

Putting safeguarding commitments into practice

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Aid organisations have to go further if they are to meet commitments to prevent sexual exploitation and abuse, listen to survivors, and remove barriers to reporting.

In 2002, a report released by UNHCR (the UN Refugee Agency) and Save the Children shocked the world by revealing the abuse of large numbers of children in refugee camps in West Africa by aid workers. The following year, the UN Secretary-General set out standards for the better protection of vulnerable people – especially women and children – from sexual exploitation and abuse (SEA).¹ The heads of UN agencies were tasked with creating a protective environment, primarily through appointing a senior individual to review cases and by enforcing standards to ensure staff were aware of and had signed the organisation's Code of Conduct, including reporting on instances of SEA to its board.

Despite this, reports of SEA continue to trickle in. Following reports of SEA in Haiti and ensuing revelations of other abuses, the UK's Department of International Development (DFID) convened in October 2018 an international Safeguarding Summit advocating for a comprehensive approach that addresses the underlying causes and symptoms of SEA. Donors, UN agencies, other humanitarian agencies and UN Secretariat Members are to develop ways of working that will sufficiently protect affected populations. In early 2019 another document addressing SEA was published by the Secretary-General,² which sets forth a victim-centred strategy and prioritises: putting the rights and dignity of victims at the forefront of efforts; establishing greater transparency on reporting and investigating in an effort to end impunity for perpetrators; engaging partners; and conducting more awareness-raising activities and highlighting best practices.

In the years separating these two UN-led standards, many actors have developed efforts to prevent and address SEA. The Inter-Agency Standing Committee (IASC)³ has developed

various guidelines and tools for humanitarian actors. The former Director General of the International Organisation for Migration (IOM) was IASC Champion for Protection from Sexual Exploitation and Abuse between 2011 and 2018 and IOM supported the development of the IASC's Best Practices Guide,⁴ which gives operational guidance on how to set up and run an inter-agency community-based complaints mechanism. IOM has also facilitated the development of the Minimum Operating Standards, which are intended to enhance agencies' compliance with safeguarding guidelines.

As a result of these and other efforts, some of the commitments that have emerged over the years are to prevent SEA and sexual harassment and abuse (SHA) from taking place, to pledge to listen to those who have been affected, and to remove and address barriers to reporting. Despite advances made to date there remains much to do, particularly to end impunity and to address SHA.

Prevention

The current approach concentrates energy and resources on raising awareness among communities and staff. Although important, this alone is not sufficient and will not be achieved without recognising and addressing the root causes – patriarchal and post-colonial power structures – which perpetuate abuse and inequality and reinforce paternalistic attitudes towards 'beneficiaries'. Many people in crisis-affected communities often feel powerless as a result of the humanitarian crisis, and this can undermine the possibility of community-based measures. There remains a largely unacknowledged tension between the potential for community-based punishment and reparation, and the international community's legitimate concerns around the potential compromise of survivor-centred and protection provisions.

To move towards the real change that is needed, humanitarian agencies need to address gender bias and discrimination inherent within organisational structures, which are manifested in opportunities for SEA and SHA in recruitment, retention and promotion practices and which support conditions for predators to exploit affected populations and more junior staff. Those in power are often men⁵ and commonly women have less secure employment, which results in uneven power dynamics and facilitates potential abuses of power.

An organisation's culture and power structures often perpetuate harmful gender and social norms, reinforcing inequality and the conditions for abuse. Organisations and the broader sector as a whole need to analyse the application of their values in order to address harmful power dynamics including practices or policies which reinforce inequality on the basis of gender, age, (dis)ability and race. Many organisations have gender equality policies but it remains a major challenge to implement these in practice. In addition, while it is necessary to develop and build the capacity of staff around discrimination and to challenge these harmful norms, there is a need to hold staff – including senior leadership – accountable for upholding and implementing these values.

Pledging to listen

Listening to, believing and acknowledging the agency of survivors of SEA and SHA must be central. There is a need for continued engagement with survivors on desirable risk mitigation measures and ways in which the community can be better prepared to prevent SEA and address impunity. This engagement should align with guiding principles on preventing and addressing gender-based violence,⁶ including ensuring investigation teams are adequately trained to apply survivor-centred principles and held accountable for doing so. The way in which mandatory reporting procedures are currently applied often undermines survivor's rights and focal points, human resources staff and investigation teams require more adequate training and greater accountability

to enable them to uphold survivor-centered principles. Resources should be invested in educating affected communities on the dynamics of SEA, empowering them to determine the most meaningful response.

Removing barriers to reporting

For **survivors**, barriers to reporting can include: lack of information on clear reporting lines; lack of faith in the system and that anything meaningful will result from reporting; and fear of retaliation or lack of proper protection for those reporting abuse.

Organisations need to make a commitment to establish clear reporting channels (adapted to the context) and to engage in awareness raising in context-specific forums that are created jointly with communities. These vary according to the context, but can include a focal point in women-friendly or child-friendly spaces and community centres, a hotline, a reporting desk in a church or school or a leader appointed by the community. Awareness-raising forums should make available the principles on what SEA is, its consequences and expectations for all staff relating to protective environments, as well as incorporate the different avenues available for reporting. The IASC Protection from Sexual Exploitation and Abuse (PSEA) Task Force of South Sudan has translated these principles into various languages to accompany the community-based complaints mechanisms, but literacy levels vary and the most effective and inclusive means of communicating must also be identified. Context-appropriate messaging must be required from all agencies, including as a condition for accessing future funding. Awareness-raising efforts and reporting channels should have clear, measurable indicators of their effectiveness and ways of measuring quality.

Lack of faith in the system and accountability are a major concern. The perception that nothing happens when a report is filed must be addressed, which requires creating trust that reporting will result in measures to address the incident – as well as address existing inequalities which support its perpetuation. There is a need for

greater transparency on reporting, timeliness and how investigations are coordinated – including actions taken – in order to build confidence and reduce risks for survivors. There is also a need to demonstrate that impunity is a thing of the past, irrespective of the abuser's seniority. And the common fear that reporting mechanisms can be abused or misused for malicious reporting needs to be addressed and, in cases of misuse, stern action taken to prevent future instances.

If information about reported incidences of SEA, actions taken and improvements made are not shared, the status quo will prevail and impunity will continue to thrive. The proposed inter-agency database to share names of offenders is essential to prevent predators from moving locations undetected. Furthermore, sharing information on consequences such as dismissals or criminal proceedings creates trust in the system and encourages reporting. However, this information sharing also gives rise to legal questions including the risk of defamation suits where criminal proceedings fail. Greater collaboration between governments and aid agencies to share information about alleged perpetrators, including evidence gathered in agencies' internal administrative processes, has the potential to deter offenders, and to help facilitate prosecution of those cases that result in criminal proceedings.

For **organisations**, barriers to reporting include risks to organisational reputations. There is an underlying assumption that agencies that report high incidences of SEA and SHA have failed and lack adequate measures to address these incidences. Every agency has an interest in ensuring that they are not depicted as offenders and this makes them wary of fully participating in joint complaints reporting mechanisms, as doing so can increase the risk of exposure – including public exposure – of the number of cases reported. Organisations reporting such incidences also face risks to funding opportunities. Donors and other stakeholders need to recognise whether or not organisations have a real political commitment to address SEA and SHA, and are taking action, without necessarily

penalising agencies by withdrawing funding, since this contributes to a culture of cover-up. In fact, the lack of reporting by agencies may indicate a lack of effective mechanisms to address SEA and harassment.

While great strides have been made since 2003, the challenge now is to address remaining gaps. One area in which efforts have consistently lagged behind is in addressing SHA. UN agencies – which lack clear guidelines on addressing SHA – are especially struggling with this issue. It is only in the wake of the #MeToo campaign that the need for improved systems has been highlighted. Donors and the wider humanitarian community need to advocate for more robust protection from SHA for staff and those providing services or supplies in humanitarian contexts.

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3. The primary mechanism for inter-agency coordination of humanitarian assistance involving UN and NGO partners.
4. IASC (2016) Best Practice Guide Inter-Agency Community-Based Complaints Mechanisms bit.ly/IASC-Community-Complaints-2016
5. Humanitarian Advisory Group (2017) Women In Humanitarian Leadership bit.ly/HAG-women-humanitarian-leadership-2017
6. IASC (2015) Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action bit.ly/IASC-GBV-2015



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