

Protection from Sexual Exploitation and Abuse From A to Z



TABLE OF CONTENTS

Glossary	5
1. Introduction	6
1.1. Impetus	6
1.2. Guide to Use This Toolkit	6
2. Basics	7
2.1. Defining the Basics	7
2.2. Core Principles	10
2.3. Key Messages to the Community.....	11
2.4. PSEA in Lebanon	12
3. Prevention of SEA	13
3.1. Code of Conduct and PSEA Policy.....	13
3.2. Recruitment and HR Follow-Up.....	15
3.3. Sensitization on PSEA.....	16
3.4. Risk Mitigation.....	17
4. Effects of SEA	18
4.1. On the Victim.....	18
4.2. On Others.....	19
5. Reporting SEA.....	19
5.1. Barriers to Reporting.....	19
5.2. In-Take of Complaint	20
5.3. Informed Consent and Informed Assent	22
5.4. Key Principles	23
6. Survivor Assistance	25
7. Investigation	26
8. Tools	26
9. Additional Resources.....	26

“This toolkit was produced by ABAAD - Resource Center for Gender Equality and CARE International in Lebanon, with the financial support of Lebanon Humanitarian Fund and in coordination with the PSEA Network”

GLOSSARY

CHS	Core Humanitarian Standard on Quality and Accountability
CoC	Code of Conduct
GBV	Gender-Based Violence
IASC	Inter-Agency Standing Committee
NGO	Non-Governmental Organization
PSEA	Protection from Sexual Exploitation and Abuse
SEA	Sexual Exploitation and Abuse
SOPs	Standard Operating Procedures
ToR	Terms of Reference
UN	United Nations

ONE

INTRODUCTION

1.1. IMPETUS

This toolkit is a compilation of information collected from various documents providing information on Sexual Exploitation and Abuse (SEA). It is brought to you to introduce Protection from Sexual Exploitation and Abuse (PSEA) and its application in a simple style. Its purpose is to make information about PSEA accessible to everyone regardless of their background and area of expertise.

It is inspired by and based on the Standard Operating Procedures (SOPs) that is grounded reference to global instruments like the Secretary General's Bulletin, Inter-Agency Standing Committee and the Lebanon PSEA Network that works on the PSEA Strategy for Lebanon aiming at ensuring the protection of the affected communities from sexual exploitation and abuse.

This toolkit targets all organizations including those who do not have a PSEA policy in place aiming at spreading the knowledge on PSEA in Lebanon.

It was prepared taking into consideration all questions that might come in mind when someone wants to discover PSEA and its application.

1.2. GUIDE TO USE THIS TOOLKIT

In the course of this toolkit, you will be introduced to PSEA. It starts with definitions of key terms and ensures presenting key information referencing to original documents in addition to an explanation in simpler words when needed. All tools needed in the application of PSEA are presented in a form of an outline within the document while the full version can be found in the Tools section at the end. Thus, check the full toolkit for a better understanding.

What you will read next is a journey in the world of PSEA. For any further details on how to apply any of what you will be reading next, communicate with the PSEA Network (Tool I).

TWO

BASICS

2.1. DEFINING THE BASICS

As we are talking about PSEA, we have to first introduce the key terms.



Sexual Exploitation (SE)⁵ means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

In other words, SE occurs when an aid worker or related personnel abuses or attempts to abuse his/her position of power to request or accept sexual favors in exchange of humanitarian assistance, services, favors, or privileges.

Sexual Abuse (SA) means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

In other words, SA occurs when an aid worker or related personnel abuses or attempts to abuse his/her position of power to force, request, or accept sexual favors from a beneficiary.

Sexual activity (also referred to as sexual favor) is any activity with a sexual nature. It can come in many forms including but not limited to a text message, a touch, a kiss, and a sexual intercourse.

Therefore, SEA happens when an aid worker commits a sexual misconduct against a member of the affected community. But who are these?



An aid worker is a person involved in providing services to affected populations. That person can be a paid staff, volunteer, contractor, incentive worker, or anyone performing a task on behalf of any humanitarian agency or non-governmental organization (NGO), regardless of the type or duration of their contract.

Affected community is the group of people in need of humanitarian assistance and intervention.

There is an imbalance of **power** between an aid worker and a member of the affected community. Aid Workers have power over the affected community because they have access and control of resources. When this power is used negatively, it is called **abuse of power** and can result in acts of sexual exploitation and abuse (SEA).

The affected community is divided into two main groups: children and adults. How do we decide to which group a person belongs?



A child is any person aged under 18, regardless of the age of majority or age of consent locally.

Every beneficiary can be a victim or survivor of SEA. So how do we know if a person is a victim or survivor?

A survivor of SEA is a person who experienced any form of SEA. The word **victim** is used interchangeably with the word "survivor". It is not in any way meant to imply a lack of strength, resilience, or capacity to survive.

Therefore, **PSEA** is a set of actions taken with the purpose of ending all forms of SEA.

You might encounter also the term **sexual harassment**. It is any unwelcome sexual advance, comment, expressed or implied sexual demand, or any other communication or conduct of a sexual nature, whether verbal or physical by any person to another individual within the scope of work. It may cause offense or humiliation to another, create a hostile work environment, or it can be made a condition of employment. Thus, SH happens between two aid workers.



OUR FOCUS IN THIS TOOLKIT IS SEA.

To make it more comprehensible, next you'll read scenarios of SEA to explain further the definitions but first, remember, the two parties in any SEA act are an aid worker (who is the perpetrator) and a member of the affected community (who is the survivor).



SCENARIO 1

The aid worker does an actual act of abuse by that we mean an aid worker forces a sexual activity on a member of the affected community.

Example: An aid worker grabbing a member of the affected community by her hand and kissing her forcefully.



SCENARIO 2

The aid worker attempts to abuse by that we mean an aid worker attempts to commit a sexual activity with a member of the affected community.

Example: An aid worker telling a member of the affected community that if she doesn't do what he wants he will sexually assault her.

These are the two scenarios of SA. Thus, how is it different from SE?

The main difference between SA and SE is that in SE the member of the affected community gets something in return from the sexual misconduct. Next comes the three scenarios of SE.

Just like SA, SE can be an attempt of sexually exploiting a member of the affected community.



SCENARIO 3

The aid worker suggests or tries to receive sexual favors from a member of the affected community in return of services or assistance, but it doesn't happen.

An aid worker telling a member of the affected community that if he kisses her, she will give him an extra box of food. It doesn't happen.

But it can take two other forms:



SCENARIO 4

The aid worker suggests offering aid for a member of the affected community in return of sexual favors and the latter accepts.

Example: A volunteer at an NGO suggests offering an extra food box to a member of the affected community if she comes over to his house at night. The member of the affected community accepts, she goes to him, and gets a box of aid.

SEA does not have to always be initiated by the aid worker. Considering the power imbalance, an aid worker has the responsibility to refuse any sexual favor offered by a member of the affected community.



SCENARIO 5

A member of the affected community approaches an aid worker and suggests offering sexual favors in return of aid and the aid worker accepts it.

Example: A 19-year-old woman volunteering with an NGO meets with a 25-year-old beneficiary who, during distribution, asked her to spend the night at his place. The aid worker comes over and starts treating the beneficiary in a special way.

ALL THESE SCENARIOS FALL UNDER SEA AND ARE CONSIDERED SEXUAL MIS-CONDUCTS.

2.2. CORE PRINCIPLES

If you are now wondering what other key information you should know on SEA, here are the official PSEA Core Principles from the Inter-Agency Standing Committee (IASC) and their simplification:

A. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.

In other words, SEA is unacceptable, and a worker can lose the job if s/he commits any acts of it.

B. Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.

In other words, sexual activity with any person younger than 18 is prohibited.

C. 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.

In other words, exchange of anything for sex is prohibited including paying for people in prostitution, even if prostitution is legal in the country.

D. 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.

In other words, sexual relationships with beneficiaries is prohibited.

E. 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.

In other words, any worker should report any suspicion or concern of SEA.

F. 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.

In other words, all workers have to create and maintain an environment that prevents SEA.

Note that these are not only applied during your working hours but also outside duty station and during holiday times. Any aid worker needs to abide by these 24 hours 7 days a week regardless of their position and contract type including volunteers, part-timers, full-timers, contractors, and any other person related to the humanitarian work.



The UN and its partners in Lebanon have a **zero-tolerance policy** for sexual exploitation and abuse. This means that the most severe punishment possible will be given to every person who commits acts of SEA. Therefore, when an aid worker commits any form of it, they will face corrective actions which include but are not limited to a termination of their employment.

2.3. KEY MESSAGES TO THE COMMUNITY

There are also key messages that every member of the affected community should be aware of and every aid worker should aim at disseminating. These are:

1. Humanitarian aid is **free** and should be given without **exchange** of favors.
2. UN/NGO staff have a duty to treat you with dignity and respect.
3. If you experience misconduct by any aid worker or related personal, it is **not your fault**, and **you have the right to report** it directly to the organization or to a humanitarian worker you trust. SEA may constitute criminal acts and you have the right also to report to the police.
4. Reporting SEA incidents/concerns does not affect your access to services at any humanitarian organization.
5. SEA Reports are handled safely & confidentially. Your name or information will not be shared without your consent.
6. Survivor of SEA **have the right to access safety, protection, psychosocial, medical, and legal support, and any other relevant services.**

2.4. PSEA IN LEBANON

It is very important to talk about PSEA in Lebanon. Based on the latest report by the Human Rights Watch , here are few facts to consider noting the excess of vulnerability in place:

- The local currency (LBP) is losing lots of its value and affecting people’s capacity to access basic needs.
- Personal status laws still discriminate against women and children.
- The number of Syrian refugees reached around 1.5 million of whom about 78 percent lack legal status. In addition to around 174,000 Palestinians.
- An estimated 250,000 migrant domestic workers are vulnerable due to the Kafala system in place.
- According to the World Bank, around 50 percent of the Lebanese population are under the poverty line.

All these increase vulnerabilities and when vulnerability increases, risks of SEA increase.

Through all this, the Lebanon PSEA Network joined forces to protect communities from Sexual Exploitation and Abuse. What is the **PSEA NETWORK**⁸?



The PSEA Network is an inter-agency technical body implementing the PSEA country programme and is a primary forum for PSEA coordination between organisations/agencies. It includes UN, INGOs, and national NGOs. It has a work plan that all members work on implementing. These include but are not limited to:

- Communicating and applying PSEA standards and commitments among all members
- Monitoring, evaluating, and supporting the implementation of the SOPs
- Raising awareness about PSEA among service providers and the affected communities
- Developing and updating SOPs and referral pathways

Note that this network is available to support you to access all needed information and resources for the development, implementation, and follow-up of PSEA in your agency/organization.

THREE

PREVENTION OF SEA

3.1. CODE OF CONDUCT AND PSEA POLICY

To introduce PSEA and ensure its application, each organization should have a Code of Conduct with a section or article on PSEA or preferably a PSEA policy in place.

What are these and how are they different?

A CODE OF CONDUCT⁹ is a set of standards of behavior that staff of an organization are obliged to adhere to. Here is a sample outline (Full text in Tool II):



I, _____, working for _____ office in _____, am signing this Code of Conduct to confirm that I understand and commit to uphold the highest standards of professional and personal conduct. I understand that the Code of Conduct applies to me throughout the period that I am employed by or representing a humanitarian or development organization, including when I am off duty, or away from my duty station or on leave. I understand that this Code of Conduct complements, but does not replace, any other policies, rules and regulations of the organization that I am working for.

Maintaining high standards of personal and professional conduct

Protection from sexual exploitation and abuse

Reporting on incidents that may breach the Code of Conduct

Repercussions for breach of the Code of Conduct

For further information, please consult your organization's PSEA Focal Point: [insert relevant contact details]

By signing this Code of Conduct, I confirm that I have understood it and have had it explained to me and that I hereby agree to uphold its principles.

Name: _____ Title: _____

Organization: _____ Date: _____

Signature: _____

Human Resources Department

Name: _____ Title: _____

Signature: _____ Date: _____

Whereas a **PSEA POLICY**¹⁰ is a document that describes appropriate standards of conduct, other preventive measures, reporting, monitoring, investigation and corrective measures. Here is a sample outline (For full text communicate with the PSEA Network):



Policy title: Protection from Sexual Exploitation and Abuse

Policy objective:

Targeted Audience:

Effective Date:

Mandatory Revision Date:

1. Policy statement:

2. Scope of application:

3. Definitions:

4. Commitment to PSEA:

5. Six core principles:

6. PSEA framework:

6.1. Prevention:

6.1.1. Vetting

6.1.2. Training

6.2. Response:

6.2.1. Reporting

6.2.2. Investigation

6.2.2.1. Referral to National Authorities

6.2.3. Victim assistance

6.3. Cooperative arrangements

It is important to know that these are two separate documents. In summary, the PSEA policy aims at introducing SEA and explaining everything related to it including prevention and action. Whereas the CoC is an illustrative guide for staff on dos and don'ts in their professional and personal lives that can include a clause on PSEA and therefore mentioning basic key information on PSEA like the core principles.

It is always recommended to have in place a PSEA policy as it is more detailed and specific.

3.2. RECRUITMENT AND HR FOLLOW-UP

Steps of prevention start earlier than the understanding and signing of the policy or CoC. PSEA needs to be applied in recruitment. This starts by recruiting staff following the HR Checklist.

Below is the outline of **“SAFER RECRUITMENT ‘CHECK LIST’ AND GUIDANCE FOR PREVENTING SEXUAL MISCONDUCT”**¹¹ created by the PSEA Network (For full text, check Tool IV). This outline portrays a brief of the different levels on which key considerations need to be considered by the Human Resources department when recruiting new staff.



Prior to job announcement; development of TORs/Job description

Job announcement and application stage

Interview stage

Reference checks

Induction process

Performance management

Annex A: Key Definitions

Annex B: Sample PSEA Clause for Job Advertisements

Annex C: Sample Application and/or Interview Questions on PSEA

Annex D: Sample Reference Check Questions on PSEA

Annex E: Sample Database of Disciplinary Measures

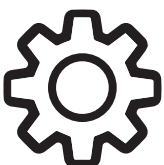
Annex F: Sample disclosure of information related to breach of Code of Conduct for personnel employment contracts

Annex G: Sample Tool to assess the safeguarding risk level for jobs

Annex H: Sample Code of Conduct, including PSEA

After recruitment, every staff should be periodically evaluated on work objectives and their abidance by the core principles. This will help help in the detection of SEA when it occurs.

Also, a key preventive action is the presence of an active PSEA focal point. Who is this person? This is the outline of the **TERMS OF REFERENCES (ToR)**¹² **OF THE PSEA FOCAL POINT** (Tool V).



Within his/her Organization, the PSEA Focal Point shall actively promote protection from sexual exploitation and abuse (SEA), with key responsibilities including:

1. Prevention
2. Response
3. Engagement with and support to local populations
4. Management and Coordination
5. Values and principles

¹¹ Safer Recruitment Checklist and Guidance for Preventing Sexual Misconduct

¹² Annex I, Lebanon PSEA SOPs

And finally, on the wider level, an **ORGANIZATIONAL RISK-ASSESSMENT**¹³ could help in the prevention of SEA. Here is an outline of the core standards present in this document developed by IASC (Full text and guide in Tool VI).



1. Organizational Policy
2. Organizational Management
3. Human Resources System
4. Mandatory Training
5. Reporting
6. Assistance and Referrals
7. Investigations
8. Corrective Action

Note that all organizations entering in a partnership with a UN agency will go through a capacity assessment process using the same list of core standards.

3.3. SENSITIZATION TO PSEA

Next step of prevention is sensitizing all aid workers to PSEA. It is always recommended to host mandatory and regular trainings for staff. These trainings should include all key information including:

- Definitions of SEA (refer to page 7)
- Core Principles (refer to page 10)
- Key Messages to be shared with the community (refer to page 11)
- Impact of SEA (refer to page 18)
- Intake from survivor (refer to page 20)
- Guiding Principles (refer to page 23)
- Reporting mechanism (refer to page 24)

Another way to fight SEA is by informing members of the affected community about PSEA. This can be done through:

a) Awareness sessions on:

- What is SEA?
- Who can commit SEA?
- What are your rights?
- How and who to report to?
- Right of accessing the services

b) Visuals Distribution like flyers and posters that include the reporting channels of the organization.

c) Information sharing online

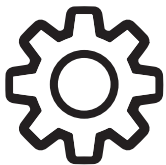
For more information, check the IASC Training Materials¹⁴.

13 UN Implementing Partner PSEA Capacity Assessment

14 IASC Training Materials

3.4. RISK MITIGATION

Prevention lays in all aspects of the humanitarian work. In every phase of the project cycle, from proposal writing to planning to implementing to monitoring to reporting, PSEA should be considered to ensure safety for all members of the affected community. The **PSEA NETWORK SECTOR SEA PREVENTION AND MITIGATION CHECKLIST¹⁵** (Tool VII) is developed to support you in preventing and mitigating possible risks. You can find next a sample of the questions that can be found on it.



This checklist is designed to be used for the assessment/observation of operations to identify, prevent, and mitigate potential SEA and SEA risk factors in field activities, including sectoral response activities. The 'check-list' includes basic recommendations on measures to take to mitigate SEA risks. The Lebanon PSEA Network is available to provide technical assistance and support in helping to address identified gaps/risks.

In the following sections, complete all relevant sections for the service/activities you are observing on this date.

For each statement, tick the box which corresponds to "yes" or "no." If a particular activity is not being observed, select "not applicable."

FOOD / HYGIENE / BASIC ASSISTANCE IN-KIND DISTRIBUTION

1. Food distributions take place in an open, safe space.
2. How are affected people, including women, girls and other 'at risk groups' accessing the distribution site; do they need transportation to get there (e.g. taxi or public transportation), or do they need to walk long distance to get there?
3. There are separate distribution lines for male and female beneficiaries.

SHELTER/ Non-Food Items (NFIs)

1. Do you observe the following practices to ensure the safety of shelter for residents?
 - a) There are signs and lights in construction areas
 - b) Contractors are working only when beneficiaries are not in their shelters
 - c) Implementing Partner team members are present

Water Sanitation and Hygiene (WASH)

1. Water points, latrines, and other WASH facilities are in secure areas (not remote, close to shelter/services, with privacy).

HEALTH

1. The health facility is easily accessible to women and girls, the elderly, LGBTI, people living with disabilities and other marginalized groups.

PROTECTION

1. Are activities provided in a safe and secure environment, accessible for all, including persons with disabilities?

CASH-BASED INTERVENTIONS

1. Humanitarian (implementing partner) staff (male and female) are present and oversee the cash-based interviews assessment process.

FOUR

EFFECTS OF SEA

With all preventive measures, SEA still occurs. Here are few of the effects shared by the IASC¹⁶.

4.1. ON THE VICTIM

VISIBLE HARM

Some forms of visible harm can be but are not limited to physical scars, injuries, and pain. Other forms can affect the sexual life of the survivor and show in the form of pregnancy, infertility, and sexually transmitted diseases.

Visible harm can also be on the social level and can take the form of reputational damage, job loss, social rejection, and stigmatization.

INVISIBLE HARM

It is always important to notice that the effects of SEA are not always seen and can take the form of psychological and emotional harm like:

1. Feeling of shame, guilt, self-blame, isolation, rejection, fear, uncertainty, distress, anger, or mistrust in others
2. Psychological Disorders (e.i. depression and anxiety) or Traits of psychological disorders

It is important for you to know that these effects are not the same for every victim even for the same misconduct. Every person reacts and is impacted differently and therefore there is no standard effect of SEA on a victim. Many factors can play a role in these including but not limited to age, gender, maturity level, social environment, support, and history of abuse.

These effects can make alterations in the victim's behavior. The victim could show behaviors like: hypersensitivity, impulsiveness, abuse, dependency, and passiveness.

All these effects could influence the responsiveness of the victim to the support and could present themselves in the form of:

1. Reluctance to accept support
2. Difficulty to express oneself, to concentrate, and remember the incident
3. Provision of false information
4. Change in the event's details

4.2. ON OTHERS

The effects are not limited to the victim only. Other effects can be on the:

- A. **Family and Peers of the victim.** These can be but are not limited to stigmatization, rejection by the community, and feelings of guilt and shame.
- B. **Community** to which the victim belongs to. These can be but are not limited to loss of trust in the organization, feelings of shame, embarrassment and anger, and drain on resources.
- C. **Organization.** These can be through loss of trust by the community, damage to reputation, security risk, loss of funding, and reduction in services.

Again, these effects can vary from one context to another.

FIVE REPORTING SEA

To fight SEA and ensure a safe environment for all parties, any sexual misconduct needs to be reported. The reporting mechanisms could be different from one organization to another. Make sure that you familiarize yourself with the reporting mechanisms that are available for your organization. This can be done by reaching out to senior management staff who can provide you with contact of the PSEA focal point or other reporting channels (i.e. email, hotline number, or HQ complaint and feedback mechanisms).

You will be provided next with more information regarding reporting and its process but first, it is important to consider barriers that stop aid workers and members of the affected community from reporting.

5.1. BARRIERS TO REPORTING

When complainant is the survivor, some of the factors are:

- a. Social Barriers like pressure from a leader in the community or stigmatization.
- b. Fears of retaliation or of losing services
- c. Safety concerns
- d. Issues related to the complaint mechanism (i.e. lack of trust, lack of awareness, accessibility concerns, lack of follow-up)
- e. Lack of awareness of what can constitute SEA

When complainant is not the survivor, some of the factors are:

- a. Doubts about the occurrence of the event
- b. Fear of retaliation
- c. Lack of knowledge on SEA (i.e. rights)

Therefore, a few RECOMMENDATIONS to reduce barriers to reporting are:

- Presence of active PSEA Focal Point and Complaint and Feedback Mechanism
- Constant training of aid workers on SEA
- Balance of genders in teams
- Sensitization of the affected community on PSEA

Reporting mechanism and communication channels can be different from one organization to another.

Some of the possible forms of Complaint and Feedback Mechanisms are: PSEA Focal Points, call centers, SMS platforms, agency-specific or coordinated hotlines, cluster referrals, community focal points, suggestion boxes, women's centers, child-friendly spaces, reception centers, community centers, gender-based violence referral mechanisms, and other safe spaces. Complaints may be submitted online or through paper, voice message, text message or in-person.

What will be shared next is general information on reporting and some others that will guide you to access information about your organization's reporting structure.

5.2. IN-TAKE OF COMPLAINT

Considering you work with an organization; you might be approached by a member of the affected community willing to share an experience involving sexual misconduct they went through or knew about. So, what do you need to ensure when they do?

You should always:

- Treat the person requesting to talk to you with dignity and respect.
- Talk to the person in a safe room to ensure privacy.
- Explain to the person that you must report the SEA allegation, but you can keep their identity confidential if they do not wish to share it.
- Believe the person telling you about a SEA allegation.

What is the information you need to collect from the complainant?

- Always start by listening to the complainant
- What you need are answers to:
 - What is the event that the complainant wants to talk about?
 - Where did it happen?
 - When did it happen?
 - Who is the perpetrator?
- Refrain from asking "why it happened?" as this puts blame on the survivor.

After they share the incident:

- Take an informed consent to share names or details that could reveal the identity of the survivor or complainant (Check 5.3. for details regarding consent)
- Ask the complainant how they would prefer to receive further communications about the case
- Ensure that information you gather is well documented
- Inform the complainant that they can report to the police when the case constitutes a criminal matter

The complainant can be the survivor or someone else who knew about the event.

If the complainant is the survivor:

- Explain that what happened is not their fault
- Inform them about their right to receive services
- Report to the PSEA focal point.

If you are the PSEA focal point or a staff authorized to receive and follow-up on SEA complaints:

- Run an immediate assessment of their health, safety, psychosocial and other immediate needs
- Mitigate all risks to ensure safety of the survivor
- Refer the survivor to the required services (more on page 25)
- Refrain from sharing any information regarding the SEA allegation (perpetrator, organization of perpetrator...) when referring the case to the services
- If the alleged perpetrator is from another organization, you follow the same process and refer to services directly

If the complainant is not the survivor:

- Do not look to the survivor for an interview.
- Do not look for the survivor to offer them assistance and services.
- Report to the PSEA focal point.



When the complainant, not the survivor, is an aid worker, we call this person a **whistle-blower**. Every aid worker is always encouraged to report concerns or suspicions of misconduct by colleagues in good faith and in compliance with internal agency policies. They will always be offered protection from retaliation.

When the survivor is a child ensure that:

- They are protected from all types of harm.
- The child is referred to a professional with the required training and skills in dealing with child survivors of sexual violence.
- An informed consent and an informed assent are taken (For additional guidance, check 5.3.).
- In the Lebanese context, all cases involving child survivors of abuse are coordinated with the Ministry of Social Affairs and the Juvenile Court.

Note: Always check with the complainant about their preference of the interviewee's gender.

More information on these check the Safe Referral Principles (Tools VIII) and Information Sharing Protocol (Tool IX).

5.3. INFORMED CONSENT AND INFORMED ASSENT

You should always ensure taking the consent and/or assent of the complainant before sharing any information about them.



The **informed consent** is the voluntary agreement of an individual that is aged 18 years and older based upon a clear appreciation and understanding of the facts and implications of an action, with no threat, coercion or false promises.

Whereas, the **informed assent** is the agreement used with children. The assent alone is not enough to take actions related to children. It should be obtained with the permission of a trusted adult.

This table prepared by the IRC explains its requirements:

Age Group	Child	Caregiver	If no caregiver or not in child's best interest
0-5	-	Written Informed Consent	Other trusted adult's or case worker's informed consent
6-11	Oral Informed Assent	Written Informed Consent	Other trusted adult's or case worker's informed consent
12-14	Written Informed Assent	Written Informed Consent	Other trusted adult's or child's informed assent. Sufficient level of maturity (of the child) can take due weight.
15-18	Written Informed Consent	Obtain informed consent with child's permission	Child's informed consent and sufficient level of maturity take due weight.

5.4. KEY PRINCIPLES

Other considerations to be followed when dealing with a complaint and when referring to services are the **PSEA KEY PRINCIPLES²⁰**:

- 1) Survivor-Centered Approach** The rights, needs, and wishes of the survivor are prioritized. The survivor has the right to be treated with dignity and respect, choose the course of action in dealing with SEA, and receive comprehensive information to help them make their own decision.
- 2) Safety and Wellbeing:** The safety of the survivor and/or complainant will always be a primary consideration during reporting, investigation, and thereafter. It is essential to conduct a risk assessment for each survivor, and to develop a safety/protection plan if necessary, based on individualized needs to prevent any additional harm.
- 3) Confidentiality:** Actors will always respect the confidentiality of complainants, survivors, and other relevant parties. All SEA-related information will be kept confidential, identities will be protected, and the personal information of survivors shall be collected and shared only with the informed consent of the person concerned. Disclosure of information will be on a strict need-to-know basis.
- 4) Mandatory Reporting:** While reporting SEA is mandatory, this obligation may in practice conflict with the principles of confidentiality and the right of the survivor to choose how they would like to address the incident. Agencies and organizations will need to internally reconcile this potential conflict, balancing both the right of the survivor and the safety of the individual and broader community.
- 5) Accessibility:** Multiple channels should be made for complainants/survivors and other persons to raise allegations and concerns regarding potential SEA. These channels must be accessible by all people, including those who are at increased risk. This can include options for survivors to speak to someone of their preferred gender and in their preferred language. Outreach efforts which clearly communicate the range of channels that exist to receive complaints in confidential ways should be communicated widely.
- 6) Transparency:** Members of the affected community will be educated on how to raise complaints and report allegations, may offer input to improve how such complaints and allegations may be raised and handled, and will be kept informed and receive feedback on the outcome on a complaint or allegation raised, once available. In addition, the community will be consulted on regular basis to build trust and ensure that existing mechanisms are effective and appropriate.
- 7) Accountability:** Awareness will be systematically raised among community members about their rights, including their rights to make and withdraw allegations. Complainants/survivors will be kept informed about next steps related to their case, including investigation and referral to GBV services, and will be provided with information on any obligation for service providers to report to the police, to enable them to make informed decisions.
- 8) Do No Harm:** Ensuring that all actions and interventions designed to support the survivor do not expose them to further harm.
- 9) Non-discrimination:** All actors are bound to treat all complaints without discrimination, based on age, economic or social situation, race, status, disability, nationality, belief or political opinion, gender, sexual orientation or reputation. Special support should be provided for children and people with disability to ensure their ability to safely report.
- 10) Best Interest of the Child:** The child has the right to be protected from all forms of violence, abuse, neglect and exploitation. This includes the right for the child survivor to be protected while PSEA procedures are applied from any internal or external form of violence, abuse, neglect or exploitation.

How does a person know who to report to?

Various factors affect the **REPORTING** procedures. So, after you collect all information, who are you supposed to report to?

You receive the complaint



Report through:
1) Organizations' CFM
2) PSEA Focal Point in your organization
3) PSEA Focal Point in alleged perpetrator's organization



If you are not the PSEA focal point your role stops at this stage.
For your general knowledge, here are some of the steps the PSEA Focal Point will be taking:

PSEA Focal Point



Informs the organization following the internal procedures in the organization



Informs the PSEA Network Coordinator or Co-Chairs

It is important for the PSEA Focal Point to be updated on the follow-up and action needed regarding SEA complaints. For further details on reporting, you can check the SOP.

SIX

SURVIVOR ASSISTANCE

As mentioned earlier, every survivor has the right to receive assistance prior to the investigation and regardless of its outcome. These services need to be provided and followed-up by specialized staff at the organization of the alleged perpetrator²¹:

- a. **Safety and protection:** Development of an immediate safety or protection plan to address the risk of retaliation, possible breaches of confidentiality or other further violence against the victim.
- b. **Medical care:** Provision of necessary treatment for conditions directly arising from sexual exploitation and abuse including but not limited to the Clinical Management of Rape.
- c. **Psychosocial support:** Provision of basic psychosocial support, including but not limited to psychological first aid and psychosocial counselling.
- d. **Education, livelihood support and basic material assistance:** Provision of food, clothing, shelter, school re-integration, and livelihood support. In cases involving children, support and assistance should be provided for children's families or care-givers when determined to be in the best interests of the child.
- e. **Legal services:** Referral to providers of legal assistance if desired by the victim.
- f. **Support for children born as a result of sexual exploitation and abuse:** Facilitate the pursuit of paternity and child support claims for victims, where desired by the victim and legally applicable, in cooperation with the relevant State.

Referral to the services (i.e. Health, GBV, Shelter, WASH, PWSN, Livelihood, Child Protection, Education) should be done by specialized staff using the Interagency Referral Form²² (Tool X) as trained.

It is very important to know the difference between the Inter-Agency Referral Form that is used for referrals to service providers and the IASC SEA Intake Form²³(Tool XI) that should be filled by trained staff about a SEA complaint.

The referral form should NOT contain confidential information regarding the case (including the name of the alleged perpetrator, organization employing the alleged perpetrator, etc.).

21 UN Protocol on Provision of Assistance to Victims of Sexual Exploitation and Abuse

22 Lebanon PSEA SoPs

23 Lebanon PSEA SoPs

SEVEN

INVESTIGATION

You are not responsible to check if the incident happened or not. Investigations should be exclusively done by dedicated, trained, and experienced personnel.

When you need to conduct any step regarding investigations, communicate with the PSEA Network for support.

To conduct investigations²⁴, the organization should consider:

- Prioritizing the safety of the survivor, alleged perpetrator, witnesses, and other related persons before, during, and after the investigation
- Having an investigation Standard of Procedures or scheme
- Conducting the investigation only by a team of trained investigators or engage with external investigators
- That all UN implementing partners are obliged to report any allegations of SEA to the UN entity/entities
- Cases that constitute a criminal matter should be reported to local authorities.

Knowing that there is a gap among many local humanitarian actors, the Lebanon PSEA Network, is working to establish a pool of independent investigators at the national level.

For further information, you can check the CHS Alliance's website²⁵.

EIGHT

TOOLS

- I. PSEA Focal Points – PSEA Network
- II. Sample of Code of Conduct
- III. UNFPA Policy Template
- IV. HR Checklist
- V. Sample of PSEA Focal Point ToR
- VI. Sample of Organizational Risk-Assessment
- VII. PSEA Network Sector SEA Prevention and Mitigation Checklist
- VIII. Safe Referral Principles
- IX. Information Sharing Protocol
- X. Interagency Referral Form
- XI. PSEA In-Take Form

NINE

ADDITIONAL RESOURCES

Empowered-Aid: Reducing Risks of Sexual Exploitation and Abuse in aid distribution
<https://globalwomensinstitute.gwu.edu/empowered-aid-resources>

Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action
https://gbvguidelines.org/wp/wp-content/uploads/2015/09/2015-IASC-Gender-based-Violence-Guidelines_lo-res.pdf

PSEA: A Practical Guide and Toolkit for UNICEF and Partners https://www.unicef.org/about/partnerships/files/PSEA-Toolkit-Jan-20_2020.docx

No Excuse for Abuse Video:
https://www.youtube.com/watch?v=48MCG22FqrE&ab_channel=InterAction

