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High Commissioner's Programme**

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**Efforts to prevent and respond to sexual
exploitation and abuse and sexual harassment**

Summary

This paper highlights major developments in UNHCR's efforts to prevent and respond to sexual exploitation and abuse and sexual harassment since the oral update at the seventy-third meeting of the Standing Committee in September 2018. It is the first conference room paper dedicated to this topic and focuses primarily on achievements recorded over the past year and a half.

Contents

| | <i>Paragraphs</i> | <i>Page</i> |
|--|-------------------|-------------|
| I. Introduction | 1-3 | 3 |
| II. Organizational change and enhanced dialogue | 4-10 | 3 |
| III. Organizational accountability..... | 11-15 | 4 |
| IV. Victim/survivor-centred assistance and protection..... | 16-19 | 4 |
| V. Reporting and response systems..... | 20-27 | 5 |
| VI. Training and awareness-raising | 28-30 | 6 |
| VII. Working with partners..... | 31-35 | 6 |
| VIII. Conclusion | 36 | 6 |

I. Introduction

1. Sexual exploitation and abuse (SEA) and sexual harassment (SH) are unacceptable breaches of the fundamental rights of the people UNHCR serves and of those with whom it works. They are a betrayal of the organization's core values. In 2018, the organization combined all its efforts to tackle SEA and SH in a new strategy and action plan overseen by a multifunctional team under the leadership of the Deputy High Commissioner.

2. UNHCR recognizes that all forms of sexual misconduct are rooted in a culture of discrimination and privilege based on gender inequalities and power imbalances, and that eradicating them requires a change in individual attitudes and behaviour, as well as organizational culture. UNHCR's vision is to provide a trusted, respectful and inclusive environment where the people UNHCR serves and those who work for the organization feel safe, heard, equipped and empowered to speak up for themselves and others and are able to take robust and visible action, as appropriate, with the aim of eradicating sexual misconduct.

3. Since the end of 2017, UNHCR has witnessed a sharp rise in the number of sexual misconduct allegations involving personnel and implementing partners. While this increase does not necessarily correlate with a growth in the number of incidents and may be due to increased awareness and trust in reporting systems, it highlights the need to persevere in the fight against sexual misconduct.

II. Organizational change and enhanced dialogue

4. Initiatives aimed at tackling sexual misconduct are being aligned with the organization's broader change and transformation agenda, which calls for new ways of leading, managing and working to ensure personnel and people of concern are included, and able to speak up when affected by, or aware of SEA or SH.

5. Throughout the year, the High Commissioner and the Deputy High Commissioner continued to demonstrate their strong and personal commitment to eradicating sexual misconduct from UNHCR, including through regular and varied means of communication to all personnel. These communications also informed personnel on the disciplinary measures taken by the High Commissioner, encouraged them to report any incidents and underscored the obligation of the entire workforce to conduct themselves in accordance with the highest standards.

6. Safe spaces for dialogue on sexual misconduct are necessary catalysts of long-term organizational culture change. In 2018 and 2019, three internal dialogues on sexual misconduct were led by the High Commissioner and Deputy High Commissioner. These events were livestreamed to UNHCR offices around the world, enabling all personnel to engage with senior managers on these issues via an interactive platform. This generated a high level of interest, with 2,700 contributions from participants, and as a result, a comprehensive set of frequently asked questions on sexual misconduct was shared with all personnel.

7. UNHCR also encouraged colleagues to share ideas on how to better address sexual harassment through its Innovation Ideas Platform. The platform received over 1,300 visits, generating 42 ideas, 4 of which were selected and funded for piloting and implementation.

8. UNHCR's efforts to change its organizational culture and individual behaviour focus on managers' roles as key custodians of the organization's standards of conduct. This theme featured prominently in discussions at the global representatives meeting in 2018, and, more recently, during the Senior Management Committee retreat in July 2019. Both events resulted in commitments by the organization's most senior managers to change UNHCR's organizational culture, notably through dialogue and self-reflection. Beginning in September 2019, a significant number of UNHCR managers around the world will be invited to participate in "Reflective leadership dialogues", in which experiential learning methodology and focus on individual and collective reflection will be used to equip managers with the tools to create working environments in which SEA and SH are prevented and/or effectively addressed.

9. To ensure that these measures are sustainable, UNHCR has integrated responsibilities to combat SEA and SH into new regional managerial job descriptions, and the process is ongoing for other grades and functions.

10. A new Code of Conduct Dialogue themed “Values in Action – Trust and Collaboration” was launched. It aims to engage all UNHCR colleagues in dialogue around the organization’s core values, with a view to increasing trust and integrity as well as fostering the behavioural change needed to eradicate sexual misconduct.

III. Organizational accountability

11. UNHCR ensures that combating SEA and SH is part of global reporting and accountability tools, such as the results-based management, enterprise risk management and age, gender and diversity accountability frameworks.

12. In 2018, UNHCR commissioned an independent review of its existing procedures and policies on SEA. The review identified good practices, lessons learned and gaps, and its recommendations are being incorporated into the new SEA and SH action plan.

13. The organization is also finalizing an administrative instruction on addressing sexual misconduct, which aims to consolidate all relevant policies and guidance on SEA and SH and ensure a victim-centred approach.

14. To ensure the coherence of internal instruments guiding practices in the field, language pertaining to SEA was included in several of the organization’s key documents, such as the emergency and partnership handbooks, as well as the programme manual. Further practical guidance was also included in the yearly instructions on planning and budgeting.

15. UNHCR continued to improve vetting and reference checking procedures and established additional capacity to run sexual misconduct checks on all personnel recruited by the organization. The Office is a contributor to, and user of the “Clear check trackers”, which are secure online databases that allow United Nations entities to share information on former staff and affiliated personnel who have SEA and SH related antecedents to avoid their rehire. UNHCR is also seeking synergies with similar initiatives such as the “Misconduct disclosure scheme” developed by the Steering Committee for Humanitarian Response.

IV. Victim/survivor-centred assistance and protection

16. It takes considerable courage for someone who has been affected by SEA or SH to report an incident. Lessening this burden requires addressing the many barriers to reporting that exist. This can be achieved by implementing the principles of a victim/survivor-centred approach and by seeking ways to protect those who come forward.

17. An internal review of existing mechanisms and protocols to ensure the safety, security and well-being of victims/survivors and witnesses in the context of investigations, including cases of SEA and SH, is ongoing. The review is looking at best practices in victim and witness protection, among others those applied by international tribunals. Alignment with humanitarian sector principles and standards forms part of that effort, and UNHCR’s continued collaboration with the UN Victims’ Rights Advocate also contributes to this.

18. Investigation and disciplinary processes were strengthened through the recruitment and training of additional staff. Considerable efforts were made to prioritize and expedite SEA and SH investigations, as well as to reduce the length of the disciplinary processes. UNHCR increased investigative and legal capacity in several regional offices, which contributed to facilitating rapid intervention and increased outreach sessions on SEA and SH investigative processes in field operations.

19. Following the release in August 2018 of a new administrative instruction on protection against retaliation, the number of inquiries received and cases opened in relation to allegations of retaliation increased significantly. Since the instruction’s entry into force, three victims of sexual harassment have benefited from interim protective measures.

V. Reporting and response systems

20. In addition to existing formal and informal reporting channels, UNHCR established the “SpeakUp! Helpline”. This confidential independent helpline provides personnel with an additional channel to report misconduct, including in an anonymous manner, as well as to receive advice. The helpline is in constant operation via telephone with integrated translation services, but also online through a form or mobile App. In the first nine months after its launch, the helpline received 56 complaints, including 6 that were related to sexual harassment, and referred to the appropriate entity for action.

21. To support colleagues who wish to make a sexual harassment complaint, UNHCR recruited a psychosocial case manager to guide victims and witnesses, accompany them, and coordinate action on their behalf until each case is resolved. The case manager also provides advice to managers. Since the system was put in place, 51 individuals have reported incidents of sexual harassment to the psychosocial case manager and have been assisted with resolving their cases.

22. A global Peer Advisor Network consisting of 400 volunteers was created to strengthen the prevention of and early response to workplace grievances and factors negatively affecting the psychosocial well-being of UNHCR personnel, providing them with an accessible and confidential point of contact.

23. To support “Protection from SEA” (PSEA) programming and activities in operations, UNHCR had boosted its network to over 400 PSEA focal points as of mid-2019. These focal points interact and share good practices through an online platform. Recorded membership on the platform has increased by more than 60 per cent in a year and revived dialogue on PSEA among colleagues in regional bureaux and field offices.

24. With a large proportion of its workforce in the field and a high number of partners working on its behalf, UNHCR is allocating significant resources to PSEA. Most UNHCR operations have established and promoted feedback and response systems, including for confidential complaints, and are seeking to ensure that multiple channels for reporting are accessible to all people of concern in relevant languages and in formats adapted to those at heightened risk of exclusion. UNHCR carried out in 2018 an extensive survey across 41 operations to collect information of the systems most currently used by persons of concern and what challenges exist in collecting, using and responding to their feedback. This will be used to further to improve the Office’s approach to all aspects of accountability to affected people.

25. UNHCR promotes a survivor-centred approach for all types of sexual and gender-based violence (SGBV), including SEA. Standard procedures are put in place at the field level to ensure the safety of victims/survivors and guide their referral to services such as health, psychosocial and legal support. Specific provisions apply to SEA victims/survivors that cater to the particular needs and reporting requirements associated with such cases.

26. With support from the U.S. Department of State’s Bureau of Population, Refugees, and Migration (PRM), UNHCR has recruited and deployed expert capacity on protection from SGBV in humanitarian emergencies. These experts, 12 deployees in 15 operations to date, play a crucial role in supporting PSEA in such contexts, and in particular PSEA interagency efforts. UNHCR is a member of all interagency PSEA task forces and networks in the field and co-chairs six of these.

27. In 2019, UNHCR mapped PSEA good practices across 29 operations. Key among the findings was the importance of building the capacity of implementing partners and of having established in-country risk management capacity. Interesting examples in Africa, Asia and the Middle East included communications on how to access protection and services and new helplines for inter-agency feedback, referrals and resolutions. These helplines enable people of concern to report on integrity issues, including SEA. Empowering refugees was also a prominent element, including by involving them and members of the host communities in information campaigns and equipping them as PSEA focal points. In the Americas, a Regional Safe Spaces Network was established to help improve case management coordination in collaboration with nearly 30 governmental partners and non-governmental organizations (NGOs).

VI. Training and awareness raising

28. Recognizing that women often face different threats than men, the Women's Security Awareness Training (WSAT) continued, providing security training for female personnel from UNHCR, UN agencies, and partner organizations. The module on sexual harassment provides an opportunity for female personnel to speak safely about issues that may not typically be covered in security trainings and helps participants understand how to respond to and report sexual misconduct and seek support. Since September 2018, the WSAT has been delivered to over 650 women across 20 operations in Arabic, English and French. In response to the high demand for the training, the pool of certified trainers was increased and now comprises 14 staff.

29. PSEA focal points (90 from UNHCR and 14 partner staff) received online and face-to-face technical support, including through regional and country training sessions. Six sessions on SEA investigation processes were also conducted for focal points across the Africa, Americas and Middle East and North Africa regions.

30. UNHCR is currently adapting a new face-to-face training programme for all personnel on SEA, based on materials developed by the International Organization for Migration (IOM). The Office is also designing a training on SH, which is based on the same interactive methodology, and is expected to be rolled out to operations in 2020.

VII. Working with partners

31. In line with the Secretary-General's commitment to combat sexual misconduct, UNHCR is cooperating closely with NGOs and UN entities, such as the Office of the Special Coordinator on SEA, the UN Chief Executives Board Task Force on Sexual Harassment, and the UN Victims' Rights Advocate.

32. In the Inter-Agency Standing Committee (IASC), UNHCR co-chairs the results group that focuses on the eradication of SEA and SH in the humanitarian system and on strengthening accountability to affected populations.

33. In support of the High Commissioner's upcoming role as IASC Champion on SEA and SH, UNHCR has contributed to developing the Champion's strategy, outlining priorities in the fight against sexual misconduct through September 2020. During his tenure, the High Commissioner will focus on advocacy to tackle sexual misconduct and look at improving prevention and addressing prevailing fears and power culture.

34. UNHCR revised its project partnership agreements with NGOs to ensure that they comply with the UN Protocol on Allegations of SEA involving Implementing Partners, and is working with UN agencies and NGO partners to ensure its implementation. In addition, PSEA e-learning was translated into various languages and made available through the DisasterReady platform which is accessible to implementing partners.

35. UNHCR engages in regular and transparent dialogue with member States. The Office is contributing to the work on SEA/SH standards undertaken by the Organisation for Economic Co-operation and Development's (OECD) Development Assistance Committee (DAC) and by the Multilateral Organisation Performance Assessment Network (MOPAN).

VIII. Conclusion

36. Sexual misconduct causes irreparable damage to victims/survivors, their families and their communities. In light of this, eradicating SEA and SH must remain a top priority and will require the unwavering and active engagement of UNHCR's entire workforce.
