

## Terms Of Reference

### Regional Network for PSEA and Safeguarding in the Ukraine Refugee Response

#### Background

Safeguarding and protection from sexual exploitation and abuse (SEA)<sup>1</sup> are key aspects of the response to the regional refugee response, in which over 7 million people have been forced to flee from Ukraine into neighbouring countries. Not only is the Ukraine situation one of the largest forced displacement crises in the world today, but it is also characterised by a number of specific risk factors, such as an exceptionally high incidence of family separation and of female-headed households, and a number of other specific needs, such as separated and unaccompanied children, older persons, persons with disabilities, LGBTIQ+ refugees, and minority groups. The emergency has also been characterized by a wide range of actors directly involved in the response, including informal networks, volunteers and others who have limited experience in humanitarian work and limited awareness on SEA. These risk factors are expected to be further compounded by ongoing challenges with accommodation, increasing socioeconomic vulnerabilities, and potential fatigue among host States and host communities.

Sexual exploitation and abuse by humanitarian workers directly contradicts the principles upon which humanitarian action is based. It inflicts harm on those whom the humanitarian and development community is obligated to protect, as well as jeopardizes the credibility of all assistance agencies.

In line with the Inter-Agency Standing Committee (IASC) Six Core Principles<sup>2</sup> and the Secretary General's Bulletin Special Measures for Protection from SEA,<sup>3</sup> as well as agency and organisation-specific commitments, all personnel involved in the delivery of humanitarian assistance are expected to uphold the highest standards of personal and professional conduct at all times to protect beneficiaries of assistance. SEA of affected persons constitutes gross misconduct and must result in disciplinary action, including immediate termination of employment and referral for criminal prosecution.

Given the continued risks seen in this emergency, an agreement was reached by the Regional Refugee Coordination Forum (RCF) on the need to establish a Regional PSEA Network for the Ukraine refugee situation so as to increase attention and visibility to the issue of PSEA, offer support to country-level PSEA Networks/Task Forces established in the refugee-hosting countries neighbouring Ukraine, ensure exchange and learning across operations, and promote a coherent and victim-centred approach.

#### Network Responsibilities

Under the auspices of the Regional Refugee Coordination Forum (RCF), the Regional PSEA/Safeguarding Network will work to support country-level PSEA Networks/Taskforces, promote regional exchange and

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<sup>1</sup> Sexual Exploitation and Abuse (SEA) are particular forms of gender-based violence. The definition of sexual exploitation is as follows: "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" and the definition of sexual abuse: "The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions".

<sup>2</sup> The Inter-Agency Standing Committee's (IASC) Six Core Principles are available online at: <https://psea.interagencystandingcommittee.org/update/iasc-six-core-principles>

<sup>3</sup> Secretary-General's Bulletin, *Special measures for protection from sexual exploitation and sexual abuse*, ST/SGB/2003/13, available online at: <https://www.unhcr.org/protection/operations/405ac6614/secretary-generals-bulletin-special-measures-protection-sexual-exploitation.html>

learning, and ensure a coordinated approach between members at regional level, with the overall aim to minimize the risk of SEA and raise awareness of PSEA and safeguarding in the refugee response.

The Regional PSEA/Safeguarding Network for the Ukraine refugee response aims to support Belarus, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Romania, Slovakia, Poland and Moldova. It can also offer support to other affected host countries in Europe, as and when requested.

The presence of the network does *not* lessen the responsibility of individual network members to develop, implement, and strengthen internal PSEA and safeguarding programs. Senior management within each member organization remain accountable for PSEA within their respective organizations.

Moreover, the Regional PSEA/Safeguarding 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 internal policy and procedures.

The network adheres to and promotes a victim-centred approach which prioritizes listening to victims, avoids re-traumatization and ensures the empathetic and sensitive delivery of services and accompaniment, with full respect the principles of safety, confidentiality, respect, and non-discrimination.

### Network Roles

The Regional Network will be co-chaired by UNHCR and Save the Children, who will be responsible for convening and managing network meetings and help coordinate and oversee the network's activities.

The network may form smaller, time-bound task teams of regular members to carry out specific deliverables, if needed. It may also engage with non-member organizations as part of ongoing activities.

### Membership

Network membership is composed of PSEA and safeguarding focal points working in regional capacities, and is open to interested UN agencies, NGOs and local actors operating in the Ukraine refugee response.

Each member organization is represented by one focal point and one alternate. All focal points will actively participate in information sharing on PSEA initiatives and are responsible for technical support and coordination on PSEA within their organization, under the leadership of their senior management.

PSEA coordinators and (co)chairs of National PSEA Networks/Task Forces are strongly encouraged to attend in order to improve cross-operational learning and exchange and build on good practices.

One representative from the Regional Protection and Socio-Economic Inclusion Working Groups, the Regional GBV and Child Protection Sub-Working Groups, and the Anti-Trafficking and Gender Task Forces for the Ukraine refugee response will also be invited to attend the networks meetings to enhance mainstreaming of PSEA and safeguarding into all sectors of the response. Other actors involved in the refugee response may be invited for specific thematic discussions.

### Meetings

The Regional Network will convene on a monthly basis and additional *ad-hoc* thematic meetings may be called, or requested by any member, when needed. The notes of each meeting will be distributed among all members and filed in the records of the network.

As network meetings should provide a safe environment to discuss potentially sensitive challenges, any sensitive information shared during meetings will be kept confidential. The meetings will refrain from discussing individual cases, and any reference to SEA allegations or cases during meetings will be anonymized, in line with a victim-centred approach and with respect to the principle of confidentiality.

### Tasks

The Regional PSEA/Safeguarding Network is intended to be a space for exchange and support, both for individual organisations/agencies and national PSEA Networks/Task Forces, contributing to the eradication of SEA committed by humanitarian personnel. The network may undertake the following:

#### Coordination and support

- Support PSEA Networks/Task Forces at country level to ensure learning and exchange across country operations and facilitate the identification and dissemination of good practices, as well as common challenges and policy issues.
- Share initiatives, tools and resources on PSEA and safeguarding relevant to the Ukraine refugee response and identify any training needs in support of country-level PSEA Networks/Task Forces.
- Develop and facilitate joint capacity-building sessions, events and webinars for different actors across the region to advance the strengthening of PSEA and safeguarding and enhance visibility of activities.
- Document and update network members and the Regional Refugee Coordination Forum on collective activities, PSEA and safeguarding developments and trends in the region, and needs identified.

#### Prevention and risk mitigation

- Advocate for PSEA and safeguarding as priorities throughout programming and support actors working as part of the Ukraine refugee response, including through the Regional Refugee Response Plan, supporting joint SEA risk assessments at country level, and embedding SEA risk mitigation in needs assessments, project design, implementation, and monitoring based on identified SEA risks and trends.
- Work closely with other coordination bodies at regional level, such as the Protection and Socio-Economic Inclusion Working Groups, the Sub-Working Groups on Child Protection and GBV, the Anti-Trafficking and Gender Task Forces, and the Refugee Health Extension to ensure mainstreaming.
- Encourage all network members to actively engage with country-level PSEA Networks/Task Forces and to support internal induction and refresher trainings on PSEA and safeguarding for personnel, as well as enhanced investigative capacities within their respective organisations/agencies, as needed.

#### Response

- Promote a victim-centred approach, a culture of zero-tolerance for SEA, and respect for the principles of safety, confidentiality, and non-discrimination across the region.
- Undertake joint advocacy together with the PSEA Networks/Task Forces at country level and other relevant actors, including on resource mobilization, for necessary legal, policy or programmatic responses and for enhanced investigative capacity to address existing gaps.

These TORs shall be reviewed and updates, as appropriate, in June 2023 and every six months thereafter.