

Protection from sexual exploitation and abuse in humanitarian crises: the humanitarian community's response

by Iain Levine and Mark Bowden

The grave allegations of widespread sexual exploitation and abuse of refugee and internally displaced women and children by humanitarian workers and peacekeepers in West Africa have highlighted the vulnerability of refugees, IDPs and others, especially women and girls.

Sexual abuse and exploitation, in humanitarian crises or elsewhere, reflect a variety of failures or omissions attributable to a range of responsible actors and institutions. They represent a failure to uphold basic rights to protection. In institutional terms, sexual exploitation and abuse by humanitarian staff represent a failure on the part of humanitarian agencies whose stated role is to provide protection and care.

Sexual exploitation and abuse of people affected by humanitarian crises represent a challenge to the entire humanitarian community. The Inter-Agency Standing Committee (IASC)¹ provides an important mechanism for preventing and responding to such crises. In March 2002 the IASC established a Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises which was mandated, within the overall objective of strengthening and enhancing the protection and care of women and children in situations of humanitarian crisis and conflict, to make recommendations to eliminate sexual exploitation and abuse by humanitarian personnel and the misuse of humanitarian assistance for sexual purposes.

In April 2002, the Task Force produced a Policy Statement on Protection from Sexual Exploitation and Abuse in Humanitarian Crises in which it reaffirmed its commitment to

promoting and protecting the rights enshrined in international humanitarian, human rights and refugee law, particularly the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women.² The Policy Statement stressed that IASC members recognise their responsibility, in fulfilling their mandates, to guard or protect vulnerable persons from sexual and other exploitation and abuse and to address such violations appropriately in their work. In particular, IASC members committed to ensuring that their staff and implementing partners do not abuse their power and influence to exploit and harm others.

Plan of Action

The Task Force has developed a Plan of Action to ensure a coherent and coordinated response by all members, both globally and at country level. The Plan, now formally endorsed by all operational humanitarian agencies, outlines a number of steps to be taken by the humanitarian community in order to prevent sexual exploitation and abuse and respond to survivor needs. This Plan is not a blueprint. It is part of an ongoing effort of the humanitarian community and will be refined on the basis of experience, pilot activities in selected countries and field visits to affected locations. There is general recognition of the existing problem of sexual exploitation

and abuse in humanitarian crises. The problem is broader and harder to define than initially assumed and, by its nature, is difficult to investigate. Therefore, for the purposes of the Plan of Action, the Task Force has used the following definitions:

- 'Sexual abuse' is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive 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.
- 'Humanitarian workers' include all workers engaged by humanitarian agencies, whether internationally or nationally recruited, or formally or informally retained from the beneficiary community, to conduct the activities of that agency.

The Plan of Action requires IASC members to undertake actions in several key areas, including the behaviour of staff, training, beneficiary accountability, delivery assistance mechanisms and assistance to survivors of sexual exploitation and abuse.

All humanitarian agencies must clearly define the principles and standards of behaviour that they expect of their staff. In relation to sexual exploitation and abuse, these core principles have been identified as:³

- Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.



- 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 defence.
- Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited. This includes exchange of assistance that is due to beneficiaries.
- Sexual relationships 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.
- Where a 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.
- Humanitarian agencies 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 responsibilities to support and develop systems which maintain this environment.

Furthermore, these principles and standards should be incorporated into agency codes of conduct and staff rules and regulations. Mechanisms to ensure that these standards and principles are promoted, disseminated and integrated into personnel requirements, administrative standards and agreements with partners and contractors must also be established. In addition, mechanisms for reporting complaints, investigative procedures and disciplinary processes

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should be established. Managers must be required to promote a culture of protection in which exploitation and abuse is not tolerated and reports of possible violations are treated seriously and confidentially.

The creation of an environment that is conducive to the prevention and elimination of sexual

exploitation and abuse is key. Such an environment will include, at a minimum, enhanced beneficiary participation in all aspects of humanitarian programming and camp governance, improved delivery mechanisms to reduce their potential for exploitation, and dissemination of information on beneficiary rights, entitlements, responsibilities and complaints procedures. Another key element is to ensure that, wherever feasible, survivors have access to legal and judicial systems.

The Plan of Action recognises that humanitarian crises have different impacts and create different needs for men, women, boys and girls. The Task Force believes that it is critical that a gender perspective is adopted in all elements of design, planning and implementation of humanitarian activities. In the context of preventing sexual exploitation and abuse, this ranges from ensuring the presence of more women staff to addressing gender inequalities in access to economic opportunities by beneficiaries and participation in decision-making processes.

Protection from sexual exploitation and abuse will only be effective within a broader framework of effective protection from all forms of abuse and exploitation. Protection is a central and indispensable component of humanitarian action. It should not be compromised. Particularly in times of financial stringency, agencies must commit to sustaining protection activities.

The Task Force recognises that responsibility for full implementation of the Plan of Action also relies on parties that are outside the IASC structure, such as peacekeepers and host governments. It calls on donors to promote some of the core recommendations with the humanitarian organisations that they choose to fund.

The humanitarian community has now acknowledged that the issue of sexual exploitation and abuse is a global challenge. This represents an important step forward. From consultations, it is clear that there is a genuine recognition from agencies that sexual exploitation and abuse represent a betrayal of trust as well as a catastrophic failure of protection. There is a real commitment on the part of agencies to address this problem and take responsibility for implementing necessary management changes.

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1. The IASC (www.reliefweb.int/iasc/) is comprised of members (FAO, OCHA, UNDP, UNFPA, UNICEF, UNHCR, WFP, WHO) and standing invitees (ICRC, the International Council of Voluntary Agencies, IFRC, InterAction, IOM, the Steering Committee on Humanitarian Response, the Representative of the Secretary-General for IDPs, UNHCHR and the World Bank).

2. See www.un.org/womenwatch/daw/cedaw/

3. Different considerations will arise regarding the enforcement of some of these principles for humanitarian workers hired from the beneficiary community. While sexual exploitation and abuse and the misuse of humanitarian assistance will always be prohibited, discretion may need to be used in the application of the principles regarding sexual relationships for this category of humanitarian worker.