

Terms of Reference Bulgaria PSEA Network

Background

Since the escalation of hostilities in February 2022, nearly one-third of the population has been forced from their homes in Ukraine, making it one of the largest human displacement crises in the world today. In response to the large-scale refugee situation, the European Union triggered on 4 March 2022 the application of the Temporary Protection Directive, the duration of which was recently extended until March 2025. As of April 2024, over 2.4 million refugees from Ukraine have come to Bulgaria since February 2022, out of which over 72,000 have valid temporary protection registration in the country. Majority of refugees in Bulgaria are women and children.

Additionally, Bulgaria has been witnessing arrival from multiple countries, majority from Afghanistan, Syria, and Iraq. During 2023, over 22,000 asylum application were submitted. Among the mixed movement there are unaccompanied children, who are at possible risks of exploitation and abuse.

Sexual exploitation and abuse directly contradict the principles upon which humanitarian action is based. It inflicts harm on those whom the humanitarian and development community are obligated to protect and jeopardizes the credibility of all assistance agencies. PSEA is an integral and cross-cutting component of the refugee response plan and is mainstreamed across the refugee response. In addition, it requires dedicated and proactive collective efforts to mitigate and prevent risks, such as joint PSEA risk assessments, partner capacity assessments, capacity building, and training, as well as community outreach and awareness raising with the refugee community.

Network Responsibilities

Under the auspices of the Refugee Coordinator, the Protection from Sexual Exploitation and Abuse Network (hereafter: PSEA Network or network) is the primary body for technical-level coordination and oversight of PSEA activities in line with the PSEA Action Plan and high-level Strategy in Bulgaria.

The network is responsible for coordinating activities between members to minimize the risk of Sexual Exploitation and Abuse (SEA) by aid workers, ensure effective response when incidents do arise, and raise awareness of PSEA in Bulgaria. The PSEA Network activities follow a victim-centered approach and will respect the principles of safety, confidentiality, respect, and non-discrimination. Senior management within each member organization is accountable for PSEA within their organizations.

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 internal policy and procedure.

Network Roles

The PSEA Co-Coordinators support and represent the PSEA Network in the fulfilment of its responsibilities under these Terms of Reference and the network Action Plan. The PSEA Co-

Coordinators are responsible for reporting at the inter-agency level on network activities, progress against PSEA Network Action Plan indicators, and flag any SEA trends to the Refugee Coordinator. The PSEA Coordinator represents the network in relevant coordination bodies and advises actors in the country on good practices to support effective PSEA implementation.

UNHCR and UNICEF are co-chair organizations together with one national NGO (Animus Association) elected out of the Inter-Agency members. While the NGO organization seated as co-chair may change annually, the co-chair's 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.

Each member organization will be represented in the network by one PSEA Focal Point and an alternate focal point. All Focal Points will actively participate in information sharing on internal PSEA initiatives and coordination of activities under the Action Plan and are responsible for technical support and coordination on PSEA within their organization under the leadership of their senior management. The network may form smaller, time-bound task teams of regular members to carry out specific deliverables as needed.

Membership

Network membership is open to all UN agencies, INGOs, and NGOs operating in Bulgaria, responding to the refugee situation. The PSEA Coordinator/co-chairs should also participate in the Protection Working Group meetings and events, and actively engage to ensure close linkages between PSEA and GBV interventions in Bulgaria.

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

Meetings

Under the Protection and Inclusion Working Group, the PSEA Network will convene on a quarterly basis and additional ad-hoc meetings may be requested by any member. 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 supporting environment to discuss potentially sensitive challenges in PSEA, any information shared during meetings will be kept confidential on request following a victim-centered approach. As a general matter, Network meetings should refrain from discussing individual cases; any reference to SEA allegations or cases during meetings will be anonymized.

In case a coordinator cannot attend a regularly scheduled network meeting, the member organization will be represented by a dedicated and sufficiently briefed alternate.

Tasks

The PSEA Network will undertake the following:

Management and Coordination

- Carry out joint SEA risk assessments in Bulgaria as appropriate and as needed, identifying potential risk factors and areas of concern. The risk assessment outcomes will inform strategic decision-making 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. The design and implementation of the Action Plan will be informed by community input, contextually appropriate, and respond to the risk factors identified by the joint assessment. The Refugee Coordinator will monitor Action Plan deliverables and will provide additional support (including human and financial resources) when warranted.
- Monitor the PSEA activities of Network members to avoid duplication and fill gaps.
- Work closely with other coordination bodies in Bulgaria and other active sub-group and/or technical working groups 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.
- Advocate for the strengthening and/or establishment of internal PSEA policies and practices for all organizations operating in Bulgaria 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 population

All engagements with forcibly displaced populations should be done in coordination with actors working with affected populations within the Protection and Inclusion working group and other active technical working groups under the refugee coordination mechanism in Bulgaria, to avoid duplication of efforts and to inform community engagement.

- Raise awareness about the rights of affected populations, what SEA is, what constitutes appropriate behavior of personnel, the fact that aid workers are obliged to report SEA incidents that they are aware of, the various methods to submit complaints how to access victim assistance services in Bulgaria.
- Support members to assess and improve the effectiveness and appropriateness of PSEA activities within the targeted communities in Bulgaria.
- With the particular engagement of affected population in Bulgaria in the community, support members to create and/or adapt their aid delivery models to address power disparities and actively give those in more vulnerable positions a sustained voice in how aid is delivered.

Prevention

- Advocate for PSEA to be a priority throughout programming and support actors working in operational areas 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 through joint activities and sharing good practices.
- Encourage network members to carry out induction and refresher training on SEA for all personnel and support such training with jointly developed contextualized materials.

Response

- Establish inter-agency reporting and referral mechanism among all actors in Bulgaria.
- Jointly map trusted and functional complaint and feedback mechanisms (CFMs) in Bulgaria to identify where there are gaps in the affected population's safe access to report SEA.
- Support members to establish new complaint 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 an inter-agency community-based complaint mechanism (CBCM) by linking the network members' complaint and feedback mechanisms (CFMs) through agreed Standard Operating Procedures (SOPs) on the inter-agency complaint and assistance referral, in line with the Global SOPs.
- Work within the Protection Sector, to incorporate assistance referral pathways into the CBCM 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.
- Collectively advocate and work with the relevant sub-sectors and implementing partners to address existing gaps so that the needs of all survivors are met.
- 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 a SEA report know how to recognize SEA and where to safely send allegations.
- Receive aggregate, anonymized updates of complaints in the country shared by network members. Information sharing on anonymized SEA complaints with the network will be done in line with internal reporting and data protection policies of members, and in accordance with the principle of confidentiality, sharing only information needed to capture baseline trends for aggregate updating of the Refugee Coordinator.
- To maintain accountability for complaint handling processes at country-level, and to inform trends analysis and reporting, keep a confidential record of aggregate, anonymized SEA allegations in Bulgaria in a secure database. Secure data storage requires the adoption of clear guidelines and SOPs on where and how the information is kept and by whom it will be accessible.

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

Updated: April 2024