

Standard Operating Procedure for SEA Complaint Referral in the Rohingya Refugee Response in Bangladesh

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A. Introduction

Sexual Exploitation and Abuse (SEA) by humanitarian staff is of particular risk in contexts characterized by violence, power imbalance, mass displacement, and dismantled family and societal structures. It is a risk in Bangladesh, where refugees who have fled persecution in Myanmar and are now confined to the refugee camps or Bhasan Char, where they are largely dependent on humanitarian assistance delivered by a range of UN, INGOs and NGO partners.

The United Nations (UN) has a Zero Tolerance Policy against SEA. Priorities of the Rohingya refugee response partners in Bangladesh is to a) prevent SEA incidents, b) ensure safe and accessible reporting mechanisms, c) guarantee every survivor is offered immediate and quality assistance and d) ensure any allegation of SEA is handled in a safe, confidential, and efficient manner.¹

This *Standard Operating Procedure (SOP) for SEA Complaint Referral in the Rohingya refugee response in Bangladesh* provides guidance on:

- Step 1: Lodging and initial intake of a complaint.
- Step 2: Complaints follow-up by the PSEA focal points.
- Step 3: Referrals for immediate assistance.
- Step 4: Referrals for investigation and follow-up.
- Step 5: Reporting on SEA incidents.

This SOP is in line with the *Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complaint Mechanisms*², endorsed by the IASC Principals in June 2016, the *Guidance Note on information sharing on allegations of SEA with the most senior United Nations official in country*,³ and other commitments made by organizations (refer to Annex 2 for definition) to actively engage in PSEA, including the *Secretary General's Bulletin on SEA* that notes there is zero tolerance towards SEA by humanitarian staff.⁴

This SOP also outlines minimum practices and procedures on (1) recruitment and vetting of staff members; (2) partners involved in the refugee response; (3) PSEA Network membership; and (4) PSEA leadership.

¹ [Bangladesh 2023 Action Plan to Prevent and Respond to Sexual Exploitation and Abuse](#). Country Action Plan will be updated annually.

² [IASC Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complaint Mechanisms, 2016](#).

³ Guidance Note: Requirements and procedures for all United Nations entities on information on allegations of sexual exploitation and/or abuse related to United Nations staff and related personnel with the most senior United Nations official in country, 26 November 2021.

⁴ [Secretary General's Bulletin on SEA ST/ SGB/2003/13 \(2003\)](#) which is binding for all UN personnel, and the [Statement of Commitment on Eliminating Sexual Exploitation and Abuse by UN and Non-UN Personnel \(2006\)](#), which expanded the PSEA framework outside the UN and to cover all personnel.

The SOP does not change or override internal policies of the United Nations and other humanitarian agencies that have instituted PSEA policies that comply with global PSEA standards. Rather, the SOP supplements and contextualizes these policies by outlining the complaint referral process for the Rohingya refugee response in Bangladesh.

This revised SOP comes into effect in August 2023 after its adoption by the Strategic Executive Group (SEG) in Bangladesh. It is applicable to all humanitarian partners involved in the Rohingya refugee response.⁵

For the abbreviations and terminologies, refer to Annex 1 and Annex 2, respectively.

GUIDING PRINCIPLES:

All members of the PSEA Network are required to maintain confidentiality when dealing with individual cases at all stages of the process outlined below. This ensures that the rights and interests of the affected individuals are respected at all times.

The safety, dignity, and well-being of the survivor shall always be prioritized, including during reporting, investigation by the concerned agency, and survivor assistance provision through a survivor-centered approach. All members must consider potential risks to all individuals involved, including the survivor, the complainant if different, the subject of the complaint, and the organizations involved, and incorporate ways to prevent further harm.

While handling the complaints, all SEA-related information will be kept confidential, identities will be protected, and the personal information on survivors shall be collected and shared only with the informed consent of the concerned individuals or caregiver. Where the survivor gives such consent, only purpose-specific and on a need-to-know basis information shall be shared for the purpose of helping the survivor, such as referral for services or for investigation.

While reporting SEA is mandatory for all staff of the Network member organizations, this obligation may in practice conflict with the right of the survivor to choose how s/he would like to address a SEA incident. This potential conflict will need to be resolved on a case-by-case basis, balancing both the rights of the survivor and the safety of the broader community, and based on the internal policies of the relevant organization. Regardless, the staff member receiving the information should inform the survivor of the mandate to report on SEA, on confidentiality procedures in place, and what the survivor can expect from the complaint handling process for him/her to make an informed decision and to manage expectations.

⁵ Partners include all international and national NGOs working in the Rohingya Refugee Response and the Government of Bangladesh. The Government's Refugee Relief and Repatriation Commissioner (RRRC) has informed ISCG that he himself would be the first port of call in the event of any SEA allegation against a government official. They will comply with internal government procedures for addressing this matter.

B. Complaint Referral Procedures

Step 1: Lodging and initial intake of a complaint

1.1. Lodging a complaint

Refugees can make a complaint using one of many methods, that include but are not limited to:

- **in-person reporting** to a humanitarian staff verbally or in writing;
- at **safe spaces** such as women-and-girls safe spaces, child-friendly spaces, multipurpose centers where women/child/adolescent-friendly complaint mechanisms are in place;
- **information hubs** and **feedback and information centres** where information and referral on available assistance and services are provided and community feedback, grievances and complaints are received, their confidentiality ensured, and addressed with a response;
- **complaint and feedback boxes** placed across the camps that allows anonymous reporting in writing;
- **toll-free hotlines** allowing a complainant to make direct contact with a trained staff over the phone; and
- **e-mails** allowing a complainant to report through designated organizational email addresses.

All these systems are staffed by humanitarian personnel with the UN, international, or national NGOs that are members of the PSEA Network.

It is the responsibility of all PSEA Network members to ensure that the complaints mechanisms are survivor-centered, robust, operational, and appropriately staffed so that all refugees can report a complaint in a manner most comfortable to them. To ensure that the complaint mechanisms are accessible to and known by the largest possible number of refugees, these entry points need to be age, gender, disability, culturally and contextually appropriate and designed/revised based on feedback from the refugee community.

It is the primary responsibility of the relevant organization, supported by the PSEA Coordinator where necessary, to ensure that all personnel in these locations are trained regularly and they have a communication strategy in place to ensure the beneficiaries are aware of the complaint mechanisms in their respective camps. Additionally, organizations must continuously remind their staff the obligation to report SEA incidents whenever they have concerns or suspicions.⁶

It is also one of the primary responsibilities of the relevant organization to ensure whistleblower policies are in place to ensure staff are protected against retaliation for reporting any misconduct, and these policies and practices are known by all personnel.⁷

⁶SEA mandatory reporting as per standard (e) of Secretary-General Bulletin, [ST/SGB/2003/13](#).

⁷Secretary-General's Bulletin, Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits and investigations, [ST/SGB/2017/2/Rev.1](#)

1.2. Initial intake of a complaint by humanitarian staff

All humanitarian staff are required to promptly report all complaints that they receive, and any concerns or suspicions they may have via established referral procedures, whether or not the alleged perpetrator is from their organization.

Humanitarian staff receiving the complaint shall respect the wishes, choices, rights, and dignity of the complainant when reporting any incident.

It is not the responsibility of the humanitarian staff to determine the credibility of a complaint or whether there is sufficient information for investigation. It is also not the responsibility of the humanitarian staff to investigate any allegation.

Step 2. Complaints follow-up

2.1 Initial Processing of complaints by humanitarian staff

The initial processing of SEA complaints will be in accordance with the organization's internal policies. Depending on these policies, complaints will either be referred to the organization's centralized investigation body or to the respective PSEA Focal Point⁸ for initial processing. Once the initial complaint is lodged, **it must reach the organization's investigation body or the PSEA Focal Point as soon as possible.**

Organizations must ensure that their respective humanitarian staff are fully aware of the internal policies in place for processing SEA complaints, through mandatory PSEA trainings during the induction of new staff and annual refresher sessions.

If a staff member believes that the reporting channel is compromised, or is concerned about backlash, or the PSEA Focal Point and the backup are unavailable, the complaint can be referred to the PSEA Network Coordinator⁹ as a last resort.¹⁰

2.2 Initial Processing by PSEA focal point¹¹

The PSEA Focal Point will assess the case for the following:

⁸ "[Where applicable per internal procedures on complaint and assistance reporting] PSEA Focal Points act as a channel to receive allegations of SEA. Report and where relevant refer allegations to the organization whose personnel are implicated, and survivors to assistance in line with internal procedure and available pathways." (P.2) [Terms of Reference, in-country PSEA Focal Point, IOM and IASC Results Group 2 on Accountability and Inclusion, 2021.](#)

⁹ For the contact details of the PSEA Network Coordinator, visit the [PSEA Network webpage.](#)

¹⁰ "One of the functions of the coordinator is to review the complaints received through the CBCM for referral to the concerned agency and victim assistance. Having complaints reviewed by an independent individual reinforces the all-important perception of the coordinator role should be a neutral position acting on behalf of the CBCM regardless of his/her neutrality and objectivity of the complaints mechanism." (P.16) [IASC Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complaint Mechanisms, 2016.](#)

¹¹ For the contact details of the PSEA Focal Points, visit the [PSEA Network webpage.](#)

- In the event the complaint relates to an SEA matter, the head of Sub-Office will be informed immediately, and the complaint will be sent to the respective investigation unit **in line with the internal procedures of the staff's own organization.**
- In the event the complaint does not relate to an SEA matter, it will be processed through different SOPs depending on the nature of the complaint. For example, a case of sexual harassment¹² (refer to Annex 2 for definition) between staff members will be referred through other internal mechanisms within organizations dedicated to addressing this issue.

NOTE:

If the PSEA focal point of one organization receives a complaint about a staff member from another organization, the complaint should be forwarded to the PSEA Focal Point of the concerned organization (refer to Annex 2 for definition).

In the event it is not possible to trace the concerned organization or the PSEA Focal Point is unknown, the complaint must be reported to the PSEA Network Coordinator. The PSEA Network Coordinator will direct the complaint to the relevant PSEA Focal Point.

Step 3. Referrals for immediate assistance

3.1 Referrals for immediate assistance in an SEA incident

The PSEA Network will work with the Gender-Based Violence (GBV) and Child Protection (CP) Sub-Sectors and relevant organizations to ensure that SEA survivors have access to appropriate services and assistance¹³.

SEA survivors often have similar medical, physical and psychosocial needs as survivors of GBV, even though they may require additional and tailored assistance for the specific impact of SEA.¹⁴ For this reason, when the PSEA Focal Point receives an allegation of SEA, they will refer the complaint to the relevant GBV Camp Level Focal Point in line with the GBV referral pathways.¹⁵ When the survivor is under the age of 18, the PSEA Focal Point will contact the Child Protection

¹² Secretary-General's Bulletin, Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority, [ST/SGB/2008/5](#).

¹³ [United Nations Protocol on the Provision of Assistance to Victims of SEA](#).

¹⁴ For more information on the particular needs of and the minimum services owed to SEA survivors, see the [IASC Best Practice Guide](#) Section D, Ch.1 "Ensuring quick and appropriate assistance."

¹⁵ For more information on the list of camp level GBV and CP Focal Points in CXB, refer to the [GBV Referral Pathways](#) and [Protection Referral Pathways](#) and for GBV Focal Points in Bhasan Char, refer to [GBV Referral Pathways](#).

Camp Level Focal Point for immediate referral to Child Protection case management services. Providing this assistance must be immediate, and it should not be dependent on the outcome of a case, or whether or not the survivor collaborates with the investigation.

3.2 Referral for immediate assistance for a non-SEA incident

A complaint that does not involve an SEA allegation channeled through the SEA reporting mechanism will be transferred to the relevant organization or Sector Coordinator.

Step 4. Referrals for investigation and follow-up

4.1. Referral for investigation

The investigation, follow-up, and potential disciplinary action are the responsibility of the concerned organization, based on the internal procedures of that organization.¹⁶ **The PSEA Network Coordinator and the PSEA Focal Point will not investigate complaints.**

Where a PSEA member organization has an institutional complaint handling procedure in line with global PSEA standards, the PSEA focal point will report the allegation directly to the relevant unit in their organization. This mechanism is either based in Bangladesh (e.g.: for Bangladeshi NGOs) or to the organization's headquarters (e.g.: for UN agencies)

In case an organization lacks the capacity to investigate an SEA complaint internally, and/or does not have a partnership agreement with a UN agency that can support an investigation, the PSEA Network Coordinator will assist the organization in identifying appropriate resources to undertake the investigation from within the PSEA Network or from other accredited resources in the country or from within the region.

The relevant UN agency can seek all the information to determine whether the implementing partner has taken appropriate investigative or corrective action. The UN agency has the right to investigate SEA allegations involving implementing partners and its associated personnel, notwithstanding related investigations undertaken by the implementing partner or national authorities.¹⁷

4.2 Informing concerned parties

The organization's investigating body will ensure that the complainant (and, if different, the survivor) is kept informed in a safe and timely manner of the status and outcome of the investigation, in accordance with the organization's internal protocols at all times. This includes notifying the complainant: (1) if an investigation is not warranted; (2) if there is insufficient information to proceed; (3) the progress of the investigation; and (4) any outcome/actions taken at the end of the investigation.

¹⁶ For more information on referral for investigation and possible administrative action, refer to p.29-32 [IASC Global Standard Operating Procedures on Inter-Agency Cooperation in Community-Based Complaint Mechanisms, 2016](#).

¹⁷ [UN Protocol on allegations of SEA involving implementing partners](#), 2018.

Organizations will ensure that appropriate actions are taken regarding staff involved in perpetrating SEA in line with the outcome of the investigation, including the termination of the staff contract and/or referral for criminal prosecution and reporting to UN Clear Check or to the Misconduct Disclosure Scheme. For further details on reporting, refer to Section C: Recruitment and Vetting of Staff Members.

The level of information provided to the survivor on the status of any administrative action taken, including investigation and its outcome, will vary according to agencies' internal policies and procedures.

Step 5. Reporting on SEA incidents

It is critical to have a central reporting system to better understand the risks and trends to improve preventive mechanisms. It is also critical to ensure that SEA survivors receive an effective and survivor-centric response in accordance with global standards.

5.1 Reporting by UN Agencies

In accordance with the guidance note for UN entities on sharing information related to SEA allegations with the senior most UN official in country,¹⁸ the UN Resident Coordinator (RC) should be informed of SEA allegations by the Heads of UN Agencies in Bangladesh immediately when they become aware of an SEA allegation involving UN staff and related personnel, in accordance with their procedures that are in line with UN standards and protocols.¹⁹ (see Annex 3). Standard information about SEA allegations will be shared with the UN Resident Coordinator in accordance with Annex 3 of this document. It will include: (1) the date of the first report to a UN entity; (2) the date of the alleged incident; (3) sex, age, and number of survivor(s); (4) the nature of the allegation; (5) the general category of the alleged perpetrator; (6) whether the SEA allegation has been referred to the relevant investigative mechanism; (7) whether the relevant investigative mechanism has opened an investigation; (8) whether survivor assistance has been offered, and if so, the form(s) of assistance being provided; (9) any related actions taken in response to the allegation, or issues of concern that require RC engagement; and (10) whether press coverage is likely.²⁰

This information will be shared (1) on a need-to-know basis only; (2) in line with the UN survivor-centered approach and the principle of "do no harm"; (3) without prejudice to the independent

¹⁸ Guidance Note: Requirements and procedures for all United Nations entities on information on allegations of sexual exploitation and/or abuse related to United Nations staff and related personnel with the most senior United Nations official in country, 26 November 2021.

¹⁹ "Early Incident Reporting on Sexual Exploitation and Abuse with the Senior Most UN Official in-Country", Annex to Guidance Note, 26 November 2021.

²⁰ "Early Incident Reporting on Sexual Exploitation and Abuse with the Senior Most UN Official in-Country", Annex to Guidance Note, 26 November 2021.

investigation process; and (4) without a negative impact on the safety and security of survivors and witnesses.²¹

5.2 Reporting by UN Implementing Partners

The information on allegations relating to UN implementing partners' personnel will be shared with the head of relevant UN Agency in Cox's Bazar by the implementing partner immediately when they become aware of an SEA allegation.²²

In case there are multiple UN funding agencies for the implementing partner, the partner must identify the source of funding related to the SEA incident and inform the relevant UN Agency. UN Agencies will share the information related to SEA allegations with the Resident Coordinator as defined above at "5.1 Reporting by UN Agencies".

5.3 Reporting by Other Partners

All other partners, including NGOs, receiving funding from any non-UN funding organizations must report the SEA incidents in line with their partnership agreement.

To ensure a comprehensive approach and to improve accountability across the operation, it is advisable that each incident is also reported to the UN Resident Coordinator by the operational partner.

C. Recruitment and vetting of staff members

Every organization has its own recruitment practices. However, every member of the PSEA network is responsible for ensuring that identified SEA-offenders are not employed or re-hired.²³ The UN *Clear Check*²⁴ and the *Inter-Agency Misconduct Disclosure Scheme*²⁵ systems should be used by all members of the PSEA Network, as appropriate, to verify the status of a staff member before they are recruited, without exception.

²¹ Guidance Note: Requirements and procedures for all United Nations entities on information on allegations of sexual exploitation and/or abuse related to United Nations staff and related personnel with the most senior United Nations official in country, 26 November 2021.

²² [UN Protocol on allegations of SEA involving implementing partners](#), 2018.

²³ [MOS-PSEA \(2012\)](#) #6, Indicator 2: "Each organisation commits to improving its system of reference checking and vetting for former misconduct." [Statement of Commitment \(2006\)](#) #3: "Prevent perpetrators of sexual exploitation and abuse from being (re-)hired or (re-) deployed." [IASC Statement on PSEA \(2015\)](#) #3: "Strengthen investigation and protection responses to SEA allegations [...] This also requires concerted efforts to operationalize the recommendations for preventing the re-recruitment of individuals disciplined for SEA".

²⁴ [Briefing Note on Clear Check](#).

²⁵ [Inter-Agency Misconduct Disclosure Scheme](#).

Additionally, Human Resources managers and personnel must incorporate PSEA priorities in all stages of planning and executing safe recruitment, that is including but not limited to the job descriptions, advertisements, interviews, self-disclosure, reference checks, induction process and performance management. PSEA network coordinator can be reached out for any support on safer recruitment check list and guidance on PSEA.

UN Clear Check

Prior to hiring any individual who has previous work experience with the UN, agencies are required to verify that the individual is not listed in the UN *Clear Check* online platform.

The *Clear Check* platform is available to all UN agencies and contains names of individuals (a) where allegations of SEA were substantiated following an investigation; (b) who resigned or were separated while they are subject of a pending investigation for SEA.

Inter-Agency Misconduct Disclosure Scheme

Similarly, the Inter-Agency Misconduct Disclosure Scheme enables organizations to share information regarding staff who have had disciplinary processes completed against them, or who are subject to ongoing investigation by facilitating the systematic bilateral sharing of misconduct data between recruiting organizations and previous employers.

D. Partners involved in the refugee response

Prior to signing partnership agreements, it is incumbent on a funding organization to ensure that the implementing partner (refer to Annex 2 for definition) is a member of the PSEA Network and has measures in place to prevent SEA cases and respond to SEA incidents in accordance with the United Nations Protocol.²⁶

UN Partners

Prior to funding an organization, UN agencies are required to assess and score the partner's capacity based on a set of eight standards on PSEA as per the United Nations Implementing Partner PSEA Capacity Assessment Tool.²⁷ This assessment will assist in determining if the partner organization has systems in place to prevent SEA, determine the monitoring and support facilities available, and serve as a baseline for tracking progress. UN entities are required to monitor progress made against the capacity strengthening implementation plan at regular intervals to ensure the partner reaches full capacity with respect to PSEA. In case the implementing partner's capacity need to be reassessed, following an incident that calls into question the results of the previous assessment, the PSEA Network Coordinator can provide support during both the reassessment and capacity strengthening process.

²⁶ [United Nations Protocol on Allegations of SEA Involving Implementing Partners, March, 2018.](#)

²⁷ [Harmonized Implementation Tool, United Nations Implementing Partner PSEA Capacity Assessment, September 2020.](#)

If a partner fails to meet the necessary standards, efforts can be made to assist the organization in building its capacity in this regard for a period not exceeding six months. If, after this period, the organization still does not meet the necessary standards, the UN entity may discontinue the agreement.

At this stage, ISCG Principal Coordinator and the Strategic Executive Group (SEG) Co-Chairs must be notified confidentially.

E. PSEA Network Membership

The PSEA Network membership is open to all UN agencies, INGOs and NGOs that are associated with the refugee response in Bangladesh. It is mandatory for all Joint Response Plan (JRP) partners – both appealing and implementing partners – to be a member of the PSEA Network from 2022 onwards.

Members of the PSEA Network must have an SEA prevention and response policy in place or commit to developing an internal PSEA policy and procedure within a reasonable period since joining the Network.²⁸ They must be represented in the PSEA Network by one PSEA Focal Point, and preferably an alternate.²⁹

PSEA Focal Points must attend the regular PSEA meetings and coordinate the implementation of PSEA activities within their organization and participate in network activities as specified in the in-country PSEA Focal Point Terms of Reference, endorsed by IASC Operational Policy and Advocacy Group in August 2021.³⁰

PSEA Focal Points must also attend the trainings and workshops that are conducted by the PSEA Network throughout the year. The participation will also be open to those who have specific roles and responsibilities in prevention and response to SEA, including the senior management and human resources managers. Such invitations will be shared in a timely manner to ensure the maximum participation and information exchange in cross-cutting issues, such as joint capacity building and awareness raising activities, safe recruitment, and mandatory and refresher trainings.

The PSEA Focal Point must have direct and unimpeded access to all Heads of Organizations and Heads of Offices. They must be provided with the time and support to undertake their tasks as PSEA Focal Points.

²⁸ [PSEA Network Terms of Reference, Cox's Bazar](#), 2017.

²⁹ [PSEA Focal Points Contact List](#) is updated on a weekly basis and available at the 'Rohingya Refugee Response Website'.

³⁰ [Terms of Reference, in-country PSEA Focal Point, IOM and IASC Results Group 2 on Accountability and Inclusion, 2021](#).

F. PSEA Leadership

The objective of this SOP is to provide clarity on procedures so that organizations can cooperate in ensuring that any allegation of SEA in the Rohingya refugee response in Bangladesh is handled in a survivor-centered, safe, confidential, and efficient manner. This would require leadership and responsibility at every level, from the UN Resident Coordinator to PSEA Network Coordinator to PSEA Focal Points. The Secretary General’s Bulletin on special measures for protection from SEA³¹ states that responsibility for its implementation lies primarily with the senior management of each organization, as well as with each humanitarian staff.

The UN Resident Coordinator, as the highest UN official in the country, has system-wide responsibility for developing collective PSEA strategies, and ensuring that PSEA action plans are implemented, and survivors of SEA are assisted. The UN Resident Coordinator’s responsibility on PSEA in the Rohingya refugee response is operationalized daily through the ISCG Principal Coordinator, and the PSEA Network Coordinator is leading efforts to prevent, mitigate and respond to SEA through inter-agency coordination.

In accordance with the guidance for UN entities on sharing information related to SEA allegations with the senior most UN official in country,³² reporting the appropriate information with the UN Resident Coordinator enables them (a) communicate to the government, public, donors and other stake-holders the seriousness with which SEA allegations are taken; (b) to confirm that appropriate measures are being taken to address the current allegations with the minimum delay; (c) to remain apprised of trends and developments around this issue in-country; and (d) to provide answers about the readiness and competence of the UNCT to prevent and respond to SEA and inform system-strengthening where needed.

The PSEA Network Coordinator reports to the UN Resident Coordinator and the SEG Co-Chairs through the ISCG Principal Coordinator. The PSEA Network Coordinator also convenes the inter-agency PSEA Network at the technical level, and supports the UN Resident Coordinator, SEG, ISCG Principal Coordinator, the Heads of Sub-Offices Group (HoSOG) and all partners engaged in the Rohingya Refugee Response. This includes enhancing SEA prevention strategies, including collecting and analyzing actual/potential vulnerability risk factors for SEA and developing measures to address them.

The SEG Co-Chairs support the implementation and monitoring of PSEA activities through oversight of the PSEA Action Plan of the PSEA Network and conduct high-level advocacy with government interlocutors and Heads of Organizations at the Dhaka level.

³¹ [Secretary General’s Bulletin on SEA ST/ SGB/2003/13 \(2003\)](#).

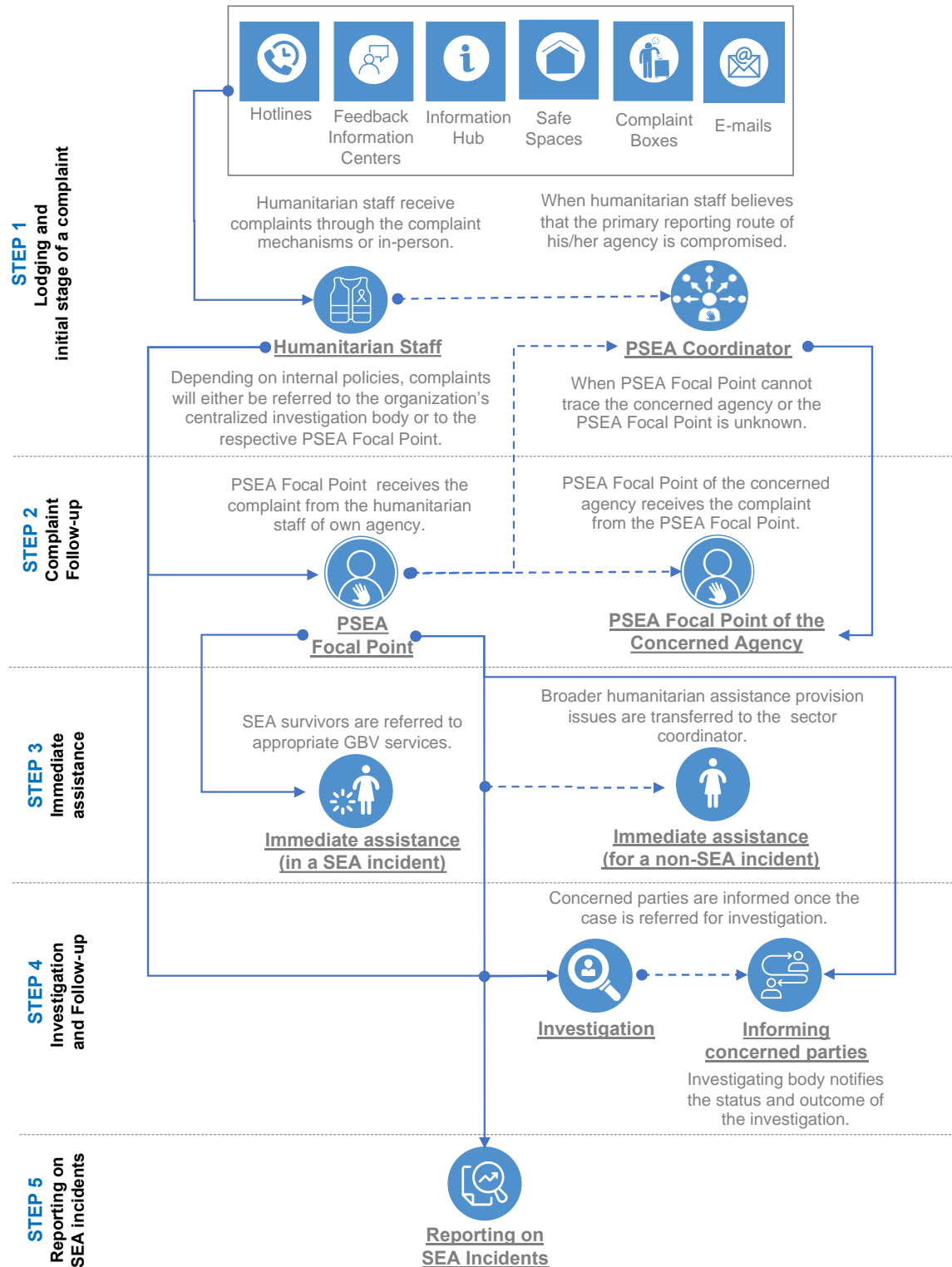
³² Guidance Note: Requirements and procedures for all United Nations entities on information on allegations of sexual exploitation and/or abuse related to United Nations staff and related personnel with the most senior United Nations official in country, 26 November 2021.

To ensure PSEA is prioritized within their respective organizations and swift action is taken to address SEA incidents, Country Representatives will nominate PSEA Focal Point/s and ensure organizations actively participate in the PSEA Network.

**SEA Complaint Referral in the Rohingya
Refugee Response in Bangladesh**



Beneficiaries can make complaints via multiple entry points in a manner most comfortable to them.



Annex 1. Abbreviations

CP	-	Child Protection
GBV	-	Gender-Based Violence
IASC	-	Inter-Agency Standing Committee
I/NGO	-	International/Non-Governmental Organization
ISCG	-	Inter Sector Coordination Group
JRP	-	Joint Response Plan
PSEA	-	Protection from Sexual Exploitation and Abuse
SEA	-	Sexual Exploitation and Abuse
SEG	-	Strategic Executive Group
SH	-	Sexual Harassment
SOP	-	Standard Operating Procedures
UN	-	United Nations

Annex 2. Key Terminology

Complainant³³: A person who brings forward an allegation of SEA in accordance with established procedures. This person may be a refugee SEA survivor or another person who is aware of the wrongdoing. The complainant should be protected from retaliation for reporting SEA. Where there is any conflict of interest between the survivor and another interested party, the survivor's wishes must be the principal consideration in case handling, particularly when there is a risk of additional physical and/or emotional harm.

Concerned Organization: The organization that employs the Subject of the Complaint. It may be a UN agency, I/NGO, implementing partner, or any organization involved in the provision of humanitarian aid. This is the organization responsible for investigating allegations of sexual exploitation and abuse (SEA) and taking appropriate follow-up action.

Humanitarian Staff: For the purposes of this SOP, this term encompasses all persons involved in providing protection and/or assistance to refugees and who have a contractual relationship with the participating organization, including incentive workers from target communities. It refers to all staff of humanitarian organizations, including UN agencies, INGOs, NGOs, implementing partners including paid staff, volunteers, contractors, incentive workers and anyone performing a task on behalf of any humanitarian organization, regardless of the type or duration of their contract.

Implementing Partners³⁴: Entities or organizations that operate at country level to provide services and deliver humanitarian assistance. Staff of, and all those employed by, an implementing partner are "humanitarian staff/aid workers" for the purposes of this SOP.

Mandatory Reporting³⁵: In recognition of the UN's zero-tolerance policy for SEA, the *Secretary General's Bulletin on SEA* and related organizational policies oblige staff and partners to promptly report all concerns or suspicions of SEA by fellow workers via established reporting mechanisms, whether or not the alleged perpetrator is from the same organization. Reports must be made in good faith and reporting personnel should be reassured that no action will be taken against any worker who makes such a good faith report, even should the allegation prove unfounded upon investigation. Each organization should establish mechanisms to protect those who report cases of sexual exploitation and abuse. However, if a staff knowingly and willfully reports false or malicious information regarding another staff person, such false reports may lead to disciplinary action, sanctionable up to termination of employment.

Organization: For the purposes of this SOP, "organization" is an entity that provides humanitarian assistance, including UN agencies, implementing partners and international, national, and local non-governmental organizations.

Sexual Exploitation and Abuse³⁶: Sexual Exploitation and Abuse (SEA) is a form of GBV that constitutes an abuse of power by humanitarian aid workers against the affected population.

Sexual Exploitation: Any 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 the sexual exploitation of another.

Sexual Abuse: The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

³³ [Global Standard Operating Procedures](#), inter-agency cooperation in community-based complaint mechanisms, Key Definitions, IASC, 2016.

³⁴ [Global Standard Operating Procedures](#), IASC, 2016.

³⁵ Secretary-General's Bulletin on SEA, mandatory reporting as per standard (e) of Secretary-General Bulletin, [ST/SGB/2003/13](#).

³⁶ Secretary-General's Bulletin on SEA, Section 1, Definitions, [ST/SGB/2003/13](#).

Sexual Harassment³⁷: Any unwanted sexual advance, request for sexual favor, verbal or physical conduct of a sexual nature, gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct is made by a colleague and interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment.

Sexual Harassment versus SEA³⁸: SEA occurs against a beneficiary or member of the community. Sexual harassment occurs between staff and involves any unwelcome sexual advance or unwanted verbal or physical conduct of a sexual nature. Sexual harassment is not covered by this SOP, although organizations' internal procedures for reporting sexual harassment allegations may be the same as for reporting SEA complaints. The distinction between the two is important so that organization policies and staff training can include specific instruction on the procedures to report both issues.

Subject of the Complaint³⁹: Once a complaint has been filed, the alleged perpetrator of SEA is referred to under these terms.

Survivor⁴⁰: A person who has SEA perpetrated against him/her or an attempt to perpetrate SEA against him/her. For the purposes of this SOP, a complainant who reports SEA committed against him/herself is treated as a survivor for the purposes of security and needs assessments.

Survivor-Centered Approach⁴¹: Humanitarian organizations have committed to actively prevent and respond to SEA and to ensure that all responses are developed in a manner that balances respect for due process with a survivor-centered approach in which the survivor's wishes, safety and well-being remain a priority in all matters and procedures. All actions taken should be guided by respect for choices, wishes, rights, and dignity of the survivor.

³⁷ Sexual Harassment is covered by UN Secretariat Administrative Instruction Procedures for dealing with sexual harassment [ST/AI/379](#) (29 October 1992); Secretary-General's Bulletin, Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority [ST/SGB/2008/5](#) (11 February 2008).

³⁸ [Global Standard Operating Procedures](#), inter-agency cooperation in community-based complaint mechanisms, Key Definitions, IASC, 2016.

³⁹ [Global Standard Operating Procedures](#), IASC, 2016.

⁴⁰ [Global Standard Operating Procedures](#), IASC, 2016.

⁴¹ [Global Standard Operating Procedures](#), IASC, 2016.

Annex 3. Early Incident Reporting on SEA to the UN Resident Coordinator⁴²

This report is for informational purposes shared with the UN Resident Coordinator – and the senior most UN official in Bangladesh and SEG co-chair – who has an overall responsibility in relation to PSEA. It contains information on SEA allegations where there is sufficient information to identify an act of SEA against an identifiable perpetrator or identifiable survivor. It should be noted that the allegation may not yet have been verified or investigated and may have been reported by a third-party.

Individual providing the report and contact details	
Agency/Organization	
Date information shared with the RC	Date:

Allegation

Date of the first report to Agency/Organization	Date:
Date of alleged incident	Date:
Allegation referred to the relevant investigative mechanism	Yes/No Date:
If yes, is an investigation ongoing?	Yes/No

Survivor #1

Sex	Female / Male / Other / Unknown
Age category	Adult / Child under 18 / Unknown
Nature of the allegation	
Survivors' assistance provided	Yes/No
Brief description of assistance (medical, legal, security measures, etc.)	

Note. For additional survivors, add as necessary.

Alleged Perpetrator #1

Sex	
General category of alleged perpetrator (international staff, international consultant, national staff, national consultant, contractors, etc.)	

Note. For additional alleged perpetrators, add as necessary.

Any related actions taken in response to the allegation, or issues of concern that require RC engagement:

Comment:

Whether press coverage is likely (Yes / No)

Comment:

⁴² This data set is from “Early Incident Reporting on Sexual Exploitation and Abuse with the Senior Most UN Official in-Country”, Annex to Guidance Note: Requirements and procedures for all United Nations entities on information on allegations of sexual exploitation and/or abuse related to United Nations staff and related personnel with the most senior United Nations official in country, 26 November 2021.