Engagement with government authorities on protection from sexual exploitation and abuse (SEA)

Ukraine Emergency Response

Thematic Brief, August 2023

Regional Refugee Response
for the Ukraine Situation

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About the Thematic Brief

This Thematic Brief summarizes the key takeaways from the interagency 'Learning Corner' organized by the Regional Safeguarding and PSEA Network in the Ukraine Refugee Response on 17 July 2023. The event brought together 35 members of the Regional Network and the National PSEA Networks, and other organisations or agencies involved in the Ukraine response, to exchange and document promising practices and opportunities across country operations and organisations on engagement with government authorities on the issue of sexual exploitation and abuse.

The Learning Corner aimed to:

- Explore the common challenges and opportunities in engaging with different government authorities for the protection from sexual exploitation and abuse (PSEA);
- Present and exchange on promising practices from different organizations and agencies;
- Seek to identify possible ways to support, including by the PSEA Networks at national or regional level, to enhance such engagement.

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Background and rationale

In the Ukraine response, government authorities are in the lead in delivering humanitarian assistance and protection to refugees, with the support of UN, NGOs, and civil society actors.

An effective and comprehensive approach to safeguarding and PSEA therefore requires engagement with various government authorities, both at the central, regional, and local level.

Exploring alternative methods to engage with government authorities on PSEA is crucial, particularly regarding investigations of alleged complaints of SEA committed by government authorities. While the Inspector General's Office (IGO) of UNHCR, and the equivalent entities of other organizations, make referrals to authorities of alleged complaints of SEA, they would not have the authority to conduct investigations into the conduct of government counterparts. The Refugee, Resident and/or Humanitarian Coordinator therefore has a role to communicate and raise the situation with the host government authorities at the appropriate level.

A number of promising practices are developing in the region, including in Italy, where UNICEF, UNHCR and the Italian Civil Protection has launched a Toolkit (Practical Guide) for the community-based reception system. In Poland, IOM and UNHCR have piloted a joint training on PSEA for the Polish police, in collaboration with INTERPOL, and in Romania, the PSEA Network is contributing to the Government Action Plan, conducting capacity building of government staff, and working to enhance safeguards at border crossing points and accommodation centers. Moreover, at the regional level, the Regional Protection Working Group for the Ukraine response has issued a set of recommendations for government counterparts in the context of vetting and registration of volunteers and volunteer organisations, identified as a particular area of risk.

This Thematic Brief seeks to highlight some of these promising practices and capture the key lessons learned from the Ukraine refugee response on government engagement.

Promising practice # 1: UNICEF/UNHCR collaboration with the Italian Civil Protection

As of June 2023, Italy has received around 174,000 refugees from Ukraine. A state of emergency was declared in March 2022 and the Prime Ministry, the Department of Civil Protection, launched the community-based reception system, aimed at expanding hosting arrangements in families and private accommodation, with the support of 12 different civil society organisations.

UNICEF and UNHCR approached the Department of Civil Protection to provide technical support on the integration of PSEA, GBV risk mitigation and child safeguarding in the new community-based reception system. A roadmap was developed which included planning and coordination meetings, a desk review of international and national standards, the joint drafting of a toolkit and operational tools, capacity building, and consultation with external experts. The main outcome of this process was a Toolkit (Practical Guide) which aims to prevent and respond to different types of violence, abuse and exploitation, including SEA, which may be caused, exacerbated, or identified in the reception context. The toolkit provides all actors with an agreed framework of standards and a set of practical tools for their implementation, such as a code of conduct, a self-evaluation form, a checklist of risks to be mitigated, a plan of action format, and a template for the mapping of services.

The Toolkit supports the Department of Civil Protection and the CSOs selected to support the implementation of community-based reception system in Italy to comply with relevant standards and to safeguard refugees from SEA and other protection risks. It has already been piloted by three CSOs, and further technical support and capacity building is on the way.

Strategies followed:

- UNHCR and UNICEF adopted a joint approach to strengthen the collaboration with the Department of Civil Protection.
- The process adapted global standards to the specific context of Italy.
- The approach was participatory, integrating the input of CSOs and other key actors throughout the development of the Toolkit.
- The Toolkit brought together the combined expertise of different actors (UN, CSOs, and government authorities) from different technical areas (child protection and safeguarding, GBV and PSEA).

Strengths and opportunities:

- The development of the Toolkit facilitated dialogue between the Department of Civil Protection and the UN and CSOs involved in the community-based reception system, sensitizing all actors on SEA risks and highlighted the standards applicable.
- The Toolkit includes standards and tools applicable beyond the community-based reception system, and can easily be adapted to the ordinary reception system (managed by other parts of the government and largely center-based).

Challenges:

- Ensuring that knowledge and tools developed reach all stakeholders involved in widespread reception, including smallest CSOs, frontline workers and host families.
- Consistent implementation and monitoring of the standards in the Toolkit remains a challenge.

Promising opportunity # 2: Pilot training with INTERPOL for the Polish National Police and other law enforcement agents

In Poland, UNHCR and IOM collaborated with INTERPOL to offer training for over 125 Polish National Police officers, border guards and representatives of Ministry of Interior's Office for Foreigners working in the regions of the country that were the most impacted by refugee arrivals.

Law enforcement agencies are often the first responders in emergency situations and may find themselves being the first point of contact for refugees and third country nationals who are crossing the border. There is therefore a need for law enforcement to be able to identify and appropriately react to indications of SEA. In the Ukraine response, refugees have also indicated that the police is a preferred reporting channel for gender-based violence, so it's important the police know what to do in case an SEA allegation is brought forward (regardless of these are crimes in national law).

A training package was developed jointly by IOM, INTERPOL and UNHCR, building on and adapting existing PSEA training materials from Project Soteria[1] and from the IASC "Say No to Misconduct" package. The training aimed at strengthening participants' abilities to protect refugees and other members of the affected population from SEA and to promote a survivor-centered and "do-no-harm" approach in responding to potential allegations. Following the trainings in Poland, the joint Interpol/IOM/UNHCR training package will be updated, and a second pilot is planned for Moldova in October 2023.

Strategies followed:

- Tripartite collaboration between IOM, INTERPOL and UNHCR, where INTERPOL acted as a 'door opener', using established contacts with the National Police (which also convoked other authorities, such as the border guards and the Office for Foreigners).
- Building on existing resources from Project SOTERIA and the 'IASC Say No to Misconduct' PSEA training package.
- Following the instructional strategy from IASC's PSEA package, the trainings were designed with a guiding approach and utilizing adult learning strategies, with the intention of promoting introspection and dialogue among participants rather than giving exhaustive and/or preempted answers.

Strengths and opportunities:

- The trainings opened up for dialogue with authorities on PSEA, a topic which remains sensitive in Poland.
- The pilot demonstrated potential for expansion to other countries in the region and beyond (the tools can be easily adapted and adjusted to each context as needed).
- Moreover, a training of trainers (ToT) can reach an even wider audience, if taken up within the National Police and border guards.
- The training can also be expanded to other parts of the Police (for example to specialized units working on sexual crimes and internal affairs).

1. Project Soteria was initiated by INTERPOL to bringing together law enforcement and aid sector organizations large and small together to prevent sexual offenders from using their positions to access and offend against children and vulnerable adults; and strengthen the capacity of law enforcement to investigate, prosecute and arrest those who abuse aid recipients. For more information, see: https://www.interpol.int/en/How-we-work/Capacity-building/Capacity-building-projects/Project-Soteria

Challenges:

- Discrepancies between global PSEA principles and national criminal law were challenging to resolve (e.g. the age for consent in Poland is 16 years, while PSEA principles prohibit humanitarians from having sexual relations with persons under 18 years).
- Law enforcement representatives participating in the design of the training were inclined to focus on the police's role in identifying and responding to SEA. This posed a challenge for law enforcement to be perceived also as potential perpetrators (due to their position of power and role of first responders).
- Despite of this, the methodology and approach of the trainings facilitated open and forward-looking discussions, demonstrating an openness to addressing SEA from all perspectives.

Promising practice # 3: Inclusion of PSEA and anti-trafficking safeguards in the Government Action Plan and advocacy through capacity building in Romania

In Romania, there is strong institutional collaboration between UNHCR, under the Refugee Coordination Forum, and the government authorities responsible for the protection and assistance to Ukrainian refugees. The work of the National PSEA Network was launched early in the emergency (in April 2022), and the PSEA Network co-chairs were invited to attend the government Working Group for the prevention of sexual abuse and risks of trafficking in human beings in the context of Ukrainian citizens, beneficiaries of temporary protection in Romania (which was constituted by the Prime Minister's Decision nr. 461).

Substantial work has been done by the PSEA Network in advocating for safeguards at border and accommodation centers and in capacity building for government staff, with 642 frontline service providers trained in 2022 and 245 trained so far in 2023. In addition, six Trainings of Trainers (TOTs) have been conducted and an additional focus has been placed on enhancing assistance and services for victims.

A number of safeguarding measures are in place. For example, volunteers are registered by the police and there is continuous police presence at collective shelters. Refugees have also indicated to UNHCR that volunteers have been removed following complaints about suspicious behavior. Following advocacy and input from the PSEA Network, the National Plan of Measures for the Protection and Inclusion of Displaced Persons from Ukraine includes PSEA as one of its two cross-cutting priorities, and two joint advocacy points agreed between the PSEA Network and the CRATTF have been included in the government Action Plan on the prevention of exploitation, sexual abuse and risks associated with trafficking in human beings in the context of Ukrainian citizens, beneficiaries of temporary protection in Romania.

Strategies followed:

- Early attention to PSEA in the emergency response, with a PSEA Network established already in April 2023.
- The PSEA Network capitalized on the established and strong collaboration with government authorities in the refugee response and sought formal participation in the government Working Group on PSEA and anti-trafficking (CRATTF).

Strengths and opportunities:

- Participation of PSEA Network co-chairs in Government Working Group (CRATTF) facilitated the inclusion of PSEA as a cross-cutting issue in the Government Action on Anti-Trafficking.
- The PSEA Network and its members are taking on an active role on advocacy on PSEA issues and in capacity building of frontline service providers, including government staff.

Challenges:

- Conflation of terminology (sexual exploitation in the context of human trafficking vs. in the context of SEA by humanitarian workers).
- Less understanding of other types of GBV, trafficking, or sexual exploitation.
- Ensuring safeguards in the private accommodations scheme (known as the '50-20 programme') remains a challenge due to the lack of harmonization in its implementation.

Promising practice # 4: Engaging the Government of Türkiye in large-scale PSEA efforts

UNFPA in Türkiye highlighted their efforts in the dual humanitarian response to the Syrian refugee crisis and the earthquake response of February 2023, in collaboration with other humanitarian actors.

In November 2021, two webinars were organized by UNFPA, as a chair of the PSEA Network, which represented the first contact with government authorities on PSEA. UNFPA also works in partnership with two universities (Harran and Osmangazi) and two municipalities (Ankara and Sanliurfa), with annual capacity building sessions, and shares awareness raising posters for the community. While there is no requirement for a formal partner capacity assessment for government counterparts, similar tools are being used for capacity building purposes. The IASC package 'Say No to Misconduct' is used for trainings and adapted to the local context (for example by focusing on service delivery and what is expected of implementing partners). After the PSEA training, the Ankara municipality established its own reporting mechanism, as the first public institution in Türkiye to do so. The trainings have also sparked an interest and a dialogue on the issue of sexual harassment.

In the context of the earthquake in February 2023, the risks of SEA increased, with a number of volunteers and new actors involved in the response. UNFPA entered into a partnership with the Ministry of Family and Social Services on capacity building, and organized a GBV in emergencies training, with PSEA components, for senior staff. This training will now be expanded to all personnel in the earthquake zone.

Strategies followed:

- Established formal partnerships with different academic institutions and municipalities.
- Ensured close cooperation between UN agencies and other actors through the PSEA Task Force.

Strengths and opportunities:

- After the earthquake, there were opportunities to expand the work with the Ministry of Family and Social Services and other government officials, in collaboration with the PSEA Task Force.

Challenges:

- A number of volunteers and new actors took part in the earthquake response with limited PSEA experience, heightening the risks of SEA in the affected areas.

Common challenges in engaging with government counterparts.

When engaging with governments on safeguarding and PSEA issues, several common challenges have been notes across organisations and operations. These include:

1. Variations in legal and policy frameworks: Each country has its own legal and policy framework regarding safeguarding and PSEA. Adapting to national frameworks requires a thorough understanding of these frameworks and the ability to navigate any variations or inconsistencies that may exist with international standards. For example, in the Ukraine response, difficulties were noted in communicating the global IASC principles to national authorities, given that the age of consent in several countries is lower than 18 years. There is also conflation in understanding between the terms on SEA, GBV and anti-trafficking across the region, in particular in countries that have been engaged in anti-trafficking efforts before the Ukraine response.

2. Varying priorities and competing agendas: Governments have multiple priorities and competing agendas, in particular in the context of an emergency. This can make it challenging to gain and maintain their attention and commitment to safeguarding and PSEA. As seen in the Ukraine response, engaging with governments may require humanitarian actors to align and adjust their efforts with government priorities, while at the same time conducting advocacy and sensitization. In doing so, humanitarian actors need to demonstrate the relevance and benefits of collaboration on PSEA issues, highlight the value added of risk mitigation and prevention activities, and seek to find common ground to foster government support. This may involve conducting advocacy campaigns, building alliances with other organizations and/or influential stakeholders, and showcasing the positive impact of safeguarding measures on broader development goals.

3. Awareness and understanding: Some government authorities may not be familiar with safeguarding and PSEA issues, or the standards of conduct expected of humanitarian workers. It is therefore crucial for humanitarian actors to engage in an open dialogue with government counterparts involved in the response, and to share evidence-based research, best practices, and practical examples, including from other emergencies. As demonstrated in the Ukraine response, humanitarian actors can play an instrumental role early on in an emergency, including by offering technical assistance and by conducting capacity building to government staff on the frontline, such as law enforcement, border guards, social workers, and reception staff.

Key strategies employed in the Ukraine refugee response and the lessons learned:

Four lessons learned on government engagement were highlighted during the Learning Corner:

Identifying the right entry points:
The identification of appropriate entry points, 'door openers', or opportunities for government engagement was seen as critical. Moreover, this needs to be informed by an in-depth understanding of the specific political context, legal and policy framework, and government structures in each country. Some of the entry points that were successfully used in the Ukraine refugee response included: (i) offering technical support to the reception authorities in the context of launching a new community-based reception system in Italy; (ii) cooperating through and with INTERPOL in Poland; (iii) providing input to the National Action Plan on Trafficking in Romania; and (iv) entering into partnership agreements with municipalities and academic institutions in Türkiye. Demonstrating the added value of collaboration, bringing forward relevant technical expertise and resources, and seeking to align with government priorities were all seen as helpful ways of establishing successful collaboration with government counterparts.

Contexualized advocacy and capacity building:
Capacity building and advocacy were seen as important aspects of engagement with government counterparts, but need to be carefully adapted and contextualized to each local and national context. Global 'PSEA jargon' is not always helpful in dialogue with authorities, and the translation and contextualization of training and awareness raising material is essential. In Poland, for example, the training for national police was adapted to national legislation, clearly highlighting issues around the legal age of consent versus the IASC principles prohibiting sexual conduct with children.

Collaboration between humanitarian actors:
Different humanitarian actors may have different counterparts and relationships with government authorities. Several PSEA Networks highlighted the importance of the humanitarian community 'speaking with one voice' towards government authorities and to 'leave logos at the door'. In Romania, for example, the PSEA Network took a joint approach to advocacy, providing joint input to the Government Action Plan. A collaborative approach also allows agencies and organizations to bring together complementary areas of expertise and experience. For example, in Italy, expertise on child protection, GBV and PSEA was brought together for the development of the Toolkit for the Italian Civil Protection.

A gradual approach:
Given the continued sensitivity of SEA in Eastern Europe, a 'light touch' was found to be useful in several countries, i.e. to plant the seeds and to let them grow over time. For example, in Poland, the adult learning methodology used for the national police allowed for further internal reflection on the topic of SEA among participants also after the workshop.

List of resources:

Engagement with government authorities:

- UNICEF/UNHCR/Italian Civil Protection, Toolkit (Practical Guide) in Italian (to be translated): www.unhcr.org/it/wp-content/uploads/sites/97/2023/05/TOOLKIT_DPC.pdf
- UNHCR/Protection Working Group, Vetting and registration of volunteers and volunteer organisations supporting the Ukraine refugee response: https://data.unhcr.org/en/documents/details/97709
- UNICEF, Entity Level Action Plan on SEA: www.unicef.org/executiveboard/media/16166/file/2023-UNICEF-PSEA-action-plan-EN-2023-05-04.pdf

About the Regional PSEA and Safeguarding Network:

- Link to the Regional Network webpage: Working Group: Regional PSEA and Safeguarding Network - Ukraine Refugee Situation (unhcr.org)
- Action Plan of the Regional Network: Document - Regional Safeguarding and PSEA Network – Action Plan (February-August 2023) – final draft (unhcr.org)
- Factsheet on the Regional Network: Document - Factsheet - Regional Safeguarding Network - Ukraine Refugee Situation (unhcr.org)

Regional Refugee Response for the Ukraine Situation

Engagement with government authorities on protection from sexual exploitation and abuse (SEA) in the Ukraine refugee response

Thematic Brief

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