



Terms of Reference (TOR) for the Indonesia PSEAH Network Focal Point

I. Mission

In all contexts where development and/or humanitarian organizations operate, it is essential to protect personnel and do no harm to beneficiaries or affected communities. This includes protection from sexual misconduct, such as sexual exploitation, sexual abuse, and sexual harassment (SEAH), irrespective of gender, age, background, (dis)ability and sexual orientation. Sexual misconduct lies in deeply rooted power imbalances and gender inequalities, which are also present in our organizations and in the environments and contexts in which we work. There is a continuum between organizational culture and how aid workers engage with the people they serve. Our organizational culture plays a large role in whether we succeed in preventing, surfacing, and responding effectively to sexual misconduct. Development and humanitarian actors have an obligation to prevent and respond to all forms of sexual misconduct by reflecting both internally on organizational culture as well as external relations with the communities they serve. Protection from sexual exploitation, sexual abuse, and sexual harassment (PSEAH) is a collective, mandatory responsibility and those who report sexual misconduct or cooperate with audits and investigations must be protected from retaliation.

Sexual exploitation and abuse (SEA) by development and humanitarian actors contradicts the very principles on which humanitarian action is based and is a protection failure on the part of the aid community as outlined in the [IASC Six Core Principles on SEA](#). PSEA (Protection against Sexual Exploitation and Abuse) is a core commitment of the UN Secretary-General and the Inter-Agency Standing Committee (IASC). The [UN Secretary-General's Bulletin ST/SGB/2003/13 on "Special measures for Protection from Sexual Exploitation and Sexual Abuse \(PSEA\)"](#) (9 October 2003) calls for reinforced action by all UN agencies and partners to protect beneficiaries of both humanitarian and development assistance from SEA. The [United Nations Protocol on the Provision of Assistance to Victims Of Sexual Exploitation and Abuse](#) reinforces that assistance and support shall be provided to victims of SEAH in a manner that is victim-centred, rights-based, age, disability and gender sensitive, non-discriminatory and culturally appropriate.

Sexual harassment (SH) is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics.¹In 2018, the IASC agreed to seek greater convergence on the issues of sexual exploitation and abuse *and* sexual harassment by aid workers in recognition of the commonalities of the root causes. The UN, like other humanitarian and development organizations, is committed to promoting a work environment free from discrimination, harassment, and abuse of authority. All UN personnel have the obligation to adhere to the highest professional and ethical standards enshrined in the Charter of the United Nations UN Staff Regulations and Rules, and the Standards of Conduct for the International Civil Service. The [Secretary-General's Bulletin \(ST/SGB/2019/8\)](#) on addressing discrimination, harassment, including sexual harassment, and abuse of authority was issued to ensure that all Secretariat staff members and non-staff personnel are treated

with dignity and respect. Important progress has been made with the implementation of the UN System Model Policy on Sexual Harassment (Including though [ST/SGB/2019/8](#)), the [Model Code of Conduct for UN System Events](#), the [Investigator's Manual - Investigation of Sexual Harassment Complaints in the United Nations UN Investigators Manual on Sexual Harassment](#) and the [documentation of core principles](#) designed to assist UN system organizations in adopting a victim-centred approach. SEAH is a form of gender-based-violence (GBV). Therefore, the GBV guiding principles must be applied at all times.¹

II. Background

Indonesia is one of the most disaster-prone countries. Most of its territory has moderate to high vulnerability to various natural disasters. The National Agency for Disaster Response (BNPB) recorded disaster events with an average frequency of 3-5 events per day. With the high frequency of disasters, preparedness measures at the local and national levels are essential, including on PSEAH.

In 2018 in the wake of the Central Sulawesi earthquake and tsunami, in recognition of the urgent need to develop a joint mechanism to facilitate the implementation of the Secretary-General's Bulletin, develop a mechanism to support the at-risk and [affected] communities, and to promote accountability, the RC/HC at the time established the Inter-Agency PSEA Taskforce which comprised of UNCT and HCT members, chaired by UN Women and UNFPA. During this period, at least 380 humanitarian actors (282 female, 98 male) were trained on PSEA, a code of conduct was signed by all HCT members, and an inter-agency Standard Operating Procedures (SOPs) detailing SEA referral mechanism was drafted to ensure proper referral and victim assistance.

In 2021, building on this experience, and in recognition of the common roots of SEA and sexual harassment - namely, power differentials and gender inequalities - and the common needs of victims of all forms of sexual misconduct, the RC requested a dedicated national capacity and coordination structure focusing on SEAH, with a clear strategy and annual action plan to be led by a newly appointed PSEAH Coordinator and the previous Inter-Agency Task Force Chairs who would establish an expanded national network on Protection from Sexual Exploitation and Abuse and Sexual Harassment ('PSEAH Network' hereafter) to take forward the annual PSEAH Work Plan. It was recognized that recipients of development assistance, aid, and other varied services, and the staff within those respective organizations and agencies should be provided with protection from SEAH. The PSEAH Network will therefore be expanded to include a wide network of development and national organizations, institutions, and agencies.

III. Structure

PSEAH is a core commitment of the UN Secretary-General and IASC. To deliver on this commitment, the IASC has prioritized the acceleration of PSEA from the outset of humanitarian response, with a focus on key priority areas including: (1) safe and accessible reporting, (2) victim-centered response, and (3) enhanced accountability. At the country level, the [2018 IASC acceleration plan](#) proposes a structure with the UN Country Team (UNCT) or Humanitarian Country Team (HCT) as the senior-level body holding

¹ This includes using a victim-centred approach; ensuring the physical safety of the victim; establishing information and feedback mechanisms which are gender sensitive; respecting confidentiality (within the boundaries of mandatory reporting); respecting the wishes, rights and dignity of the victim, and non-discrimination.

primary accountability, decision-making, and oversight authority for PSEAH activities. In Indonesia, the Resident Coordinator (RC) has a system-wide responsibility for developing collective prevention of SEAH strategies and ensuring that action plans are implemented and assisting victims of SEAH.² The RC and UNCT are accountable for the implementation of collective PSEAH in the country. In 2022, a PSEAH Network was established in Indonesia to carry out operational functions for the prevention of SEAH and regularly provides updates to the UNCT and RC via the PSEAH Coordinator and Chair agencies. As Indonesia is a context in which both UNCT and HCT are present, the national Network will also engage with the HCT as necessary in order to prioritize commitment across humanitarian actors in the country. These efforts shall be coordinated and implemented in coherence with the relevant national legislation and government agencies.³ The UNCT, and HCT as necessary, will act as a PSEAH Steering Committee for the Indonesia PSEAH Network to provide direction, review progress, address obstacles, engage relevant stakeholders, and provide overall support to prevent and respond to SEAH allegations.

IV. Role Description

The PSEAH focal point is a staff member tasked with implementing PSEAH in coordination with their Head of Office, both internally and as an active member of the Indonesia PSEAH Network. The nomination of a PSEAH focal point does not relieve the Head of Office from their responsibilities for PSEAH in their organization, but rather the PSEAH Focal Point supports their Head of Office to fulfill their managerial responsibilities in that regard.

The PSEAH focal point is a designated staff member (an additional assigned role to existing personnel and not necessarily a full-time position) who supports senior management in coordinating the development and implementation of PSEAH policy and procedures. To respect the need to balance the PSEAH focal point's regular job with meaningful engagement on PSEAH, the responsibilities below should be reflected in the focal point's job evaluation.

The PSEAH focal point will support the PSEAH Network by coordinating and implementing PSEAH activities detailed in the Indonesia PSEAH Network Annual Work Plan within their organization and the wider PSEAH Network, as needed. These activities may include (but not limited to) participating in technical working groups as necessary, assessing SEAH risk, capacity building, information and educational material campaigns and dissemination, the establishment and ongoing maintenance of an inter-agency community-based complaint mechanism (IA-CBCM) detailed in standard operating procedures (SOPs). The PSEAH Network members will engage in outreach with relevant non-member organizations as part of ongoing activities.

Each organization will be represented in the PSEAH Network by a PSEAH focal point and an alternate. All PSEAH focal points must be senior enough or in a position within their agency or organization, or elected by their forum, or inter-agency alliance, to make decisions on behalf of their agencies in an inter-agency

² Management and Accountability Framework of the UN Development and Resident Coordinator System 18 March 2019 version, UN Sustainable Development Group.

³ The Indonesian government recently committed to tackle SEAH as stated in the Law on the Elimination of Sexual Violence which was recently ratified. The regulation aims to provide legal protection and legal framework for sexual violence victims seeking justice. On this regulation, specific forms of sexual violence and punishment for sexual violent cases are explicitly explained.

forum. To ensure the PSEAH focal point has sufficient time to spend on PSEAH responsibilities, and that the activities are covered during leave/R&R, each organization will endeavor to have two PSEAH focal points, ideally one focal point who identifies as male and the other female. The responsibilities outlined in these terms of reference (TOR) will be divided at the discretion of the focal points. The Head of each office and focal points are mutually responsible for ensuring each is kept up to date on collective and organizational PSEAH developments for meaningful participation in the UNCT and Indonesia PSEAH Network, respectively.

The PSEAH Focal Point does not have an investigative role. Rather, they act as an entry point for support, complaint reporting, and referral to the appropriate services. The PSEAH focal point will collect the necessary information to assist the victim to initiate a claim and make a referral, which is detailed in the IA CBCM SOPs and follow the information required by the agency reporting form or inter-agency referral form.

The PSEAH focal point of an organization without a separate HQ investigation unit may also have an internal investigation role, if trained and qualified as an SEAH investigator. In such a scenario, the PSEAH focal point must recuse themselves from an investigation if they begin providing victim support and/or otherwise compromises their impartiality or a conflict of interest arises. Please also refer to the individual PSEAH focal point agency/organizational policies on these matters.

Within their organization, and under the 4 pillars of protection from sexual exploitation and abuse (engagement with and support local population; management and coordination, prevention; response).⁴ The PSEAH focal point(s) will actively promote protection from SEAH, mitigate risk, and respond using a victim-centred approach as laid out in the responsibilities below:

a. Management and Coordination

- Raise awareness throughout the organization and your contacts of your role as the PSEAH focal point.
- Represent your organization at PSEAH Network meetings and initiatives held every two months
- Actively participate in fulfilling the implementation of the PSEAH Network PSEAH Annual Work Plan, and report back to the Head of Office on progress and knowledge gained, as well as plans for future action.
- Assist the Head of Office to fulfill their leadership responsibilities on PSEAH in accordance with the agency's PSEAH Code of Conduct and/or in line with ST/SGB/2003/13.
- Safely and confidentially, in line with applicable data protection guidance, track all PSEAH-related activities for the organization and ensure that all information on PSEAH-related activities is shared with relevant persons in the organization and keep management up to date on PSEAH measures taken and plans for future action within your organization and within the PSEAH Network.
- As relevant, and in line with the PSEAH IA-CBCM SOPs, coordinate your organization's adherence to relevant monitoring and compliance mechanisms, including contributing to the annual report of the RC to UN HQ by sharing anonymized data on SEAH complaints received by the organization.

⁴ Minimum Operating Standards on PSEA (2012) available here: [Microsoft Word - 181101_iasc_champions_sea_sh_strategy_final-converted \(interagencystandingcommittee.org\)](#)

- Maintain confidential records of reported SEAH incidents for the organization, as applicable, and share anonymized records within the organization to meet reporting requirements, inform program adjustment, and further develop efforts to address SEAH.
- In line with the PSEAH IA-CBCM SOPs and/or information sharing protocol (currently in development) share anonymized complaint records received in-country with the PSEAH Network via the PSEAH Coordinator and/or Chair agencies. This includes providing status updates on complaints received (where possible) and informing the PSEAH Network of the feedback provided to the complainant.
- Where relevant, coordinate with sub/field offices to share lessons learned, mutually benefit from training opportunities, and harmonize PSEAH implementation.

b. Prevention

- Support the Head of Office to:
 - Establish and/or strengthen internal policies and procedures in line with global standards and good practice, including where not already in place, ensuring staff sign a Code of Conduct that clearly prohibits SEAH, obliges reporting of such acts, and enforces these clauses when breached, and a Whistleblower Policy that meaningfully protects complainants and encourages safe reporting.
 - Develop and monitor an internal PSEAH Work Plan to mainstream PSEAH throughout your organization's departments and programming, informed by community engagement and SEAH trends in Indonesia and in accordance with global and/or regional PSEAH Action Plans.
 - Support program managers to budget for and implement your organization's PSEAH activities under the Work Plan.
- Take the lead on:
 - Collaborating with human resources to ensure all new personnel receive an induction and refresher training on PSEAH, including on appropriate conduct for aid workers, and how to submit and receive complaints under internal and inter-agency reporting systems using a victim-centred approach.
 - Ensuring human resources apply practices that guard against hiring persons who have a record of misconduct, using established inter-agency processes where possible,⁵ and including PSEAH clauses in contracts, subcontracting, and job evaluation criteria.
 - Capacitating PSEAH Network members and partners where needed.
- Make appropriate recommendations to management on enhancing prevention strategies, including collecting and analyzing information on actual/potential risk factors for vulnerability to SEAH and elaborating measures to address them, and sharing these risk results with the PSEAH Network.
- Raise awareness of partners on your organization's Code of Conduct and mechanisms for reporting allegations of SEAH. [For UN agencies, funds and programmes] Ensure management are aware of the [UN Protocol on Allegations of Sexual Exploitation and Abuse involving implementing partners](#) and accompanying partner assessment, and support as needed.

⁵ For example, the Misconduct Disclosure Scheme and United Nations Clear Check.

c. Response

- Support the Head of Office to establish and/or strengthen safe PSEAH-specific procedures for receiving and reporting information through the organization’s Complaints and Feedback Mechanism (CFM) informed by good practice and community needs and feedback.
- Engage with the PSEAH Network to establish and implement an IA-CBCM, incorporating the organization’s existing complaints mechanisms, for safe, accessible, and contextually appropriate channels for any personnel and any member of the community.
- Where applicable, and in line with internal procedures on complaints reporting, act as a channel to receive complaints, reports, and questions about alleged acts of SEAH.
 - Safely and confidently refer SEAH allegations pertaining to another PSEAH Network member in line with agreed inter-agency complaints referral pathways detailed in the IA-CBCM SOPs.⁶
 - Limit sharing of sensitive complaint information to a “need to know” basis in line with data protection principles and a victim-centered approach.
- Support the Head of Office to monitor the progress of complaints according to the organization’s internal procedures, as possible based upon case status updates.
- In coordination with GBV specialists, support the Head of Office to establish and/or strengthen your organization’s internal referral pathways to victim assistance services in line with the UN [Victim Assistance Protocol](#) and/or other relevant organizational policies.
- Support the Head of Office to establish (if not already in place) and/or strengthen, complaint handling and investigation protocols, including clear case handling responsibilities, capacitated investigators, and the ability to enact disciplinary measures where an allegation of SEAH is substantiated and in line with the relevant national laws.

d. Engagement with and support to local Populations

Where PSEAH Network members work directly with the community, or do so through partnerships, the PSEAH focal point should take the following into consideration to engage and support local populations on PSEAH:

- Design and disseminate PSEAH awareness-raising tools and facilitate events for community members which inform them of:
 - Their right to free aid, staff reporting obligations, options for reporting sensitive complaints, and victim assistance services using an inclusive and age-gender-diversity approach.
- Map existing community engagement projects in your organization and work with project leads to insert PSEAH messages and/or gather community input where appropriate.
- In coordination with the PSEAH Network and relevant GBV, child protection and accountability to affected populations (AAP) colleagues, conduct regular community consultations to learn community preferences in reporting sensitive information, their perspectives of aid workers’ attitudes and behavior, and their input on how to speak about sexual issues in a culturally appropriate manner.

⁶ This will include safely and using informed consent, referring the allegation to the appropriate entity whose personnel are implicated, and the victim or complainant to established GBV or support services, after receiving informed consent and following established referral pathways. The focal point should not engage in counselling complainants unless he/she is formally trained to do so.

V. Required Qualifications and Experience:

a. Professional experience and background

- The PSEAH focal point is in a position within their organization, to confidently speak on behalf of their organization in the PSEAH Network, and has sufficient decision-making authority to initiate institutional change.
- Strong knowledge of the local context, and the organization's institutional approach to PSEAH and related strategies, policies, rules, and regulations.
- Compatibility of the PSEAH focal point function with his/her assigned position and workload in the organization.
- Able to differentiate between SEAH and other forms of misconduct.
- A clean background in ethical conduct and reference-checked by the organization human resources for safeguarding, PSEAH, and GBV.

b. Skills

- Professionalism (proven integrity, objectivity, and professional competence).
- Communication, facilitation, and interpersonal skills, including active listening and empathy.
- Where relevant, demonstrated experience working directly with local communities.

c. Behavioral requirements

- Embracing cultural diversity.
- Sensitivity to gender issues.
- Ability to maintain confidentiality and trained in data protection.
- Ability to interact in a sensitive manner with victims.
- Ability to work in a stressful environment.

d. Languages

- English language and/or Bahasa Indonesia

e. Training

The PSEAH focal points must be trained at a minimum on the following:

- The definition of SEAH, including the IASC Six Core Principles and their specific application in Indonesia.
- Gender-Based Violence minimum standards and ensuring a victim-centred approach.
- The guiding principles of safe and accessible complaint mechanisms.
- The procedures of the organization's internal complaints and victim assistance mechanisms, and roles of all responsible actors.
- International standards on evidence gathering, so that the intake process does not jeopardize a subsequent SEAH investigation.

These Terms of Reference shall be reviewed on an annual basis and revised as appropriate.

Signed by:

PSEAH Network Focal Point:

Head of Agency: