



## Moldova

### Terms of Reference (ToR) for the Inter-Agency Refugee Response Protection from Sexual Exploitation and Abuse Network

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#### Background

The UN Secretary-General's Bulletin on "[Special measures for Protection from Sexual Exploitation and Sexual Abuse \(PSEA\)](#)" (ST/SGB/2003/13, 9 October 2003) calls for reinforced action by all UN agencies and partners to protect beneficiaries of both humanitarian and development assistance from sexual exploitation and abuse (SEA). This call is further reinforced by the [IASC 2018 PSEA Strategy](#), complemented by the [2018 IASC Plan for Accelerating Protection from Sexual Exploitation and Abuse in Humanitarian Response at Country-Level](#). The 2018 IASC acceleration plan for PSEA calls for collective action and investment by IASC members in all countries with Humanitarian Response Plans or **Refugee Response Plans**.

With the events occurring in Ukraine since 24 February, there has been an influx of Ukrainians and other third country nationals entering Moldova and a rapid increase of humanitarian agencies within the country to lead and support the response. Given the particular context, including that the majority of Ukrainians and other third country nationals are women and children, and as evidenced by previous crisis situations, when the humanitarian response scales up, the risk of SEA increases. Consequently, it was agreed to establish a PSEA Network under the Refugee Response Plan (hereafter "PSEA Network"). Prior to the conflict in Ukraine, a PSEA Task Force existed under the Resident Coordinator (hereafter "UNCT PSEA Task Force"). There will be strong linkages between the two, with members of the UNCT PSEA Task Force invited to the PSEA Network meetings. In addition, the PSEA Network, where relevant, will seek link with and strengthen the mechanisms already established by the UNCT PSEA Task Force.

The PSEA Network sits under the Refugee Coordination Forum Multi-Sectoral Working Group, and the UNHCR Representative as the overall accountable official for the implementation of collective PSEA within the refugee response. The Refugee Response PSEA Network serves as the inter-agency body for PSEA coordination and oversight as relevant to the refugee response.

The PSEA Network and UNCT Task Force agree to joint Standard Operating Procedures for Recording and Processing Sexual Exploitation and Abuse Complaints by Humanitarian and Development Actors in Moldova.

#### Network Responsibilities

Under the auspices of the UNHCR Representative and the Refugee Coordination Forum, and in coordination with the Resident Coordinator and the UNCT, the PSEA Network is the primary body for technical-level coordination and oversight of PSEA activities in line with international inter-agency commitments on PSEA prevention and response related to the implementation of the Refugee Response Plan in Moldova .

The presence of the PSEA Network does not lessen the responsibility of individual network members to develop, implement, and strengthen internal PSEA programs at the country level. Senior management within each member organization is accountable for PSEA within their organizations.

The PSEA Network is responsible for implementing coordinated activities between members to minimize the risk of SEA by aid workers, advocate and work with GBV service providers and other actors to ensure a victim/survivor-centred, effective response when incidents do arise, and raise awareness of PSEA within the context of the refugee response in Moldova. The PSEA Network activities follow a victim/survivor-centred approach<sup>1</sup> and will respect the four guiding principles for working with gender-based violence survivors: right to safety, confidentiality, respect, and non-discrimination.<sup>2</sup>

The PSEA Network is **not** responsible for investigating or adjudicating complaints. These functions rest exclusively with the entity that employs the individual against whom a complaint has been alleged, in line with their respective internal policy and procedure.

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<sup>1</sup> A victim/survivor-centred approach is a way of engaging with a victim/survivor that respects their rights, needs, wishes and dignity, protects them from retaliation, re-traumatization and discrimination, keeps them informed, and supported.

<sup>2</sup> IASC Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action, 2015, p.47.



### Network Role

Two designated organizations co-chair the PSEA Network. The co-chairs are comprised of UNHCR and another PSEA Network Member renewed on a yearly basis. Currently (as of June 2022) Plan International is co-chairing the PSEA Network. Co-chairs will assume their role for a period of 12 months. Prior to the end of the 12-month term, the PSEA Network will either identify new organizations or agree to continue with the same co-chair organisations. Sustainability should be considered and eventual transition to a national NGO or a local Moldovan organisation could be considered. While the organizations and individuals seated as co-chairs may change, the co-chairs' role remains permanent to provide sustainable leadership to the network.

The co-chair representatives will take an active role at the network level in convening and managing network meetings and events, and help coordinate and oversee the PSEA Network Action Plan. At the senior level, the co-chair representatives will ensure that PSEA is addressed as needed at refugee coordination meetings. The co-chairs will represent the PSEA Network in coordination with the relevant coordination bodies and advise actors in country on good practice to support effective PSEA implementation. The co-chair representatives will be responsible for reporting on network activities and progress against PSEA Network Action Plan indicators.

Each member organization will be represented in the network by one PSEA Focal Point and one PSEA Alternate Focal Point. All Focal Points will actively participate in regular meetings, information sharing on internal PSEA initiatives and coordination of PSEA Network activities, and are responsible for technical support and coordination on PSEA within their organization under the leadership of their senior management. In case a Focal Point cannot attend a regularly scheduled network meeting, the member organization will be represented by a dedicated and sufficiently briefed alternate.

The PSEA Network may form smaller, time-bound task teams of regular members to carry out specific deliverables as needed.

### Membership

PSEA Network membership is open to all UN agencies, INGOs, and NGOs operating in Moldova. Membership is also open to representatives of volunteer organisations/networks, community organisations and the refugee communities. Membership to the network is also open to Sector Coordinators to improve two-way coordination between sectors and the PSEA Network. The PSEA co-chairs should work closely with the GBV sub-working group chairs to ensure a harmonized approach to prevention activities and support of victims/survivors.

The PSEA Network will engage in outreach with non-member organizations as part of ongoing activities. At a minimum, all organizations in Moldova should be aware of the inter-agency SEA complaint referral system (see below) and be able to receive complaints against their own personnel, regardless of their relationship to the network.

### Meetings

The PSEA Network will convene every other week for the initial stages of the response and additional ad-hoc meetings may be requested by any member. Timing will be reviewed. The Co-Chairs are responsible for taking minutes of the meeting, while members can also volunteer to do so if needed. The minutes of each meeting will be distributed among all members and filed in the records of the network. As meetings should provide a supportive environment to discuss potentially sensitive challenges related to PSEA, any information shared during meetings will be kept confidential, following a victim-centred approach and in line with the Guidance Note to UN Entity Field Operations on Sharing Incident Information on SEA with the Senior Most UN Official in-Country. As a general matter, it should be refrained from discussing individual cases during meetings; any reference to SEA allegations or cases during meetings will be anonymized.

### Tasks

Under the 4 pillars of the IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse,<sup>3</sup> the PSEA Network will undertake the following:

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<https://interagencystandingcommittee.org/system/files/2020-03/Minimum%20operating%20standards-psea%20by%20own%20personnel%202012.pdf>



### *Management and Coordination*

- Carry out joint SEA risk assessments for the refugee response in Moldova as appropriate and as needed, identifying potential risk factors and areas of concern. The risk assessment outcomes will inform strategic decision-making of senior leadership and the PSEA Network Action Plan.
- Establish and implement a measurable PSEA Network Action Plan with defined time frames and responsibilities of Network members based on specialty and capacity, informed by community input, contextually appropriate, and responding to the risk factors identified by joint risk assessment.
- Monitor the PSEA activities of PSEA Network and UNCT PSEA Task Force members to avoid duplication and fill gaps.
- Work closely with other coordination bodies working on the refugee response in Moldova to support prevention and response to SEA.
- Identify training needs and resources to coordinate trainings for all PSEA Focal Points and senior management on their specific PSEA roles and responsibilities within the refugee response.
- Advocate for the strengthening and/or establishment of internal PSEA policies and practices for all organizations operating in the refugee response in Moldova and offer support to organizations as needed where such systems are not in place, whether or not an organization is a network member.

### *Engagement with and support of the affected communities<sup>4</sup>*

- Raise awareness about the rights of affected communities, what SEA is, what constitutes appropriate behaviour of personnel, the fact that aid workers are obliged to report SEA incidents that they are aware of, and the various methods to submit complaints and how to access victim assistance services in the refugee response in Moldova.
- Support members to assess and improve the effectiveness and appropriateness of PSEA activities within the targeted refugee response communities.

### *Prevention*

- Advocate for PSEA to be a priority throughout programming and support actors working in the refugee response to embed SEA risk mitigation in needs assessment, project design, implementation, and monitoring based on identified SEA trends.
- Supplement network members' internal initiatives to strengthen SEA prevention within the refugee response through joint activities and sharing good practice.
- Encourage network members to carry out induction and refresher trainings on SEA for all personnel and support such trainings with jointly developed contextualized materials.
- Sharing of best practices in relation to vetting/screening systems for individuals and entities working in the refugee response.

### *Response*

- Jointly map trusted and functional complaints feedback channels in the refugee response in Moldova to identify where there are gaps in the affected communities' safe access to report SEA.
- If relevant, support members to establish new feedback channels to fill the gaps in access to reporting based on the mapping and informed by community preferences, so that there are safe, accessible, and contextually appropriate channels for any member of the community to report sensitive allegations.
- Establish standard operating procedures to allow for linking of the network members' CFMs
- Work with the Protection Sector, including the GBV and Child Protection sub-sectors, to incorporate assistance referral pathways into the network referral SOPs to provide immediate support for complainants and survivors of SEA. The PSEA Network does not create parallel assistance referral pathways for survivors of SEA.
- Raise the awareness of Protection actors, GBV actors, Child Protection actors, and all actors staffing complaint channels, so that all personnel who may work with SEA survivors or receive an SEA report know how to recognize SEA and where to safely send allegations.
- Raise awareness on the available reporting and referral mechanisms among all actors in the refugee response in Moldova.

These Terms of Reference shall be reviewed on an annual basis and revised as appropriate.

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<sup>4</sup> All engagements with the community will be done in coordination with actors working with affected communities to avoid duplication of efforts and to inform community engagement.