

## Moldova

### Terms of Reference (ToR) for the Protection from Sexual Exploitation and Abuse Network and Task Force

Last Update: February 2023

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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 UNCT (hereafter "UNCT PSEA Task Force"). The existence of two separate bodies has demonstrated to be not effective for improving PSEA capacities in country therefore it has been decided to merge the two structures. Following this decision the PSEA Task Force is NOT a separate body but is a technical sub-group of the PSEA Network, the Network and Task force are working in complementarity and synergy with the common aim to improve prevention and response to SEA in Moldova by all stakeholders.

The PSEA Network and Task Force are functioning under the auspices of the UNHCR Representative and the UN Resident Coordinator as the overall accountable officials for the implementation of collective PSEA in Moldova. The PSEA Network serves as the inter-agency body for PSEA coordination while the PSEA Task Force is responsible for promoting interagency collaboration and provide technical support to the RC and the UNCT in line with humanitarian principles and global guidelines.

#### PSEA Network Responsibilities

Under the auspices of the UNHCR Representative and the UN Resident Coordinator, and in coordination with the RRF and the UNCT, the PSEA Network is the primary body for technical-level coordination of PSEA activities in line with international inter-agency commitments on PSEA prevention and response 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 and CP Sub-Working Groups, service providers and other actors to ensure a victim/survivor-centred, effective response when incidents do arise, and raise awareness of PSEA in Moldova.

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.

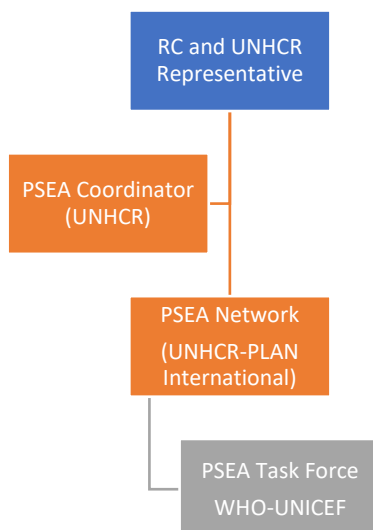
#### PSEAH<sup>1</sup> Task Force Responsibilities:

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<sup>1</sup> The Task Force has an addition responsibility related to Sexual Harassment (SH).

The PSEA Task Force is a Technical body formed by PSEA Focal Points/Technical Specialists working under the overall coordination of the PSEA Network Coordinator having the responsibility to provide technical advises and support on specific issues, activities and tools on PSEA and SH to the RC and the UNCT. The PSEA Task force is responsible for provided all the technical support and advises requested by the RC and the UNCT in their functions of final responsible for collective PSEA in Moldova The PSEA Task Force will also participate and technically support the elaboration of the joint PSEA Action Plan as required annually by the OSCSEA.

The PSEA Task Force is nominated by the UNCT and is chaired for 2023 by WHO and Co-Chaired by UNICEF. The PSEAH Task Force will meet quarterly on the last Thursday of January, April, July, October and is a technical ad hoc group of the PSEA Network, therefore participating to PSEA Network meetings. PSEA Task Force meetings are convocated by the Chair, however any member can call an ad hoc meeting in case of urgency.



### PSEA 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 February 2023) 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 the 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.

### **PSEA Network 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.

### **PSEA 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.

### **PSEA Network Tasks**

Under the 4 pillars of the IASC Minimum Operating Standards on Protection from Sexual Exploitation and Abuse,<sup>2</sup> the PSEA Network will undertake the following:

#### *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 in collaboration with the PSEA Task Force, 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

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<sup>2</sup> <https://interagencystandingcommittee.org/system/files/2020-03/Minimum%20operating%20standards-psea%20by%20own%20personnel%202012.pdf>

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>3</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-working groups, 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.

#### **The PSEAH Task Force Role:**

- Address specific technical support requests by members of the PSEA Network, Working Groups, Entities working in Refugee Response or Development context in Moldova
- Conduct technical webinars, trainings and clinics on PSEAH on specific topics as required by Entities or Working Groups operating in Refugee Response or Development in Moldova;
- Document and share Moldova good practices and lessons learnt on inter-agency collaboration on PSEAH as well as prevention and response mechanisms in Moldova.
- Provide specific technical advises to the RC and the UNCT on PSEAH.
- Participate and provide technical support to the preparation of the annual PSEA Action Plan as required by the OSCSEA.

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<sup>3</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.

- Be the Focal Point for any initiative on PSEAH involving the Government of Moldova

#### **PSEAH TASK FORCE MEMBERSHIP:**

The PSEAH Task Force in Moldova is composed by a restricted group of max 10 PSEAH Focal Points having competences in PSEA and/or GBV, CRSV, CP interested in providing additional support to the PSEA Mechanism in Moldova with participation to ad hoc technical fora or trainings or to any other technical support required by the RC and the UNCT.

The participation is on voluntary basis and the group of the members is established during the first meeting of the PSEA Network of the year. Membership is competency based and is open to UN Agencies, INGOs and NNGOs. Members shall commit for the participation to the Task Force for at least six months. After the expiration of the six months each member can decide to continue or request to be replaced. The chair and the co-chair of the Task Force are appointed annually by the UNCT.

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