

Guidance Note

Protection against sexual exploitation and abuse (PSEA) for the Private Sector¹

Objective and Introduction

The objective of this guidance note is to provide advice to the private sector, especially those working with at-risk communities and engaged in humanitarian and disaster management operations, on how to safely and appropriately integrate Protection from Sexual Exploitation and Abuse (PSEA) messages for their disaster management operations, as well as to be part of the positive change.

What is PSEA?

PSEA enables protection of communities, affected by a disaster or a conflict, from sexual exploitation and abuse (SEA). PSEA is a responsibility of all actors and workers engaged in disaster management, to enable their added value and positive contribution towards the populations they serve.

PSEA supports the vision of a humanitarian environment in which people caught up in crises feel safe and respected and can access the protection and assistance they need without fear of exploitation or abuse by any party involved, and in which workers themselves feel supported, respected and empowered to deliver such assistance in working environments free from sexual harassment.

Watch 3-minute video "[What if it were you?](#)" and the [CBI training recording link](#) for the private sector.

Why the need to promote and establish PSEA mechanisms within the private sector?

Sexual exploitation and abuse in humanitarian contexts constitute acts of gross misconduct and are grave violations of rights of the people affected by crises and of the responsibility to do no harm. It is also a serious reputational damage to the entity whose staff is involved in such acts, including for its partners.

It is important that the private sector is firmly committed to the global fight to eradicate any incidents by respecting the PSEA mandate. The "[Protect, Respect and Remedy](#)" Framework states that the state duty to protect against human rights abuses by third parties, while the corporate responsibility is to respect human rights, which means to act with due diligence to avoid infringing on the rights of others and to address adverse impacts that occur. Remedy refers to greater access by victims to effective remedy, both judicial and non-judicial. In humanitarian operations PSEA is an important factor enabling the private sector to work according to the principles of this framework.

PSEA is to be meaningfully addressed at the decision-making level of each company as a crosscutting issue in operations. PSEA goes beyond the companies' regular HR policy on sexual harassment and grievance mechanisms, as it extends to protecting populations both internal and external to the company. It can, however, be made part of the HR guidelines, as it is the company to decide how they integrate PSEA into their mechanisms.

What is CBI's commitment to PSEA?

CBI, a UN initiative working at the intersection of businesses and the disaster management operations, is committed to assist the private sector in ensuring their disaster operations conduct a positive cycle of learning (including risk assessment) and doing in regard to protection from sexual exploitation and abuse.

¹ This guidance tool uses the Inter-Agency Standing Committee (IASC) PSEA guidance as a starting point. IASC is an inter-agency forum of UN and non-UN humanitarian partners to strengthen humanitarian assistance.

Six Core Principles Relating to Sexual Exploitation and Abuse in the contexts in which the private sector operates²

1. Sexual exploitation and abuse in humanitarian contexts constitute acts of gross misconduct. It is therefore recommended for the private sector to consider including these to their internal policy as grounds for termination of employment.
2. 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 regarding the age of a child is not a defense.
3. Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries of the disaster management operations.
4. Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such disaster/humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5. Where a private sector worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same company or not, he or she should report such concerns via established reporting mechanisms (more information of how to establish a reporting mechanism is available at the end of this document).
6. The private sector workers that participate to humanitarian operations are encouraged 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.

PSEA in the time of COVID-19

The COVID-19 Pandemic is a public health, social and economic crisis that is global in scale. Disruption to livelihoods, public services and the freedom of movement can exacerbate SEA risks for already-vulnerable populations, such as women, children, refugees, migrants and internally displaced people, as well as the marginalized. The use of isolation measures may limit access to information on PSEA, and restrict the access of SEA victims to reporting channels.

The crisis does not create new responsibilities; rather, **the COVID-19 pandemic should strengthen existing PSEA commitments** to protect and assist people receiving humanitarian assistance. To learn more on COVID-19 specific measures, please see the IASC [technical note](#), a [checklist](#) and a [webinar](#).

Support and next steps

Given the seriousness of the topic, CBI is committed to support the private sector in PSEA by facilitating trainings and sharing guidance materials. Materials will be publicly available to all at the [CBI website](#).

The next steps include the companies and private sector networks to consider the 1-page *PSEA Key Points to Consider for the Private Sector* at the end of this guidance note, to ensure their commitment.

² Adapted from the [IASC Six Core Principles Relating to Sexual Exploitation and Abuse](#).

Case example

The private sector as an active enabler in protecting communities

The private sector actively participates to humanitarian operations as service providers, philanthropic actors and beyond. While their role is of core importance, the possible lack of understanding on PSEA may hold significant risks to any actor on the success of the operations by exposing communities to SEA. Understanding the need to protect crisis affected communities by all staff levels is a key.

For example, In July and August 2019, the GSMA's [Mobile for Humanitarian Innovation programme](#) worked with Alight and MTN in Rwanda to deliver [humanitarian code of conduct and protection training to over 800 MTN Rwanda mobile money \(MoMo\) agents](#). The training taught agents working with refugee populations and host communities in six refugee camps, and Kigali, how to uphold protection standards and serve clients without bias. Guided by the “do no harm” principle, the training aimed to enhance MTN MoMo agents’ understanding of SEA and gender-based violence (GBV) within the humanitarian assistance context. To do this, agents were oriented on a variety of UN guidelines and standards of accountability. After the training agents have concrete action points in order to prevent and respond to cases of SEA that they observe. The successful project is now extending to Uganda to deliver the training digitally, which is an example of COVID-19 safe action.

Resources at the national level

Key resources at the national level on PSEA can be contacted for further integration of the theme:

- Humanitarian partner’s PSEA Network coordinators at country level (accessible [here](#)).
- Humanitarian Country Teams (HCT) involve all humanitarian actors in the country; they can be contacted through the [national OCHA office](#) or UN Resident Coordinators Office.
- The IASC PSEA Field Support Team and [ProCap](#) support Humanitarian Coordinators and HCTs to deliver on the PSEA commitment through technical support, resources and partnerships.
- National gender bureaus and local women organizations have context specific information on the situation and needs of women and other groups that may be particularly vulnerable to SEA.
- Local level NGOs and service providers are integral part of the humanitarian operations.

Further materials for training purposes

- The PSEA training [materials](#) are available in English, French, Arabic, Spanish and Portuguese.
- [UN Protocol on Provision of Assistance to Victims of Sexual Exploitation and Abuse](#)
- [The humanitarian metadata problem: ‘Doing no harm’ in the digital era](#)

CBI Team and Resource Persons

For any further questions, or to connect to the IASC on PSEA, please contact OCHA-UNDP Connecting Business initiative (CBI) at connectingbusiness@un.org.

Do not underestimate the possibility of SEA happening in your communities nor the severity of it!

SEA can happen in all contexts and can have long-lasting consequences that can be prevented.

PSEA key points to consider for the private sector networks and companies³

For the private sector to help accelerate PSEA at the country level, they can improve accountability, ensure safe and accessible reporting channels, and if needed, providing correct information to victims on opportunities for assistance. Here are some actions to consider:

- Consider to include the six core principles of **PSEA into the company policy**, as standards of conduct internally, and towards the disaster/conflict affected communities.
- Consider to **include company codes of conduct and the six core principles in general contract conditions** for staff and subcontractors/suppliers, also stating clear consequences of any SEA incidents.
- Consider to **strengthen the information on PSEA for the company staff involved in disaster/ humanitarian operations**. This may include using the guidance note and a PSEA training, pre-deployment orientations, information to the standards of conduct by the company, its mechanism to file complaints of misconduct and the implications of breaching these standards.
- Consider to designate **a protection focal point** at your company, dedicated to development and implementation of PSEA policy and activities, to who staff can report.
- Consider to **strengthen the awareness of all staff members on their obligation to report** on any SEA incidents /misconduct, and to ensure there is **a reporting channel and a policy for protection from retaliation** in place and applied.
- Consider to strengthen the **communication between the** company and external partners (e.g., government, civil-society) regarding commitments on the PSEA.
- Consider to establish or strengthen the **internal SEA investigation procedures**.
- Consider to establish and ensure the availability of information on existing services to SEA victims (including Gender Based Violence and Child Protection)⁴.

How to report sexual exploitation and abuse?

To prevent sexual exploitation and abuse, everyone has an obligation to report. Please consider the following channels:

1. A reporting channel by your company/network or reporting to the designating a PSEA focal point at your company (typically located within the HR office).
2. In case such channel is not in place, consider seeking assistance from [IASC PSEA](#) national focal points or CBI.
3. In identifying support services to assist the victim at the national/local level, the [IASC PSEA](#) national focal points or the Humanitarian Country Team can often support on this.

³ Adopted from the [IASC Minimum Operating Standards for PSEA by own personnel](#).

⁴ Accessed through PSEA Networks in countries. Including beneficiaries of humanitarian operations as well as internal staff.