

Report on PSEA Conference & Workshop
Conference & Workshop Duration: September 5-6, 2016
Venue: Windsor Suites Hotel, Sukhumvit,
Bangkok, Thailand

Introduction:

CHS Alliance (www.chsalliance.org) is a network including different NGOs which are working in the field humanitarian accountability and quality management. In 2007, we got the membership from HAP International and then CHS Alliance. CHS Alliance organized a conference & workshop on “Protection from Sexual Exploitation and Abuse (PSEA): Investigation Allegation of PSEA by Aid Workers” during September 5-6, 2016 in Bangkok, Thailand where I



participated on behalf of COAST Trust. World Education Thailand is the host organization of the event. Major organizations, like, Save the Children International, UNOCHA, UNHCR, Plan International, Mercy Malaysia, InterAid Uganda and Refugee Consortium of Kenya also participated in the conference. The objectives of the conference were to get clear of the PSEA, role of managers for ensuring the PSEA and the challenges for the SEA (Sexual Exploitation and Abuse) investigation.

Inaugural Session:

The conference was inaugurated by the Executive Director of CHS Alliance, Ms. Judith F. Wood with a valuable speech to raise the issue that the senior manager of the organizations should have direct concerns for the protection of sexual exploitation and abuse.

Clarification about the PSEA:

The sexual exploitation and abuse is the endemic in all sectors and walk of lives. This is a particular challenge in humanitarian sectors, because of the difficult environment we work in, and exceptional vulnerability of the people we aim to assist. Victims of SEA are hurt twice; first by the disaster and crisis and then by aid

workers by exploitation and abuse. This is the practical and reputational challenges for the aid organizations. UN agencies reported that in 2015 there were 99 SEA allegations among their partners. Currently worst affected countries seem to be Central African Republic, followed by Republic of Congo, Somalia and Haiti.

The SG’s Bulletin 2003/13 about PSEA is:

- Sexual exploitation and abuse are grounds for disciplinary measures, including dismissal,
- Sexual activity with children (persons under the age of 18) is prohibited,
- Exchange of money, employment, goods and services for sex, including sexual favors of other forms of humiliating, degrading or exploiting behavior, is prohibited,
- Sexual relationship between staff and beneficiaries of assistance are strongly discouraged,
- Where a staff member develops concerns or suspicious regarding sexual exploitation and abuse by a fellow worker he or she must report to their concerns,
- Staff are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse, with managers at all levels having a particular responsibility for this.

CHS Alliance Services for the investigations:

The CHS Alliance is providing services to its networking



partners’ staff. Those are: investigation training-first level and follow up, open workshop, remote support and advice, approved investigation trainers and recommendations for investigators and guidelines for investigations.

Aspects of the investigations require support from others:

Primarily the safety and wellbeing of the affected victims:

- Often the reputational and legal aspects, witnesses take the precedence over the victims,
- Our first obligation and duties should be to care the child,
- For this we will need the support of a Social Workers or a Counsellor who is in our programs or child protection unit.
- Law of the land/labor laws
- A serious incidence could mean a possible crisis where the organization, its programs and personnel could be under threats from the community or other groups
- Reputational issues may arise.

Challenges:

Communication and Confidentiality:

- Communication on a 'need to know' basis—must be a confidential process do not share unless you really need to with involved directly
- Beyond investigation insider, communicate cautiously—but communicate! May be need to adopt the best communication strategies.
- Aim to stay in control of communication. Every one should be aware of consequences of unauthorized communication via social media.
- Speak with one voice of media, control the flow of information through positive media engagement.



Investigation TIP:

- Communication must be transparent.

Watertight investigation:

- Cannot always be watertight.
- The best process should run then circumstances/constraints can be recorded.
- The matter judgment is that the record why it has not been possible to do things 'by the book'.

The investigation should be **Thorough** and it will be well planned and gathering the much more evidences as possible. The investigation should be **Impartial** that is it will be objective oriented and independent. The investigation should be **Protective** that is the considering the safety of the victims by the exploitation and abuse.

There are also some challenges like commitments of leadership/head office or country office or regional office, zero tolerance by the leader and senior management, silence culture, resources, focal person, trained staff, taking care of investigation team, duty bearers authority for taking decision, organizational culture, community based complaint response mechanism etc.

Group Discussion Result: Then the participants were divided into four groups and each group discussed the issues of i) Organizational set up to support investigations, ii) Communication and Confidentiality, iii) Support to Survivors and iv) Investigation Capacities to the sectors. I was in the group of Support to Survivors. The discussion result are were following:

1st STAGE:

- Awareness on PSEA will be given to the community and survivors.
- The issue of PSEA must be confidential.
- The victims should have access to the process, neutrality, local knowledge and culture.
- The report should be available for the 3rd party.
- Policies and procedures should be reinforced for the protection of victims.
- The medical exams should be conducted through collection of evidences.
- The first contact staff and persons should be trained.
- System is in place for getting the information from the first contact and also the systems should be developed through secured process.

2nd STAGE: During investigation

- The planning and priority should be made before going to investigation process is started.
- Process should be face to face interview if possible, safe place for the victim is also the factor.
- The consent should be taken from the family before starting the investigation process.

- Before going to start the investigation the questionnaire should be developed through consultative process among the investigation team. And the questions should be more presentable to the survivors.
- Before going to investigation, the age/gender/diversity should be under consideration.

3rd STAGE:

- The confidentiality should be maintained through the investigation process.
- The psych-social supports should be ensured to the victims.
- The feedback and follow up support should be ensured to the victims as well as family and community.
- Medical support if needed should be provided to the victim.
- Other supports like re-education, accommodation, re-location, re-integration and income generating programs should be ensured for the victim and her/his family.

I presented the group works in the audience.

Management of Investigation:

1. Receipt and acknowledgement of the complaint:

The complaint should be received a respectful and open way. It should be formally acknowledged (in writing if appropriate). The open channel of communication with the complainant should be established.

2. Decision on whether to launch an investigation or not:

The complaint should be assessed through gathering sufficient information about the complainant, degree of complaint, seriousness of the complaint. Does it appear to be a breach of the organizational policies and procedures? Is there any possibility of the involvement of other organizations or other persons?

3. Selection of investigation manager:

AN investigation manager will be selected who will supervise the process and should report to upwards on a need-to-know basis. The manager should that person who are well known about the sexual exploitation and abuse and also the code of conducts of the organization.

4. Risk assessment and legal advice:

The risk of safety, reputation, local context, culture, legal implication of complainant, witness and investigation team should be assessed.

5. Victim and witness support:

The victim will be supported with medical issues, psycho-social issues and removal in a safe location. During the investigation process the witness will also be supported in respect of security.

6. Safety and support of subject of complaint:

The potential threats of the complaint should be assessed.

7. Control of information flow:

The information should be shared only need-to-know basis. The maintaining the confidentiality is essential. All sorts of evidences should be secured with high priority.

8. Media issues:

The details of the complaint should not be given to the media if not seriously necessary. If the information on the case has been leaked to the media then the organization should agree one message and all media enquiries should be channeled through an agreed focal point.

9. Provision of resource for the investigation:

The logistic support, equipment, funding, the translator (if needed) should be ensured. The authority should be given to the investigation team for the access to the evidences. Safe and confidential space should be provided to the team for good planning and other related ground works.

10. Selection and briefing of investigation team:

The skilled, experienced and suitable investigators should be identified with at least two personnel if possible with gender balance. The terms of references of the investigation team should be shared before starting the investigation process.

11. Integrity of the investigation:

Well-defined policies, clear terms of references, confidentiality, appropriately qualified should be the major factors for the integrity of the investigation process.

12. Planning of investigation:

Visiting the relevant sites, documents at first hands, consideration of local culture, liaise with other organizations are the salient points for the planning of investigation.

13. Liaison with investigation team during the investigation:

The team is assisted in accessing the all evidences and background materials. The head office will maintain the communication with the team and this office will also monitor the process either in right track or not.

14. Gathering of evidence:

Collecting and securing the evidences, computer equipment, and records of site visits are the way of gathering the evidences.

15. Writing investigation report:

Separate reports will be written for each subject of complaint. Evidence to proof or dis-proof of each element should be systematically and clearly mentioned. Each breach of policies will be mentioned. Findings should be on complainant upheld or not upheld. The recommendations of changes of any policy should be mentioned in the report as separate Management Observation Report.

16. Review of the final report:

The primary report should be reviewed. It should be decided that either the findings are accepted or not or other additional information are required. There should be taken steps to be taken to follow up on investigation.

17. Actions following the investigation:

The disciplinary actions should be taken for breaching of any policy. It should be possible referral to the higher authority. The ongoing support to the victims should be ensured. Providing appropriate feedback to complainant, victim, subject of complaint, witness, community, staff team should be necessary. Training and orientation to the staff and beneficiaries should be provided on the policy and PSEA. Damaged relationship, morality of staff team and community should be mitigated among the concerned persons. The Management Observation Report should regularly be followed up. To prevent sexual exploitation and abuse the risk matrix should be analyzed and policies should be strengthened if necessary.

My plan in the organization by next six months:

- Providing orientation to the senior staff on protection from sexual exploitation and abuse.
- The investigation process related to PSEA to senior managers should be oriented.

My learning

- i. Communication strengthened through the sharing of knowledge and information with other participants.
- ii. Relation with the international persons like OCHA, UNHCR, CHS Alliance has been improved and I think I will maintain all the communications with them.

Closing session:

The second day is concluding day of the conference and workshop. The Executive Director of CHS Alliance, Judith F Wood concluded the conference and workshop with vote thanks and expecting to disseminate the learnings of the conference to the staff members and beneficiaries aim to assist. She also congratulated the all participants for their active participation in the conference.

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Date: September 6, 2016