Refresher session on Protection from Sexual Exploitation and Abuse (PSEA) for Food Security Sector Partners (Borno, Adamawa and Yobe States)

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“You people should have taken care of me. Instead you abandoned me.”

“The girls are orphans. They don’t have a mother or a father. If they think the abuse can help them they will go and try to do these things to get food.”

“I leave my child with my little sister, who is ten years old, and I dress good and I go where the NGO workers drink or live and one of them will ask me for sex. Sometimes they give things like food, oil, soap and I will sell them and get money.”

“Aid workers have so much power that people treat them as really important and the community cannot challenge them.”

“If something happens you should report it. But in addition to this there must be action taken. The organization should dismiss the person so that other men will learn that you cannot go around abusing children in this way. Often no action is taken and that is the problem.”

Drawn from DFID Safeguarding Summit 2018: Are you listening? https://www.youtube.com/watch?v=z9D9kUNV9h8
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3. The Organisation does not have the ultimate responsibility towards affected populations related to its activities.

4. Survivors of other forms of GBV can receive assistance services (medical, psychosocial, legal/justice, security, socio-economic reintegration). There is no form of survivor assistance for SEA survivors.

5. The Organisation is responsible for ensuring that the comportment of his partners is not in contradiction to the policy.
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You are a representative of the Organization during your free time as well as during your working day. You do not have the same freedoms in your “private life” as you do when you are in your home country or working for another organization. You accept this when you accept the job. You are held to a very high and very strict standard of conduct because your behaviour, both professional and personal, is always associated with and reflects on the image of the Organization.  

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PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE (SEA)

REMINDER

- **Sexual exploitation and abuse (SEA):**
  - Sexual abuse is actual or threatened physical intrusion of a sexual nature by force or under unequal conditions.
  - Sexual exploitation is any abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially, or politically from the sexual exploitation of another.

- **SEA** is a sexual exploitation or/and abuse of a member of the affected community by a humanitarian actor.
- Sexual Exploitation and Abuse is a form of gender-based violence but the response and policies are different to deal with it.
A male international staff member at UN told to his female subordinate (an international recruit) that he will extend her contract unless she “goes on a date” with him.

NOT A SEA CASE BUT SEXUAL HARASSMENT.
AFFECTED POPULATIONS /FAO PARTNER/ FAO PARTNER STAFF

WHO IS INVOLVED?

- SEXUAL ABUSE
  - FAO/partner staff against affected populations
  - Actual or threatened physical intrusion of a sexual nature whether by force or under unequal or coercive conditions.
  - Groping/unwanted touching for the stimulation of the aggressor
  - Rape (including intercourse or other forced/coerced acts of a sexual nature)

- SEXUAL EXPLOITATION
  - FAO/partner staff against affected populations
  - 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 sexual exploitation of another.
  - Offering money, gifts, a job, or schooling, or withholding services to a beneficiary in exchange for sex.

- SEXUAL HARASSMENT
  - FAO staff and or with partner staff
  - Any unwelcome sexual advance, request for a sexual favor, verbal or physical conduct or gesture of a sexual nature or any other behavior of a sexual nature that might reasonably be expected or perceived to cause offence or humiliation to another.
  - Touching or speaking inappropriately to a colleague at work.
  - Repeated telephone calls and emails of a sexual nature.
  - A manager telling a colleague that the only way to get promoted is by trading sexual favours to senior officials.

N.B: Sexual harassment may occur between persons of the opposite or same sex.

Work environment

(within UN agencies, INGOs, NNGos, Peace keeping forces etc.)

Sexual harassment

Sexual Exploitation and Abuse

Communities affected by crisis

Both are also included under the umbrella term Sexual and gender based violence

Sexual and gender based violence
Protection from Sexual Exploitation and Abuse (PSEA) is a term used by the UN and NGO community to refer to measures taken to protect vulnerable people from sexual exploitation and abuse by our own staff and associated personnel.

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<td><strong>1.</strong> Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.</td>
<td><strong>2.</strong> Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.</td>
<td><strong>3.</strong> Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.</td>
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<td><strong>4.</strong> Sexual relationship between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.</td>
<td><strong>5.</strong> Where humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, s/he must report such concerns via established agency reporting mechanisms or through the inter agency Community Based Complaints Mechanism (CBCM) email <a href="mailto:nga.gbv@humanitarianresponse.info">nga.gbv@humanitarianresponse.info</a></td>
<td><strong>6.</strong> Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibility to support and develop systems which maintain this environment.</td>
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PROSTITUTION?

• SEA:

Prostitution:

• Regardless of whether prostitution is legal or illegal in the country you are serving in, staff are prohibited from engaging in prostitution.

• Victims of trafficking and other vulnerable groups may be coerced into sex work as their only survival option.
• SEA:

Solicitation:

• Desperate people may solicit you to violate the UN Standards of Service/Organisation Code of Conduct, but this is not a defence.
SEXUAL ACTIVITY WITH CHILDREN?

• **SEA:**

• Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defence.

• And, if the beneficiary is > above 18?

• Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Because the imbalance of power between personnel and beneficiaries could:
  • lead to exploitation of the individual; perception of exploitation. And, such relationships undermine the credibility and integrity of humanitarian aid work.
SEA HAPPENS EVERYWHERE

“The absence of SEA reports in a response site should not be interpreted as an absence of SEA. Given current reports of SEA incidents across the globe, lack of reports may be a warning that there are inadequate mechanisms on site that the affected population can safely access.”

- Globally: SEA occurs in all response sites where humanitarian actors are present.
UNDERREPORTING

- Worldwide, there is a chronic lack of data on gender-based violence, particularly against women and children.
- Fear of losing much-needed material assistance.
- Fear of stigmatization
- Threat of revenge or retaliation/ victims are afraid to report.
- Lack knowledge on how to report
- Feel powerless to report an abuse
- Lack effective legal services
- The available numbers understate the problem, despite the constant realities.
- Unreported abuse can prolong a victim's exposure to it.
- Social and cultural norms often hinder male victims from speaking about sexual assault.
- Men often react to sexual violence in a different way than women do. They often don’t know who to turn to.
COMMON GBV and SEA RESPONSE

• Survivors of SEA receive the same response services through a survivor-centered approach as survivors of other forms of GBV. This includes linkage to timely GBV specialized services. (examples?)

• From a prevention and risk mitigation perspective, all of the interventions for GBV risk mitigation contribute to reducing the likelihood of SEA. (examples?)

SEA versus other GBV

• Contract
• Different response
• Mandatory Reporting
• Unlike with GBV, with SEA we have the presence of a legal contract (JD, CoC, Contract, other Docs).

• That contract is where our accountability comes from.
The accountability response to GBV (if any) is typically referral to law enforcement (crimes) or traditional justice.

With SEA – because a breach of contract is involved – there is a specific response that includes investigation administrative/disciplinary, including termination of employment (in addition to and separate from potential national prosecution).
MANDATORY REPORTING

• All humanitarian workers are mandatory reporters of SEA, be it knowledge or suspicions.
• SEA is not just for GBV or Protection specialists – it is everyone’s issue.
• We all have individual and collective responsibilities as aid workers to prevent and respond to SEA in our environment.
WHAT IS OUR ROLE?

Four obligations for all humanitarian personnel:

• Know the standards of conduct on sexual exploitation and abuse and comply with the Standards. Do not perpetrate SEA.

• Report any SEA complaints concerning colleagues, partners (implementing partners or other UN Agencies) in good faith to the established reporting procedures of the appropriate agency entity or through the inter agency Community Based Complaints Mechanism (CBCM).

• To know the GBV referral pathways and how to support a survivor; our PSEA responsibilities (ToRs, CoC, etc.) including how to safely report.

• Cooperate with investigations into sexual exploitation and abuse.
REFERENCES

- https://www.youtube.com/watch?v=z9D9kUNV9h8
- https://www.youtube.com/watch?v=NfMKMCYFgPo
- Inter-Agency Standing Committee. (2016). *Best Practice Guide Inter-Agency Community-Based Complaint Mechanisms - Protection against Sexual Exploitation and Abuse*. IASC.