



Nigeria Protection from Sexual Exploitation and Abuse (PSEA) Network

Terms of Reference (ToR)

1. Background

North-East Nigeria has witnessed an increase in violence since the beginning of 2015, causing a major humanitarian crisis. More than two million individuals have been displaced as a consequence of the intensification of attacks by on-going military operations and non-state armed groups attacks. Coupled with this, the risk of SEA and other forms of GBV continue to be a reality and remains one of the major manifestations of the conflict.

Transactional/survival sex, a form of Sexual Exploitation and Abuse (SEA) that occurs when sex is exchanged directly or indirectly for material support, is common in this context of extreme poverty. IDPs, women, single female headed households, adolescents, girls with disabilities, girl hawkers and those who are experiencing food insecurity are among the most vulnerable to experience GBV and are more likely to engage in survival sex. Survivors are also exposed to re-occurring abuse and continue to experience stigma and shame.

Humanitarian interventions, can compound existing risks, increasing power imbalances between men and women and exacerbate GBV and SEA. Among the key drivers include social norms that legitimate violence against women, lack of laws and policies to protect women and children from violence, weak or ineffective protection and response systems, among others.

Sexual exploitation and abuse (SEA) refers specifically to acts committed against members of the affected population by humanitarian actors, including international and national personnel of the United Nations (UN) and of non-government organizations (NGOs). SEA represents a failure on the part of humanitarian agencies to provide protection and care for communities, especially for the most vulnerable members of the population.

Given that ensuring a systematic and cohesive response to SEA in emergency operations requires strong coordination between humanitarian actors; the leadership of the humanitarian response in Nigeria, has elevated Protection from Sexual Exploitation and Abuse (PSEA) onto the humanitarian agenda to be discussed regularly.

2. Network Description

Nigeria's Protection from Sexual Exploitation and Abuse (PSEA) Network (hereinafter called the Nigeria PSEA Network or the Network) functions under the auspices of the Resident Coordinator (RC)/Humanitarian Coordinator (HC) to implement international commitments on PSEA including the Secretary-General's Bulletin (2003).¹ The Nigeria PSEA Network will give regular reports to the Humanitarian Country Team (HCT) and to the Resident Coordinator (RC), who will have ultimate oversight of the network and may delegate regular oversight to the Deputy Humanitarian Coordinator (DHC) and Operational Humanitarian Country Team (OHCT).

¹ Secretary-General's Bulletin on Special Measures for Protection from Sexual Exploitation and Sexual Abuse (ST/SGB/2003/13). Available at <https://oios.un.org/resources/2015/01/ST-SGB-2003-13.pdf>, accessed on 11 November 17.



3. Principles

The humanitarian community in Nigeria affirms the Inter-Agency Standing Committee's (IASC)² commitment to promote and protect the rights enshrined in international humanitarian, human rights and refugee law, particularly the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination Against Women. The humanitarian community recognizes their responsibility, in fulfilling their mandates, to guard and protect vulnerable persons from sexual exploitation and abuse and to address such violations appropriately in their work. In particular, they must ensure their staff and partners do not abuse their power and influence to exploit and harm others.

4. Membership

Network membership is open to all UN agencies, INGOs, IGOs and NGOs operating in North East Nigeria that either 1) have an SEA complaint handling and response policy in place, or 2) commit to developing an internal complaint handling and response procedure. Each of these organizations will be represented in the network by one PSEA Focal Point, and preferably an alternate. Focal Points will coordinate the implementation of PSEA activities within their agency/organization and participate in network activities. These include, for example, PSEA trainings, site monitoring, and the establishment and ongoing maintenance of community-based complaint mechanisms for SEA. All PSEA Focal Points must be able to make decisions on behalf of their agencies in an inter-agency forum.

Participation as an observer in the Nigeria PSEA Network is open to all UN agencies, INGOs, IGOs and NGOs operating in N.E regardless of their internal PSEA procedures. Observer organizations may transition to full network membership, including voting privileges, by committing to develop complaint handling procedures for SEA. Sector Coordinators as well are encouraged to attend network meetings and will provide two-way coordination between their sector and the network. Participation in the Nigeria PSEA Network will be reviewed to potentially include Government representation.

The Network will engage in outreach with non-member, non-observer organizations as part of ongoing activities. At a minimum all organizations in N.E Nigeria should be aware of the inter-agency PSEA complaint referral system and be able to receive complaints against their own staff, regardless of their relationship to the Network. The Network will advocate for the strengthening and/or establishment of internal complaint handling systems for all organizations operating in the Nigeria response, and will offer support as needed where such systems are not in place.

5. Responsibilities

Senior management within each organization is accountable for PSEA, and for ensuring that organizational processes and procedures supporting PSEA are in place, working effectively and are monitored and reviewed.³ The Nigeria PSEA Network will serve as the primary body for coordination, support, and oversight of PSEA between its member organizations. Due to the fact that the risk of SEA, and responsibility for action, is shared across all sectors of the humanitarian response, the Nigeria PSEA Network will have strong linkages to the Inter Sector Working Group (ISWG), and will report on a regular basis to the ISWG coordinator and the UN Resident Coordinator for Nigeria. Network activities will follow

² The IASC is the UNGA-mandated body to coordinate humanitarian response. It is comprised of both members (FAO, IOM, OCHA, UNDP, UNFPA, UNICEF, UNHCR, WFP, WHO) and standing invitees (ICRC, ICVA, IFRC, InterAction, SCHR, RSG/IDPs, UNHCHR, and the World Bank).

³ *Secretary-General's Bulletin*, as above n.1.



a survivor-centred approach, and respect the principles of informed consent and the best interests of the survivor. As such, the GBV SS Coordinator will be a key technical member of the Network.

The guiding Terms of Reference for the Nigeria PSEA Network are as follows:

1. Management and Coordination: The network will be Co-Chaired by three agencies nominated by the HC/HCT representing UN, INGO, IGOs & NNGO. Responsibility for PSEA activities will be divided equally amongst network members. The PSEA Coordinator will assist the co-chairs to manage and coordinate by:

- Liaising with IASC Task Team on Accountability to Affected Populations and PSEA/ Results Group 2
- Establishing an effective PSEA action plan to be implemented by all actors engaged in the humanitarian response
- Ensuring a dedicated PSEA Focal Point is committed from each agency/organization
- Holding regular meetings of the Nigeria PSEA Network on the first Tuesday of every month, with ad hoc meetings as necessary and needs reviewed quarterly

2. Engagement with Government, INGO, IGOs and NNGO partners: The network will engage with Government and NGO partners by:

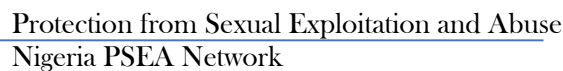
- Advocating effective engagement and commitment from UN, INGOs, NGOs and Government entities to implement PSEA principles and action plan in Nigeria
- Ensuring communication and awareness raising of beneficiaries' rights with UN, NGOs and other humanitarian partners
- Increasing capacity of humanitarian actors, including UN Staff, INGOs, NGOs, and government counterparts on prevention, protection and reporting SEA

3. Prevention & Protection: The network will seek to prevent SEA and protect survivors of SEA by:

- Liaising with the GBV and Child Protection Sub-Sectors to receive and refer victims of SEA for proper reporting and appropriate assistance services
- Working closely with assistance service providers in Nigeria to address the particular needs of victims of sexual exploitation and abuse and adopt appropriate procedures for providing redress.
- Advocating for and supporting mandatory regular training of all humanitarian workers in Nigeria on PSEA and complaint procedures
- Advocating with network members and partners to strengthen systems to prevent SEA, e.g. Human Resource practices, Implementing Partner engagements, Codes of Conduct that include PSEA, and including PSEA in all field level agreements.

4. Response: The network will ensure appropriate response to SEA complaints in Nigeria by:

- Ensuring that agencies have effective internal complaints and investigation procedures in place which adhere to principles of confidentiality



- 5. Commitment to Action:** The network commits itself to implementation of the PSEA Action Plan, including:

- =====

Revised Edition Endorsed by OHCT on 15th October 2019.