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Network Ukraine



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SPECIAL WORKSHOP SERIES

Overview of Humanitarian Principles and Standards for the Private Sector

23 June 2022



WELCOME AND OPENING REMARKS

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DO NO HARM

- Cornerstone of humanitarian, development and peacekeeping work
- Minimum obligation to ensure that (humanitarian) assistance provided does not make the situation worse
- Preventing or at least mitigating adverse effects of interventions





INTRODUCTION TO THE HUMANITARIAN PRINCIPLES

*Sebastian Rhodes Stampa
UN Deputy Humanitarian Coordinator,
Ukraine*

ORIGINS OF THE HUMANITARIAN PRINCIPLES

- In 1965, drawing on more than a century of experience, the International Red Cross Red Crescent Movement developed an ethical and operational framework to guide and enable its work, notably in highly polarized situations: the seven Fundamental Principles of the Movement. The first four principles – humanity, impartiality, neutrality and independence – have come to embody international humanitarian action.
- Central to the work of OCHA and other humanitarian organizations and enshrined in two UN General Assembly Resolutions
 - Resolution 46/182 (1991): Humanity, Neutrality and Impartiality
 - Resolution 48/114 (2004): Independence
- The General Assembly has repeatedly reaffirmed the importance of promoting and respecting these principles within the framework of humanitarian assistance

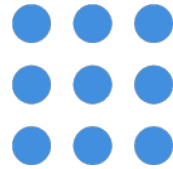
HUMANITARIAN PRINCIPLES

Humanitarian principles are key to establishing and maintaining access to affected people



Humanity

Protecting life and health while ensuring respect for human beings



Impartiality

Action must be carried out based on needs alone with no distinction to social classes



Neutrality

Actors must not take sides in hostilities or engage in controversies



Independence

Action must be carried out autonomously from the objectives of other actors

The Sphere Handbook

Humanitarian Charter
and Minimum Standards
in Humanitarian Response

SPHERE STANDARDS

Sphere created in 1997 by NGO's and the Red Cross/Red Crescent

Adheres to the Humanitarian Charter

Aims to improve the quality of humanitarian response. It provides universal standards in four core areas of humanitarian response:

- Water supply, sanitation and hygiene
- Food, security and Nutrition
- Shelter, settlement and non-food items
- Health

More information: <https://spherestandards.org/>⁸



ACCOUNTABILITY TO AFFECTED PEOPLE (AAP)

*Rachel Maher
AAP Focal Point, Inter-Agency
Standing Committee*



ACCOUNTABILITY TO AFFECTED POPULATIONS (AAP)

HELPS ACHIEVE

HELPS ACHIEVE

HELPS ACHIEVE

COMMUNITY ENGAGEMENT



Providing information
to communities about
agencies' activities



Decisions are
informed by the
communities



Communities can
assess and comment
on performance



CORRECTIVE
ACTION



HOLDING AID WORKERS TO ACCOUNT



Protection from Sexual
Exploitation and Abuse (PSEA)
and other serious issues
inflicted upon affected people

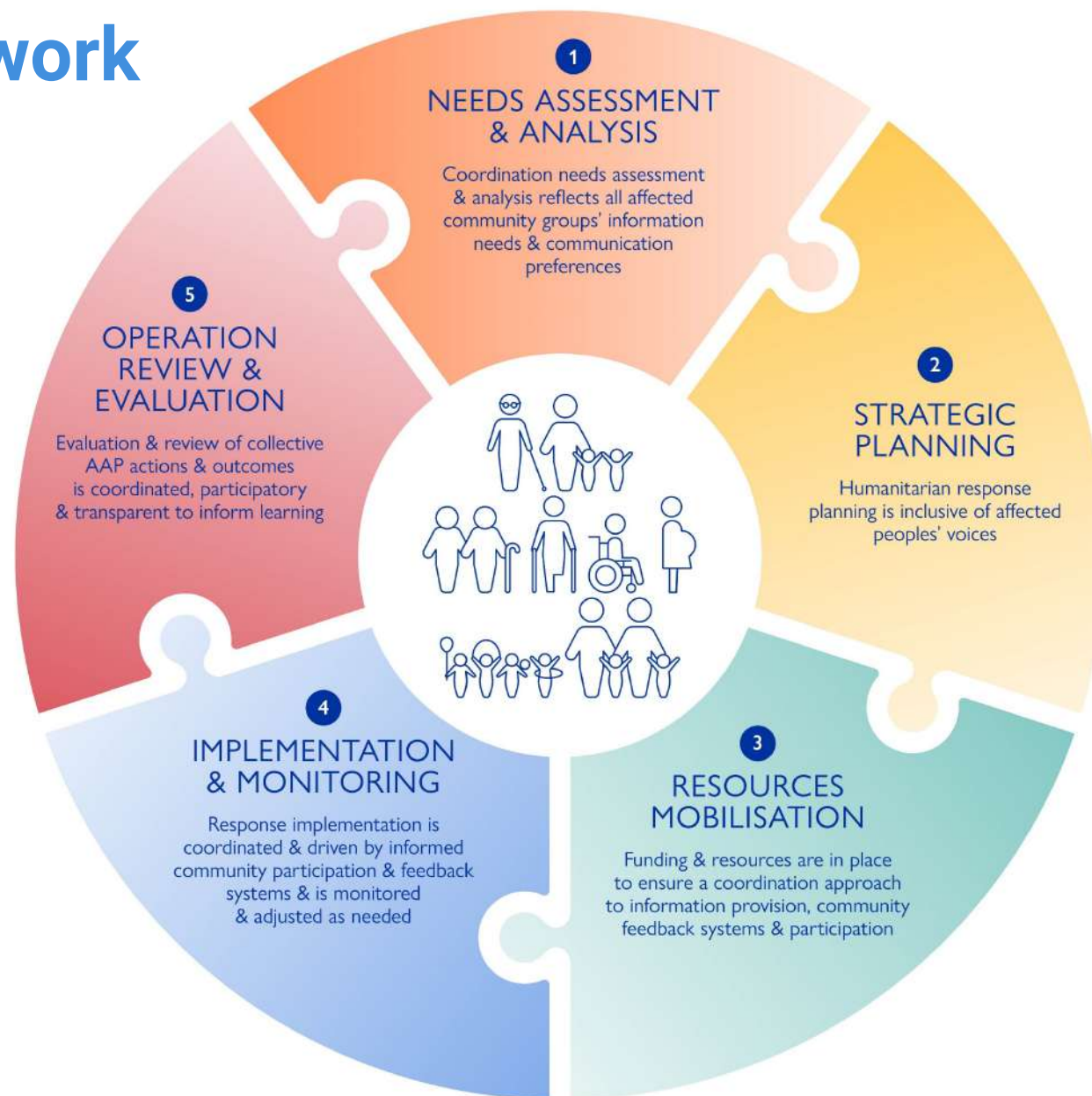
What is Collective AAP?

- 1. Coordination**, by bringing together local and international humanitarian actors to work in partnership to deliver a coherent, principled and accountable response.
- 2. Two-way communication**, by providing information about the situation and existing humanitarian services using relevant, accessible and safe platforms to establish two-way communication.
- 3. Gathering and analyzing the views, feedback and perceptions of affected people** and a system whereby these data and views will guide and course-correct the response.
- 4. ‘Closing the feedback loop’**, by advocating with the response leadership, clusters and relevant government counterparts on the changes that communities seek, and informing communities as to how their inputs have, or have not, been taken into account, and explaining why.
- 5. Capacity-building initiatives** for affected people and the organizations that represent them, humanitarian partners and the government, other local and national actors.

IASC Collective AAP Framework

Objective:

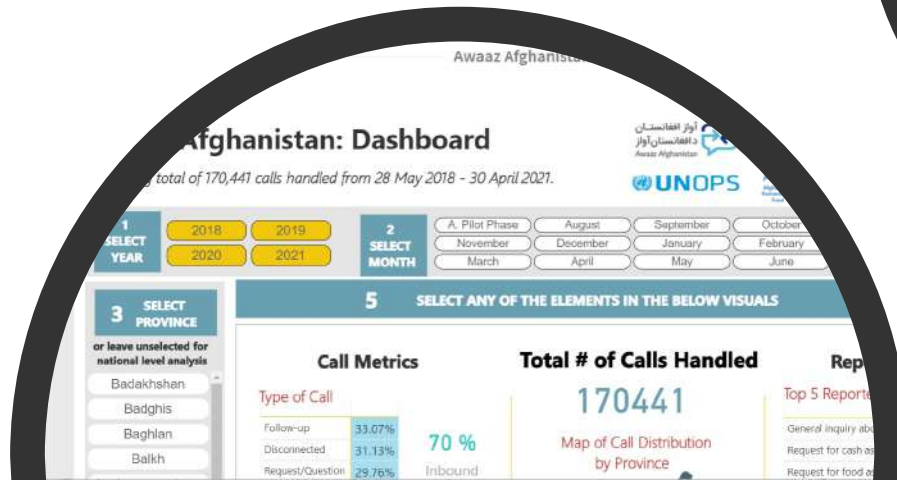
Improve the quality, accountability and effectiveness of the humanitarian response, in support of local and national systems, to deliver a more responsive and people-centred humanitarian action.



Collective approaches to AAP

Real-time tools are used to track community feedback, perceptions to enable response-wide course corrective action.

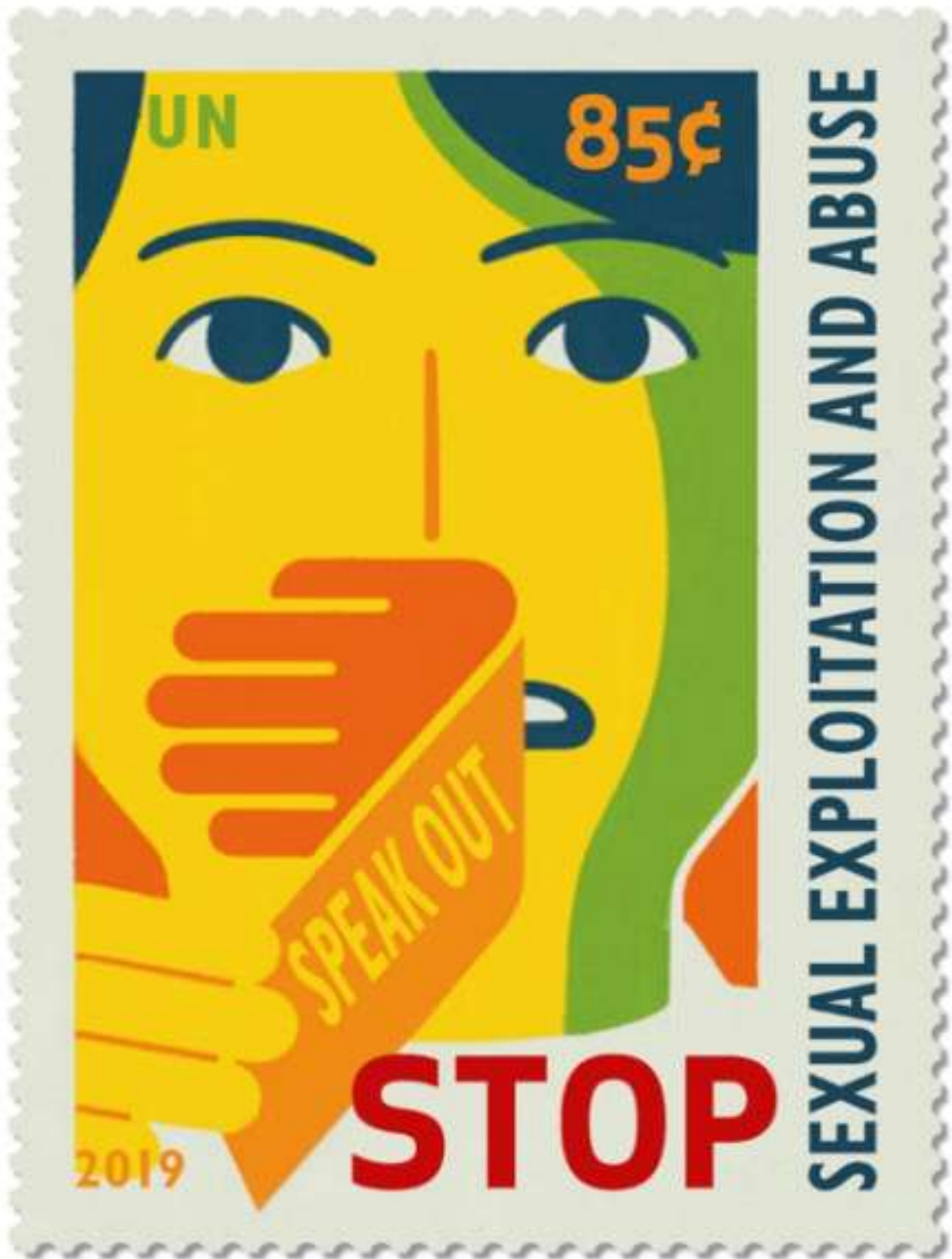
- **Suara Komunitas** (Community Voices Bulletin) in Central Sulawesi response, Indonesia
- **Complaint response dashboard** in Central Rakhine, Myanmar
- **What Matters? Bulletin** in Rohingya Response, Cox's Bazar, Bangladesh
- **AWAAZ** – Interagency online national platform used at field level in Afghanistan





PREVENTION OF SEXUAL EXPLOITATION AND ABUSE (PSEA)

*Gry Tina Tinde
Inter-Agency PSEA Coordinator for
Ukraine, UNFPA*



Procurement clause

- Sexual exploitation and abuse violate universally recognized international legal norms and standards and have always been unacceptable behaviour and prohibited conduct for the UN.
- Prior to entering into agreements with the UN, suppliers are informed of the standards of conduct with respect to the prohibition of sexual exploitation and abuse, expected by the UN.

ZERO TOLERANCE FOR SEXUAL EXPLOITATION AND ABUSE



HUMANITARIAN WORKERS MUST PROVIDE HUMANITARIAN ASSISTANCE, WITHOUT DEMANDING ANYTHING IN RETURN



HUMANITARIAN WORKERS MUST NOT ENGAGE IN SEXUAL RELATIONS WITH CHILDREN, BENEFICIARIES OR PERSONS IN VULNERABLE SITUATIONS WITHIN THE COMMUNITY



HUMANITARIAN WORKERS ARE PROHIBITED TO PURCHASE SEXUAL SERVICES



HUMANITARIAN ORGANISATIONS MUST CREATE A FAVORABLE ENVIRONMENT TO DENOUNCE ALL ACTS OF SEXUAL EXPLOITATION AND ABUSE



If you are a victim or if you have knowledge of sexual exploitation or abuse **committed by the staff of the United Nations, national and international non-governmental organizations**, it is your right to report it.

📞 : (+509) 3702-6516

✉ : Report-UN-Haiti@un.org

Prohibitions

- Such standards include, but are not limited to, the prohibition of:
 - engaging in any sexual activity with any person under the age of 18, regardless of any laws of majority or consent.
 - exchanging any money, employment, goods, services, or other things of value, for sex, and/or
 - engaging in any sexual activity that is exploitive or degrading to any person.

ПОЛІТИКА ООН ЩОДО НУЛЬОВОЇ ТОЛЕРАНТНОСТІ ДО СЕКСУАЛЬНОЇ ЕКСПЛУАТАЦІЇ ТА НАРУГИ

НЕМАЄ

допомоги
в обмін на
сексуальні
послуги



НІ

сексу
з особами
молодшими
за 18 років



НІ

сексу з
отримувачами
допомоги



НЕМАЄ

допомоги
за хабар



НІ

найму
за секс



НЕМАЄ

другого
шансу!



**НЕ МОВЧИ! ЗАВЖДИ ГОВОРІ ПРО НЕПРИЙНЯТНУ
ПОВЕДІНКУ З БОКУ СПІВРОБІТНИКІВ/ЦЬ ООН***

Напиши нам **конфіденційно** на seareferral@un.org або зателефонуй на
«гарячу лінію» **0-800-309-110 / 0-800-30-77-11 / 0-800-331-800**



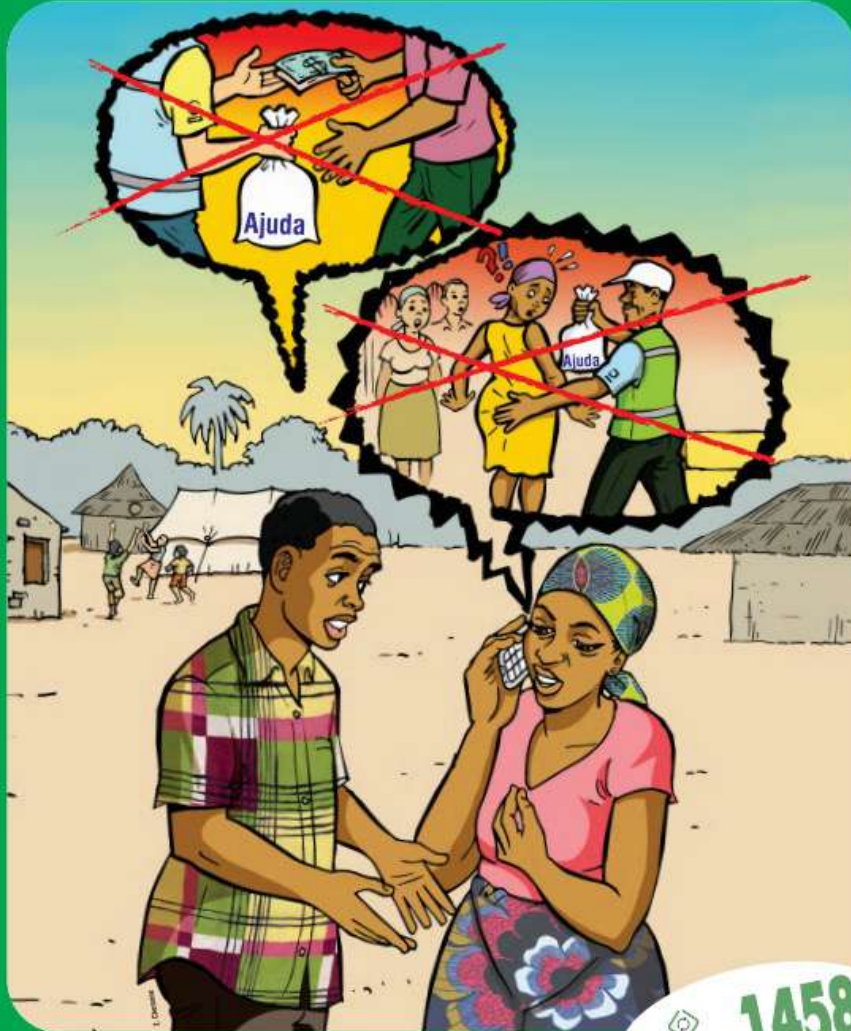
* Під організаціями маються на увазі всі Агентства ООН та їх місцеві партнери, що працюють у сфері надання гуманітарної допомоги та у сфері розвитку та розбудови в Україні.
Розроблено Робочою Групою із Запобігання Сексуальній Експлуатації та Сексуальній Наругі, за керуванням УКГС ООН та Фонду ООН у галузі народонаселення (Україна)

Дізнайся більше

Expectations

- The UN expects its suppliers to take all appropriate measures to prohibit their employees or other persons engaged by the suppliers, from engaging in sexual exploitation and abuse.
- The UN also expects its suppliers to create and maintain an environment that prevents sexual exploitation and abuse.

Para reportar abusos na ajuda humanitária,
ligue para a **Linha Verde 1458**
Não se paga a chamada



Partnerships

Partners must apply the same prohibitions and practices as the UN:

1. Leadership
2. Policy
3. HR system
4. Training
5. Reporting
6. Assistance and Referrals
7. Investigations
8. Disciplinary process

YOU SHOULD KNOW...



ALL HELP IS FREE

- All assistance from aid groups is free of charge for everyone
- Anyone providing help may never demand money or favors, including sexual favors, in return

YOU HAVE THE RIGHT TO BE PROTECTED AND SEEK HELP

- Your safety is our priority
- We will support you in getting the help you need



WE WILL LISTEN TO YOU, AND WE WILL KEEP IT PRIVATE

- You will not be blamed for what happened
- Reporting will never keep you from getting the help you need



We are here to support you, no matter your worry. To report and seek help you can talk to a staff member or find another helper you feel comfortable talking to. Reporting can also be done privately to:



Awareness and trust

- Awareness of the duties of aid workers and their business partners and of survivor rights is key
- Some people abuse their power
- Persons facing emergencies need to trust aid workers, their business partners and the organisations and companies they work for
- Sexual exploitation and abuse cause harm to people's health and lives
- Sexual exploitation and abuse can jeopardize humanitarian operations including public health campaigns (ref the troubles of the Ebola response)



**EXCLUSIVE: More than 50 women
accuse aid workers of sex abuse in
Congo Ebola crisis**

Investigations 29 September 2020

**The New
Humanitarian**

Trust and reporting mechanisms

- Survivors of gender-based violence globally, including of sexual exploitation and abuse, hesitate to formally report the acts
- Women in the Democratic Republic of Congo told journalists about male aid workers' demands for sex for work
- The women did not want to report the misconduct to the employers of the offenders, saying they worried about bias
- Ukrainian internally displaced women in Lviv told UN agencies in June 2022 in a focus group discussion that they would not feel comfortable reporting sexual exploitation and abuse by aid workers to aid agencies. They would prefer reporting to local social services or perhaps the human rights ombudsperson in Ukraine

Displaced women need work

- An April 2022 [Rapid Gender Analysis](#) (RGA) in Ukraine by CARE and UN Women signaled a deepening of pre-existing inequalities, where older women and single mothers comprise the majority of Ukraine's poor.
- Women's employment in Ukraine was already low (51 per cent, compared to 62 per cent for men in 2020, according to national statistics), but the RGA predicts the war will increase unemployment and further push women into unprotected informal sectors of the economy.
- According to Ukraine's 2020 National Action Plan for the Implementation of UN Security Council Resolution 1325, only 43 per cent of internally displaced women had found employment, as opposed to 58 per cent of men.

Головна • Про кар'єрний хаб "Розірви коло"

ПРО КАР'ЄРНИЙ ХАБ "РОЗІРВИ КОЛО"

Домашнє та гендерно зумовлене насильство — проблема, з якою стикається надто багато людей у нашій країні. Фонд ООН у галузі народонаселення разом із партнерами створив кампанію "Розірви коло", яка вже багато років допомагає усім, хто постраждав від насильства, отримати інформацію та розірвати це коло.



Дізнатися більше

PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE KNOW YOUR RIGHTS



It is your right to be safe and to be treated with dignity and respect.

Humanitarian aid is free. Any request of sexual favors by aid workers is prohibited.

Any sexual activity with children (persons under the age of 18) is prohibited.

Acts of sexual exploitation and abuse committed against you are never your fault.

Reporting misconduct by aid workers will not affect your access to assistance and services.

You can report anonymously or on behalf of someone else.

All reports are handled confidentially and are followed up safely and seriously.

REPORT



Example: Private security companies

The UN and partners hire private security services when needed. Such companies have a crucial role regarding protection from sexual exploitation and abuse:

- Abstain from sexual misconduct
- Map risks of gender-based violence together with UN & partner agency security teams and national police
- Make individual safety plans for survivors of sexual exploitation and abuse and of sexual harassment (including rape) at the workplace

Zapobieganie wykorzystywaniu seksualnemu

INFORMACJA DLA PERSONELU I PRACOWNIKÓW HUMANITARNYCH

1 WIEDZ, ŻE: Wykorzystywanie seksualne jest surowo zabronione

- Poznaj zasady i przestrzegaj Kodeksu Postępowania w sprawie wykorzystywania seksualnego.
- Jakiegokolwiek czynności seksualne z dzieckiem poniżej 18 roku życia są traktowane jako wykorzystywanie seksualne, bez względu na prawa panujące w kraju i/lub miejscowości, w której pracujesz. Nieznajomość prawdziwego wieku osoby nie jest usprawiedliwieniem.
- Pracownicy humanitarni nie mogą płacić za seks w żaden sposób (pieniędzmi, pracą, dobrami lub usługami).
- Konsekwencją wykorzystywania seksualnego będzie zwolnienie.



Poznaj zasady, przestrzegaj ich i przejdź szkolenie na temat zapobiegania wykorzystywaniu seksualnemu.

- ✓ Poznaj wszystkie zasady
- ✗ Nie ma żadnego usprawiedliwienia dla wykorzystywania seksualnego

2 ZGŁOŚ: Nie oczekuj, że zrobi to ktoś inny!

- Musisz zgłaszać wszystkie podejrzenia dotyczące wykorzystywania seksualnego do twojej organizacji, tak szybko jak to tylko możliwe.
- Nie musisz mieć całkowitej pewności, żeby zgłosić!
- Poznaj procedury zgłaszania tego typu podejrzeń w twojej organizacji i zawsze się do nich stosuj.



Nie próbuj przeprowadzać śledztwa. Niezwłocznie zgłoś wszystkie podejrzenia.

- ✓ Zgłoś
- ✗ Nie przeprowadzaj śledztwa

3 POMÓŻ: Zobacz, co możesz zrobić, kiedy skontaktuje się z tobą osoba pokrzywdzona

- Weź pod uwagę bezpieczeństwo i samopoczucie osoby pokrzywdzonej i zapewnij jej komfort.
- Zawsze szanuj prywatność oraz wolę osoby pokrzywdzonej.
- Zaoferuj osobie pokrzywdzonej dokładne informacje na temat dostępnej pomocy, włączając w to usługi medyczne i pomoc psycho-społeczną.
- Jeżeli osoba pokrzywdzona wyraziła zgodę, skieruj ją do odpowiednich służb/organizacji lub usług wsparcia.



Bezpieczeństwo oraz godność osoby pokrzywdzonej jest najwyższym priorytetem.

- ✓ Wysłuchaj
- ✓ Zapewnij bezpieczeństwo
- ✗ Nie krytykuj i nie oceniaj

JEŻELI CHCESZ POUFNIIE ZGŁOSIĆ NIEPOKOJĄCĄ SYTUACJĘ, MOŻESZ:



W sytuacjach wymagających natychmiastowego działania, powiadom policję dzwoniąc na numer 112 lub 997 oraz natychmiast powiadom swoją organizację.



Private security companies

Private security companies can benefit from developing a policy on protection from sexual exploitation and abuse. The International Code of Conduct Association (for private security companies) provides guidance and training. Private security companies have a crucial role regarding protection from sexual exploitation and abuse:

- Map risks of gender-based violence locally together with UN & partner agency security teams and national police
- Make individual safety plans for survivors/victims of sexual exploitation and abuse and of sexual harassment (including rape) at the workplace
- The UN has a [protocol](#) on the provision of assistance to victims of sexual exploitation and abuse. It says an individual safety plan should be made immediately for survivors.

Example: International Code of Conduct Association (ICoCA)



- ICoCA brings together private security providers. In 2019 it adopted its policy on preventing and addressing sexual exploitation and abuse. It is [here](#).
 - It includes UN principles and prohibitions
 - It takes a practical approach and can be useful for any company providing security services
 - It includes a survivor-centred approach

**Guidelines for Private Security Providers
on Preventing and Addressing Sexual
Exploitation and Abuse**

Survivor-centred approach

Guiding principles for a survivor-centred approach:

1) Safety, 2) Confidentiality, 3) Respect
4) Non-discrimination 5) Informed consent

In addition: Child protection considerations, accountability, and participation of people in the communities affected by decisions being made.



Thank you!

Contact me by e-mail: tinde@unfpa.org



NOW WHAT? KEY TAKEAWAYS FOR THE PRIVATE SECTOR

*Kareem Elbayar
Programme Coordinator, Connecting
Business initiative*




KEY REMINDERS

Do No Harm: Make sure your actions are not making the situation worse

Humanitarian Principles: Humanity, Neutrality, Impartiality, Independence are critical for ensuring access to affected people

Accountability to Affected Populations: People who receive humanitarian assistance have the right to say what they need, receive information on what is being provided, and have an opportunity to assess and provide feedback about the assistance they receive

Prevention of Sexual Exploitation and Abuse: Affected people have the right to access protection and assistance without fear of exploitation or abuse



GUIDANCE NOTES FOR THE PRIVATE SECTOR

1. PSEA for the Private Sector
2. Introducing AAP for the Private Sector
3. Conflict Sensitivity in Private Sector Disaster Management

www.connectingbusiness.org



Guidance Note:

Conflict Sensitivity in Private Sector Disaster Management

Key Takeaways:

- Conflict sensitivity is an obligation and a commitment to *Do No Harm* that CBI Member Networks must consider in their disaster management interventions before, during and after crises.
- Initiatives and interventions that adopt a conflict-sensitive approach are more effective, and help to strengthen social cohesion.
- To be conflict sensitive, CBI Member Networks and other private sector stakeholders need to actively assess and monitor the potential impacts of their activities on different groups, and make adjustments to mitigate risks and strengthen local capacities for social cohesion.

Introduction

The Connecting Business initiative (CBI) was established to support coordinated, collective private sector action before, during, and after disasters. However, when businesses respond to emergencies in fragile or volatile environments, it is of the utmost importance that they have a clear view of the broader *political, social and economic drivers of conflict* – that is, that they adopt a ‘conflict sensitive’ approach. Indeed, as CARE International highlights, “even in contexts where there is no obvious conflict, aid has the potential to create division, tensions and ultimately violence if it is delivered without regard for local realities”.

As a minimum obligation, disaster management and humanitarian response activities should always take into account the risk of unintentionally exacerbating existing tensions or sources of conflict, or leading new tensions to arise. Private sector partners should take steps to avoid unintended consequences in the design and implementation of their activities. This is the basic premise of the *Do No Harm* approach.

The impact of aid on local markets: an example from Pakistan

After the 2010 floods in Pakistan, humanitarian efforts to help people build temporary shelters using bamboo as the common, local building material led to the aid community setting higher quality standards, significantly increasing prices but also shortages in supply. The affected population was no longer able to purchase bamboo for their own use. Furthermore, as the aid agencies no longer needed the product, they pushed businesses deeper into debt as they were left with expensive stock that nobody purchased. (Source: CDD)

The concept of conflict sensitivity starts with the recognition that humanitarian, development and peacebuilding activities cannot be separated from the peace and conflict context in which they are implemented. For any organization – private sector or otherwise – conflict sensitivity requires:

1. Understanding the operational context;
2. Assessing interaction between the organization's operations and the broader context (including positive and negative impacts); and
3. Adjusting operations to minimize the negative – and where possible maximize the positive – impacts on peace and stability.



Guidance Note

Protection from Sexual Exploitation and Abuse (PSEA) for the Private Sector¹

Introduction

This guidance note is to provide advice to the private sector, especially those working and engaged in humanitarian and disaster management operations, on how to integrate Protection from Sexual Exploitation and Abuse (PSEA) messages for their operations, as well as to be part of the positive change.

Communities, affected by a disaster or a conflict, from sexual exploitation and sexual abuse of all actors and workers engaged in disaster management, to enable their contribution towards the populations they serve.

In a humanitarian environment in which people caught up in crises feel safe and the protection and assistance they need without fear of exploitation or abuse and in which workers themselves feel supported, respected and empowered to work in environments free from sexual harassment.

What if it were you? and the CBI training recording link for the private sector.

How to establish PSEA mechanisms within the private sector?

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

The private sector is firmly committed to the global fight to eradicate any incidents by late. The “Protect, Respect and Remedy” Framework states that the state duty rights abuses by third parties, while the corporate responsibility is to respect rights to act with due diligence to avoid infringing on the rights of others and to prevent harm. Remedies refer to greater access by victims to effective remedies, both in humanitarian operations. PSEA is an important factor enabling the private sector to meet its obligations 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.



QUESTIONS AND ANSWERS



CLOSING REMARKS

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