**Guatemala PSEA Network**

**INTERIM[[1]](#footnote-1)\* Interagency Standard Operating Procedures (SOPs) for Complaints and Victim Assistance**

**July 2022**

**For additional information on the Guatemala PSEA Network, see the Inter-Agency Steering Committee (IASC) Global Dashboard:** [**https://psea.interagencystandingcommittee.org/location/latin-america-and-caribbean/guatemala**](https://psea.interagencystandingcommittee.org/location/latin-america-and-caribbean/guatemala)

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# Introduction

1. These PSEA Standard Operating Procedures (SOPs) are designed to outline the actions to be taken in the event of an alleged sexual exploitation and abuse (SEA) is committed by UN staff and UN related personnel or implementing partner against a beneficiary member of the community served by the United Nations System or its partners in Guatemala.[[2]](#footnote-2) SEA committed by actors who are unaffiliated with the UN and sexual harassment of staff members in the workplace[[3]](#footnote-3) are not included in the scope of these SOPs.

2. The Guatemala United Nations Country Team (UNCT) SOPs seek to foster collective accountability in PSEA reporting and response. The objective is to ensure that all SEA complaints reach the appropriate UN entity for investigation, assistance, and follow-up; not to tell them how to carry out their duties which are defined by their own agency, fund and programme rules and regulations. As such, the SOPs are designed to ensure consistency in complaint reporting, logging, and referral for investigations, enhance system-wide accountability and ensure robust victim assistance. They do not replace the existing entities internal complaint referral procedures or mechanisms and the final responsibility to address SEA allegations lies with the concerned agency. **They are interim and will be replaced by the global UN system-wide SOPs once the electronic Incident Reporting Form (eIRF) is launched.**

*The final responsibility to address the complaint and do follow-up lies with the concerned agency while the implementation of the SOPs is monitored by the PSEA Network (Co)Chairs under the leadership of the RC/HC.*

*---Management and Accountability Framework of the UN Development and Resident Coordinator System (September 2021).*

3. These SOPs will apply from the date of endorsement by the UNCT to all UN agencies, funds, and programmes (AFPs) and their partner organizations in Guatemala.

4. This document has three parts. First, the fundamental principles and practices as well as roles and responsibilities are outlined ([section 2](#_heading=h.30j0zll) and [section 3](#_heading=h.1fob9te)). Second, the functioning of the Community-based Complaint Mechanism (CBCM), including that of its interagency hotline, is explained ([section 4](#_heading=h.1fob9te)). Third, the strategy to assist and support victims of SEA is set out ([section 5](#_heading=h.4d34og8)).

# Principles and Practices[[4]](#footnote-4)

5. When an allegation reaches the UN System in Guatemala, all stakeholders of these SOPs agree to uphold the following principles at all stages of the process, including reception, referral and investigation of complaints, victim assistance, reporting and monitoring, in accordance with the internal procedures of the concerned agency and with an age, gender and diversity perspective:

* **Victim-centered approach.** Victims’ needs and rights should always remain a priority. The victims/complainants must be treated with dignity and respect, receive comprehensive information to help them make their own decision, and choose the course of action that best fits their needs. Assistance will be offered to all victims of SEA regardless of verification of allegation or status of cooperation with investigations.
* **Mandatory Reporting[[5]](#footnote-5).** All UN staff and implementing partners have a duty to report any concern, doubt, or allegation of SEA **in accordance with their agencies’ internal policies and procedures.** If this obligation conflicts with the right of the victim to choose how they would like to address a SEA incident, such conflict should be resolved on a case-by-case basis, balancing both the rights of the victim/complainant and the safety of the broader community, and based on the internal policies of the relevant agency. If the SEA allegation concerns a minor, the informed consent obligation may need to be forsaken to uphold the best interest of the child. UNICEF should be consulted, given the internal procedures of the concerned agency.
* **Confidentiality (eIRF will replace the confidentiality and access to information clauses).** All SEA-related information will be kept confidential, personally identifiable information (PII) will be protected, and the PII of the victims/complainants shall be collected and shared only with the informed consent of the concerned individuals. Where physical records are kept, documents will be stored safely to prevent accidental disclosures. Electronic databases or files used to record and track case information will be encrypted, with restricted access, on a non-shared drive. Confidential information–including names of all parties to a complaint– will be handled with utmost discretion by the person recording the complaint (information receiving official, IRO) and anyone else who might have access to this information in line with their role and responsibility in managing and/or following up on the SEA complaint as outlined in these SOPs. Whenever a SEA allegation is received, the IRO will send the (e)IRF to the clearing official (CO) who is responsible for remitting it to the entity’s investigative body. The Country Director of the concerned AFP, the PSEA Coordinator and the Resident Coordinator (RC) are not on the need-to-know list to receive the (e)IRF, but anonymized information will be shared with them using the [Annex E](#_heading=h.4i7ojhp) form.
* **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, gender identify or reputation. Special support should be provided for children and people with disability to ensure their ability to safely report. Allegations from children and persons with disabilities should be taken seriously and not undermined because of the age or the disability.
* **Accessibility.** Multiple channels exist for victims/complainants and other persons to raise allegations and concerns regarding potential SEA cases. The PSEA Network – through the PSEA Focal Points of the member agencies of the common interagency fund – will inform communities on how to report SEA. To facilitate reporting and avoid stigmatization, anonymous reports shall be treated equally as non-anonymous reports. These channels must be accessible by all people, including those who are at increased risk (for example children, persons who are illiterate or may not speak the dominant languages, those with physical or mental disabilities or under restriction of movement), options should be available to be used by as many people as possible in areas with humanitarian and other operations, and communities should be informed of their rights and how to report SEA.

Targeted efforts to remove barriers that may be specific to women, men, girls, and boys, as well as LGBTQI persons, migrant workers, and asylum-seekers and refugees, will ensure that mechanisms are accessible to all. This can include options for victims to speak to someone of their preferred gender and in their preferred language. Outreach efforts, which clearly articulate the range of channels that exist to receive complaints in confidential ways, should be communicated widely.

* **Do no harm.** The safety of the victim will always be a primary consideration. All actions taken under these SOPs will consider potential risks to all parties, incorporate ways to prevent injury and harm, and address potential retaliation to victims/complainants. It is essential that a risk assessment is conducted for each victim and that a security/protection plan is developed according to individual needs (see [section 5.ii](#_heading=h.3rdcrjn)).
* **Transparency (eIRF will replace the confidentiality and access to information clauses).** Upon receiving a SEA complaint, the corresponding entity should share an anonymized complaint record ([Annex E](#_heading=h.3whwml4)) with the PSEA Coordinator, the UNCT Focal Point for Victim Rights and the RC[[6]](#footnote-6), for monitoring and for any possible future follow-up[[7]](#footnote-7). All efforts should be made to ensure that the data are available in multiple formats to ensure accessibility, regardless of age, gender roles, literacy, language spoken or disability. Actors should communicate with the victim about all what is related to their cases and get their informed consent on all the processes whether legal, health condition, medical tests and interventions that need to be done. Actors need to adapt the information according to the age and ways of understanding of the victims.
* **Accountability (eIRF will replace the confidentiality and access to information clauses).** Community members will be educated about their rights, including their rights to make and withdraw allegations. Victims/complainants will be kept informed about any next steps, including investigation and referral to gender-based violence (GBV) and child protection services, and will be provided information on any obligation on the part of service providers to report the incident to the authorities. It is important to note that if the complainant withdraws a complaint, this may limit the possibility of the UN and/or national authorities to hold the alleged SEA perpetrators accountable for their actions. The UN remains under the obligation to investigate the matter that was reported.
* **Best interests of the child.** The above principles and practices also apply to children, including the right to participate in decisions that will affect them under the victim-centered approach. If a decision is taken on behalf of a child, the best interests of the child shall be the overriding factor[[8]](#footnote-8) (see [section 5.iii](#_heading=h.26in1rg)).

# Roles and Responsibilities

6. Cooperation among all relevant UN system organizations is needed to prevent and respond to SEA, in accordance with their respective roles in the provision of assistance to victims of SEA, as outlined in the table below. It is also essential to strengthen engagement and cooperation with national authorities, communities and civil society organizations and actors, including national human rights institutions[[9]](#footnote-9), service providers and humanitarian actors.

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| **Resident Coordinator/Humanitarian Coordinator (RC/HC)** | The RC/HC has system-wide responsibility for developing collective PSEA strategies and complaint mechanisms, coordinating the inter-agency response to SEA allegations, and ensuring that SEA victims have access to appropriate immediate and longer-term assistance. The HC/RC is ultimately responsible for ensuring that PSEA action plans are implemented.[[10]](#footnote-10) |
| **United Nations Country Team (UNCT)** | Responsible for overseeing implementation of the collective PSEA strategy and action plan in Guatemala, including the strategy to aid and support to victims of SEA and gender-based violence (GBV). |
| **Humanitarian Team (HT)** | Responsible for a collective mechanism and approach to PSEA as part of the overall humanitarian response.[[11]](#footnote-11) |
| **PSEA Network** | Responsible for monitoring that any complaint received is referred and followed-up on by the concerned organization. The PSEA Network also has a responsibility to ensure that victim assistance mechanisms are in place, which utilize existing GBV and child protection services and referral pathways, to avoid creating parallel SEA-specific service structures. This includes mapping local providers of assistance and services for SEA victims, and monitoring gaps in assistance-coverage and working with relevant actors to mobilize resources. The PSEA Network should ensure that all IROs and PSEA focal points are trained on the procedures for safely and confidentially referring complaints for investigation and victims for assistance. |
| **PSEA Coordinator** | Coordinates the PSEA Network to support the implementation of the PSEA strategy, action plan and commitments, and supports strengthening common approaches to prevention and response of SEA including victim assistance. Prepares an annual report on anonymized SEA data. The PSEA coordinator is responsible for ensuring effective coordination with the existing GBV and child protection referral pathways on the provision of assistance to victims of SEA, and for overseeing the training of all PSEA Network members. |
| **Victims’ Rights Focal Point** | The UNCT Victims’ Rights Focal Point has a system-wide role to monitor, oversee and coordinate the strategic vision for victims’ assistance and support. Provides policy support and advice to relevant UN system organizations and coordination mechanisms with responsibilities for the provision of assistance and support to victims. |
| **PSEA focal points** | PSEA focal points are senior staff designated by each organization as members of the PSEA Network. Each AFP that is part of the PSEA Network should have a primary and alternate PSEA focal point to fulfil the roles and responsibilities. In the case of staff turnover, each agency is responsible for designating a new focal point and reporting this to the PSEA Coordinator.The PSEA focal points must participate actively in the PSEA Network activities, monitor and report on progress, mobilize resources for PSEA and support coordination. |
| **IROs** | Responsible for receiving and referring potential SEA complaints to the CO of the concerned organization for action, through the different entry points to the CBCM.  |
| **COs** | The CO of the concerned agency is responsible for receiving the referred SEA complaint (using the (e)IRF form) from the IRO and remitting it to the entity’s investigative body for action, including investigation and victim assistance, in accordance with internal organizational procedures. |
| **UN AFPs** | The organization that employs the alleged perpetrator has the final responsibility to address the complaint, including victim assistance. The AFP must also provide updates to the PSEA Network on the status of all referred cases. UNICEF is responsible for advising on the provision of assistance to child victims of SEA, while OHCHR and UNFPA are responsible for advising on rights-based victim support and assistance. |
| **Interagency Communications Team (GICI)** | In collaboration with the PSEA Network, GICI will implement a communication strategy to raise awareness on zero tolerance among UN staff and implementing partners, as well as to inform communities and beneficiaries about their rights to assistance and available reporting channels to enable and facilitate any allegation of SEA complaints. |

Source: Based on the IASC [Global Standard Operating Procedures (SOPs) on Inter-agency Cooperation in Community-Based Complaint Mechanisms](https://interagencystandingcommittee.org/system/files/psea-global_standard_operating_procedures_june_2016.pdf) (2016) and the [*United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*](https://www.un.org/en/pdfs/UN%20Victim%20Assistance%20Protocol_English_Final.pdf) (2019).

# UNCT Guatemala’s CBCM

7. The inter-agency CBCM connects and consolidates the existing Agency Complaint and Feedback Mechanisms (CFMs) into one interagency system. Accordingly, any victim/witness can go to any reporting pathway with an allegation about any entity knowing that the complaint will reach the appropriate UN entity for investigation and follow-up.

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| 8. In the context of an inter-agency CBCM, complaint handling occurs through the agreed referral pathways for complaints and victim assistance services. Linking the various CFMs, i.e., having the agreement of all stakeholders on how to refer allegations to the appropriate unit of the concerned agency, is what makes the CBCM “inter-agency.” 9. UNCT Guatemala’s CBCM requires each AFP to appoint a primary and alternate PSEA focal point if they have not already done so. Also, all agencies with field presence (the AFPs participating in the CBCM interagency fund), as well as their implementing partners, should ensure that they have IROs in every field office location, in accordance with their internal policies and procedures.[[12]](#footnote-12) | **Six Steps to Establish a CBCM[[13]](#footnote-13)** |
|  |

10. The names and contact information of the PSEA focal points, IROs, COs, and implementing partners’ focal points must be disseminated to the PSEA Network and to all UNCT/HCT members, to facilitate reporting. This list should be regularly updated by the PSEA Network and can be shared with UNDSS ([Annex D](#_heading=h.3j2qqm3)).

11. In Guatemala, the country team website will include a microsite created by Headquarters for confidential submission of SEA complaints. Content management will be done by the RCO officers and the interagency PSEA team to be designated by the RC. SEA concerns and complaints can be reported through the following entry points:[[14]](#footnote-14)

* UN Guatemala PSEA hotline managed by operator(s) overseen by WFP (see [section 4.i.a](#_heading=h.3dy6vkm)).
* UN Guatemala PSEA email overseen by the PSEA Coordinator (Guatemala-psea@un.org).
* IROs in the field who receive SEA complaints ([see Annex](#_heading=h.1y810tw) D).
* Agency CFMs.

12. Independently of the entry point, the staff member who receives the SEA complaint must ensure that the Incident Reporting Form (IRF) –online or offline version– is filled out (see [Annex C](#_heading=h.z337ya))[[15]](#footnote-15). **Once the (e)IRF has been completed, it goes from the IRO to the CO of the concerned AFP and then directly to the entity’s investigative body.** Furthermore, anonymized information of alleged cases *could* be shared with the PSEA Coordinator, the Victims’ Rights Focal Point, the Country Director and the PSEA focal point of the concerned agency, based on the internal regulations of the concerned AFP (see [Annex E](#_heading=h.4i7ojhp)). These step-by-step procedures of reception, referral and investigation of SEA cases is illustrated in the figure below. **(eIRF will replace the confidentiality and access to information clauses).**

13. The PSEA Network will ensure that all CBCM entry point staff members are trained in PSEA, GBV, victim assistance and data confidentiality; and understand the referral steps laid out in these SOPs. The AFPs are responsible for requesting this training in case of changing staff assigned as IRO and/or PSEA focal points. The PSEA Network will work hand in hand with the inter-agency communications team (GICI) to create outreach materials in accessible formats and a communication strategy of the CBCM.

14. CBCM related activities need continuous financing, such as coordination, managing the CBCM system, and prevention and awareness-raising. Expenditures may be related to the needs to hire personnel, maintain reporting channels, run training events, produce communication materials, organize campaigns, provide victim assistance if the existing service providers do not offer the necessary services[[16]](#footnote-16).

15. Options for funding the inter-agency CBCM include:

* **Program budget.** Including a standard budget line for PSEA/CBCM in the HRP (Humanitarian Response Plan 2021-2022, Objective 1.5, and in subsequent HRPs, in order to be progressively built up as a common country pool fund). Additionally, OCHA investigations fund can provide rapid grants to organizations to reimburse costs incurred in investigating cases of SEA, including the cost of hiring investigators[[17]](#footnote-17).
* **UNCT cost-sharing.** This could include AFP commitments to allocate funds, e.g., as part of drafting the PSEA Network Work Plan and assigning lead agencies to activities. UNCT has chosen to follow this path at its initial stage of formation of its CBCM as of April 2022[[18]](#footnote-18).
* **Donor funding.** AFPs can advocate for donor funding to especially effective CFMs through donors who have a particular interest in PSEA. Donors can link PSEA compliance with funding across projects (PSEA-contingent donor funding).

16. Options for covering the costs of assistance and services to SEA victims and survivors include (see Annex F):

* **Funding of GBV services.** The cost of funding services to support SEA survivors can be borne by the GBV sub-cluster and sustainable funding “to CBCM” can be delivered through the existing or new funding channels.
* **Victim Trust Fund.** The Trust Fund to support victims of SEA provides funding to specialized services (medical care, legal services, and psychosocial support, etc.) that deliver assistance and support to complainants, victims, and children born because of SEA, and to address service gaps in the provision of assistance and support.

## 4.i. Reception of complaints

17. SEA complaints can be presented in writing or verbally[[19]](#footnote-19) through any CBCM entry point. While community members have the right to decide whether to report SEA, staff and implementing partners have an obligation to report concerns or suspicions of SEA using the internal complaints system of their AFP.[[20]](#footnote-20)

18. The staff person receiving the complaint – the IRO – must respect the wishes, rights, and dignity of the victim/complainant. It is also important to establish a respectful and empowering environment for the victim/complainant. IRO is a data in taker; nothing more. S/he passes on the information to the Clearing Officer, all in line with the internal rules and procedures of any given entity. The overarching rule is to get the information to the inspection department as efficiently as possible.

19. The process for the reception of complaints depends on the entry point used:

* **UN Guatemala PSEA hotline.** The PSEA operator receives the call and completes the IRF (see [section 4.i.a](#_heading=h.3dy6vkm) for further information). The referral process to the concerned agency is explained in [section 4.ii](#_heading=h.1t3h5sf).
* **UN Guatemala PSEA email.** The PSEA Coordinator informs the PSEA focal point of the concerned agency, who contacts the victim/complainant to complete the IRF. If the allegation as denounced does not contain the Agency information, the complaint will be relayed to the Victims’ Rights Focal Point who might fill out the (e)IRF. In the latter case, the form will then go to Office of Internal Oversight Services (OIOS) and anonymized information will be shared with the PSEA Coordinator and the RC using the [Annex E](#_heading=h.4i7ojhp) form (see para. 30).
* **IROs in the field.** The IROs in the field will receive complaints and fill out the (e)IRF in person, independently of whether they are employed by the concerned agency or another one. The referral process to the concerned agency is explained in [section 4.ii](#_heading=h.1t3h5sf).
* **Agency CFMs.** As determined by the corresponding AFP.

20. Independently of whether the complaint is received in person, over the phone, or by any other means, the following procedures should be observed:

* **Explain the process and seek informed consent.** The IRO should take-in the complaint. The explicit informed consent of the victim/complainant is required to proceed to record the complaint and to share information confidentially.

If the victim has not given consent to report the incident, there may be circumstances where the alleged incident is so severe or involves a child that action must still be taken. In such cases, the utmost care should be taken to protect the identity and safety of all individuals and entities involved, for example through mitigation and/or protection measures to be put in place in parallel with the SEA complaint process (see Mandatory Reporting, [section 2](#_heading=h.30j0zll)).

* **Get the basic incident information and record the complaint.** The IRO should gather the relevant information from the complainant, but it is not their responsibility to determine whether a complaint is true or not or whether there is sufficient information for an investigation. All allegations must be recorded using the standard IRF ([Annex C](#_heading=h.z337ya), substituted by eIRF once deployed). The form should be signed and dated by the person receiving the complaint.
* **Provide feedback on the complaint process.** The staff member filling out the IRF must provide immediate feedback to the complainant. Immediate feedback includes information that informs the complainant of what to expect and manages expectations. **The IRO or the CO should not speak to timeframes or processes of the potential investigation, and what in-country CBCM stakeholders can and cannot do**.
* **Seek consent for follow-up contact.** The staff member filling out the IRF should in each individual case identify whether the victim/complainant consents to be contacted for follow upand, if so, how and at what time and day of the week.

21. The training coordinated by the PSEA Network for IROs on the field will cover all steps of the complaint reception process. Any SEA complaint in which the alleged perpetrator is not included in the scope of the SOPs (not affiliated with the UN or not affiliated with an implementing partner of the UN) should not be registered, but the contacted staff member should provide information on alternate reporting pathways through the appropriate national authorities.

22. After completing the complaint reception process, the staff member receiving the complaint must ensure that the allegation is referred to the CO of the employing AFP of the alleged perpetrator for victim assistance, investigation, and follow-up, according to the referral process outlined in [section 4.ii](#_heading=h.1t3h5sf) of these SOPs. The PSEA Coordinator, Victim Rights Focal Point, the RC and the Country Director and PSEA focal point of the concerned agency will be given the information in the form of [Annex E](#_heading=h.4i7ojhp) (see para. 30)[[21]](#footnote-21). **eIRF will replace the confidentiality and access to information clauses.**

### 4.i.a. The UN Guatemala hotline

23. One of the entry points of UNCT Guatemala’s CBCM is the hotline. Until early 2022, WFP managed a hotline in Guatemala, operated by a WFP staff member who received calls related to WFP during work hours. The PSEA Network and subsequently the UNCT have approved the establishment of an interagency funding mechanism to transform the WFP hotline into an interagency hotline for CBCM to initially include the AFPs with field presence –FAO, IOM, WHO, UNDP, UNHCR, UNICEF, UNWOMEN, WFP– in addition to the RCO as coordinator. This hotline will act as both PSEA and accountability to affected populations (AAP) systems. It is important to note that the hotline is currently not accessible to persons that are deaf or hard of hearing, but that these persons are encouraged to report using the dedicated email address, in person at a UN office, or through an agency CFM.

24. Any WFP or UNCT SOPs/guidelines for the interagency hotline will integrate the “Hotline Standard Operating Procedures (SOPs) for SEA related calls”. The management of the Call Center will be done initially by the WFP as member of the PSEA Network under RCO’s oversight**. As the Call Center starts operating and data is collected on received allegations to show trends, a joint steering committee might be established as the governance mechanism. At that point, donor funding can also be sought, for the Call Center and/or a full-time PSEA Coordinator, which would transform the interagency funding mechanism into a full-fledged common country pool fund.**

25. Continuous training on PSEA and on CBCM referral procedures for the hotline operator(s) will be coordinated by the PSEA Network. **The communication strategy to disseminate the hotline and CBCM will be led by GICI together with the PSEA Network**.

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| **Answering calls** |
| “Thank you for calling the UN Guatemala hotline. Calling this line is completely free of charge and calls are not recorded to ensure your privacy.” “This is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, how can I help you?”  |
| **Types of calls** |
| The calls received can belong to any of the following categories:1. Follow up on existing issue/complaint2. Information request3. Request for assistance 4. Positive or negative feedback and/or suggestions Proceed according to WFP/UNHCR SOPs/guidelines.5. Complaint or breach of UN principles of conduct The call **could be SEA related.** Proceed as **outlined below.**  |
| **Actions in case of SEA related calls** |
| If the call involves a new issue that appears to be a complaint or breach of the UN codes of conduct **which could constitute SEA**, follow the steps below: * Thank the caller for their call.
* Ask if they are calling from their number and if we can call them back on it? If not, ask for a contact number and at what time they can receive the phone call.
* The UN respects confidentiality and does not share personally identifiable information with any internal or external party.

The Call Center then proceeds to fill out the (e)IRF.  |
| **Elements that allow the identification of SEA related calls** |
| * **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. This term includes acts such as “transactional sex”, “solicitation of transactional sex” and “exploitative relationship”.
* **Sexual abuse.** Actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. This term includes “rape” and “sexual assault”. All sexual activity with a child is considered sexual abuse.
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## 4.ii. Processing and referral of complaints

26. Once a SEA complaint is received through any CBCM entry point, the IRF is to be completed by the IRO and transmitted to the CO of the concerned agency who will remit for victim assistance and investigation. For a summarized visualization of the referral process, see the flowchart above in [section 4](#_heading=h.1fob9te).

27. The IRO must treat each SEA complaint received as a matter of the highest priority. The IRO must complete the following referrals and notifications in line with the rules and regulations of his/her agency:

* **Concerned agency.** The complaint (eIRF) should be forwarded directly to the entity’s CO who will transmit it to the appropriate investigative body, subject to internal rules and regulations. Some agencies may allow IRO to directly transfer to the investigative body. The goal is to get the information to investigation as soon as possible. Anonymized information using the [Annex E](#_heading=h.3whwml4) format will be shared with the agency’s Country Director and the PSEA Focal Point, if different from the CO.
* **PSEA Coordinator.** Anonymized information using the [Annex E](#_heading=h.3whwml4) format will be shared for consolidation of statistics and accountability (see [section 6](#_heading=h.35nkun2) for further information).
* **Victims’ Rights Focal Point.** Anonymized information using the [Annex E](#_heading=h.3whwml4) format will be shared to enable support in victim assistance referrals, should this be requested by the concerned agency (see [section 5](#_heading=h.4d34og8)).

28. To facilitate these referrals, the PSEA Network will maintain an updated registry with the contact information for the relevant staff in each member agency/organization that have endorsed these SOPs, including the CO and the primary and alternate PSEA focal point for each AFP ([Annex D](#_heading=h.3j2qqm3)).

29. The processing and referral of SEA complaints should consider the following in addition to the principles outlined in [section 2](#_heading=h.30j0zll) of this document:

* **Confidentiality.** All complaints need to be handled with the utmost confidentiality and on a strict need-to-know basis. Where the victim/complainant has given consent, all (e)IRF information shall be shared with the CO and the investigative bodies. Anonymized information may be shared with the Country Director and the PSEA focal point of the concerned agency (if different from the CO), the Focal Point of Victim Rights, the PSEA Coordinator, the RC and other relevant parties for victim assistance and investigation purposes, subject to the internal workings and decisions of the UN entity in question and to the soon-to-be published system-wide eIRF SOPs. The names of all parties to a complaint shall remain confidential and the identity of the alleged offender shall be protected. **eIRF will replace the confidentiality and access to information clauses.**
* **Record.** A detailed record of information gathered on SEA complaintsshould be kept confidentially by each agency, whether online or on physical file with the necessary safeguards, as it may be used in subsequent disciplinary or legal action. Every effort must be made to ensure the security of such files.

30. To support safe, confidential, and efficient inter-agency referrals of SEA complaints, the following procedures should be followed:

* **Referring complaints within the same AFP.** The IRO should refer the complaint to the CO (PSEA focal point, investigative body, or other) or report directly according to the agency’s internal reporting channels.
* **Referring complaints to another AFP.** The IRO/CO should refer the complaint to the PSEA focal point/CO of the organization of the alleged perpetrator for follow-up. This procedure applies regardless of whether the identity of the victim and/or alleged perpetrator is unknown.
* **Referring complaints to multiple AFPs.** Where the complaint involves personnel of more than one AFP, the IRO/CO should refer the complaint to their own investigative body and/or OIOS **according to internal procedure** and the investigative body will engage with the respective entities’ investigative bodies for follow-up.
* **Referring complaints regarding an unknown AFP and in-the-air allegations.** If the alleged perpetrator’s organization is not known, or in the case of an SEA incident which does not identify the alleged perpetrator’s organization, the IRO/CO should refer the complaint to their own investigative body and/or OIOS according to internal procedure within 24 hours.[[22]](#footnote-22)
* **Referring complaints regarding an implementing partner.** The IRO/CO should share anonymized information ([Annex E](#_heading=h.4i7ojhp))withthe implementing partner –without disclosing the identity of the complainant– as soon as possible, preferably within 24 hours. The IRO/CO will also refer the complaint to the PSEA focal point/CO of the partnering AFP for follow-up, in collaboration with the implementing partner. When the relevant organization is partnered with multiple UN organizations, the notification will be made to the AFP that is most relevant to the alleged SEA incident context. It is the responsibility of the AFP to ensure that the allegation is responded to fully and effectively.
* **Referring complaints regarding UN-affiliated uniformed personnel.** If the complaint involves UN-affiliated military personnel such as military peacekeepers or military electoral observers, the referral process should be handled on a case-by-case basis.

31. Upon receipt of the referral, the PSEA focal point/CO of the concerned agency must log the complaint according to the internal processes of their organization. Moreover, the concerned agency must take action to ensure that victim assistance referrals are made (see [section 5](#_heading=h.4d34og8)) and that the investigation is initiated (see [section 6](#_heading=h.35nkun2)).

# UNCT Guatemala’s Victim Assistance Strategy[[23]](#footnote-23)

32. These SOPs commit all AFPs and implementing partners operating in Guatemala to ensure that the victims of SEA have access to the services they need. The approach is victim-centered, rights-based, age, disability- and gender sensitive, non-discriminatory and must be culturally appropriate. The SOPs are aligned with broader UN efforts to prevent and respond to SEA and centered on protection against gender-based violence.

33. Victim assistance should be provided to all victims of SEA and children born as result of SEA.

* **Victim**[[24]](#footnote-24) is a person who is or has been sexually exploited or abused by UN staff or related personnel or by staff of implementing partners.
* **Children born as result of SEA** are children determined to have been born as result of SEA committed by staff or related personnel[[25]](#footnote-25). The provision of support may include medical, legal, psychological, and social consequences directly arising from SEA, in the best interests of the child[[26]](#footnote-26).

34. The following guiding principles and rights[[27]](#footnote-27) must be respected and carefully monitored at all stages in the provision of assistance and support.

* Assistance will be offered to all victims of SEA **regardless of status of cooperation** with investigations.
* The rights, safety and best interests of victims shall guide how assistance and support are designed and provided. Assistance and support to **victims under age 18** shall be provided in a manner consistent with the rights enshrined in the Convention on the Rights of the Child, in particular the best interests of the child (see [section 5.iii](#_heading=h.26in1rg)).
* Assistance provided to victims shall adhere to the **humanitarian principle of do no harm** and be provided in such a way as to uphold their rights, ensure their dignity, and promote their well-being. This type of assistance may entail provision of safety measures to protect against retaliation, re-victimization, and re-traumatization.
* The rights of victims to **privacy, confidentiality, and informed consent** in respect of assistance shall be respected.
* The provision of assistance does not in any way diminish or replace the individual responsibility of perpetrators of acts of SEA, including but not limited to **criminal liability and child support**. Victims are entitled to pursue applicable accountability measures, including legal redress. The UN will cooperate with the competent authorities on all available measures to hold perpetrators of SEA accountable, while respecting due process, confidentiality, and the principle of informed consent.[[28]](#footnote-28)

35. Victims, as well as affected communities more broadly, should be fully informed of the assistance and support set out in this section of the SOPs. They should also be informed that all UN staff and related personnel have an obligation to report allegations of SEA.

* Every child and adult complainant or victim of SEA has the right to receive services regardless of status of cooperation with investigations, regardless of decisions by organizations or others to investigate the case and regardless of the outcome of an investigation. Victims are not required to identify the perpetrator or prove that they are victims of SEA to access services.
* Services should be specific, age and gender appropriate, culturally, and physically accessible, and driven by the needs of individual victims and support of their self-determination and decision-making. Victims have the right to make their own choices, which includes the option of refusing assistance or support at any time, including after they have begun to receive it. They also have the right to access support at a later stage if/when they choose to do so. It is important to note that refusal of assistance is independent of the investigation into reported SEA allegations, which will be pursued independently as a matter of obligation.

36. The responsibility of all AFPs to help and support any victim of SEA perpetrated by their personnel or by personnel of implementing partners begins as soon as a complaint is received in any way or form. All UN entities and implementing partners are responsible for ensuring that victims are promptly referred to qualified service providers within the program sites in which they operate and for having personnel trained on the process for referring victims for assistance in a safe and confidential manner.[[29]](#footnote-29) Provision of assistance does not require the verification of alleged SEA by a UN staff member or staff of UN partners.[[30]](#footnote-30)

37. The assistance and services provided to victims of SEA should be provided primarily by facilitating access to locally existing services and programs, such as the established GBV and child protection referral pathways in Guatemala.[[31]](#footnote-31) Assistance may be provided directly by the AFPs, through contractual partnerships, and/or through collaboration with appropriate service providers.[[32]](#footnote-32)

38. It is the responsibility of the head or representative of each concerned entity to ensure that the victims receive needed assistance and support. The Victims’ Rights Focal Point has a system-wide mandate and supports the strategic coordination of victim assistance at the policy and country-level e.g., in the context of developing a victims assistance strategy, and in providing advice to system-wide entities as requested in consultation with the Victims’ Rights Advocate. The Victims’ Rights Focal Point is not involved in individual case management.[[33]](#footnote-33)

39. The nature, scope and duration of the assistance is determined on a case-by-case basis, in accordance with the victim’s needs. Victims have the right to decide on the assistance they need, and information should be provided on the full range of options available (see [section 5.i](#_heading=h.2s8eyo1)).

## 5.i. Types of victim assistance

40. SEA victim assistance is provided through GBV or child protection services, using the existing referral pathways. A referral pathway is a flexible mechanism that safely links victims to quality services. Separate services for SEA victims should not be created.

41. The Victim Rights Focal Point will work with GBV and child protection coordination mechanisms of the humanitarian clusters and as guided by UN Women and UNICEF to ensure that victims of SEA have access to quality victim-centered services.

42. Based on information shared by the GBV and child protection coordination mechanisms and collected by the PSEA Network, the Network manages and regularly updates the [UN Guatemala PSEA map](https://sosdisaster.github.io/dashboards/guatemala/pseaGT.html)[[34]](#footnote-34) which includes information on available services in each of Guatemala’s departments.



Snapshot of the UN Guatemala PSEA map available at <https://sosdisaster.github.io/dashboards/guatemala/pseaGT.html>

43. These services can include immediate assistance such as urgent medical care (for example, clinical management of rape), safety and protection, basic material assistance, psychosocial support, legal services, and support for children born because of SEA. Longer-term assistance can include comprehensive health care, ongoing psychosocial support, including mental health, legal assistance, livelihood support, training, and education.

44. The following types of victim services are to be offered in Guatemala:

|  |  |
| --- | --- |
| **Type of service** | **Description** |
| **Shield Tick with solid fill****Safety** | Immediate safety or protection measures for victims and complainants to address the risk of retaliation or further violence, such as victim safety planning, safe shelter, and relocation support.  |
| **Medical with solid fill****Immediate medical care** | Immediate medical response to injuries, administering medication to prevent or treat infections, and prevent unwanted pregnancies. Treatment within 72 hours should be provided, particularly to administer post-exposure prophylaxis (PEP) for HIV or emergency contraception. Victims who present much later than 72 hours may still require treatment. Clinical Management of Rape (CMR) can include treatment, counselling, and follow-up care as well as the collection of forensic evidence and the provision of a medical certificate. For victims who become pregnant and give birth to children because of SEA may be entitled to prenatal and postnatal care.  |
| **Group of women with solid fill****Dignity kits** | Dignity kits are provided to women and girls and typically contain standard hygiene items such as sanitary napkins, hand soap, toothbrushes, toothpaste, and underwear, as well as information on available GBV services. These kits are to be made available in accessible formats for persons with disabilities.  |
| **Mental health and psychosocial support** | Mental health care, emotional and practical support, and counselling, either individually (by trained social workers) or community based. Victims who experience more severe responses to abuse and trauma, including particularly those with psychosocial or intellectual disabilities, may require specialized services delivered by mental health professionals, such as a psychologist or psychiatrist, in a culturally appropriate manner.  |
| **Gavel with solid fill****Legal services** | Legal assistance services, including free legal counselling by an attorney/legal aid provider, legal representation, advocacy, and other support. For accountability processes that involve multiple jurisdictions, transnational legal assistance should be provided, where needed and based on the victim’s wishes.  |
| **Box trolley with solid fill****Basic material assistance and livelihood support** | Provision of food, clothing, shelter, education assistance (to prevent dropout or promote school re-integration) and livelihood support (examples are income-generating initiatives, vocational training and cash-for-work for adults and skills training and savings schemes for older adolescents). Where the victim is a child, the child’s caregiver(s) should have access to livelihoods assistance based on their and the child’s needs.  |
| **Woman with baby with solid fill****Support for children born because of SEA** | The UN should facilitate the pursuit of claims of paternity and child support and ancillary benefits, such as the nationality or citizenship for children born because of SEA. |

Source: Based on UNICEF, 2021, *Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*, pp. 8-9

## 5.ii. Referral for victim assistance

45. Once a SEA complaint is referred to the PSEA focal point of the concerned organization, this staff member must initiate the necessary response for victim assistance and accountability processes within a maximum of **24 hours and/or in line with the rules and regulations of the concerned agency**. This time frame ensures that assistance is initiated within 48 hours from the moment of disclosure or 72 hours to administer post-exposure prophylaxis (PEP) for HIV or emergency contraception.

46. Upon receipt of a SEA complaint which was **presented by the victim**, the CO or other staff member assigned by the concerned agency should take the following actions (for an overview, refer to the flowchart in [section 4](#_heading=h.2et92p0)):

* **Safety and protection plan.** The CO/responsible actor should immediately conduct a safety assessment for the victim/complainant, and develop a security/protection plan, if necessary, based on individualized needs and in consultation with UNFPA (victims’ rights) and UNICEF (child rights) as appropriate. If relocation is possible and the victim agrees, they may be relocated to a safe place depending on needs and means available.
* **Preliminary assessment of service needs.** The CO/responsible actor should conduct a preliminary assessment of the victim’s service needs, prioritizing immediate protection needs and physical, emotional, and social wellbeing. This includes following up with the victim to confirm if assistance has been offered and/or provided, in accordance with their needs and wishes.
* **Provision of information.** The CO/responsible actor should provide the victim with information on the full range of assistance and service options available, per the established GBV and child protection referral pathways. The Victims’ Rights Focal Point may assist as needed.
* **Referral to service providers.** Based on identified needs, the CO/responsible actor should refer the victim for essential services to ensure that victim assistance is provided by qualified service providers. All actions taken must be with the full consent of the victim. Once the consent has been obtained, information shall be exchanged solely for the purposes of referral, intervention planning and coordination efforts.
* **Case management.** If available, necessary, and desired by the victim, the CO/responsible actor should refer the victim to a service provider that can provide case management and provide a case worker to accompany the victim throughout the victim assistance process. The Victims’ Rights Focal Point may assist as needed.
* **Coordination in case of an investigation.** If the victim chooses to participate in an investigation, the CO/responsible actor should coordinate between the investigators and the service provider(s) to ensure that protection and assistance is provided to the victim during the investigation, as part of a victim-centered approach.
* **Follow-up.** The CO/responsible actor should follow-up on the referrals made to ensure the quality of assistance and resolve any blockages, particularly where there are needs specific to victims of SEA by UN staff and related personnel (such as paternity and child support claims).

47. Upon receipt of a SEA complaint which **does not come directly from the victim**, the CO/responsible actor should provide information about any resources and support that may be available based on the existing GBV and child protection referral pathways in the area and encourage the complainant to share this information safely with the victim. The Victims’ Rights Focal Point may assist as needed.

48. Although the responsibility for referral of victims to appropriate service providers and following up with them lies with the AFP, the PSEA Network –in consultation with the Focal Point for Victims’ Rights– should make sure that this referral of victims takes place in a coordinated manner. Moreover, upon request by the concerned AFP, the Victims’ Rights Focal Point may follow up with concerned entities on specific cases where there may be problems with service provision.

## 5.iii. Special considerations for children

49. In responding to child victims of SEA, UN entities and their partners shall adopt a child-sensitive approach, in a manner consistent with the Convention on the Rights of the Child: non-discrimination; best interests of the child; the right to life, survival and development; the evolving capacity of the child and their right to express one’s views and have them considered.[[35]](#footnote-35)

50. A determination of the best interests of the child involves an assessment[[36]](#footnote-36) of the protection of child’s physical, psychological, and emotional safety, security, and well-being, and applies to decisions which affect the child as an individual and as a member of a specific family. In cases involving children, UNICEF should be consulted if consistent with the concerned agency’s internal policies and procedures, and the processes conducted should follow child protection procedures compliant with the UN Approach to Justice for Children.

51. It is essential that entity staff members who assist child victims have the necessary professional expertise and training. Child victims of SEA may have specific assistance needs; therefore, assistance and support should be provided by, or in coordination with, child protection actors.[[37]](#footnote-37) An intersectional approach to vulnerability should be applied, taking into account the specific needs of indigenous children, LGBTQI children, migrant children, disabled children, among others. Appropriate measures will be considered for adults who were victimized as children.[[38]](#footnote-38)

52.In cases involving children, informed consent includes the informed consent or assent of the child, according to their evolving capacities, and the child’s parent, legal guardian or person acting in *loco parentis*, except if informing the parents or caregivers could put the child at risk (of retaliation, violence, abuse and/or neglect). Consent should be explained at the outset and obtained prior to, or in conjunction with, the provision of assistance to child victims.

53. During any investigation or legal process that may ensue, a child victim should be provided with appropriate assistance, which could include the accompaniment by a trained professional[[39]](#footnote-39) and/or psychosocial support throughout the process.

## 5.iv. Other considerations

54. There may be localities in the country where specialized GBV and child protection services are not available or accessible. Nevertheless, local unavailability of services does not absolve the concerned organizations from having to take action to ensure that victims receive assistance. In this context, the following actions can be considered:

* **Referral to non-specialized services.** When specialized GBV and child protection services are unavailable, the victims can be referred to existing non-specialized services. The Victims’ Rights Focal Point should assist in the identification of adequate services.
* **Referral to other locations.** Another option in the absence of specialized GBV and child protection services is to refer the victims to other locations to access essential services in a safe and confidential manner.
* **Service provision by AFPs.** If access to other services is not possible, victims can be referred to AFPs for provision of services.[[40]](#footnote-40)

55. The PSEA Network should advocate for the necessary specialized GBV and child responsive response services to be available in all areas where humanitarian or development actors are present in Guatemala. Where there are gaps in service coverage and/or needed services are unavailable, the PSEA Network may support the scaling up of existing services and the development of new ones.

56. Additional resources to address gaps in service coverage may be provided through the Trust Fund in Support of Victims of Sexual Exploitation and Abuse.[[41]](#footnote-41) The PSEA Network may identify and inform the Trust Fund Implementing Office of any local assistance and support service gaps that could be addressed through the Trust Fund. The PSEA Network can also generate ideas for projects and coordinate project proposals.

57. In case of requests for information on SEA complaints from donors or government authorities, they should be referred to the [UN portal on SEA allegations](https://www.un.org/preventing-sexual-exploitation-and-abuse/content/data-allegations-un-system-wide)[[42]](#footnote-42). On the other hand, media requests should be handled on a case-by-case basis by communications experts in crisis communications in coordination with the RC and the Headquarters.

# Annexes

## Annex A. Abbreviations

|  |  |
| --- | --- |
| **Abbreviation** | **Description**  |
| AAP | 1. Accountability to affected populations
 |
| AFPs | 1. Agencies, funds, and programmes
 |
| CBCMs | 1. Community-based Complaints Mechanism
 |
| CFMs | Complaint and Feedback Mechanisms  |
| CMR | 1. Clinical Management of Rape
 |
| CO | 1. Clearing official
 |
| GBV | Gender-based violence  |
| GICI | Interagency Communications Team |
| HC | Humanitarian Coordinator  |
| HCT | Humanitarian Country Team |
| HRP | Humanitarian Response Plan |
| IRF | Incident Reporting Form |
| IRO | Information receiving official |
| OHCHR | Office of the High Commissioner for Human Rights |
| OIOS | Office of Internal Oversight Services |
| PEP | Post-exposure prophylaxis |
| PII | Personally identifiable information |
| PSEA | Prevention of sexual exploitation and abuse  |
| RC | Resident Coordinator |
| SEA | Sexual exploitation and abuse  |
| SOPs | Standard Operating Procedures  |
| TCC/PCC | Troop and Police Contributors |
| UNCT | United Nations Country Team |
| UNICEF | United Nations International Children's Emergency Fund |

## Annex B. Definitions

These SOPs use the following definitions, in accordance with the [United Nations Glossary on Sexual Exploitation and Abuse](https://hr.un.org/sites/hr.un.org/files/SEA%20Glossary%20%20%5BSecond%20Edition%20-%202017%5D%20-%20English_0.pdf):

* **CBCM** is a system blending both formal and informal structures and mechanisms to ensure that individuals are able and encouraged to safely report incidents of SEA through multiple entry points. The PSEA CBCM links to and builds on existing structures and agency CFMs to consolidate one system for handling feedback and complaints.
* **Child** is a person under the age of 18.
* **Children born as result of SEA** are children determined by the competent authority to have been born as result of SEA by staff or related personnel.[[43]](#footnote-43)
* **Complaint** refers to information provided through the CBCM, indicating conduct that may be in breach of the UN Standards of Conduct and constitute SEA but that has yet to be assessed.
* **Complainant** is a person who brings a SEA complaint to the attention of the UN through the CBCM. This person may be a victim of SEA or another person who is aware of the wrongdoing.
* **IROs/COs** are trained staff members who act as entry points to the CBCM. They have an obligation to receive and refer potential SEA complaints for action, including both victim assistance and investigation.
* **Implementing partner** is an entity to which a UN office or entity has entrusted the implementation of a program and/or project, or portion thereof, specified in a signed agreement. Implementing partners may include –but are not limited to– Government institutions, inter-governmental organizations, non-governmental organizations, and civil society organizations. Implementing partners’ subcontractors are subsumed within this definition.
* **Informed consent** is the voluntary agreement of an individual to pursue a legal procedure or receive services. To provide informed consent, the individual must have the capacity and maturity to know about and understand the implications of the procedures to be followed and the services being offered. Parents, caregivers, or other legal guardians are typically responsible for giving consent for their child.
* **In-the-air allegation** refers to rumors or concerns of SEA emanating within a particular setting but where the institutional affiliation of the alleged perpetrator(s) is uncertain or unknown.
* **Investigation** is a legally based and analytical process designed to gather information in order to determine whether wrongdoing occurred and, if so, which persons or entities are responsible.
* **Perpetrator** is a UN staff member or implementing partner (or group of persons) who commits an act of SEA.
* **Sexual abuse** means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.
* **Sexual exploitation** means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another.
* **UN staff and related personnel** includes UN officials, staff members, consultants, individual contractors, UNVs, experts on mission, and other categories of non-staff personnel and contingent members.
* **Victim** is a person who is or has been sexually exploited or abused by UN staff or related personnel or by staff of implementing partners.
* **Victim assistance** refers to the support for medical, psychosocial, legal, and other services provided to a complainant, a victim or a child born because of SEA.



## Annex C. Incident Reporting Form (IRF)[[44]](#footnote-44)

|  |
| --- |
| **INTER-AGENCY COMPLAINTS REFERRAL FORM (SEXUAL EXPLOITATION AND ABUSE)** Information in this form is CONFIDENTIAL. All Forms must be PASSWORD PROTECTED. |
| Name of complainant: | Nationality: |
| Address (district/street/city): | Contact details (phone/email): |
| Age: | Gender: |
| How does complainant prefer to be contacted:*(Check relevant box(s) and give details)*☐Phone ☐Email ☐Other | Preferred time of day for contact (day/night): | Preferred language: |
|  |
| Name of victim:*(If not the complainant)* | Nationality: |
| Address (district/street/city): | Contact details (phone/email) and preferred time to be contacted: |
| Age: | If under 18:☐With family ☐Unaccompanied ☐Separated | Gender: |
| Name(s) and address of parent/guardian, if under 18: |
| Has the victim given consent to the completion of this form and referral?☐Yes ☐No ☐Don’t know |
|  |
| Date of incident(s): | Time of incident(s): | Location of incident(s): |
| Description of incident(s) in the words of the victim/complainant: |
| Name of alleged perpetrator: | Address of alleged perpetrator (if known): |
| Organization alleged perpetrator works for: | Job title of alleged perpetrator: |
| Age:  | Gender: |
| Physical description of alleged perpetrator:  |
|  |
| Any urgent needs identified for the victim/complainant including safety concerns? Please explain. |
| Has the victim been referred to an organization for assistance? Please explain the types of assistance and organizations referred to. |
| Have the police or other relevant authorities been contacted by the victim? Please explain. |
| Any other information/details including but not limited to accommodations or considerations related to persons with disabilities: |
|  |
| Report completed by: |
| Date: |

##

## Annex D. Template. List of PSEA focal points, IROs and COs[[45]](#footnote-45)

Please Note: This contact list will be updated every year by the PSEA Network. Each organization is requested to send the updated information to the PSEA Coordinator.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Organization** | **Role (primary or alternate PSEA focal point, IRO, CO)** | **Full name** | **Title** | **Email** | **Telephone number** | **If IRO located in the field, geographical location** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

## Annex E. Table of Anonymized Information for Reporting Purposes[[46]](#footnote-46)

The following should be used for reporting SEA complaints using anonymized information to the PSEA Coordinator and the Victims’ Rights Focal Point. The content in under each column are drop down menu choices.

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Date of incident** | **Date of reporting** | **Alleged perpetrator** | **Gender of victim** | **Age of victim** | **Type of allegation** | **Victim Assistance** | **Investigation** |
| **Assistance rendered** | **Assistance rendered by** | **Action taken** | **Date investigation concluded** | **Findings** | **Outcome** |
|  |  | National | Female | Adult | Sexual exploitation | Emergency medical assistance | Name of entity | Investigation |  | Substantiated | Dismissal |
|  |  | International | Male | Child (under 18) | Sexual abuse | General medical assistance |  | Insufficient basis to proceed |  | Unsubstantiated | Other disciplinary action |
|  |  | Unknown | Unknown | Unknown | Other | Counselling |  | Other |  | N/A | Referral for criminal proceedings |
|  |  |  |  |  | Unknown | Legal assistance |  | Unknown |  |  | Other |
|  |  |  |  |  |  | Secure shelters |  |  |  |  | N/A |
|  |  |  |  |  |  | Safe house |  |  |  |  | Unknown |
|  |  |  |  |  |  | Emergency schooling |  |  |  |  |  |
|  |  |  |  |  |  | Community center |  |  |  |  |  |
|  |  |  |  |  |  | Psychosocial assistance |  |  |  |  |  |
|  |  |  |  |  |  | Pre- or postnatal care for the mother/baby |  |  |  |  |  |
|  |  |  |  |  |  | Medical care for the baby/child |  |  |  |  |  |
|  |  |  |  |  |  | Assisted relocation |  |  |  |  |  |
|  |  |  |  |  |  | Other |  |  |  |  |  |
|  |  |  |  |  |  | No – victim declined |  |  |  |  |  |
|  |  |  |  |  |  | No – victim did not seek assistance |  |  |  |  |  |
|  |  |  |  |  |  | No – victim unreachable |  |  |  |  |  |
|  |  |  |  |  |  | No – victim unidentified |  |  |  |  |  |
|  |  |  |  |  |  | Unknown |  |  |  |  |  |

## Annex F. “[Funding Sources. Assistance and support to victims of sexual exploitation and abuse by United Nations staff and related personnel](https://unitednations.sharepoint.com/sites/APP-Gateway/Guidances/Funding%20sources%20%28EN%29%20-%20PSEA.pdf?cid=d2f2100e-c147-415f-bed8-2f8a24e0c4d8)” (OVRA, 2021)

**1. Trust Fund in Support of Victims of Sexual Exploitation and Abuse**

In March 2016, the Secretary-General created the Trust Fund in Support of Victims of Sexual Exploitation and Abuse to support United Nations and non-United Nations entities’ projects that provide victim assistance and support. The Trust Fund provides funding for:

* Specialized services for victims and children born as a result of sexual exploitation and abuse, including medical care, and psychosocial support
* Community outreach
* Communications
* Legal assistance for victims, including in paternity and child support claims
* Income generation projects for victims

The Trust Fund is not intended as a financial compensation programme and will therefore not disburse funds directly to individual victims and/or children born as a result of sexual exploitation and abuse.

The Trust Fund provides funding to eligible entities or organizations that provide assistance and support services to these beneficiaries.

**Eligibility**

Entities from the UN system (Secretariat, agencies, funds and programmes) and non-UN organizations that provide assistance and support to victims of sexual exploitation and abuse and children born as a result of sexual exploitation and abuse are eligible to submit project proposals.

For more information: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/submit-project-proposals>

**2. United Nations Peace Operations**

In February 2016, the Secretary-General in his report on special measures for protection from sexual exploitation and sexual abuse instructed the use of mission petty cash in the context of United Nations peace operations for victim support in the absence of any other immediately available means ([A/70/729, para. 77](https://undocs.org/A/70/729)).

*77. In the absence of any other immediately available means, timely victim support, which may include medical or psychosocial services and travel and accommodation expenses in cases of sexual exploitation and abuse, will be provided through mission budgets.*

This instruction of the Secretary-General should be brought to the attention of mission leadership, including the Chief of Mission Support in order to set aside petty cash for victim support and assistance (e.g., coverage of emergency medical costs, shelter and transportation fees to cover access to services from remote locations).

Field Victims’ Rights Advocates and focal points for victims’ rights are also encouraged to collaborate with Conduct and Discipline Teams of United Nations peace operations to secure budget allocations for awareness-raising sessions related to victim assistance and support.

**3. Joint United Nations Country Team contingency funding**

The project to map assistance and services available to victims of sexual exploitation and abuse in 13 countries conducted by the Office of the Victims’ Rights Advocate in 2020 recommended the creation of a contingency fund to facilitate victims’ support and assistance, including through exploring opportunities for joint fundraising by United Nations Country Team members.

Senior Victims’ Rights Officers, Field Victims’ Rights Advocates and other UN entities involved in assisting victims of sexual exploitation and/or abuse are encouraged to advocate for dedicated funding within their own programmes, and to also contribute toward joint contingency funding with the support of the Resident Coordinator and Victims’ Rights Advocate.

For more information on the mapping of victims’ assistance: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/mapping-assistance>

**4. Central Emergency Relief Fund (CERF)**

CERF provides seed funds to jump-start critical relief operations and fund life-saving programmes not covered by other donors.

In late 2020/early 2021, the mothers and children born of sexual exploitation and abuse in Haiti needed support to sustain themselves. The Field Victims’ Rights Advocate in Haiti successfully applied for CERF funding in collaboration with IOM to meet their immediate needs for food, basic health care and their children’s education. In a positive precedent, the project supported school fees, uniform and related materials for one school year for 34 children born of sexual exploitation and/or abuse, the provision of lunch boxes and purchase of food kits, and the provision of basic health care. Collaboration with UN humanitarian entities on the ground and joint applications are encouraged.

**Eligibility**

Based on priorities established under the leadership of the Resident Coordinator and/or Humanitarian Coordinator (RC/HC) in the field, UN agencies are eligible to apply for grants and loans. CERF

offers both rapid response grants, to quickly respond to new humanitarian needs, and underfunded emergencies grants. CERF’s loan element provides money to eligible humanitarian organizations to begin implementing their emergency response activities.

The process is meant to be inclusive and transparent, and efforts should be made to engage NGO and government partners. Requests are submitted to the CERF secretariat for a decision by the Emergency Relief Coordinator (ERC). All the links and templates for applications are available on the [Guidance and templates page](https://cerf.un.org/grant-cycle/guidance-and-templates).

For more information: <https://cerf.un.org/>

**5. The United Nations Voluntary Fund for Victims of Torture**

The United Nations Voluntary Fund for Victims of Torture was established by the General Assembly in 1981 ([A/RES/36/151](https://undocs.org/A/RES/36/151)) with a mandate to support torture survivors and their families. The Fund awards hundreds of grants to civil society organizations worldwide to deliver medical, psychological, legal, social and other assistance. The voluntary contributions that the Fund receives, mostly from member States, thus contribute to the rehabilitation, reparation, empowerment and access to remedies of nearly 50,000 torture survivors each year.

**Eligibility**

The UN General Assembly resolution establishing the Fund ([A/RES/36/151](https://undocs.org/A/RES/36/151)), mandated it to distribute voluntary contributions to victims of torture through “established channels of assistance”. The Board of Trustees of the Fund has, over the years and in practice, accepted applications from a variety of channels of assistance, including, inter alia, non-governmental organizations, associations of victims of torture and/or their family members, public and private hospitals and clinics, public interest law firms and individual lawyers, legal aid clinics and grass-root and community-based organizations.

Applications by state, parliamentary or administrative entities, political parties or national liberation movements are inadmissible.

For more information: <https://www.ohchr.org/EN/Issues/Torture/UNVFT/Pages/WhattheFunddoes.aspx>

**6. The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery**

The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery was established in 1991 by General Assembly resolution 46/122. It seeks to bring relief to those whose human rights have been severely violated as a result of contemporary forms of slavery, by providing direct humanitarian, psychological, social, legal, medical, financial and other assistance. The Fund supports grassroot initiatives stemming from civil society organizations. It addresses several manifestations of modern slavery including trafficking in persons for exploitation, sexual slavery as well as the commercial sexual exploitation of children. Priority is given to projects aimed at providing redress, empowerment and the reintegration of victims of modern slavery.

The UN Slavery Fund has, since its creation, awarded more than 8 million USD to over 400 organizations in more than 100 countries.

**Eligibility**

The Fund is available for non-governmental organizations that can demonstrate at least two years of experience in projects providing redress and assistance to victims of modern slavery. The applications must be submitted from 15 January to 1 March each year for the consideration of the Board of Trustees reviewing the proposals.

For more information: <https://www.ohchr.org/en/issues/slavery/unvtfcfs/pages/whatthefundis.aspx>

**7. Spotlight Initative**

The Spotlight initiative is a global, multi-year partnership between the European Union and the United Nations to eliminate all forms of violence against women and girls by 2030. As a model fund for the SDGs, Spotlight Initiative has been designed to leverage the collective strengths of the entire United Nation system. The Initiative is overseen by the Executive Office of the Secretary-General. Its funds are delivered through the UN multi-stakeholder trust fund, administered by the Multi-Partner Trust Fund Office. Its programmes are implemented by UN agencies, funds and programmes, including UN Women, UNDP, UNFPA, and UNICEF.

At the country-level, the Office of the United Nations Resident Coordinator coordinates and oversees the implementation of the Spotlight Initiative programmes with United Nations agencies and partners, including with national governments, civil society and the private sector.

For more information: <https://spotlightinitiative.org/>

Contact: Office of the Resident Coordinator

**8. The UN Women Trust Fund to End Violence against Women**

The UN Women Trust Fund to End Violence against Women was established in 1996 by General Assembly resolution 50/166. The Fund serves to support grassroot initiatives around the globe seeking to ending violence against women and girls. As such, the Fund focuses on the prevention of violence against women and girls through the implementation of laws and policies and the improvement of access to vital services for survivors. Since its establishment, the UN Women Trust Fund has awarded 182 million USD in grants to 572 initiatives in 140 countries.

**Eligibility and Procedure**

The Fund awards grants to NGOs and state institutions, selecting the grantee partners through a demand-driven biannual call for proposals, open during a specifically defined time frame only. Applications from women-led and women’s rights organizations that have existing and proven specialized knowledge, expertise and track record of working on women’s human rights and prevention and/or elimination of violence against women and girls are prioritized. Other legally registered civil society organizations with demonstrated knowledge in the prevention of violence against women and girls, as well as international women’s rights organizations and international non-governmental organizations focusing specifically on gender equality are eligible for the grant.

For more information: <https://untf.unwomen.org/en/about-us/about-the-un-trust-fund>

FAQ on eligibility: <https://grants.unwomen.org/untf/cfp/frequently-asked-questions>

**9. United Nations Trust Fund for Victims of Human Trafficking**

The United Nations Trust Fund for Victims of Human Trafficking was established by the General Assembly in 2010 as part of the UN Global Plan of Action to Combat Trafficking in Persons ([A/RES/64/293](https://undocs.org/en/A/RES/64/293)). Its mandate aligns with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime. The Trust Fund functions under the umbrella of UNODC.

The Trust Fund seeks to offer humanitarian, legal and financial assistance to victims of trafficking. It relies on three lines of action: protection, legal assistance and empowerment and prevention. Since its inception, the Trust Fund for Victims of Human Trafficking has awarded 4.8 million USD in grants to 90 non-governmental organizations projects in 50 countries.

**Eligibility**

The award is granted to specialized international non-governmental organizations that can demonstrate some relevant experience in the area of direct assistance to victims of trafficking in persons. The application process functions by cycles within a specific time frame.

For more information: <https://www.unodc.org/unodc/human-trafficking-fund.html>

**10. Trust Fund for Victims of the International Criminal Court**

The International Criminal Court Trust Fund for Victims was established in 2004 by the Assembly of States Parties of the International Criminal Court (ICC) in accordance with [article 79 of the Rome Statute](https://legal.un.org/icc/statute/romefra.htm) (founding the ICC). The Fund seeks to offer rehabilitation to victims of crimes under the jurisdiction of the Court (genocide, crimes against humanity, war crimes, aggression). For this purpose, the Fund has the double mandate of (i) implementing orders of reparation issued by the Court following the conviction of a perpetrator for a specific crime. This includes individual as well as collective reparation. (ii) providing reparative assistance to victims and families irrespective of criminal responsibility or of ICC judicial proceedings. The assistance mandate provides physical (medical), as well as psychological rehabilitation and material (socio-economic) support to victims.

**Eligibility**

For reparations: be a legally recognized victim of a crime for which an individual has been convicted by the ICC.

For assistance: have suffered from a grave crime for which the assistance project has been launched. Victims can only apply in countries in which assistance projects are in place. The Board of the Trust Fund has discretion to launch an assistance activity in a country. Currently, assistance projects are opened in Northern Uganda, Central African Republic and the Democratic Republic of Congo. Such projects will be launched in Côte d’Ivoire, Mali, Georgia and Kenya in the near future.

For more information: <https://www.icc-cpi.int/tfv>

**11. Education Cannot Wait**

Education Cannot Wait (ECW) was launched following the World Humanitarian Summit in 2016 calling for repositioning education as a priority on the humanitarian agenda and an increased and more flexible funding to ensure that all crises-affected children can attend school and benefit from learning, making sure that none is left behind. ECW seeks to support education in emergency crisis by mobilizing the funding required to deploy programmes tailor-made to the educational need of those children and youth (aged three to eighteen). ECW offers First Emergency response as an immediate response to urgent educational needs following sudden crises, as well as Multi-Year Resilience programmes addressing the longer-term needs of the most vulnerable or marginalized children following protracted crises.

**Eligibility**

ECW support programmes are implemented through various grantees, including UN entities, and international and national NGOs.

For more information: <https://www.educationcannotwait.org/home/information-for-grantees-2/>

**12. UN Democracy Fund**

The UN Democracy Fund (UNDEF) supports projects that strengthen the voice of civil society, promote human rights, and encourage the participation of all groups in democratic processes. The projects it supports fall under one or more of eight areas: community activism; electoral processes; gender equality; media and freedom of information; rule of law and human rights; strengthening civil society interaction with government; tools for knowledge; youth engagement. Since 2006, UNDEF has supported more than 800 two-year projects in over 100 countries at a total amount of 200 million USD.

**Eligibility**

Civil society organizations and non-governmental organizations, independent and constitutional bodies (including Electoral Commissions, Ombudsperson Institutions, National Human Rights Institutions and other independent governance bodies), and global and regional inter-government bodies are eligible for UNDEF grant funding. However, UNDEF prioritizes civil society organizations and non-governmental organizations, and most of the funding goes to these organizations. Strong preference will be given to applicants from countries and regions that are in the transition and consolidation phases of democratization, in particular countries emerging from conflict new and restored democracies, least developed countries and low or middle-income countries. It should be noted that proposals are subject to a highly rigorous selection process; fewer than two per cent of proposals received are chosen for funding.

For more information: <https://www.un.org/democracyfund/apply-for-funding>

1. \* When the Systemwide (e)IRF is launched, the Interim SOPs will be replaced by the global document. Each UN System entity is independent and free to devise the system that it deems necessary for its own purposes and sui generis needs. For this reason, the present document is only indicative (not prescriptive), does not supersede or seeks to interfere with independent processes of the said entities and does not include parts on monitoring, evaluation or inspection. This document will be reviewed at least once a year as long as it remains in force. Please note that the text in red font refers to parts that are or might be under revision as the centralized PSEA SOPs replace country-based SOPs. [↑](#footnote-ref-1)
2. See the [United Nations Glossary on Sexual Exploitation and Abuse](https://hr.un.org/sites/hr.un.org/files/SEA%20Glossary%20%20%5BSecond%20Edition%20-%202017%5D%20-%20English_0.pdf). Based on the IASC [Global Standard Operating Procedures (SOPs) on Inter-agency Cooperation in Community-Based Complaint Mechanisms](https://interagencystandingcommittee.org/system/files/psea-global_standard_operating_procedures_june_2016.pdf) (2016), the [*United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*](https://www.un.org/en/pdfs/UN%20Victim%20Assistance%20Protocol_English_Final.pdf) (2019), the *Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel* adopted by the General Assembly ([A/RES/62/214](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/476/61/PDF/N0747661.pdf?OpenElement), 2007), the IASC [*Plan for Accelerating Protection from Sexual Exploitation and Abuse in Humanitarian Response at Country-Level*](https://interagencystandingcommittee.org/system/files/iasc_plan_for_accelerating_psea_in_humanitarian_response.pdf) (2018), among other [policies and protocols](https://www.un.org/preventing-sexual-exploitation-and-abuse/content/policies-and-protocols). [↑](#footnote-ref-2)
3. SEA occurs against a beneficiary or member of the community, while sexual harassment occurs between personnel/staff (IASC, [*Global Standard Operating Procedures*](https://interagencystandingcommittee.org/system/files/2021-03/IASC%20Global%20Standard%20Operating%20Procedures%20on%20Inter-Agency%20Cooperation%20in%20Community-Based%20Complaint%20Mechanisms%2C%202016.pdf), 2016). Sexual harassment is covered by Secretary-General’s Bulletin, “Addressing discrimination, harassment, including sexual harassment, and abuse of authority” [ST/SGB/2019/8](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N19/274/41/PDF/N1927441.pdf?OpenElement) (2019) and is not part of the PSEA SOPs document. [↑](#footnote-ref-3)
4. The definitions of the key concepts used in these SOPs can be consulted in [Annex B](#_heading=h.2jxsxqh). [↑](#footnote-ref-4)
5. Once the eIRF is deployed in Guatemala, all agencies will use the eIRF to do the reporting. [↑](#footnote-ref-5)
6. See <https://unitednations.sharepoint.com/sites/APP-Gateway/SitePages/PSEA.aspx> [↑](#footnote-ref-6)
7. The Annex E form is aligned with the data on allegations shown on public UN platforms. See <https://conduct.unmissions.org/sea-data-introduction> and <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/data-allegations-un-system-wide>. For UN personnel : <https://app.powerbi.com/view?r=eyJrIjoiMTZiYTY3MmItMDQ0Zi00ZWRkLWE5MmUtYjIwODQ3NzMyYzU2IiwidCI6IjBmOWUzNWRiLTU0NGYtNGY2MC1iZGNjLTVlYTQxNmU2ZGM3MCIsImMiOjh9>. For Implementing Partners: <https://app.powerbi.com/view?r=eyJrIjoiYTE4OTgzNmMtNGM5OS00OTE1LTk1YTMtZTNlNWZiYmQxNDc5IiwidCI6IjBmOWUzNWRiLTU0NGYtNGY2MC1iZGNjLTVlYTQxNmU2ZGM3MCIsImMiOjh9>. For Non-UN Forces: <https://app.powerbi.com/view?r=eyJrIjoiZTdkMDBlMzgtZDgyOC00Nzc2LTg3MDAtMjg3NTIzYTdhZTg0IiwidCI6IjBmOWUzNWRiLTU0NGYtNGY2MC1iZGNjLTVlYTQxNmU2ZGM3MCIsImMiOjh9> [↑](#footnote-ref-7)
8. “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, and applies to decisions which affect the child as an individual, as a member of a specific group, and in general.” Para. 6.2 of the UN Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse. [↑](#footnote-ref-8)
9. Some of the ways in which the United Nations can collaborate with national human rights institutions are listed in this guide produced by OVRA in partnership with the Global Alliance of National Human Rights Institutions: <https://www.un.org/preventing-sexual-exploitation-and-abuse/sites/www.un.org.preventing-sexual-exploitation-and-abuse/files/ovra_guide_for_nhris-en.pdf> [↑](#footnote-ref-9)
10. [Management and Accountability Framework of the UN Development and Resident Coordinator System](https://unsdg.un.org/resources/management-and-accountability-framework-un-development-and-resident-coordinator-system). September 2021. [↑](#footnote-ref-10)
11. Objective 1.5 of Guatemala’s Humanitarian Response Plan (HRP) aims to strengthen SEA complaint mechanisms, in the context of AAP (Accountability to Affected Populations)—commitment of humanitarian actors to use power responsibly by taking account of, giving account to, and being held to account by the people they seek to assist. PSEA activities include risk assessment, codes of conduct, assistance to victims, interagency recommendations, and investigations. [↑](#footnote-ref-11)
12. PSEA Focal Point is an agency-wide function, and the appointed staff member is generally located in the Headquarters in Guatemala City. On the other hand, IRO is a staff member –often in the field– who has received training on PSEA and on the reception of SEA complaints and work together with his/her Agency PSEA focal point in the Headquarters in Guatemala City. CO depends on the structure of the agency; it could be the Agency’s PSEA Focal Point in the capital city or another official in its Headquarters (see [Annex D](#_heading=h.1y810tw)). [↑](#footnote-ref-12)
13. Source: Adapted from [*Frequently Asked Questions on inter-agency PSEA*](https://interagencystandingcommittee.org/system/files/2020-04/IOM%27s%20FAQs%20on%20Inter-Agency%20PSEA%20%282019%29_0.pdf) (IOM, 2019), p. 33. [↑](#footnote-ref-13)
14. Where AFPs or mapping identify the existence of barriers to reporting, the PSEA Network will work with member organizations and the Humanitarian Country Team to establish new mechanisms to fill those gaps. [↑](#footnote-ref-14)
15. Once eIRF is deployed by the Headquarters, this will replace the IRF. [↑](#footnote-ref-15)
16. In April 2022, UNCT Guatemala had eight of its agencies with field presence and the RCO sign a letter of agreement and establish a UN-to-UN agreement to create a first Call Centre / PSEA Hotline of its CBCM. For more information, please contact the Head of Office, RCO, Guatemala and/or the PSEA Coordinator of UNCT Guatemala. [↑](#footnote-ref-16)
17. “OCHA Fund for investigations into sexual exploitation, abuse, and sexual harassment”, April 2, 2019, <https://interagencystandingcommittee.org/iasc-champion-protection-sexual-exploitation-and-abuse-and-sexual-harassment/content/ocha-fund> [↑](#footnote-ref-17)
18. *Idem.* [↑](#footnote-ref-18)
19. It is important to ensure persons with disabilities reporting complaints are recognized as full subjects of rights and rights holders and can report in their preferred language. For example, if a community member reporting uses sign language, interpretation shall be provided by the UN. [↑](#footnote-ref-19)
20. Staff members should report allegations through the internal complaints system of their AFP, unless they genuinely believe that the primary reporting route is compromised, in which case they may opt to present an anonymous complaint through an alternate reporting mechanism, such as the hotline, PSEA email address or a different entity’s entry point. [↑](#footnote-ref-20)
21. Please see paragraphs 5, confidentiality, and 11 about information sharing. [↑](#footnote-ref-21)
22. OIOS should be contacted whenever the entity the alleged perpetrator belongs to is unknown, see <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/how-report> [↑](#footnote-ref-22)
23. This section of the SOPs is based on the mandate for the provision of assistance and support to victims of SEA by UN staff and related personnel as found in the [*United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*](https://www.un.org/en/pdfs/UN%20Victim%20Assistance%20Protocol_English_Final.pdf) (2019), the *Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel* adopted by the General Assembly ([A/RES/62/214](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N07/476/61/PDF/N0747661.pdf?OpenElement), 2007), IASC [*Plan for Accelerating Protection from Sexual Exploitation and Abuse in Humanitarian Response at Country-Level*](https://interagencystandingcommittee.org/system/files/iasc_plan_for_accelerating_psea_in_humanitarian_response.pdf) (2018), the [*SEA Victim Assistance Guide*](https://pseataskforce.org/uploads/tools/1338829369.doc) produced by the ECHA/ECPS UN and NGO Task Force on Protection from Sexual Exploitation and Abuse (April 2009), and UNICEF’s [*Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*](https://psea.interagencystandingcommittee.org/sites/default/files/2021-11/Technical%20Note%20on%20the%20Implementation%20of%20the%20UN%20Protocol%20on%20the%20Provision%20of%20Assistance%20to%20Victims%20of%20SEA%20%28ENG%29.pdf) (2021). [↑](#footnote-ref-23)
24. The term “victim” (rather than “survivor”) is used in accordance with the United Nations Glossary on Sexual Exploitation and Abuse. Following the *United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse* (2019), the distinction between victim and complainant has been omitted. [↑](#footnote-ref-24)
25. The jurisdiction of the alleged perpetrators’ country of nationality will establish paternity of children born because of SEA according to the provisions of their respective national legislation and irrespective of the contractual status / type of staff member or related partner organization’s personnel. In the case of TCC/PCCs (Troop and Police Contributors), there may be specific provisions included in the MoU between the TCC/PCC and the United Nations). DNA testing may not always be recognized as proof of paternity in all jurisdictions. The provisions for cases where the alleged father refuses to cooperate will depend on the respective national legislation. [↑](#footnote-ref-25)
26. The United Nations should also work with Member States to facilitate, within their competence, the pursuit of claims related to paternity and child support (see para. 8, A/RES/62/214). [↑](#footnote-ref-26)
27. See the [*Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse*](https://psea.interagencystandingcommittee.org/sites/default/files/2021-11/Technical%20Note%20on%20the%20Implementation%20of%20the%20UN%20Protocol%20on%20the%20Provision%20of%20Assistance%20to%20Victims%20of%20SEA%20%28ENG%29.pdf). [↑](#footnote-ref-27)
28. Informed consent signifies the approval of the victim that the information related to SEA may be shared with relevant parties, based upon a clear understanding of the facts, implications, and future consequences of an action (*United Nation Glossary on Sexual Exploitation and Abuse*). [↑](#footnote-ref-28)
29. The Office of the Victims’ Rights Advocate (OVRA) is currently developing a training module on the meaning of the victim centered approach in relation to sexual exploitation and abuse and sexual harassment. This is expected to be ready for deployment by Q4 2022. UNICEF has started rolling out its training on the technical note to the Victims’ Assistance Protocol. The UN PSEA Network in Guatemala received this training in Q1 2022. [↑](#footnote-ref-29)
30. The roles and responsibilities of stakeholders in the provision of assistance and support are set out in the [Victims’ Assistance Protocol](https://www.un.org/en/pdfs/UN%20Victim%20Assistance%20Protocol_English_Final.pdf) and in the [TORs of the Focal Point for Victims’ Rights](https://unitednations.sharepoint.com/%3Aw%3A/r/sites/APP-Gateway/Guidances/TEMPLATE-Generic-TOR-Focal-Point-for-Victims%20Rights.docx?d=w3427b24942a04687945ceb41cf669302&csf=1&web=1). [↑](#footnote-ref-30)
31. Facilitation entails referral of victims to local service providers through existing GBV and Child Protection pathways and follow-up as needed, particularly where there are needs specific to victims of SEA by UN staff and related personnel (e.g., paternity and child support claims). Each entity is responsible for ensuring that the needs of victims of SEA are met, but the Victims’ Rights Focal Point may also intervene if the need arises. If local service providers and programmes are non-existent, the PSEA Network may consider making project proposals to the Trust Fund in Support of Victims of SEA, or other sources of funding. [↑](#footnote-ref-31)
32. It is the responsibility of the concerned entity or entities to provide support and assistance/or make the referral as needed for to victims of SEA. In most countries, the referral is made by concerned entities to UNFPA/UNICEF, who in turn refer the victims to local service providers. The PSEA Network/Coordinator in consultation with the Focal Point for Victims’ Rights should make sure that this referral of victims takes place in a coordinated and systematic manner. The quality of assistance provided by local providers may vary. It is therefore important that there be follow-up on the referrals made, and for any remedial action to be taken if needed. The referral to local service providers should not be seen as the end point of the UN’s responsibility to support victims of its own personnel. The Victims’ Rights Focal Point may advise and follow up with concerned entities on specific cases where there may be issues with service provision. [↑](#footnote-ref-32)
33. The Victims’ Rights Focal Point may assist the entity in offering advice on victims’ rights (upon request/if needed), but the focal point is not a case manager, and is not responsible for keeping track of every victim ([TORs of the Focal Point for Victims’ Rights](https://unitednations.sharepoint.com/%3Aw%3A/r/sites/APP-Gateway/Guidances/TEMPLATE-Generic-TOR-Focal-Point-for-Victims%20Rights.docx?d=w3427b24942a04687945ceb41cf669302&csf=1&web=1)). [↑](#footnote-ref-33)
34. As part of its preparatory process to establish its first CBCM, the PSEA Network of UNCT Guatemala created a mapping of all PSEA related service providers in Guatemala together with the field presence of the UN System in the country. It is updated yearly as part of the PSEA Action Plan. It can be found at <https://sosdisaster.github.io/dashboards/guatemala/pseaGT.html> [↑](#footnote-ref-34)
35. Special considerations for children are also in line with Sustainable Development Goal 16.2 (End abuse, exploitation, trafficking, and all forms of violence against and torture of children). [↑](#footnote-ref-35)
36. The organization’s responsibility toward a child born of SEA would normally continue until the age of 18 years. However, the determination of duration of assistance and “best interests of the child” will be made on a case-by-case basis. [↑](#footnote-ref-36)
37. Child protection actors usually refer to UNICEF staff involved in child protection or NGOs personnel with expertise on child rights. [↑](#footnote-ref-37)
38. The needs of victims will be taken into consideration and action taken regardless of the age of the victim. Often, victims will come forward with complaints many years after the SEA incident occurred, and/or once the relationship with the alleged perpetrator has come to an end. [↑](#footnote-ref-38)
39. ECOSOC, *Guidelines on Justice Matters involving Child Victims and Witnesses of Crimes* (2005), para. 30. [↑](#footnote-ref-39)
40. In terms of the use of UN entities’ resources to aid and support to victims, see for example the Report of the Secretary General on Special Measures on Protection from Sexual Exploitation and Abuse ([A/76/702](https://www.un.org/preventing-sexual-exploitation-and-abuse/content/secretary-generals-reports), paragraph 32), which calls for AFPs to consider how funding sources can complement trust fund resources to strengthen assistance for victims. The project to map assistance and services available to victims of sexual exploitation and abuse in 13 countries conducted by the OVRA in 2020 recommended the creation of a contingency fund to facilitate victims’ support and assistance, including through exploring opportunities for joint fundraising by UNCT members. Senior Victims’ Rights Officers, Field Victims’ Rights Advocates and other UN entities involved in assisting victims of SEA are encouraged to advocate for dedicated funding within their own programmes, and to also contribute toward joint contingency funding with the support of the RC and Victims’ Rights Advocate. For more information on the mapping of victims’ assistance: <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/mapping-assistance> [↑](#footnote-ref-40)
41. For further details, see Annex F and <https://conduct.unmissions.org/remedial-trust-fund> [↑](#footnote-ref-41)
42. See <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/data-allegations-un-system-wide> [↑](#footnote-ref-42)
43. The jurisdiction of the alleged perpetrators’ country of nationality will establish paternity of children born as a result of SEA according to the provisions of their respective national legislation (irrespective of the contractual status / type of staff member or related personnel and taking into account that in the case of Troop- or Police-Contributing Countries there may be specific provisions included in the MoU between the country and the UN). DNA testing may not always be recognized as proof of paternity in all jurisdictions. The provisions for cases where the alleged father refuses to cooperate will depend on the respective national legislation. [↑](#footnote-ref-43)
44. This form will be replaced with eIRF when the latter is finalized and shared with UN entities and country offices. <https://unitednations.sharepoint.com/sites/SCIUNRSEA-FO/Knowledge%20gateway%20shared_v2/Forms/AllItems.aspx?id=%2Fsites%2FSCIUNRSEA%2DFO%2FKnowledge%20gateway%20shared%5Fv2%2FIncident%20Reporting%20Form%20%28IRF%29%2FAnnex%20I%20IRF%20English%2Epdf&parent=%2Fsites%2FSCIUNRSEA%2DFO%2FKnowledge%20gateway%20shared%5Fv2%2FIncident%20Reporting%20Form%20%28IRF%29&p=true&ga=1> [↑](#footnote-ref-44)
45. Table based on Annex VIII, Nigeria PSEA Network SOPs. [↑](#footnote-ref-45)
46. Compiled based on Annex D, Myanmar PSEA Network Reporting Framework for Allegations of Sexual Exploitation and Abuse, and UNICEF’s *Technical Note on the Implementation of the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse* (2021). [↑](#footnote-ref-46)