

**FINAL REPORT TO THE
INTER-AGENCY STANDING COMMITTEE WORKING GROUP
ON THE ACTIVITIES OF THE
IASC TASK FORCE ON PROTECTION FROM SEXUAL EXPLOITATION
AND ABUSE IN HUMANITARIAN CRISES**

PREAMBLE

1. The IASC Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises¹ was established in May 2002 and mandated with a finite set of tasks by the Inter-Agency Standing Committee and the Executive Committee on Humanitarian Affairs (ECHA). These tasks have now been completed, and the Task Force is set to close at the end of June 2004.
2. The Task Force benefited from the active involvement of a wide cross-section of humanitarian and development organisations as well as the UN Department of Peacekeeping Operations (DPKO) and extensive consultations with donors. During its two-year existence, it clarified specific standards of conduct and established practical measures to address sexual exploitation and abuse perpetrated by civilian personnel employed by or affiliated with the United Nations or other organisations. A number of concrete guidelines and tools were also produced. Responsibilities for follow up and implementation have now been assigned for action.
3. The Task Force recognises that consistent efforts to protect women and children from abuse by humanitarian and peacekeeping (both uniformed and civilian) personnel and to implement strategies developed by the Task Force are just getting underway. OCHA and UNICEF, the Co-Chairs of the Task Force, remain committed to following implementation and monitoring progress in close collaboration in particular with DPKO, UNDP, and the Resident Coordinator system.
4. This report highlights some of the key achievements in addressing the grave failure of protection that has led to sexual exploitation and abuse and outlines some of the concrete steps still needed to prevent such abuses in the future.

I. BACKGROUND

5. In spring 2002, allegations of widespread sexual exploitation and abuse of refugee and internally displaced women and children by humanitarian workers and peacekeepers in West Africa highlighted the vulnerability of these populations, especially women and children, to abuse and exploitation in humanitarian crises. They also highlighted the apparent failure of the system of protection and monitoring and the lack of avenues for recourse when abuse is threatened or occurs.
6. Acknowledging that the problem was not confined to West Africa, an extraordinary meeting of ECHA entrusted the IASC with developing remedial measures. A few days later, the IASC Working Group established the Task Force on Protection from Sexual

¹ The Task Force is co-chaired by OCHA and UNICEF and comprises OSAGI, DPKO, WFP, UNHCR, UNOPS, UNDP, OHCHR, OSRSG/CAAC, IFRC, Interaction and SCHR (Save the Children-UK and Oxfam). A large number of other UN and non-UN humanitarian and development organisations provided input to the work of the Task Force and it also liaises with OHRM and OLA.

Exploitation and Abuse in Humanitarian Crises. The Task Force was mandated to make recommendations aiming to eliminate sexual abuse and exploitation by UN and affiliated personnel and the misuse of humanitarian assistance, within the overall objective of strengthening and enhancing the protection and care of children and women in situations of humanitarian crisis and conflict.

7. The Task Force identified three areas for action: common elements of a code of conduct and standards of behaviour for field staff; mechanisms and capacity for protection against sexual exploitation and abuse; and improved mechanisms for delivering assistance. On this basis, the Task Force developed a plan of action, which was adopted by the IASC in July 2002 and annexed to the report of the Secretary-General to the General Assembly on the West Africa investigation, *Investigation into sexual exploitation of refugees by aid workers in West Africa: Note by the Secretary-General, A/57/465* (2002). In addition to specific preventive and remedial measures, the Report and Plan of Action established six core principles to be incorporated into the codes of conduct and staff rules and regulations of member organisations. These core principles represent the agreed principles and standards of behaviour that humanitarian agencies – both UN and NGO – expect of their staff. The Plan was disseminated to all agencies and field offices for implementation. Subsequently, a Task Force field mission to West Africa took place in 2002 in order to determine the extent to which models already developed in the field may be applied elsewhere, to assess successes and challenges in the implementation of the Plan of Action and to provide guidance to the field as requested.
8. The Task Force Co-Chairs consulted UN administration and senior management with a view to utilising the core principles to clarify the scope of existing standards in the UN Staff Regulations and Rules in the specific area of sexual exploitation and abuse. After one year of high-level in-house and staff-management consultations, in October 2003 the Secretary-General promulgated a Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13) explicitly stating that the core principles adopted by the Task Force governing behaviour of humanitarian workers was now applicable to all UN civilian international and national staff and, through partner agreements, to all organisations or individuals entering into cooperative arrangements with the UN.
9. Since 2002, much work has been done directly by the Task Force itself, and also by individual agencies and NGOs. The Task Force has met regularly for the last 2 years, with active participation from a wide range of IASC members. There is not space in this report to detail the work of individual IASC agencies or organisations to prevent and respond to sexual exploitation and abuse. Instead, this final report highlights some of the major achievements and challenges, ending with specific recommendations for IASC-WG endorsement, with a particular emphasis on ensuring follow up and implementation of the work of the Task Force.

II. ACCOMPLISHMENTS OF TASK FORCE:

Standards of conduct

10. The major accomplishment of the Task Force has been the clarification of minimum standards of behaviour for personnel in the area of sexual exploitation and abuse. Several NGOs have formally incorporated the principles into their codes of conduct, and a number of donor governments have incorporated them into their partner agreements with NGOs.
11. For UN civilian personnel, the Secretary-General's Bulletin (ST/SGB/2003/13) made the minimum standards for general personal conduct that are embodied in the UN Staff Regulations and Rules more explicit on the specific issue of sexual exploitation and abuse and provided guidance on implementation.
12. The SG's Bulletin defines sexual exploitation and sexual abuse and clarifies that such acts, particularly when perpetrated against beneficiaries of UN protection or assistance, constitute serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal. In addition, the SG's Bulletin obliges all staff to report concerns or suspicions of sexual exploitation and abuse. It further places the onus on managers at all levels to support and develop systems to maintain an environment that prevents sexual exploitation and abuse, including through the appointment of senior focal points responsible for receiving complaints. The SG's Bulletin applies to all civilian staff of the United Nations, including separately administered organs and programmes, as well as all organisations or individuals entering into cooperative arrangements with the United Nations. In addition, the Department for Peacekeeping Operations (DPKO) has indicated its commitment to requiring military and civilian police personnel serving under UN auspices to abide by the same standards set forth in the SG's Bulletin.
13. The Task Force elaborated a plan for system-wide implementation of the provisions of the SG's Bulletin at the field level. The Secretary-General directed that implementation in the field be closely coordinated to avoid confusion about the focal point system and reporting obligations on staff, and to clarify the responsibilities for the dissemination of information regarding channels of recourse to staff and local communities. To this end, he tasked ECHA to coordinate the elaboration of specific implementation tools for the field, including peace operations. This work was subsequently delegated to the Task Force. In addition, a letter drafted by the Co-Chairs and signed by respective Department/Agency Heads was sent to all SRSGs, RCs, HCs and heads of UN agency field offices explaining their responsibilities for ensuring an environment free of sexual exploitation and abuse and mentioning the forthcoming guidelines. The UN system also agreed in November 2003 to ensure all UN staff members (national and international) receive a copy of the SG's Bulletin in their pay-packets, and all new recruits, implementing partners and consultants in the field receive a copy in the appropriate language when they sign their contract. They also agreed that UNDP would take the lead, in coordination with the UN Development Group, in developing proposals for in-country training programmes on sexual exploitation and abuse.
14. In May 2004, after securing approval by the UN Office for Human Resources Management, six products were issued jointly by the Chair of the IASC and the UN Under-Secretary-General for Management. These documents, which now apply formally to all civilian personnel of the UN system and partners in cooperative arrangements with the UN, and informally to all partners IASC partners, include:
 - i. Terms of Reference for in-country Focal Points on Sexual Exploitation and Abuse.

- ii. Terms of Reference for in-country Networks on Sexual Exploitation and Abuse. These terms of reference, building substantially on the work done in Sierra Leone at an interagency level, will encourage information sharing and better coordination to prevent and respond to abuse and exploitation
 - iii. Model Information Sheet for Local Communities. This tool alerts beneficiaries to standards of behaviour for humanitarian personnel, as well as basic mechanisms to report abuse.
 - iv. Model Complaints Referral Form. This tool is designed to allow for systematic monitoring and investigation of cases.
 - v. Scenarios covering prohibited acts. This tool is designed to assist organisations in training and staff sensitization, so that humanitarian workers and peacekeepers have a full understanding of the acts prohibited under the SG's Bulletin.
 - vi. Implementation Guidelines.
15. Over the past year the Task Force has provided language on the core principles for inclusion in pertinent reports and resolutions of the General Assembly and Security Council, resulting in a number of resolutions calling for the wide and comprehensive implementation of the Bulletin and/or for Member States to take appropriate action on allegations of sexual exploitation and abuse levelled against uniformed personnel serving under UN auspices. This body of documents, including the 2004 report of the Secretary-General further to resolution 57/306 concerning special measures for protection from sexual exploitation and sexual abuse, has contributed to establishing the necessary framework and high-level support for prevention and protection measures to succeed.

Other accomplishments

16. In February 2003, the Task Force surveyed Humanitarian Coordinators on the implementation of the IASC Plan of Action. A number of IASC Task Force members also provided updated implementation matrices based on the Plan of Action. Many of the items outlined in the plan of action have been completed, though there remains work to be done. Some of the remaining challenges are outlined in the next section.
17. The Task Force collated training materials on sexual exploitation and abuse, which have been posted in the Humanitarian Assistance Training Inventory (HATI) on ReliefWeb. The Co-Chairs of the Task Force facilitated sessions on protection from sexual exploitation and abuse at the Humanitarian Coordinators retreats in 2002 and 2003, to secure buy-in from these actors on implementation and monitoring of the SG's Bulletin.
18. In addition to the model complaints referral form listed in para 10 above, the Task Force oversaw preparation of model complaints and investigation procedures, based on a draft commissioned by UNICEF from the National Society for the Prevention of Cruelty to Children (NSPCC) following discussions in the Task Force's Code of Conduct Sub-Group. These models have been submitted to OHRM for review and finalisation.
19. The Task Force has worked closely with DPKO on issues surrounding the implementation of the SG's Bulletin, particularly in 2003/2004. The Co-Chairs have briefed DPKO Heads of Mission/SRSGs in 2004, prepared a presentation on sexual exploitation and abuse to the Special Committee on Peacekeeping, and developed and delivered training materials for peacekeeper induction courses.

III. NEXT STEPS AND ACTION POINTS PROPOSED FOR IASC WG:

20. The SG's Bulletin and a number of Security Council and General Assembly Resolutions have clearly articulated the standards of behaviour expected of all staff. Moreover, numerous tools and work plans now exist to assist in implementation. However, many implementation challenges remain. The Task Force therefore makes the following recommendations for adoption by the IASC WG:
21. In order for the SG's Bulletin to be implemented, **training** on numerous levels must be developed and implemented. Such training should make reference to the specific vulnerabilities of internally displaced persons (IDPs) to sexual exploitation and abuse. In particular, three levels of training will need to be widely undertaken by all NGOs and UN entities:
 - i. **Training and sensitisation of all staff** (including incentive workers and national NGO counterparts), at every level, on the six core principles and the SG's Bulletin, the meaning of sexual exploitation and abuse and in particular the obligation and means to report cases of abuse or exploitation;
 - ii. **Specialised training for managers and focal points** on receiving complaints of abuse and creating an environment that discourages abuse;
 - iii. **Training for specialist investigators** on the conduct of investigations of abuse within the UN system (as well as non-UN humanitarian organisations).
22. UNDP agreed at ECHA in November 2003 to take the lead in developing **training materials** in coordination with UNDG partners for (i) and (ii). The IASC WG recommends that new trainings should be developed only after an analysis of what trainings already exist among IASC Members. In this connection, NGO members of the Task Force have been particularly active in developing training for (ii) and (iii) above and the IASC WG recommends that UNDP coordinate closely with these efforts to avoid duplication and ensure consistency in approach.
23. The IASC WG recommends that the agencies responsible for developing training should liaise with DPKO to ensure a coordinated approach regarding training provided to peacekeepers.
24. The IASC WG requests the Co-Chairs to monitor the issue of training in general, and to follow up on training within the UN for specialist investigators as they deem appropriate.
25. The IASC Task Force has formally called for Task Force members to roll-out the six tools for **field-level implementation**, and to develop plans for ensuring all staff members receive a copy of the SG's Bulletin in their pay-packets, and all new recruits in the field receive a copy in the appropriate language when they sign their contract. In addition, UN entities should take steps to ensure that a written commitment to abide by the SG's Bulletin is received from all external contractors.
26. The IASC WG recommends that each IASC member implement the above recommendation as soon as possible and report back to the next IASC WG, and thereafter annually on success and challenges in implementing preventive and protection measures. OCHA could collate such reports.

27. The Task Force approached the UN Office of Legal Affairs (OLA) about the possibility of creating a database through which information about staff members whose contracts were terminated for proven acts of sexual exploitation or abuse could be shared among humanitarian agencies. OLA advised against the creation of such a database. However, they recommended **increased attention to reference checks** for hiring staff, whether national or international. The IASC WG recommends that members adopt more stringent hiring practices in line with OLA recommendations, including reference checks on all categories of employee.
28. Each RC and HC will be expected to submit an **annual report** on implementation of the SG's Bulletin to the IASC (in humanitarian crises) or UNDG (in other development situations). The IASC WG proposes that these reports be based on the attached questionnaire, submitted by the IASC Task Force. In this context, the IASC WG calls attention to the fact that the core principles and the SG's Bulletin apply equally in **development settings**, and calls upon the UN Development Group and the NGO Consortia to monitor progress on implementation in these settings.
29. In order to monitor implementation progress, the IASC WG recommends that the UN agencies build on the success of the NGO peer review process and engage in a **joint interagency review process** to monitor successes and challenges in implementation of the SG's Bulletin by 2005.
30. In order to ensure implementation of the focal point system, the IASC WG recommends that the Co-Chairs provide **ongoing support as needed to RCs and HCs** on implementation issues.
31. The IASC WG recommends that the Co-Chairs continue to provide **input to relevant General Assembly and Security Council reports and resolutions** on this issue.
32. Some actions in the Plan of Action developed in 2002 are outstanding, such as a review of distribution of food and non-food items in terms of procedures, timeliness, gender balance in distribution and beneficiary involvement to better understand any links to sexual exploitation and address any gaps. Other tasks have been superseded by activities serving the same purpose. The IASC WG requests the Task Force on Gender and Humanitarian Action implement the following outstanding action:
 - i. Conduct an assessment, in pilot countries, of the **impact of gender-based violence programs** and specialised staff on prevention and response to sexual exploitation and abuse.
33. The Task Force had a narrow, though important, mandate: to address sexual exploitation and abuse perpetrated by humanitarian/development and civilian peacekeeping personnel. The work undertaken on this issue has highlighted some of the gaps that are outside the scope of the Task Force's mandate, but which are critically important to the IASC. In particular, there are two areas that demand attention:
 - i. The IASC WG needs to decide how to address more effectively the broader phenomenon of **sexual violence and exploitation in conflict and post-conflict situations**, (i.e. committed by persons other than peacekeepers and humanitarian/development workers) **including the specific vulnerabilities of the internally displaced**.

- ii. The IASC WG should examine the need to develop IASC-endorsed common elements for **standards of personal behaviour for humanitarian personnel in the field** beyond the single issue of sexual exploitation and abuse. (N.B. UNHCR already has a code of conduct in this vein. The inter-agency agreed Standards of Accountability in Sierra Leone could also serve as a model.)

IV: CONCLUSIONS

34. Clearly, successful implementation of the ambitious prevention and protection measures elaborated by the Task Force and endorsed by the UN Secretariat and the IASC now rests with individual members of the IASC and wider UN system. Individual agencies will face challenges in implementing the standards and tools, particularly where dedicated capacity is lacking. To assist, the Co-Chairs remain committed to chairing an informal network of Headquarters' experts on Sexual Exploitation and Abuse who will be able to provide advice and guidance. This network should establish appropriate linkages to IASC Members' human resources management officials, who may be responsible for specific implementation aspects. The Co-Chairs also commit to developing and maintaining a website dedicated to sharing relevant documentation and information this issue. The HQ network will also bear responsibility for the annual reports to the IASC and UNDG, the annual review of the implementation tools and the input to the annual report to the General Assembly on special measures for protection from sexual exploitation and sexual abuse.
35. In the area of peacekeeping, further support and commitment is required from Troop and Police Contributing Countries, to prevent and respond to sexual exploitation and abuse by uniformed personnel working in UN peace operations. The Co-Chairs will continue to support DPKO in its engagement with Member States to address sexual exploitation and abuse by uniformed personnel working in peace operations.
36. The Task Force Co-Chairs would like to thank the IASC Task Force Members for their active commitment to this work over the past two years, without which the many achievements of the Task Force would have been impossible. While much work remains to be done to end sexual exploitation and abuse and to strengthen prevention and protection measures, the humanitarian and peacekeeping community has begun the process of responding to this issue.

The Co-Chairs
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