
Terms of Reference for Refugee Response Network on Protection from Sexual Exploitation and Abuse by Humanitarian Personnel Jordan

I. Membership

The Network will function under the auspices of the Refugee Coordinator (UNHCR Representative) in Jordan and report to him/her. Membership includes normally one Focal Point on Protection from Sexual Exploitation and Abuse officially designated by agencies who provide humanitarian aid to refugees within the context of the Syrian Refugee Response¹ (hereinafter “entity”).

II. Responsibilities

The Network on Protection from Sexual Exploitation and Abuse (PSEA) will serve as the primary body for awareness, prevention, coordination and oversight on protection from sexual exploitation and abuse by international and national personnel of the entities providing humanitarian services to refugees. The Network is **NOT** responsible for investigation or adjudication of complaints, or for dealing directly with complainants. These functions rest exclusively with dedicated bodies of individual entities. Cases can be referred to UNHCR PSEA focal points for advice and guidance (i.e. Should investigation be conducted, relevant entities are encouraged, in respect of confidentiality and wishes of the survivor as well as in line with their internal accountability framework and complaint mechanism systems, to alert UNHCR on possible risks for individual refugees to ensure that adequate protection for victims and witnesses is ensured from the start of the individual agencies’ investigation).

III. Guiding Principles

- The Network will closely work with other coordination bodies such as IATF, ISWG, Protection WG, SGBV SWG, CP SWG and MHPSS SWG.
- The Network meetings should provide a supporting environment to discuss potentially sensitive challenges to PSEA for organizations, and information shared during the meeting will be kept confidential, if needed and requested.
- In order to ensure that the Network has a strong membership and representation at decision-making levels, organizations are encouraged to nominate two staff (the focal point and the alternate) in managerial or advisory positions to participate in the Network. The PSEA Focal points and the alternates will be officially designated by each entity according with their respective organization profile and structure.
- Names or identifying information of alleged victims, witnesses or perpetrators, will never be shared during meetings nor recorded in minutes. Additional procedures for eventual discussions/recording of individual cases in respect of confidentiality and investigative requirements will be determined by the Network in due course.

IV. Major Tasks

The tasks of the Network are listed below under each of the 4 pillars of Protection from Sexual Exploitation and Abuse:

¹ The possibility of supporting refugees of other nationalities is not excluded.

Engagement with and Support of refugees

- In cooperation with the refugee communities and population affected by the Syrian refugee crisis, *establish coordinated (not necessarily common) complaints mechanisms in each community* where the entities work. Such mechanisms should be safe, accessible, and confidential (i.e. on a need to know basis) and tailored to the needs of each geographical area. The network will develop adequate mechanisms for the coordination of complaints mechanisms, i.e. referral to competent services.
- *Facilitate awareness raising* with service providers and refugee communities on codes of conduct, including PSEA and complaint mechanisms, available services and referral pathways.
- *Identify potential risk factors* and areas of concern engaging concerned entities and refugees.

Prevention

- Ensure and, as necessary, coordinate the provision of *awareness raising on SEA for all humanitarian personnel and volunteers in the country*, including their responsibility to report all suspicions of sexual exploitation and abuse committed by colleagues (pursuant to ST/SGB/2003/13 section 3.2 (e) for UN staff and related personnel).
- Share and analyze information about *potential risk factors and areas of concern and develop strategies* to minimize them within the refugee response.
- *Advocate with Senior Managers and relevant national and international actors* to ensure that PSEA strategies are adequately implemented.
- Share good practices to improve the organizations' procedures for vetting staff and reduce hiring of individuals who may have established criminal records for having committed serious misconduct, especially in relation to sexual exploitation and abuse. This would include engagement with Community Based Organizations (CBOs) and volunteers.

Response systems

- *Support the implementation of Inter-Agency Standard Operating Procedures*, including safe, confidential and efficient inter agency referral mechanisms to ensure timely access of victims to quality protection solutions. In this process, and in consultation with the relevant investigative services of individual responsible organizations, attention will be paid to the preservation of evidence in respect of the confidentiality, the consent and wishes of the alleged victims.
- In accordance with the guiding principles and the agreed upon SOP, the PSEA focal points network will seek to *provide advice* to members on individual cases upon their request. As indicated above special cases can be referred to UNHCR PSEA focal points for advice and guidance. (E.g. should it be required, and upon request of individual entities, technical advice and investigative support could be made available in consultation with and through the Inspector General's Office (IGO), the investigative service of UNHCR.

- When any of the formally designated Focal Points receives information of unspecified/generic (“in-the-air”) allegations of sexual exploitation or abuse (i.e. where the institutional affiliation of the alleged perpetrator(s) is uncertain or unknown), the PSEA Focal Points Network *will alert the Refugee Coordinator (UNHCR Representative)* to ensure an adequate response to address the potential protection needs of the allegedly affected population in consultation with the IGO, the investigative service of UNHCR.
- *Support the implementation of minimum standard procedures* for reporting SEA, protecting whistleblowers and responding to malicious reports by each individual organization.

Management and Coordination

- Hold *regular meetings*, every two months, and circulate the minutes to all members. *Ad-hoc* meetings may be called as required.
- *UNHCR will coordinate* the PSEA Network. Co-chairing could be explored at the time of the review of this TOR if deemed necessary.
- *Assess gaps in* protection from SEA and develop and implement action plans to fill them.
- *Coordinate trainings* for Focal Points and managers on their PSEA roles and responsibilities.
- *Share information* on achievements, best practices and/or effective mechanisms in addressing SEA and make recommendations to relevant entities for action. Develop plans for monitoring implementation of recommended actions within the refugee response plan.
- *Support* entities to adhere to applicable monitoring and compliance mechanisms.
- *Report annually* to the Refugee Coordinator on the implementation of the network action plan.
- *Review* this TOR and other coordination documents, such as SOP, on annual basis and as required.

For additional information please contact the PSEA Network coordinators:

- Daniela Cicchella cicchell@unhcr.org
- Ana Belén Anguita Arjona, anguita@unhcr.org