NGO statement on efforts to prevent and respond to sexual exploitation and abuse and sexual harassment.

Dear Chair,

This statement was drafted through wide consultations with NGOs and aims to reflect a diversity of views.

NGOs believe that in the humanitarian sector, we all work in an environment with very high-power differentials, affecting beneficiaries, communities, partners, NGOs and UNHCR staff. Sexual exploitation and abuse (SEA) and sexual harassment (SH) inflicts very serious damage to the survivors, their families and the entire society, therefore this must be prevented and responded to, in a swift and just manner. We, therefore, call on all actors to discuss concrete steps to put prevention at the core of their action against SEA and SH in the humanitarian sector and beyond it. We need strong investigation and accountability system. Hence, it is important to remain vigilant and work to continuously explore avenues to guarantee independence and autonomous status to this system.

UNHCR and other humanitarian organizations are responsible for the protection against SEA and SH and can only fulfill their crucial responsibility to protect beneficiaries when they are protected against sexual violence and harassment at the workplace themselves. UNHCR and other humanitarian organizations must also be held accountable for preventing and responding to SEA and SH. This includes, promoting transparency about it and creating an internal organizational culture within UNHCR where discussing these risks is possible. Accountability and transparency must be incentivized and supported.

We commend UNHCR’s recent actions on SEA, including the release in June of the Evaluative Review of UNHCR’s Policies and Procedures. Going forward, we encourage UNHCR to continue sharing findings, so that lessons learnt and good practices can be utilized on a bigger scale.

The prevention and response to SEA and SH depends on a holistic mechanism at the institutional level that needs the will of the senior leadership of any organization. This mechanism requires orientation and sensitization of staff, partners, and beneficiaries with clearly identified and easy-to-follow reporting methods. Specifically, the reporting mechanism needs to follow a survivor-centered and human rights approach and ensure the safety and the confidentiality of the survivor to protect them from possible reprisals. To ensure that reporting is possible, and survivor centered, UNHCR, UN agencies and NGOs should inform beneficiaries and staff about the different channels for reporting as well as the possible follow-up to mitigate the issue.

Relevant staff training is important to identify sexual misconduct, in particular for professionals who work with the most vulnerable groups and we encourage further training for UNHCR staff, partner organizations and community leaders.
NGOs also urge UNHCR to focus on information, education and communication strategies in association with feedback response referral mechanisms. Suitable information, education and communication material and information dissemination among persons of concern in their language is crucial.

In addition, as survivors are subject to emotional and psychological stress, the investigation process should ensure complainants are not discouraged in reporting sexual misconduct. Burden should not be placed on the survivor, nor should they be blamed in any way. Besides protection against retaliation, the survivor should be kept informed through robust feedback mechanism on the steps taken as a result of the investigation.

Furthermore, the usual perception that sexual misconduct is carried out by field operations or junior staff only, needs to be dispelled, instead the possibility of sexual misconduct by senior managers needs to be accepted as a reality. The biggest hurdle in reporting sexual misconduct of senior managers is the fear of retaliation and career considerations and we appreciate that the UN has put in place measures against retaliation for reporting SEA and SH for UN staff, interns and volunteers since 2017. We encourage a review of how efficient those measures have been so far.

Moreover, as inherent unequal power dynamics are at the basis of sexual relationships between humanitarian workers and beneficiaries, NGOs commend the transition to a more prohibitive language regarding sexual relationships between humanitarian workers and beneficiaries. We also call for swift action to be taken against the persons involved in sexual misconduct as a result of their position of power, such as ensuring agencies’ ability to dismiss staff who were found to have committed any type of misconduct.

We also believe that, the Protection against SEA Senior Coordinator in UNHCR, should be linked more closely with the Secretary General’s Special Coordinator to improve the UN’s response to SEA.

Regarding recruitment, there continues to be glaring gaps in the human resources practices in UNHCR and other humanitarian agencies, including NGOs. Sufficient vetting of candidates for job vacancies is often not happening. We, as NGOs, are for instance not systematically being requested by UN Agencies for checks on our former employees. NGOs are seeing situations where staff who have been dismissed for sexual misconduct are subsequently hired by UN Agencies. When brought to the attention of those agencies, slow or no correctional action is taken. Reference checks between all actors in the sector must be improved. UNHCR is also urged to show leadership in making provisions for access to information about known perpetrators so that they can be prevented from entering other organizations and moving about the sector. This is applicable for all levels and locations of staff within UNHCR and the sector.

Lastly, UNHCR can only succeed in its quest to prevent and successfully respond to SEA and SH, through partnership with the wider humanitarian sector. We urge UNHCR to recognize and build on the expertise of partner NGOs working on gender-based violence and local humanitarian actors, that is achieved through their interface and close collaboration with aid recipients and communities.
NGOs stand ready to share their experience and suggestions at all times.

A detailed version of this statement is available on icvanetwork.org

Thank you.