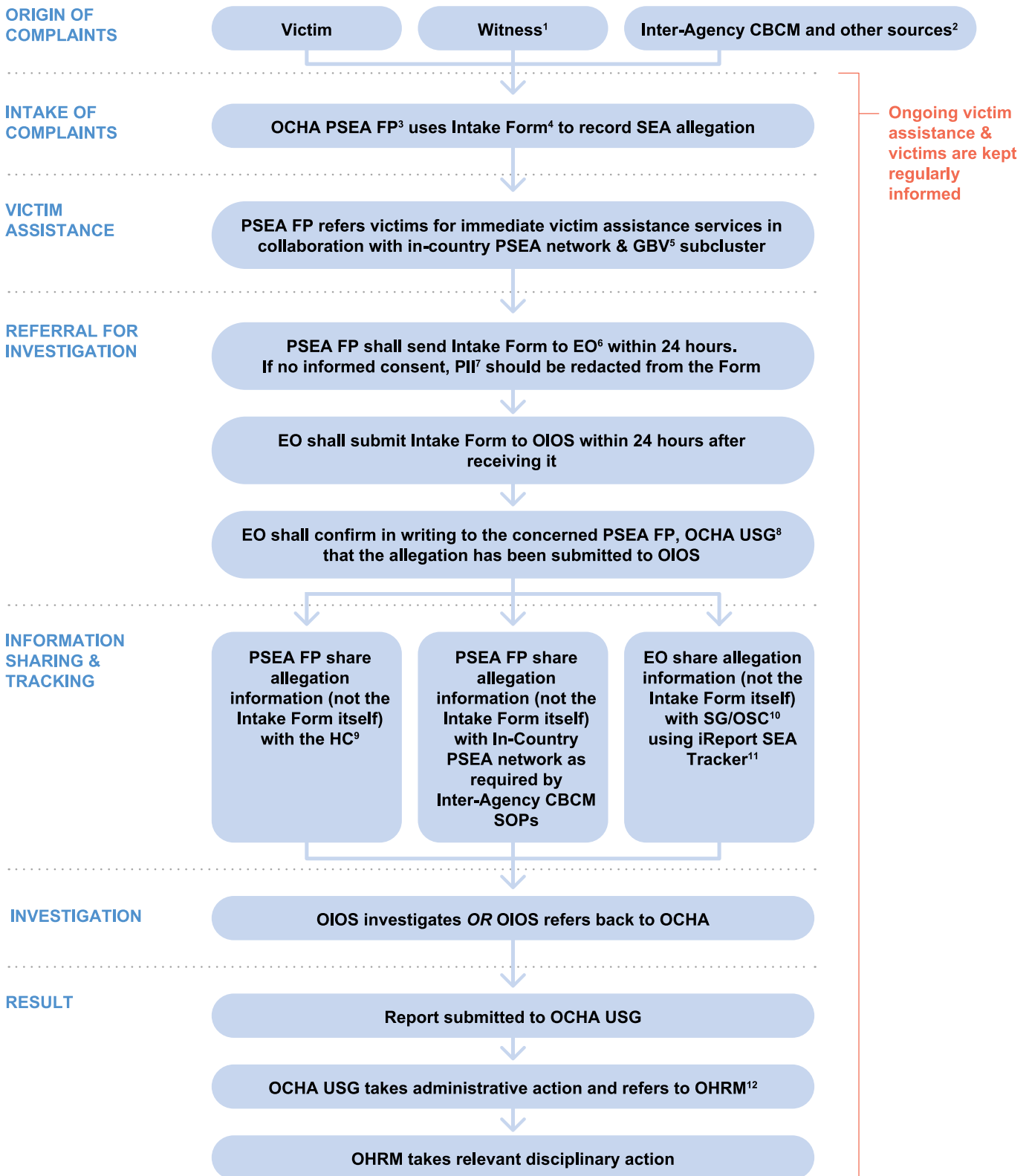
Engagement with inter-agency PSEA networks/mechanisms

112. Effective response to SEA requires inter-agency coordination and collective action.

113. OCHA field offices shall participate in inter-agency PSEA networks and CBCMs. If there is no CBCM, OCHA field offices shall coordinate with all relevant actors in the PSEA network to establish a CBCM and ensure that information-sharing protocols are in place to handle sensitive and confidential information.

¹⁷ Note: OCHA will review the *Global Guidelines for CBPFs* and related tools, which will further mainstream PSEA and IP Protocol requirements into the policy and practice of CBPF operations.

Flow Chart: Management of Allegations of Sexual Exploitation and Abuse by OCHA Personnel



1 OCHA staff, affiliated personnel, and IP are obliged to report immediately all concerns or suspicions of SEA by humanitarian workers
 2 Community-Based Compliant Mechanisms
 3 Head of OCHA Office (HO) is the OCHA PSEA focal point (FP)
 4 In South Sudan, Democratic Republic of the Congo, Central African Republic, Jordan offices: the PSEA FP should use the Incident Report Form (IRF)
 5 Gender-Based Violence
 6 Executive Office

7 Personal Information Identification
 8 Under-Secretary-General
 9 Humanitarian Coordinator
 10 Office for Special Coordinator on improving UN response to SEA
 11 Consolidated data on allegations and substantiated cases of SEA are available in realtime on the website and published in the Quarterly Updates of the SG
 12 Office of Human Resources Management

SECTION 2

OCHA's support to Humanitarian Coordinators and Humanitarian Country Teams for country-level protection from sexual exploitation and abuse

Contents

- 19 Introduction
- 19 Coordination architecture for country-level protection from sexual exploitation and abuse
- 21 Role of OCHA Country Offices

This section outlines the coordination responsibilities of the Office for the Coordination of Humanitarian Affairs (OCHA) with regard to protection from sexual exploitation and abuse (PSEA) in light of its role as a coordinator, facilitator, honest broker and advocate in humanitarian response operations. The standard operating procedures (SOPs) for addressing sexual exploitation and abuse (SEA) allegations involving recipients of OCHA-managed country-based pooled funds are outlined in section 3 of this document.

Introduction

114. OCHA contributes to principled and effective humanitarian response through its core functions of **coordination, advocacy, policy, information management and humanitarian financing tools and services**.¹⁸ OCHA's efforts towards ensuring that people in need of humanitarian assistance are protected from SEA and can safely report SEA when it does occur are situated across these core functions. At the field level, OCHA has a critical role in supporting Humanitarian Coordinators operationalize PSEA good practice across the humanitarian response by harnessing these core functions.
115. The responsibilities of the Humanitarian Coordinator with regard to PSEA in emergencies are detailed in the [Inter-Agency Standing Committee \(IASC\) Principals' Statement on Protection from Sexual Exploitation and Abuse, 2015](#), the IASC Strategy on Protection from and Response to Sexual Exploitation and Abuse and Sexual Harassment, 2018, and the 2021 Leadership in Humanitarian Action Handbook for the Resident and Humanitarian Coordinators.
116. Resident Coordinators/Humanitarian Coordinators (RC/HCs) are accountable for ensuring that PSEA is integrated into the response. In 2017, the terms of reference for Humanitarian Country Teams (HCTs) made PSEA a mandatory responsibility. PSEA should be integrated into the humanitarian response and include risk management, community engagement and working with partners.

Coordination architecture for country-level protection from sexual exploitation and abuse

117. On PSEA, the RC/HC has system-wide responsibility¹⁹ to:
- Create and maintain an environment that prevents SEA;
 - Ensure that PSEA is integrated into humanitarian/development coordination structures;
 - Ensure that a country-level action plan to address SEA is developed and implemented and PSEA efforts are coordinated among HCT agencies;
 - Ensure that quality, victim-centred assistance and protection is available and operational;
 - Lead on PSEA advocacy efforts;
 - Serve as the authoritative source of information on PSEA efforts and inform the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.
118. In practice, this means that PSEA should be a standing agenda item at all HCT meetings. At the technical level, an inter-agency PSEA network or a comparable body should be established. In high-risk contexts, a dedicated inter-agency PSEA Coordinator should report directly to the RC/HC. The PSEA Coordinator supports the RC/HC by coordinating the PSEA network, facilitating inter-agency capacity-mapping, establishing a community-based complaints mechanism, facilitating SEA risk assessment and building PSEA capacity in all organizations engaged in the response.
119. Coordination with other sectors in the response is critical and should be done through the Inter-Cluster Coordination Group (ICCG). The OCHA field office should ensure that PSEA is integrated into the existing humanitarian coordination architecture. For example, in some contexts, the ICCG receives regular updates

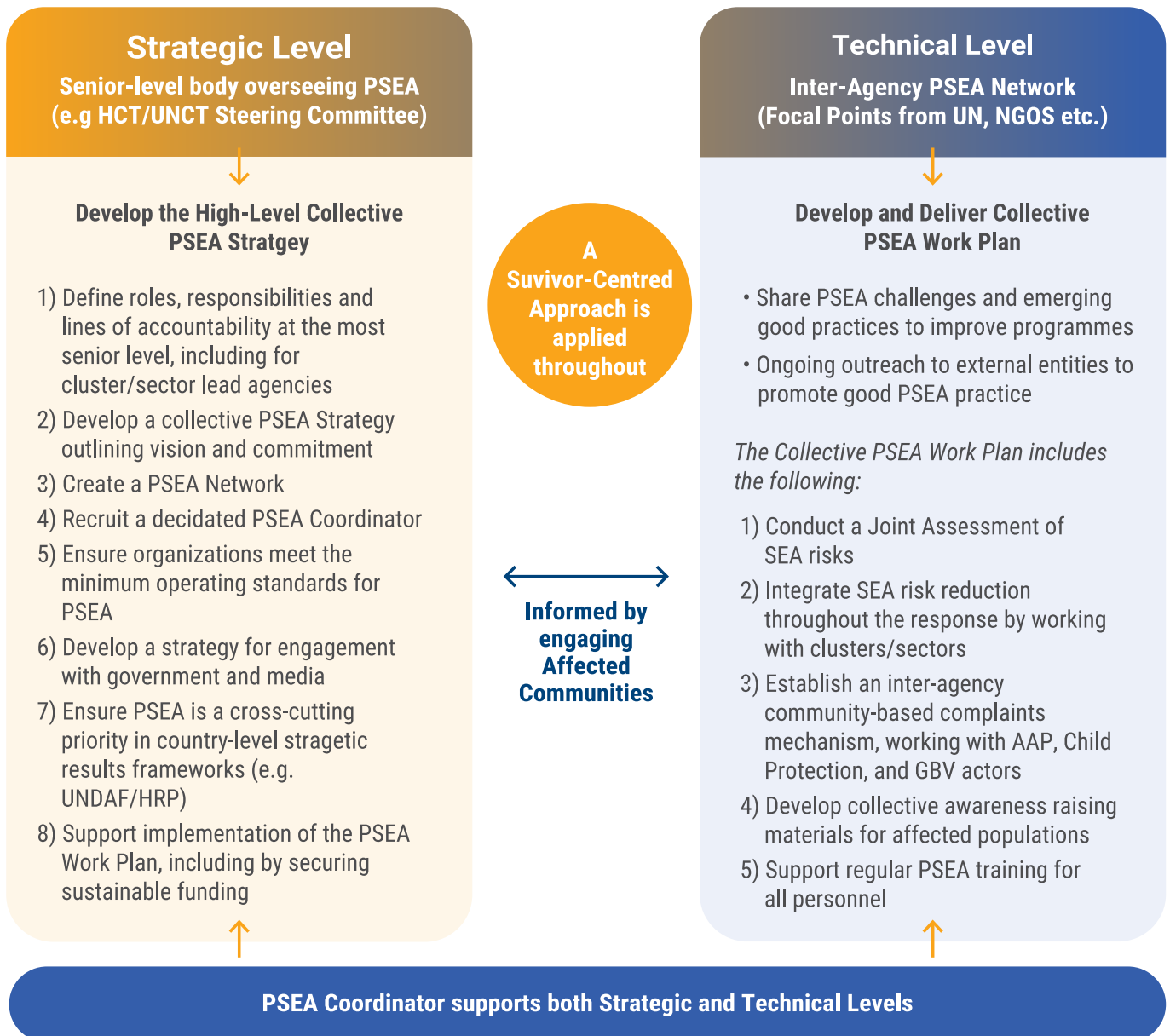
¹⁸ OCHA Strategic Plan 2018-2021.

¹⁹ *The IASC Leadership in Humanitarian Action Handbook for the Resident and Humanitarian Coordinators, 2021* is a key resource and available on the [HC Hub](#).

from the PSEA Coordinator, and in other contexts, the ICCG exercises strategic oversight over the PSEA network. In addition to the ICCG, strong links with protection, gender-based violence (GBV) and community engagement/accountability to affected populations groups are indispensable to effective PSEA efforts.

In-Country PSEA Programme

**Overall responsibility for collective PSEA:
Senior-most UN Leadership (RC/HC)**



Role of OCHA Country Offices

120. OCHA supports Humanitarian Coordinators in fulfilling their PSEA responsibilities as aligned with its core functions: (a) coordination and policy, (b) information management, (c) humanitarian financing tools and (d) advocacy.

Coordination & Policy

121. Through critical situational and gender-responsive analysis, OCHA provides a comprehensive picture of overall needs and helps a diverse set of actors achieve a common understanding of the humanitarian context and a collective plan for the response. By doing so, OCHA influences timely decision-making to support more effective humanitarian response and emergency preparedness.

PSEA Actions:

- Include PSEA in the strategy of the Humanitarian Response Plan and integrate PSEA into relevant sector narratives as outlined in the Guidance on Mainstreaming PSEA in Humanitarian Response Plans.
- Ensure the HCT strategies on protection and accountability to affected populations address PSEA.
- Ensure PSEA is reflected in the Humanitarian Needs Overview.
- Include PSEA metrics in monitoring and evaluation, facilitate thematic evaluations on PSEA and assist with the application of IASC PSEA initiatives.
- Assist in bringing PSEA issues to the attention of the HCT for strategic guidance and implement relevant measures at the technical level.
- Promote coordination between the PSEA network and related thematic groups, such as gender, GBV, child protection, accountability to affected populations, community engagement and, in mission environments, with the Conduct and Discipline Team and Field Victims' Rights Advocate.
- Liaise with the PSEA Coordinator and provide support in accessing relevant coordination groups.

Information Management

122. Evidence-based and collective situational awareness informs decisions on humanitarian action. Information-management work by OCHA field offices ensures the humanitarian system benefits from streamlined data and analysis to inform a rapid, effective and principled response. OCHA invests in tools to access, share and use data and information underpinning coordination, decision-making and advocacy. This includes using open platforms and business intelligence dashboards, promoting common data standards and adopting emerging technologies where relevant.

PSEA Actions

- Include PSEA data in relevant information-management products and analyses produced by OCHA at the country level. Define performance metrics for country-level progress in PSEA and collect data against these metrics.
- Collaborate on an inter-agency assessment of SEA risk. In mission environments, collaborate on the application of Misconduct Risk Management tools (Department of Management Strategy, Policy and Compliance).
- Ensure that staff are aware of the privacy and confidentiality requirements associated with handling PSEA data and have access to the required infrastructure to handle such data. Personal data should not be shared openly, and management of personal data should always comply with national and regional data protection laws, or with internal data protection policies in the case of organizations covered by privileges and immunities.
- Support the development of a data and information sensitivity classification for PSEA data in the response context.

Humanitarian financing tools

123. OCHA aims to reduce the funding gap by adapting its financing instruments, services and capabilities to increase the effectiveness of humanitarian response. OCHA facilitates collaboration among a broad spectrum of financing actors to achieve collective outcomes that improve the lives of people affected by crisis.

PSEA Actions:

- Support financing activities that integrate PSEA actions (such as inter-agency complaint mechanisms) through pooled-fund mechanisms.
- Support resource mobilization or recruitment of a dedicated inter-agency PSEA Coordinator (for example, a request for a standby partner).
- Promote the [OCHA Fund for Investigations into Sexual Exploitation, Abuse and Sexual Harassment](#) and direct partners to the fund where relevant. (See annex 5 of this document.)

Advocacy

124. OCHA advocates for affected people to be at the centre of humanitarian response, for increased engagement and empowerment of affected people and for accountability to affected people.

- Include information on PSEA efforts, where relevant, in OCHA advocacy efforts including in news stories, interviews, advocacy events, conferences and meetings.
- Where an SEA allegation is reported publicly, immediately liaise with the OCHA Head of Office as well as the OCHA Senior Coordinator for Protection from Sexual Exploitation and Abuse and Sexual Harassment on an urgent basis to harmonize the response to media enquiries. See OCHA guidance and key messages on public communication.

SECTION 3

Response to allegations of sexual exploitation and abuse involving implementing partners of Country-based Pooled Funds

Contents

- 24 Introduction
- 24 Applicability
- 25 Roles and responsibilities
- 26 Steps of the investigative process
- 32 Flow Chart: Workflow in the event of a SEA allegation concerning a recipient of the country-based pooled fund

Introduction

125. These standard operating procedures (SOPs) are designed to guide the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) response to reported allegations of sexual exploitation and abuse (SEA) by personnel of an implementing partner contracted under OCHA-managed Country-based Pooled Funds (CBPFs). Their purpose is to outline the responsibilities of key actors and the steps to follow in case of SEA allegations involving personnel of implementing partners and to provide guidance to CBPF Humanitarian Financing Units (HFUs) and OCHA Heads of Office (HoOs) on how to proceed in such cases. They should be read in conjunction with the other sections of this document and with the global guidelines for CBPFs.
126. The actions described in this section are to be followed in consecutive order, and all steps are to be taken in close consultation with the Oversight and Compliance Unit (OCU) of the Country-based Pooled Funds Section (CBPFS) of OCHA in New York. The estimated timeline for each step and action is set in relation to the previous action in number of working days.
127. These SOPs are guided by the Secretary-General's bulletin on "Special measures for protection from sexual exploitation and sexual abuse" ([ST/SGB/2003/13](#)), the Secretary-General's report on "Special measures for protection from sexual exploitation and abuse: a new approach" ([A/71/818](#)), the [United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners](#) (IP Protocol), the [United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse](#) and the IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019.
128. These SOPs are designed to ensure that OCHA's response to allegations of SEA involving implementing partners is aligned with the overall accountability framework for CBPFs. The framework requires OCHA, through its Executive Officer, who holds fiduciary accountability for its resources, to ensure that any misconduct by CBPF implementing partners is duly reported, investigated and responded to.
129. In addition to the specific requirements related to the CBPF accountability framework, each CBPF operates in country contexts where other coordination structures exist, including but not limited to the Humanitarian/United Nations Country Teams and PSEA in-country networks. Coordination and information-sharing with relevant networks is encouraged, including in the areas of coordinated response to allegations, conservative measures on impacted projects and referrals for victim assistance.

Applicability

130. This section applies to all reported cases of alleged SEA involving personnel of implementing partners of OCHA CBPFs.
131. Sexual abuse, sexual exploitation and SEA are defined in section 1 of this document. For ease of reference, the definitions are also included below.
- *Sexual abuse*: Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
 - *Sexual exploitation*: Any actual or attempted abuse of position of vulnerability, differential power or trust for sexual purposes including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.
 - *Sexual exploitation and abuse (SEA)*: Breaches of the provisions of the Secretary-General's bulletin ST/SGB/2003/13, or the same definitions as those adopted for military, police and other United Nations personnel.
132. These procedures do **not** apply to:
- Cases of sexual misconduct involving OCHA staff members or affiliated personnel;
 - Cases of alleged sexual harassment in the workplace, which is defined as any unwelcome conduct of a sexual nature perpetrated by personnel of CBPF implementing partners in the workplace or in connection with work.
133. These cases are addressed in sections 1 and 4 of this document.

Roles and responsibilities

134. These SOPs are to be read in conjunction with the other sections of this document, which define the roles and responsibilities of key OCHA stakeholders with respect to prevention, monitoring and response to SEA and sexual harassment.
135. Under the IP Protocol, and with specific regard to CBPF implementing partners, OCHA ensures that in all CBPFs it manages, reported allegations of SEA involving personnel of implementing partners are responded to through two possible types of enquiry:
- Self-investigation conducted by the implementing partner or commissioned by the implementing partner to a third party.
 - Referral to the United Nations Office of Internal Oversight Services (OIOS) for investigation.
136. If the implementing partner is unable or unwilling to credibly and soundly conduct its own investigation, OIOS may decide to open an enquiry into the allegations.
137. OIOS is the UN body with the investigative mandate over implementing partner SEA cases within the UN Secretariat. As such, OIOS is informed of suspected SEA cases in CBPF IPs and has the final authority on the decision to launch an investigation and on the review of the findings of inquiries. OIOS can also decide to launch its own investigation into alleged partner SEA at any time in the inquiry process, regardless of another ongoing inquiry processes that may be ongoing by third parties. As appropriate, OIOS will notify OCHA's Executive Officer (EO) if it does.
138. Under the overall authority of the **Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, the Executive Officer** is the ultimate risk holder for SEA within OCHA and has fiduciary accountability for the funds, taking key decisions regarding OCHA's institutional position on the enquiry and the conservative measures to apply to implementing partners. The Executive Officer has an obligation to report allegations of SEA involving implementing partners through the Secretary-General's online iReport SEA Tracker.
139. The role of **OCU** is to guide HFUs and HoOs through the steps of these SOPs and to provide feedback on decisions from OCHA senior management at crucial junctures in the process. Where warranted, the order of the steps may be adjusted on a case-by-case basis, in consultation with the Chief of CBPFS, the HoO and the Executive Officer. The Director of HFRMD and the Chief of the Pooled Fund Management Branch (PFMB) should be consulted where warranted. These steps may also need to be adapted over time to changing realities on the ground or to specific circumstances.
140. The **HoO**, as the OCHA in-country focal point for protection from sexual exploitation and abuse (PSEA), ensures that appropriate action is taken on all reports of SEA allegations. The HoO and the **Humanitarian Coordinator** provide advice on circumstances and conditions that need to be considered during the implementation of these SOPs and are consulted throughout the process and at key decision points. The Humanitarian Coordinator leads the initial communication with partners, including informing them of conservative measures.
141. The **CBPF Fund Manager** serves as the liaison between the implementing partner, the OCHA HoO (PSEA Focal Point), CBPFS/OCU and the Executive Officer. The Fund Manager often receives the initial allegation and plays a critical role in advising the various stakeholders.

Steps of the investigative process

142. The workflows below are intended to provide guidance on the key steps, roles and responsibilities throughout an SEA case involving CBPF/OCU implementing partners. They may need to be adjusted as appropriate to accommodate specific circumstances.
143. Ultimately, each alleged SEA case is unique, with its own set of challenges and circumstances, warranting a carefully deliberated approach while ensuring fairness and transparency in seeking a resolution. The purpose of these SOPs is to provide an overarching framework that clearly reflects responsibilities, estimated time lines and actions, resulting in a timely response to allegations of SEA.
144. At all times, information-sharing should be restricted to a need-to-know basis. Personally identifying information (PII) should only be shared in limited circumstances, such as to facilitate victim support or an investigative process.

1. Initial allegations or concerns

EVENT/ACTIONS	RESPONSIBILITY	TIMING
<p>1 Initial report of allegation/complaint of sexual exploitation or abuse</p> <p>Possible origins of allegation: implementing partner self-reports suspicions of SEA; reporting from witnesses, victims or whistle-blowers; critical findings from monitoring or financial spot-checks; complaints, including via inter-agency community-based complaints mechanism; notification by staff member.</p>	<p>HFU in consultation with HoO</p>	<p>-</p>
<p>2 Fund Manager receives the allegation and informs the PSEA Focal Point (HoO or Alternate PSEA Focal Point)</p> <p>Note: All concerns should be reported immediately to the OCHA Executive Officer and OCU.</p>	<p>Fund Manager</p>	<p>Within 1 day of SEA concern*</p> <p>(*days refer to working days)</p>
<p>3 PSEA Focal Point (Head of Office or alternate) informs the Chiefs of CBPFS and OCU of the SEA concerns immediately, with a copy to the Executive Officer and the OCHA Senior Coordinator for PSEA and Sexual Harassment. The PSEA Focal Point may complete the e-IRF as described in section 1 of this document, or share the information in the form received by the IP or other complaint channels as applicable. The PSEA Focal Point may delegate this step to the CBPF Fund Manager where necessary in order to respect the recommended promptness of reporting to CBPFS, OCU and the Executive Officer. The communication should be confidential.</p> <p>PSEA Focal Point informs the Humanitarian Coordinator of the allegation without conveying the PII of the victim or the alleged perpetrator.</p> <p>PSEA Focal Point ensures due consideration is given to victim assistance in line with their responsibilities under section 1 of this document and with the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse.</p> <p>Note: Communications to the Executive Officer should be copied to the Director of the HFRMD and the Chief of the PFMB.</p>	<p>HoO/Fund Manager</p>	<p>Within 24 hours of being informed of the SEA report.</p>
<p>4 Executive Officer ensures the allegation is reported into the Secretary-General's iReport SEA Tracker online reporting tool</p>	<p>Executive Officer with support from Human Resources Section</p>	<p>In real time</p>
<p>5 Executive Officer informs OIOS of the allegation. OCU/CBPFS provides OIOS with all relevant information on the case.</p> <p>OIOS should be notified of the case for information purposes. While OIOS reserves the right, upon receipt of a notification, to commence an investigation, OCHA should proceed on the basis</p>	<p>CBPFS/OCU (by e-mail)</p>	<p>Within 24 hours of notification to Executive Officer</p>

that the implementing partner will initiate its own investigation (consistent with the IP Protocol).

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| 6 | Executive Officer takes a decision on the appropriateness of imposition of conservative measures, which can be adjusted at a later stage depending on new information or findings. | Executive Officer in consultation with Chief CBPFS, OCU, HoO and Fund Manage | Within 5 days of notification to OCHA headquarters |
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The application of conservative measures would seek to limit any further impact of the SEA concerns and encourage timely response by the implementing partner. The determination of the most appropriate conservative measures seeks to balance the operational impact with the security and safety of victim/survivor, staff, beneficiaries and investigators. The conservative measures implemented could equally seek to pause project implementation to provide the implementing partner an opportunity to address weaknesses in its PSEA mechanisms, whereby further SEA concerns may be prevented. Conservative measures may include:

- a) Suspension or termination of ongoing project(s);
- b) Suspension of pending disbursement(s);
- c) Continued implementation and disbursements with increased control measures;
- d) Temporary suspension of partner's eligibility to apply for new CBPF funding (This can also be decided by the Humanitarian Coordinator if appropriate).

If the implementing partner receives funding from CBPFs in other countries, extension of conservative measures to those CBPFs may be considered (e.g. if there are indications of involvement of their global headquarters).

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| 7 | Humanitarian Coordinator informs implementing partner of the conservative measures taken (if any). | CBPFS/OCU prepares letter for Humanitarian Coordinator | Within 10 days of decision |
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|---|---|--|--|
| 8 | Humanitarian Coordinator may inform the HCT or PSEA network, as relevant, about the allegations and possible conservative measures imposed by OCHA. The HCT should seek to align its response and requirements on common partners involved in SEA allegations. Confidentiality should be considered when determining if the information should be shared. | Humanitarian Coordinator with support from HoO and HFU | |
|---|---|--|--|

IMPORTANT: Information-sharing, including PII, should be restricted in line with the principles and minimum standards enumerated in this document and other relevant guidance.

2. Inquiry into credible allegations

Option A. Self-investigation by implementing partner

	EVENT/ACTIONS	RESPONSIBILITY	TIMING
1.	CBPF Fund Manager requests implementing partner to provide terms of reference for self-investigation and timeline for completion.	Fund Manager with support from CBPFS/OCU	Within 20 days of self-investigation notification to OCHA
2.	Implementing partner conducts self-investigation within agreed time frame.	Implementing partner	Within agreed timeframe of 3-6 months
3.	Implementing partner shares self-investigation report with CBPF Fund Manager or Executive Officer.	Fund Manager or Executive Officer shares report with CBPFS/OCU	Upon completion of self-investigation
4.	Executive Officer shares with OIOS the implementing partner's self-investigation report for information purposes. On review, OIOS reserves the right to initiate its own investigation.	Executive Officer, OIOS	-
5.	Executive Officer ensures information on the case is updated into the Secretary-General's iReport SEA Tracker online reporting tool. NOTE: All communications from Executive Officer to OIOS to be copied to the Director of HFRMB and the Chief of PFMB. NOTE: Under exceptional circumstances (cases with high reputational risk or high profile), the Under-Secretary-General will provide information to specific donors as specified in the relevant funding agreements.	Executive Officer with support from Human Resources Section	Within 10 days of receipt of OIOS feedback

Option B. OIOS Investigation

	EVENT/ACTIONS	RESPONSIBILITY	TIMING
1.	If OIOS decides to open an investigation, OIOS conducts an investigation (upon receiving information from OCHA CBPFS/OCU of an allegation or upon notification of a self-investigation report from the implementing partner).	OIOS	-
2.	OIOS finalizes its investigation and submits investigation report to Executive Officer. If the investigation finds evidence of SEA, OIOS makes recommendations.	OIOS	Within 6 months of referral memorandum
3.	Executive Officer reviews investigation report and develops institutional position on OIOS recommendations based on available information.	Executive Officer with support from CBPFS/OCU, HoO and CBPF Fund Manager	Within 20 days of receipt of final investigation report
4.	Executive Officer submits formal response (memorandum) to OIOS on recommendations contained in the investigation report. NOTE: All communications from Executive Officer to OIOS to be copied to the Director of HFRMD, and the Chief of PFMB.	Executive Officer with support from CBPFS/OCU, HoO and Fund Manager	Within set OIOS deadline
5.	Executive Officer ensures information on the case is updated into the Secretary-General's iReport SEA Tracker online reporting tool. NOTE: Under exceptional circumstances (cases with high reputational risk or high profile) the OCHA Under-Secretary-General will provide information to specific donors as specified in the relevant funding agreements.	Executive Officer with support from Human Resources Section Office of the Under-Secretary General with support from Donor Relations Section (DRS)	Within 10 days of receipt of OIOS feedback
6.	Executive Officer notifies implementing partner of the outcome of the OIOS investigation and seeks agreement with the partner, including on the closure of the case. NOTE: All communications from the Executive Officer to OIOS to be copied to the Director of HFRMD and the Chief of PFMB.	Executive Officer with support from CBPFS/OCU (and advice from Office of Legal Affairs if appropriate)	Within 15 days of Executive Officer's response to OIOS

3. Closure of case

1.	OCHA Executive Officer seeks agreement with implementing partner on follow-up measures, based on the findings of the enquiry (either self-investigation or OIOS investigation).	Executive Officer in consultation with CBPFS and HFU	Within 30 days of Executive Officer notification
	Measures may include: <ul style="list-style-type: none"> ■ Strengthening of relevant internal controls, policies and staff training; ■ Legal action against implicated staff; ■ Notification to relevant national authorities. 		

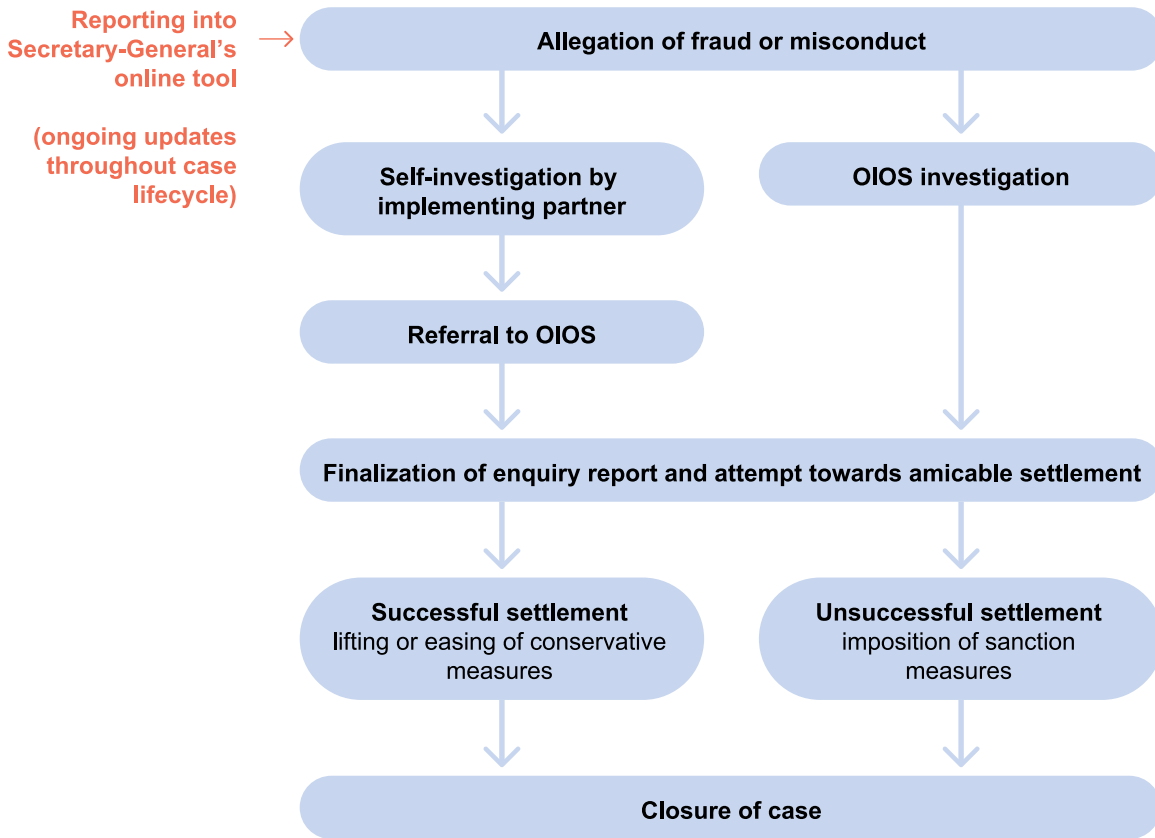
IF OCHA AND PARTNER REACH AGREEMENT

2.a	IF Executive Officer and implementing partner reach agreement on follow-up measures to be taken by partner, case can be closed.	Executive Officer in consultation with Chief of CBPFS, OCU and HFU	Within 30 days of Executive Officer notification
3.a	Executive Officer decides possible continuation or lifting of conservative measures placed on implementing partner. Measures may include: <ol style="list-style-type: none"> a) Resumption of suspended project(s); b) Disbursement of suspended payment(s); c) Reinstatement of partner's eligibility for future funding (If eligibility was suspended by the Humanitarian Coordinator, the Humanitarian Coordinator can decide its lifting); d) Adjustment of risk rating (Performance Index). 	Executive Officer in consultation with Chief of CBPFS, OCU and HFU	When agreement has been reached and the reimbursement of diverted funds has been received
4.a	Humanitarian Coordinator informs implementing partner of adjustment of conservative measures.	Humanitarian Coordinator with support from Chief of CBPFS and OCU	Within 15 days of decision taken

IF OCHA AND PARTNER DO NOT REACH AGREEMENT

2.b	IF Executive Officer and implementing partner DO NOT reach agreement on follow-up measures, OCHA imposes applicable sanctions (including termination of projects and ineligibility for future funding). Executive Officer communicates imposed sanctions to the implementing partner.	Executive Officer with support from Chief of CBPFS and OCU	Within 15 days of expiration of deadline for measures
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Flow Chart: Management of Allegations of Sexual Exploitation and Abuse by Implementing Partners



SECTION 4

Standard operating procedure pertaining to sexual harassment in the workplace

Contents

- 34 Context
- 34 Purpose and scope
- 34 Key definitions
- 36 Roles, responsibilities and accountability
- 38 Prevention
- 39 Receiving and assessing complaints
- 41 Investigations and the disciplinary process
- 44 Flow Chart: Official Complaint Submitted to the Under-Secretary-General or OCHA

Context

145. The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) is committed to ensuring that all staff members and non-staff personnel are treated with dignity and respect and are aware of their role and responsibilities in maintaining a workplace free of any form of discrimination or harassment, including sexual harassment, and abuse of authority, in accordance with the Secretary-General's bulletin on "Addressing discrimination, harassment, including sexual harassment, and abuse of authority" ([ST/SGB/2019/8](#)).
146. OCHA's implementation of procedures to address sexual harassment in the workplace takes place in a broader context of social and cultural change around gender equality and women's empowerment, organizational change and United Nations system reform.
147. Sexual harassment is closely linked to the issue of sexual exploitation and abuse. As such, cooperation between the [United Nations System Chief Executives Board Task Force on Addressing Sexual Harassment within the Organizations of the UN System](#), the [Special Coordinator](#) on improving the United Nations response to sexual exploitation and abuse, and the [United Nations Victims' Rights Advocate](#) ensures mutual support in prevention, protection and response.

Purpose and scope

148. The purpose of this document is to outline the mitigation measures that should be taken to prevent sexual harassment in OCHA. In addition, it provides guidance on timely and appropriate corrective action and how to support those targeted by such conduct.
149. Reports of sexual harassment in OCHA's workplace or in connection with OCHA's employment can be submitted by any person and against any person, irrespective of whether such persons have any contractual status with the United Nations.
150. Staff members who are found to have engaged in prohibited conduct may be subject to disciplinary or other administrative action in accordance with administrative instruction **ST/AI/2017/1**. The instruction does not apply to consultants, individual contractors, gratis personnel, interns and other United Nations officials, such as officials other than Secretariat officials, and experts on mission, who remain subject to the provisions and procedures applicable to them under their terms of service. Non-staff personnel who are alleged to have committed sexual harassment may be subject to action in accordance with the terms and conditions of the contract governing their services and of other applicable policies regarding non-staff personnel, which may include termination of the contract and possible referral to local authorities for possible criminal investigation.
151. Response to reports of sexual harassment will depend on the status of the alleged offender. Remedial measures for affected individuals depend on their contractual status with the United Nations, in accordance with the provisions of the Secretary-General's bulletin ST/SGB/2019/8.

Key definitions

Prohibited conduct

152. Discrimination, harassment, including sexual harassment, and abuse of authority shall collectively be referred to as "prohibited conduct". Disagreement over work performance or other work-related issues is normally not considered prohibited conduct and is not dealt with under this standard operating procedure (SOP) but in the context of performance management.

Discrimination

153. Discrimination is any unfair treatment or arbitrary distinction based on a person's race, sex, gender, sexual orientation, gender identity, gender expression, religion, nationality, ethnic origin, disability, age, language, social origin or other similar shared characteristic or trait. Discrimination may be an isolated event affecting one person or a group of persons similarly situated or may manifest itself through harassment or abuse of authority.

Harassment

154. Harassment is any unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person, when such conduct interferes with work or creates an intimidating, hostile or offensive work environment.
155. Harassment may take the form of words, gestures or actions which annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another. Harassment may be directed at one or more persons based on a shared characteristic or trait. Harassment normally implies a series of incidents.

Sexual harassment

156. Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. Sexual harassment may occur in the workplace or in connection with work, and both manifestations are against the United Nations Code of Conduct.
157. While typically involving a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct is a key consideration, with due regard to power and gender dynamics, age, disability, sexual identity, generational gaps and other cultural and religious considerations.
158. Sexual harassment is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics. Sexual harassment may involve any conduct of a verbal, non-verbal or physical nature, including written and electronic communications. Sexual harassment may occur between persons of the same or different genders, and individuals of any gender can be either the affected individual or the alleged offender. Sexual harassment may occur outside the workplace and outside working hours, including during official travel or social functions related to work. Sexual harassment may be perpetrated by any colleague, including a supervisor, a peer or a subordinate. An offender's status as a supervisor or a senior official may be treated as an aggravating circumstance. Sexual harassment is prohibited under staff rule 1.2 (f) and may also constitute sexual exploitation or abuse under staff rule 1.2 (e).

Abuse of authority

159. Abuse of authority is the improper use of a position of influence, power or authority against another person. This is particularly serious when a person uses their influence, power or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation, working conditions or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment that includes, but is not limited to, the use of intimidation, threats, blackmail or coercion. Discrimination and harassment, including sexual harassment, are particularly serious when accompanied by abuse of authority.

Affected individual

160. The affected individual is a person in the workplace or in connection with work towards whom possible prohibited conduct is directed.

Alleged offender (alleged subject of prohibited conduct)

161. The alleged offender or subject is a person who is alleged to have engaged in prohibited conduct.

Offender (subject of investigation)

162. The offender is a person who has engaged in prohibited conduct.

Impacted individuals

163. Impacted individuals may include the affected individual; bystanders, including witnesses to the possible prohibited conduct or to the impact on the affected individual; and any colleague who intervened in the situation involving possible prohibited conduct.

Non-staff personnel

164. Non-staff personnel are individuals performing services in a direct or other agreed relationship with OCHA and other than through a letter of appointment under the Staff Regulations and Rules of the United Nations and include, without limitation, United Nations Volunteers, individual consultants and contractors, interns and persons providing services under arrangements with the United Nations Office for Project Services.

Responsible official

165. The responsible official shall have the meaning specified in administrative instruction [ST/AI/2017/1](#) on unsatisfactory conduct, investigations and the disciplinary process. For OCHA, the responsible official is the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

Head of entity

166. The head of entity is the head of a department or an office, including an office away from Headquarters; the head of a special political or peacekeeping mission; the head of a regional commission; a Resident Coordinator or Regional Coordinator; or the head of any other unit tasked with programmed activities to whom the Secretary-General has delegated functions directly. For OCHA, the head of entity is the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

Conduct and discipline focal points

167. A conduct and discipline focal point is a staff member designated by a head of entity to provide advice and support on matters relating to conduct and discipline. A conduct and discipline focal point serves, inter alia, as a contact point for both the affected individual and the alleged offender throughout the handling of formal reports of possible prohibited conduct to provide information on the process and relevant time frames. For OCHA, the conduct and discipline focal point is the Executive Officer.

ClearCheck

168. ClearCheck is a centralized screening application for job candidates. It captures information on sexual harassment offenders and alleged offenders that is provided by the entities of the United Nations System Chief Executives Board for Coordination (CEB).

Zero tolerance

169. Sexual harassment by United Nations personnel is prohibited, and every transgression will be investigated and subject to disciplinary or administrative action, as warranted.

Roles, responsibilities and accountability

The Under-Secretary-General

In accordance with the Secretary-General's bulletin [ST/SGB/2019/8](#), the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator of the United Nations as the responsible official shall:

- Demonstrate commitment to the creation of a harmonious work environment and the prevention of prohibited conduct, educate themselves about the issue, act as a role model by maintaining a high standard of personal conduct with consciousness of the power their position holds and treat all colleagues courteously and with dignity and respect.
- Address conduct coming to their attention that may be in violation of the Secretary-General's bulletin [ST/SGB/2019/8](#), take complaints seriously, respond promptly to complaints and ensure that the necessary actions for which they are responsible are diligently taken.

- Endeavour to create an atmosphere in which personnel may express concerns about possible prohibited conduct, including by maintaining open dialogues and an open-door policy with concerned personnel.
- Encourage personnel to use the informal and formal processes in place to address possible prohibited conduct;
- Monitor OCHA for conduct that may be in violation of Secretary General's Bulletin [ST/SGB/2019/8](#).
- Communicate the terms of Secretary General's Bulletin [ST/SGB/2019/8](#) and applicable procedures to personnel in OCHA on an annual basis through a dedicated in-person meeting.
- Monitor the situation, when it is brought to their attention in writing, that one or more staff members of their entity:
- Have availed themselves or are availing themselves of a formal or informal process under [ST/SGB/2019/8](#).
- Have otherwise exercised their rights as a staff member, including acting as a staff representative or challenging a decision through a request for management evaluation;
- Have appeared or will appear as a witness before the United Nations Dispute Tribunal or the United Nations Appeals Tribunal.
- Appropriately address any possible misconduct, prohibited conduct or other alleged adverse action, including through the process set out in [ST/AI/2017/1](#).

All OCHA Managers

The actions of OCHA managers reflect on the entire organization and its credibility as a global institution, as well as on OCHA's ability to deliver its mandate. All managers shall:

- Role-model the highest standards of conduct always, both during and outside working hours, at work and in their personal life.
- Take all appropriate measures to promote a harmonious work environment that is free of fear, intimidation, hostility, offence and harassment as well as to ensure that complaints of harassment are promptly addressed in a fair and impartial manner.
- Maintain open channels of communication and ensure that staff members who wish to raise their concerns in good faith can do so freely and without fear of adverse consequences.
- Address any reports and allegations of prohibited conduct promptly, in a fair and impartial manner, and with concrete action.
- Complete the mandatory training modules 'United to Respect Dialogues: Preventing and Responding to Prohibited Conduct' (LMS-6261), on prevention of sexual harassment, discrimination and abuse of authority, and 'Prevention of Sexual Exploitation and Abuse by UN Personnel: Managers and Commanders' (LMS-2399).
- Take measures to ensure that all team members have completed the mandatory training on prevention of sexual harassment and sexual exploitation and abuse, including holding those who do not comply accountable.
- Take prompt and concrete action in response to reports and allegations of prohibited conduct, including sexual harassment. Failure to take action may be considered a breach of duty and result in administrative action and/or the institution of disciplinary proceedings.

OCHA Human Resources Section

The role of Human Resources Section is to support the USG in his functions as responsible official under the Secretary-General's bulletin [ST/SGB/2019/8](#). The Human Resources Section shall:

- Promptly provide information to staff and managers on options and resources to support informal or formal resolution, and on the procedures for reporting prohibited conduct within OCHA.
- Support the Under-Secretary-General in the process of handling any official complaints of sexual harassment within OCHA, in accordance with established policies.
- Advise staff and managers on established policies and on available options and support for both informal and formal resolution.
- Exercise due diligence by screening job candidates using the ClearCheck database and other relevant internal databases during recruitment processes.

- Ensure that training on prohibited conduct is available periodically to all OCHA staff, such as the United to Respect dialogues.

OCHA staff and non-staff personnel

All OCHA staff and non-staff personnel are responsible for contributing to a harmonious and respectful working environment. All OCHA staff and non-staff personnel shall:

- Complete the mandatory training module 'Prevention of Sexual Harassment and Abuse by United Nations Personnel – Working Harmoniously' (English: LMS-2965 // French: LMS-2966)
- Complete the instructor-led, online training 'United to Respect Dialogues', which is offered periodically to all OCHA staff.
- Not engage in or condone behaviour that would constitute sexual harassment with respect to their peers, supervisors, supervisees and other persons performing duties for the United Nations.
- Report any sexual harassment that they witness as per the SOPs outlined in this document and in accordance with the Secretary-General's bulletin ST/SGB/2019/8, noting that an individual who makes such a report in good faith has the right to be protected against retaliation. The OCHA Staff Welfare Unit can provide strictly confidential psychological support to staff members throughout the process of raising a complaint, including when a staff member is deciding whether to raise an official complaint. The Staff Welfare Unit can also explain what services are available, help individuals deal with any emotional struggles during the reporting process and suggest effective strategies to deal with the aftermath.
- As appropriate, provide support to any victims of prohibited conduct that they become aware of and serve as a witness in an investigation if called upon.

Prevention

170. OCHA is committed to creating a workplace culture in which all people are treated with dignity and respect, and which is free of sexual harassment. To this end, OCHA ensures that the following preventative measures are taken.

Recruitment screening, reference and background checks

171. The Human Resources Section of OCHA undertakes reference and background checks of selected candidates during recruitment processes to ensure that individuals who have a documented history of sexual harassment, sexual exploitation and abuse or other misconduct are not appointed or engaged as OCHA staff. This is done through employment-record verification, qualitative reference verification as well as through the ClearCheck database. ClearCheck is an electronic tool created by United Nations system organizations for the purpose of preventing the employment and re-employment of former United Nations personnel with established or pending cases of sexual exploitation, sexual abuse or sexual harassment, and candidates who are on the United Nations Security Council Sanctions List.

Training and Awareness Raising

172. OCHA actively monitors compliance of its personnel with the mandatory training module '[Prevention of Sexual Harassment and Abuse by United Nations Personnel - Working Harmoniously](#)' (LMS-2965-1). The Staff Welfare Unit may facilitate focus groups on psychological, sociocultural, gender and power perspectives of sexual harassment in an effort to address the myths and misunderstandings of what constitutes sexual harassment, and to promote bystander intervention to nurture a safe work culture.

173. OCHA regularly shares with its personnel information on the reporting mechanisms and support available, such as through broadcast messages, communications material and the OCHA intranet.

174. Additional resources are available from the [United to Report](#) toolkit.

Dedicated Focal Points

175. OCHA has assigned dedicated focal points who can be approached with concerns related to sexual harassment: the Chief of Human Resources (Ms. Elfrida Hoxholli-Melendez, hoxholli-melendez@un.org) and the OCHA Senior Coordinator for Protection from Sexual Exploitation and Abuse and Sexual Harassment (Ms.

Wendy Cue, cue@un.org). These focal points are available to provide guidance and information to OCHA managers and personnel on the policies and procedures for prevention of – as well as responses to – sexual harassment.

Mandatory OCHA ePerformance Goal

176. The mandatory OCHA ePerformance Goal, introduced for the 2019/2020 performance cycle, seeks to bring greater accountability to ensuring that the required preventative measures are taken and tracks the compliance of staff members with mandatory training requirements. Performance appraisals may record instances of non-adherence by staff members to the principles of the Secretary-General's bulletin [ST/SGB/2019/8](#), where appropriate.
177. For 2020/2021, the mandatory goal is “Meet the standards of conduct expected of all OCHA personnel in promoting and upholding OCHA’s duty of care relating to security, health, safety and well-being, as well as the promotion of respectful and harmonious working environments”.
178. More information on the mandatory goal, related actions and success criteria is available on the Human Resources Pages at [OCHAHub](#).

Resources

- [Factsheet on Taking Action on Sexual Harassment](#)
- [Guide for Managers – United Nations Secretariat: Prevention of, and Response to, Sexual Harassment in the Workplace](#)
- [United to Respect: Promoting Dignity and Respect in the Workplace Toolkit](#)
- [Code of Conduct: To Prevent Harassment, including Sexual Harassment, at UN System Events](#)
- OCHA Code of Conduct: (Annexed)
- [OCHA Guidance for Managers: Prevention of, and Response to, Sexual Harassment in the Workplace](#)

Receiving and assessing complaints

Confidentiality

179. All reports and allegations of prohibited conduct shall be handled with sensitivity in order to protect the privacy of the individuals concerned and to ensure confidentiality to the maximum extent possible and compliance with relevant data and information-sensitivity classification(s) and related guidance.
180. If there is a need for confidential guidance or advice on matters relating to sexual harassment, staff members may consult the Office of the United Nations Ombudsman and Mediation Services or the [Staff Counsellor's Office](#), both of which are bound by strict rules of confidentiality under their terms of reference. Within OCHA, staff members may seek guidance from the OCHA Human Resources Section or from [OCHA's staff welfare officers](#).

Informal resolution

181. Informal resolution is voluntary and does not exclude the possibility of also pursuing formal resolution. Early intervention through informal means can avoid escalation into prohibited conduct. There is no need to wait for a formal complaint to take action.
182. The Office of the United Nations Ombudsman and Mediation Services, the Staff Counsellor's Office, the Speak Up hotline (speakup@un.org; +19173678910) and/or the OCHA Human Resources Section can provide assistance or advice to staff or managers wishing to pursue informal resolution.
183. Informal resolution may include:
 - Approaching the alleged offender and requesting that the offensive behaviour(s) cease. The affected individual, if they feel comfortable doing so, may wish to notify the alleged offender requesting that the behaviour cease. Alternatively, they may wish to ask a trusted manager or colleague to intervene and speak

to the offender. The Office of the United Nations Ombudsman and Mediation Services can also provide professional support to mediate the discussions or advice on how to approach the discussions.

- Managerial intervention. Affected individuals are encouraged to raise the issue with their supervisor if the situation allows and they feel comfortable doing so. Managers should provide advice, assistance and/or information in a timely, sensitive and impartial manner. Managers should enact any appropriate protective measures available. If for any reason a manager cannot do this, they shall consult with the OCHA Human Resources Section for further support.

184. Guidance to Managers regarding reports of sexual harassment in the workplace:

- Treat this issue as a priority and schedule any required meetings immediately.
- Before meetings, review the content of the sexual harassment policy, internal reporting procedures and available resources and services, such as the respective investigation body, the Office of the United Nations Ombudsman and Mediation Services, Human Resources Officers, the Staff Counsellor's Office, United Nations Medical Services, the United Nations Ethics Office and staff representative bodies.
- Provide the staff member information on available resources such as counselling, informal resolution, formal resolution and protection against retaliation.
- Regardless of how the allegations are resolved, check in regularly and make sure there is no retaliation against the affected individual.
- Apply the following principles when approached with a complaint:
 - Act quickly.
 - Do not make promises you cannot keep.
 - Make sure the complainant knows they will be protected from retaliation.
 - Listen actively and respectfully to the complaint.
 - Take careful notes for your own records. Put only exact statements in direct quotation marks. Suggest that the complainant keep careful notes and any material evidence, such as emails or letters from the alleged offender, witnesses or other relevant information.
 - Be empathetic ("I understand."), as opposed to sympathetic ("I agree."). Do not judge or take sides. Do not offer personal opinions or speculate on the facts. Once you have the facts, you will be in a position to make a managerial judgment about the situation.
 - Do not give advice directly. Let the complainant know their options and, specifically, how to pursue those options. Let them know they can get advice and support from staff dedicated to these issues.
 - Inform the affected individual that confidentiality will be respected to the extent possible, but make it clear that you are required to respond to the situation and that some procedures in the applicable United Nations policies (ST/SGB/2019/8 and ST/AI/2017/1) make it necessary to inform other people on a need-to-know basis. For example, within the formal process, the office that is responsible for investigations would be part of the limited need-to-know basis.
 - Check whether some sort of accommodation is necessary. For example, if a complainant feels unsafe or threatened, they may want to be in a different physical location from the alleged offender.
 - If you are uncertain about how to proceed, seek advice from your supervisor, Human Resources manager or another contact from the list of resources available in your organization.

Formal resolution – submitting an official complaint

185. In circumstances where informal resolution is not desired or appropriate, or has been unsuccessful, a formal written complaint may be submitted in accordance with the Secretary-General's bulletin **ST/SGB/2019/8**.
186. A written complaint may be submitted by e-mail to the Under-Secretary-General, with a copy to the United Nations Office of Internal Oversight Services (OIOS), or to OIOS directly. If the alleged offender is the Under-Secretary-General, the complaint should be submitted to OIOS.
187. Official complaints of sexual harassment may be submitted by the affected individual or by any other third party who has direct knowledge of the situation.
188. At a minimum, an official report of sexual harassment should include:
- Name of implicated staff member
 - Description of conduct
 - Date(s) and location(s) of incident(s)
 - Names of potential witnesses
 - Supporting documentation, if any
 - Only if not anonymous: Date of submission and signature of the complainant or third party making the report. As noted in [ST/SGB/2019/8](#), formal reports can be made anonymously and are not subject to time limits.

Anonymous reports

189. Anonymous reports may be submitted directly to OIOS [online](#), if preferred.

Investigations and the disciplinary process

For complaints pertaining to all personnel administered by OCHA

REFERRAL, PRELIMINARY ASSESSMENT AND POSSIBLE INVESTIGATION OF THE COMPLAINT

190. The guiding policies are the Secretary-General's bulletin [ST/SGB/2019/8](#) and administrative instruction [ST/AI/2017/1](#). Upon receipt of an official complaint, the Under-Secretary-General will refer the matter to OIOS. OIOS will assess the complaint and determine whether it will launch an investigation.
191. If there are sufficient grounds to a complaint, OIOS will initiate an investigation.

OUTCOME OF THE INVESTIGATION AND POSSIBLE DISCIPLINARY PROCESS

192. In cases where there is insufficient evidence to support the complaint, OIOS will notify the affected individual and the alleged offender of the outcome of the investigation.
193. In cases where there is evidence to substantiate the complaint, OIOS will submit an investigation report to the United Nations Assistant Secretary-General, Office of Human Resources Management (OHRM), for appropriate action, including possible disciplinary proceedings. OHRM will notify the alleged offender and the complainant of the outcome.

FOR COMPLAINTS PERTAINING TO PERSONNEL ADMINISTERED BY THE UNITED NATIONS DEVELOPMENT PROGRAMME

194. Upon receipt of complaints involving staff of the United Nations Development Programme (UNDP), OCHA will refer to the UNDP Office of Audit and Investigation (OAI), which is responsible for assessing and investigating allegations against UNDP staff and contract holders. If upon assessment of the complaint it is deemed that an investigation is required, OAI will investigate in accordance with the [UNDP Legal Framework for Addressing Non-Compliance with UN Standards of Conduct](#) and the [OAI Investigations Guidelines](#). OAI will inform OCHA of the outcome, including any disciplinary actions to be imposed. The alleged offender/offender and the affected individual will also be advised of the outcome by OAI.

Victim support and protection

195. There is 24-hour helpline for United Nations personnel to speak confidentially with an impartial and trained individual for information on protection, support and reporting mechanisms. The Speak Up hotline can be reached via telephone (US number +1 (917) 367-8910) or email (speakup@un.org).
196. The following offices can provide additional advice or support on sexual harassment: the OCHA Human Resources Section, the Office of the United Nations Ombudsman and Mediation Services, the United Nations Ethics Office, the Staff Counsellor's Office and OIOS.
197. The services of the Office of the United Nations Ombudsman and Mediation Services include discussing options and making referrals according to the wishes of affected individuals. Nothing is triggered automatically by contacting the office. The contact itself is off the record. Affected individuals therefore remain in control of any decisions they make following contact with the office.
198. Staff counsellors are mental health professionals who provide psychosocial support and discuss tools to address the emotional impact of the situation on the affected individual. They also provide referrals to external mental health resources, upon request.
199. Consultations with officials from the Office of the United Nations Ombudsman and Mediation Services or the Staff Counsellor's Office may be held in person or through electronic means, depending on available resources and the location of the affected individual.
200. Both the Office of the United Nations Ombudsman and Mediation Services and the Staff Counsellor's Office are bound by strict rules of confidentiality under their respective terms of reference. All discussions are strictly confidential, meaning that information cannot be shared with an affected individual's supervisor, colleagues or management. Documentation and other information may not be shared with any other office without the consent of the affected individual or other person seeking support.

Interim Protective Measures during investigation or assessment of a complaint

201. Interim protective measures may need to be taken to protect the integrity of an investigation, prevent the occurrence or repetition of possible prohibited conduct and/or address risks of possible retaliation in accordance with the Secretary-General's bulletin [ST/SGB/2017/2/Rev.1](#), or if such measures would otherwise be in the interests of the organization or work unit. Such measures may include:
 - Physical separation of the alleged offender and the affected individual;
 - Reassignment of either the alleged offender or the affected individual with the consent of the alleged offender or the affected individual;
 - Instituting flexible working arrangements for either the alleged offender or the affected individual;
 - Granting unplanned annual leave or suggesting that either the alleged offender or the affected individual take annual leave;
 - Consideration of special leave for either the alleged offender or the affected individual;
 - Temporary changes in reporting lines;
 - Placement of the alleged offender on administrative leave in accordance with administrative instruction [ST/AI/2017/1](#).

Protection regarding work performance

202. If a staff member is or may be a target of sexual harassment, the head of entity shall enquire whether there has been an impact on the individual's work performance or conduct. If performance or conduct issues have emerged, support will be offered to the affected individual with a view to appropriately addressing the issues, without prejudice to the performance review system. Accommodations that may be considered include:
 - A new workplan for the affected individual;
 - Authorization of special leave and/or other flexible working arrangements.

Protection from retaliation

203. Staff members have a duty to report any breach of United Nations regulations and rules to the officials whose responsibility it is to take appropriate action. An individual who reports such a breach in good faith or has cooperated with a duly authorized audit or investigation has the right to be protected against retaliation in accordance with the Secretary-General's bulletin ([ST/SGB/2017/2/Rev.1](#)).

PERSONNEL ADMINISTERED BY OCHA

204. A request for protection from retaliation can be made to the United Nations Ethics Office. Information on the submission process and the application form is available [online](#)²⁰.

PERSONNEL ADMINISTERED BY UNDP

205. A request for protection from retaliation can be made to the UNDP Ethics Office. Information on the submission process and the application form is available [online](#)²¹.

Links with other system-wide initiatives

206. Sexual harassment is fundamentally linked to unequal gender relations. The Secretary-General's system-wide strategy on gender parity, launched in September 2017, comprehensively provides targets and tools to ensure gender parity and empowerment of women and to effect positive organizational change.

207. A safe and inclusive working environment is a prerequisite to addressing sexual harassment. The Enabling Environment Guidelines for the United Nations System, developed by the Human Resources Network of the CEB, OHRM and UN Women, were published in March 2019 to provide guidance and best practices.

²⁰ <https://www.un.org/en/ethics/protection-against-retaliation/index.shtml>.

²¹ <https://www.undp.org/content/undp/en/home/accountability/ethics.html>.

Flow Chart: Official Sexual Harassment Complaint Submitted to the Under-Secretary-General or OCHA

FORMAL RESOLUTION

An official complaint is submitted to the USG or OCHA

REFERRAL

Referral of complaint to OIOS
If the complaint involves an UN Secretariat administered staff member

Referral of complaint to UNDP OAI
If the complaint involves a UNDP administered staff member

Referral by OIOS and handling by OCHA
The complaint will be referred to OIOS, however, other actions (such as termination of the contract) may also be taken following careful review by USG OCHA, in accordance with the conditions of the contract and ST/AI/2017/1.

Possible disciplinary sanction
Following investigation, which can be combined with the following measures

ASSESSMENT

Preliminary assessment of complaint
- Individual who submitted formal report shall be informed of the Organization's policy on protection against retaliation
- OIOS retains the ultimate authority to decide which cases it will consider and shall determine whether the information of unsatisfactory conduct received merits any action, and if so, is better handled by the responsible official or by OIOS

OIOS INVESTIGATION
OIOS shall seek the views of the affected individual before proceeding, if the formal report is submitted by a person other than the affected individual

REFERRAL OF THE CASE TO USG OCHA
If OIOS decides that there are insufficient grounds to initiate an investigation, it may return the allegation to OCHA for assessment.

Assessment of complaint
by the USG to determine next steps, which may be managerial action, or closure

INVESTIGATION

INVESTIGATION REPORT

If the facts fully support some or all of the allegations
Refer the case to OHR for possible disciplinary proceedings

If the facts do not support the allegations of prohibited conduct, or the conduct established does not rise to the level of misconduct, the USG will determine which of the following actions to take.

Possible disciplinary sanction
Which could be combined with the following measures

RESULT AND CLOSURE OF CASE

Administrative action
May include:
- A written or oral reprimand,
- Reassignment, and/or,
- Change of duties.

Managerial action
May include:
- An oral or written caution, warning or advisory communication,
- Training, coaching, and/or,
- Referral to the Staff Counsellor.

Closure with no action

Possible investigation of a malicious complaint
If it appears that the complaint was not made in good faith

ANNEXES

Contents

- 46** Annex 1: Terms of Reference, OCHA PSEA Focal Point
- 48** Annex 2: Electronic Incident Reporting Form (e-IRF)
- 50** Annex 3: Standard Administrative Agreement
- 51** Annex 4: IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019
- 52** Annex 5: OCHA Cross-Functional Task Force
- 53** Annex 6: Model Code of Conduct
- 56** Annex 7: IASC Fund for Investigations into Sexual Exploitation, Abuse and Sexual Harassment

Annex 1: Terms of Reference, PSEA Focal Point

Role Description

The OCHA Head of Office is the PSEA Focal Point in the field. The HoO should designate a Deputy Head of Office or other senior staff as the alternate PSEA Focal Point.

The PSEA Focal Point is tasked with implementing OCHA PSEA guidance and IASC guidance as an active member of the in-country PSEA Network.²²

Major Tasks

Under the four pillars of protection from sexual exploitation and abuse (community engagement, prevention, response, management and coordination), the PSEA Focal Point will undertake the following:

ENGAGEMENT WITH AND SUPPORT OF THE AFFECTED POPULATION

- All engagements with the local population should be 1) shared with the in country PSEA Network, and 2) done in coordination with actors working with affected populations [and the AAP / CwC Working Group] to avoid duplication of efforts and to inform said engagements.
- Map existing community engagement projects in OCHA and work with project leads to insert PSEA messages and/or gather community input where appropriate.
- Conduct regular consultations to learn community preferences in reporting sensitive information, their perspectives of aid workers' attitudes and behavior, and their input on how to speak about sexual issues in a culturally appropriate manner.
- Design awareness-raising tools and facilitate events for community members with emphasis on their rights, the fact that assistance is never to be conditioned on sexual favors, and options for reporting sensitive complaints including incidents of SEA.

PREVENTION

- Develop a PSEA Work Plan to mainstream PSEA throughout the field office.
- Promote and ensure that all staff have a copy of the Secretary-General's Bulletin (SGB) and the 2019 IASC Six Core Principles relating to PSEA which serve the purpose of a code of conduct for OCHA staff. In the same vein, conduct regular dialogues, trainings and/or refresher sessions to ensure staff have the requisite knowledge of the expected code of conduct.
- Collect and analyze information on SEA risk factors and making recommendations to senior management on how to enhance prevention strategies to address risks. Share SEA risk results with the PSEA Network.
- Ensure that the contact details of the PSEA Focal Points are known throughout the OCHA field office and areas of operation.
- Put in place and apply practices in recruiting and human resource management that guard against hiring persons who have a record of misconduct, including through UN ClearCheck and where possible, the interagency Misconduct Disclosure Scheme.
- Include PSEA clauses and content in induction, contracts and subcontracting, and performance evaluation criteria.
- Disseminate communication material on reporting mechanisms. Ensure information is visible in all locations, including sub-offices.

RESPONSE

- Ensure the implementation of internal OCHA procedures for staff and related personnel to report incidents of sexual exploitation and abuse, consistent with UN regulations, rules and policies. Procedures shall cover the reporting of incidents implicating OCHA personnel, another entity, multiple entities or where the entity of the alleged perpetrator is uncertain or unknown.

²² See the Generic Terms of Reference for in-country PSEA Network (2019).

- Receive complaints, reports and questions about alleged acts of sexual exploitation and abuse committed by OCHA staff and related personnel, as well as the personnel of other entities if approached, including when the institutional affiliation of the alleged perpetrator(s) is unknown or uncertain.
- Take appropriate measures to ensure safety and confidentiality for all persons seeking to report SEA allegations with the Focal Point.
- Work with the PSEA Network to establish and implement an inter-agency Community-Based Complaint Mechanism, so that there are safe, accessible, and contextually appropriate channels for any member of the community to reporting complaints of SEA, and complaints reach the concerned organization for follow up.
- Support the establishment and/or strengthen referral pathways to victim assistance services, in coordination with GBV specialists.
- Once a complaint is received, ensure compliance with these Standard Operating Procedures for immediate victim assistance and referral for investigation.
- Keep the victim regularly informed throughout the process.

Management and coordination

These responsibilities are detailed under Section 2 of the OCHA Standard Operating Procedures “Support to Humanitarian Coordinators and Humanitarian Country Teams”

- Track all PSEA-related activities for the field office and ensure that all information on PSEA-related activities is shared with OCHA’s Senior Coordinator for PSEA, the Executive Office and OAD.

Support and resources for the PSEA Focal Point

Guidance, information and training on PSEA mechanisms and procedures will be made available by the Senior Coordinator, EO and OAD, to ensure Focal Points are fully equipped with knowledge and skills needed to successfully carry out their responsibilities. Such materials will be integrated into standard OCHA training and updates made on a continuous basis. OCHA PSEA Focal Points may also participate in Inter-Agency training at country or regional level.

An internal OCHA SharePoint on PSEA²³ is available through the OCHA Hub and will be maintained to provide resources and a venue to share information and exchanges of experience and lessons.

²³ <https://unitednations.sharepoint.com/sites/OCHAPSEA>

Annex 2: Electronic Incident Reporting Form (e-IRF)

Concept Note

ROLL-OUT AND IMPLEMENTATION PHASE OF THE INCIDENT REPORTING FORM

1. **Purpose of the SEA Incident Reporting Form**

- 1.1 The Incident Reporting Form (IRF) (Annex I English version; Annex II French version) and associated guidance (Annex III), which details the process for using the IRF, has been rolled out in the Democratic Republic of Congo, Central African Republic, Jordan and in South Sudan. The IRF is to be used by all United Nations entities which part of the Prevention of Sexual Exploitation and Abuse (PSEA) Task Force in these countries. The IRF has been developed to (i) capture initial information provided by the declarer (the victim/ witness, a relative of the victim or any person who comes to report) of an allegation of SEA, and (ii) record her/his informed consent or lack of consent to share Personal Identification Information (PII) outside the United Nations system. NOTE: The Victim/Witness defined as the “Declarer”, only has control over his/her PII and not the narrative surrounding the allegations. All allegations which lead to an identifiable or identified victim or an identifiable or identified alleged perpetrator must be reported.
- 1.2 The IRF is to be used by all United Nations entities operating in the above listed duty stations. It shall be filled out only by personnel who as part of their professional functions have the expertise to record complaints related to sexual exploitation and abuse. For example, child protection officer, human rights officer, conduct and discipline officer, legal officer. These authorized UN personnel should be the designated by their respective entity as ‘Information Receiving Official (IRO).’ If a UN entity does not have personnel with the required expertise to receive a complaint of this nature, it should liaise with other UN entities to ensure that in every location where there UN personnel, there are at least two people qualified to record such complaints.
- 1.3. If the UN receives a complaint about an individual working with an IP or any other entity, the IRF is used.
- 1.4. The purpose of the IRF is to initiate a formal process, in response to an allegation/report of sexual exploitation and abuse, which may include steps to provide victim assistance and/or requirements of further assessment to determine appropriate action, such as an administrative investigation and/or a referral for criminal investigation. The use of the IRF, a standardized and comprehensive form, will contribute to consistency in how the United Nations system collects information on and responds to reports of sexual exploitation and abuse.

The IRF is not a case management tool.

- 1.5. The designated IROs will be briefed on the IRF and receive the associated guidance so they are familiar with the form. The guidance will serve as the primary “what and how tool” (see para. 4.2 of the Guidance). To supplement this guidance, briefings are available at the request of the PSEA Task Force and/ or UNCT to the designated IROs of each entity in the countries. These briefings may be supplemented by a training tool prepared by OIOS; additional training will be provided as required by each entity.
- 1.6. Designated and authorized officials using the form can report any concerns or comments relating to its use to the Office of the Special Coordinator, through the “field roll-out report” (Annex IV).

2. **Objectives of the IRF field roll-out**

- 2.1 The field roll-out is directed to ensuring the following:
 - a. *Reporting procedure*: consistent and streamlined reporting process of sexual exploitation and abuse; that all personnel who receive a complaint are competent to do so; facilitation of procedures to receive an initial report of an allegation and that the information captured through the IRF is shared with relevant entities; ensure appropriate safeguarding of confidentiality in the sharing of information and that information shared through the use of the IRF, supports follow-up by investigative bodies on allegations.
 - b. *Information-sharing on the ground*: There is an important distinction between the information contained in the IRF and the form itself. The IRF document is highly confidential and the actual form should be shared only in accordance with each entity’s sexual exploitation and abuse reporting procedures, with a copy being provided to OIOS as the oversight mechanism.
 - c. The Personally Identifiable Information (PII) will be redacted and eliminated from the IRF’s prior to sharing with OIOS when the alleged perpetrator is not under OIOS mandate.

- d. Sharing information with third non-UN entities: The IRF should not be shared. However, subject to the consent of the declarer (victim/witness/complainant) relevant information contained in the IRF, not the document itself or the entirety of the information contained therein, can only be shared as appropriate in accordance with the “need to know principle.” For example, if the victim requests assistance and agrees that her/his name or other personally identifiable information (PII) can be shared for this limited purpose, then that information may be shared. This may include the name of the victim, nature of the injury, circumstances, age of victim etc., but not the name(s) of perpetrator(s) or information not relevant for the provision of victim assistance.
- e. *Impact of victim or declarer’s decision on “consent:”* the concept of PII should be clear to the Incident Reporting Officer (IRO) as well as the possible consent options.
- f. *If a victim does not consent to share his/her PII.* This must be recorded. It will enable the United Nations to record how many victims refuse to give consent to sharing their PII which will impact the possibility of criminal accountability but should not necessarily impede an investigation.
- g. *The form:* The form is designed to be user-friendly. There is detailed and comprehensive guidance to assist IROs fill out the form.
- h. *Victim-centred aspects:* the form has been designed to prioritize the needs of the victim/declarer. It highlights information on the United Nations’ responsibilities to the victim/ declarer. The use of the IRF should facilitate the process of referring victims for assistance or providing them with protection when needed without repeated interviews.

3. Environment in which the IRF will be administered

A. Field roll-out: who and where?

3.1 The aim is for the IRF to be used across the Secretariat and the agencies, funds and programmes. The IRF is rolled-out in DRC, CAR, Jordan and South Sudan (effective 1 September 2019) by all relevant actors [i.e., authorized personnel of the Secretariat and agencies, funds and programmes who receive reports of sexual exploitation and abuse]. The roll-out will be conducted by all UN entities which receive complaints related to sexual exploitation and abuse, which include, but are not limited to:

- CDT and OIOS in (in peace operations), with the support of OHCHR;
- UNICEF, UNFPA, UN WOMEN, IOM, UNHCR, and all UN Members of the Prevention of Sexual Exploitation and Abuse Task Force in the above-mentioned countries.

B. Field roll-out: when and how?

3.2 The United Nations entities will designate and brief the IRO who will liaise with the O/SC and OIOS. The IROs will use the IRF, in line with the reporting procedures, which will replace all initial reporting hard-paper forms currently in use. **Note:** forms used by United Nations entities as case- management tools to track and follow cases throughout the disciplinary process, or documents used to report misconduct to OIOS, inclusive of sexual exploitation, as well web-based tools (e.g. MTS), will be maintained.

C. Implementation phase: Specific Roles

3.3 After the results of the field roll-out have been reflected in the form, the use of the IRF will be system wide.

- Role of OIOS: During the field roll-out, OIOS will serve as the repository for all completed IRFs, irrespective of the investigative entity or entity of the perpetrator. Thus, a copy of each IRF completed by all UN entities must be sent to OIOS. OIOS’s role as the system-wide repository will be reviewed as the IRF becomes more widely used across the system.
- Role of the Field Victims’ Rights Advocate (VRA): Pursuant to the Uniform Policy on Balancing Confidentiality with Accountability and the IRF Guidance Note, assurances will be given to the victim/declarer that information would be shared internally within the UN only on a “need-to-know” basis. Information should be shared with the Field VRAs. If there is no field VRA, the information should be shared with the Victims’ Rights Advocate
- Role of the HQ Victims’ Rights Advocate: the ASG/VRA will have access to the IRF form. The ASG/VRA will become part of the Advisory Group and have access to the aggregate data (procedure to be reviewed at the mid-term of the field roll-out).

Annex 3: Standard Administrative Agreement

Contact Donor Relations for OCHA's standard MoU, which includes the PSEA clauses below (based upon the UN system-wide Standard Administrative Agreement, Section IX)

1. OCHA has zero tolerance for and is firmly committed to take all necessary measures to prevent and address instances of sexual exploitation and sexual abuse in programmatic activities, and sexual harassment within OCHA.
2. OCHA requires that its Implementing Partners certify to undertake all reasonable actions to prevent sexual exploitation and abuse, sexual and workplace harassment, and comply with all requirements of the UN Standards of Conduct.
3. Investigations of allegations of Sexual Exploitation and/or Sexual Abuse arising from OCHA's programmatic activities or activities funded by Country-Based Pooled Funds will, where appropriate, be carried out by the Office of Internal Oversight Services (OIOS), in accordance with OIOS's rules, regulations, policies and procedures.
4. [Donor] will be promptly notified of allegations of Sexual Exploitation and/or Sexual Abuse received/under investigation, as well as of any allegations credible enough to warrant an investigation received from the OCHA's Implementing Partners, through the Secretary-General's reporting mechanism on Sexual Exploitation and Sexual Abuse (the "Report")²⁴, without prejudice to the status of the Agreement.

²⁴ The level of detail of information provided will be as found in the Secretary-General's Reporting Mechanism on Sexual Exploitation and Abuse. Updated 2019 Revised Standard Administrative Agreements and MoU including for Humanitarian Funds and accompanying Q & A can be found at: mptf.undp.org/document/legal.

Annex 4: IASC Six Core Principles Relating to Sexual Exploitation and Abuse, 2019

1. “Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.
3. Exchange of money, employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour is prohibited. This includes exchange of assistance that is due to beneficiaries.
4. Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6. Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.”

Annex 5: OCHA Cross-Functional Task Force

ROLES	RESPONSIBILITIES
<p>Wendy Cue</p> <p>Senior Coordinator for PSEA/Sexual Harassment</p>	<ul style="list-style-type: none"> ■ Overall OCHA Senior Coordinator for PSEA/ SH and main point of contact for IASC Champion (Filippo Grandi until Dec 2020). ■ Chair cross-functional OCHA internal Task Team on PSEA/SH (to meet as required to coordinate and discuss PSEA/ SH agenda) ■ Lead on follow up to commitments from joint IASC / CEB Task Force on Sexual Harassment investigators' conference. ■ Focal point for the OCHA Investigations Fund
<p>Menada Wind-Anderson</p> <p>Executive Officer</p>	<ul style="list-style-type: none"> ■ Oversee implementation of OCHA SOPs with regards to Receiving Complaints, Reporting, and Investigation. ■ Ensuring compliance UN Secretariat policy and directives on pre-screening, self-declaration, consent provisions, reference-checking; and implementing IASC agreements and initiatives, as appropriate. ■ Participate in CEB Secretariat Task Teams on Sexual Harassment, and on reporting through UN SEA WG
<p>Lisa Carty</p> <p>Director, Humanitarian Financing and Resource Mobilisation Division (HFRMD)</p>	<ul style="list-style-type: none"> ■ Promote guidance for increasing CERF/CBPF funding to victim support/ SEA / GBV related projects. ■ Ensure adequate safeguards and appropriate action related to sexual exploitation and abuse (SEA) are in place with regards to CBPF implementing partners.
<p>Reena Ghelani</p> <p>Director, OAD</p>	<ul style="list-style-type: none"> ■ Oversee HoO implementation of OCHA roles as detailed in OCHA SOP on PSEA ■ Support field implementation of IASC guidance on PSEA through HC and HCTs ■ Support implementation of IASC MOS on PSEA at country level ■ Guide OCHA field support to HC/HCTs and in-country PSEA networks
<p>Rein Paulsen</p> <p>Acting Director, Coordination Division</p>	<ul style="list-style-type: none"> ■ Ensure PSEA strategies, action plans, and projects are reflected in all HRPs/RRRPs and in the GHO
<p>April Pham</p> <p>Senior Gender Advisor, OASG</p>	<ul style="list-style-type: none"> ■ Guide field support to HC/HCTs and in-country PSEA networks with regards to victim assistance and protection

Annex 6: Model Code of Conduct

OCHA's mission is to mobilize and coordinate humanitarian action. OCHA contributes to principled humanitarian response through its core functions of coordination, advocacy, policy, information management, and humanitarian financing tools and services. OCHA promotes compliance with humanitarian principles by promoting practical measures within humanitarian coordination forums, through its engagement with State and non-state actors, and by undertaking and contributing to policy development for the United Nations (UN) as well as the wider humanitarian community.

OCHA commits to the UN Core values of Integrity, Professionalism and Respect for Diversity. Integrity is demonstrated by undertaking our work honestly, openly and impartially. We demonstrate professionalism in our ability to work in a calm, competent and committed manner. We respect diversity by working respectfully with people from different backgrounds as well as those who have different perspectives. All OCHA staff members are required to demonstrate these UN core values.

OCHA activities are guided by the four humanitarian principles: humanity, neutrality, impartiality and independence. These principles provide the foundations for humanitarian action. They are central to establishing and maintaining access to affected people, whether in a natural disaster or a complex emergency. Promoting and ensuring compliance with the principles are essential elements of effective humanitarian coordination.

HUMANITY

Human suffering must be addressed; Humanitarian action is to protect life and health and ensure respect for human beings

NEUTRALITY

Humanitarian actors must not take sides in hostilities or engage in political, racial, or religious disputes

IMPARTIALITY

Humanitarian action must be carried out on the basis of need alone; No distinctions based on nationality, race, gender, religious belief, class or political opinions.

INDEPENDENCE

Humanitarian action must be autonomous from the political, economic, military or other objectives.

OCHA Ethical and Behavior Standards:

OCHA staff must not engage in any conduct that would adversely reflect on OCHA and the UN, including activities that are incompatible with the aims and objectives of the UN and the mandate of OCHA. More specifically, OCHA staff shall prevent, oppose and combat all exploitation and abuse of vulnerable people and communities.

OCHA staff will respect all persons equally without distinction of race, gender, religion, colour, national or ethnic origin, language, marital status, sexual orientation, age, socio-economic status, disability, political conviction, or other distinguishing feature. OCHA staff will strive to remove all barriers to equality.

OCHA staff shall acknowledge and agree to the UN's policy of zero tolerance for abuse and misconduct, including sexual exploitation and abuse, sexual and work place harassment, discrimination, assault, and threatening or jeopardizing the lives or wellbeing of colleagues or others.

Further, OCHA staff shall take all reasonable measures to prevent such abuse and misconduct.

OCHA staff must not engage in any actions, which can be construed as financial, administrative or contractual misconduct such as (but not limited to): abuse of authority, gross negligence, conflict of interest, violation of confidentiality, mismanagement, misuse or misappropriation of assets and funds, theft, fraud, corruption, misrepresentation, collusion and any violation of procurement principles.

Further, the following misconduct will not be tolerated: violation of relevant laws, including of International Humanitarian, Human Rights and Refugee Law and of humanitarian principles. UN staff must not abuse any associated privileges and immunities granted by hosting governments.

Protection from Sexual Exploitation and Abuse and Sexual Harassment (PSEAH):

OCHA commits to promote and ensure that all staff have a copy of the 2003 Secretary-General's Bulletin (ST/SGB/2003/13) "Special measures for protection from Sexual Exploitation and Abuse (SEA) and the associated 2019 IASC Six Core PSEA Principles, (hereafter the PSEA Core Principles).

OCHA reinforces the need to eradicate SEA (with beneficiaries) and eliminate sexual harassment in the workplace. SEA and sexual harassment both constitute sexual misconduct and have no place in OCHA. Both result from unequal power relations, abuse of power, and in many cases, gender bias. Both compromise trust, weaken humanitarian action and violate UN principles and codes of conduct.

SEA perpetrated by OCHA staff or associated personnel contradicts the principles that underpin humanitarian action and constitute a fundamental failure to fulfill OCHA's commitment and obligations to protect the people we serve.

All OCHA staff must adhere to the PSEA Core Principles.

- 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 consent locally. Mistaken belief regarding the age of a child is not a defence.
- Exchange of money, employment, goods or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
- Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such assistance that involves improper use of rank or position is prohibited. 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 colleague, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms
- Humanitarian workers are obliged to create and maintain an environment which prevents SEA 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.

In addition, as outlined in the OCHA Standard Operation Procedures (SOPs) on Sexual Misconduct, OCHA staff understand and acknowledge that:

- OCHA commits to ensuring that all staff members and non-staff personnel are treated with dignity and respect and are aware of their roles and responsibilities in maintaining a workplace free of any form of discrimination or harassment, including sexual harassment, and abuse of authority in accordance with the Secretary-General's bulletin "Addressing discrimination, harassment, including sexual harassment, and abuse of authority".
- Reports of sexual harassment in OCHA's workplace or in connection with OCHA's work can be submitted by any person and against any person, irrespective of whether such persons have contractual status with the Organization.
- Staff members who are alleged to have committed prohibited conduct may be subject to disciplinary or other administrative action in accordance with the UN Secretariat Administrative instruction "Unsatisfactory conduct, investigations and the disciplinary process". Non-staff personnel who are alleged to have committed sexual harassment may be subject to action in accordance with the terms and conditions of the contract governing their services and of other applicable policies regarding non-staff personnel, which may include termination of the contract and possible referral to local authorities for possible criminal investigation.

Conclusion:

OCHA commits to the UN Core values of integrity, professionalism and respect for diversity, as well the four humanitarian principles of humanity, neutrality, impartiality and independence underpin all OCHA activities. Further, OCHA commits to implementing the UN's zero-tolerance policy on SEA in line with the Secretary-General's Bulletin "Special measures for protection from SEA" and the IASC PSEA Core Principles (2019).

Staff members who have been found to have committed violations of international human rights law, violations of international humanitarian law, sexual exploitation, sexual abuse, and/ or sexual harassment, or if there are reasonable grounds to believe that they have been involved in the commission of any of these acts will be investigated, with appropriate measures taken.

OCHA Staff Agreement:

I acknowledge and agree to the rules and principles outlined in this Code of Conduct:

Name of OCHA staff member: _____

Title: _____

Signature of OCHA staff member: _____ Date: _____

Reference documents:

1. OCHA SOPS on Sexual Misconduct August 2020
2. ICRC Code of Conduct
3. UNHCR Code of Conduct
4. UN Core Values
5. OCHA Implementing Partner Agreement
6. Secretary-General's Bulletin (ST/SGB/2003/13) "Special measures for protection from SEA"
7. IASC PSEA Core Principles 2019
8. Secretary-General's bulletin (ST/SGB/2019/8) "Addressing discrimination, harassment, including sexual harassment, and abuse of authority"
9. UN Secretariat Administrative instruction (ST/AI/2017/1) "Unsatisfactory conduct, investigations and the disciplinary process".

Annex 7: IASC Fund for Investigations into Sexual Exploitation, Abuse and Sexual Harassment

OCHA FUND FOR INVESTIGATIONS INTO SEXUAL EXPLOITATION, ABUSE, AND SEXUAL HARRASSMENT



PURPOSE

To provide rapid grants to IASC organizations and affiliated partners who lack access to sufficient dedicated or internal investigations capacity for cases of Sexual Exploitation and Abuse against beneficiaries or Sexual Harassment against Aid Workers.

WHO CAN APPLY?

IASC organisations and affiliated partners that do not have dedicated investigations capacity, or have limited investigations capacity, and who commit to adhere to, follow up and implement findings.

Priority will be accorded to applicants who:

- Have a project included in Humanitarian Response Plans / Refugee Response Plans or equivalent.
- Have received funding (or is a partner of an agency that has received funding) from CERF or Country-Based Pooled Fund.

WHAT CAN THE FUNDS BE USED FOR?

1. Contract investigative staff or to commission an investigation by a qualified company.
2. Reimburse a provider of investigative services where investigation is provided by a partner organization.
3. Fund auxiliary investigation costs including travel, translation services in country of investigation.

SIZE OF ALLOCATION

Expected range of grants is estimated at between US\$ 30,000 and US\$ 60,000 based on average investigation cost.

CURRENT EXCLUSIONS

The Fund will not be responsible for recruiting investigation officers to conduct the investigations, or maintaining a roster of investigators. Grants will not be provided to build general investigation capacity or conduct training.

For more information about the fund and OCHA's work on protection from sexual exploitation, abuse and harassment, please contact Wendy Cue (cue@un.org)

HOW TO APPLY

Requesting organisations should send a completed [initial project proposal](#) to ochapseafund@un.org.

Further enquiries can be found at www.unocha.org/psea.