

UNHCR Evaluation Management Response	
Evaluation title:	Evaluative Review of UNHCR's Policies and Procedures on the Prevention of and Response to Sexual Exploitation and Abuse.
UNHCR evaluation reference:	ES/2019/03
Entity that commissioned the evaluation:	Evaluation Service
Date of Management Response:	15 August 2019

General comments on the evaluation:	<p>UNHCR's vision is to "establish a trusted, respectful and inclusive environment where the people we serve and those who work for the organization feel safe, heard, equipped and empowered to speak up for themselves and others and to take robust and visible action, as appropriate, to eradicate sexual exploitation and abuse as well as sexual harassment." UNHCR welcomes the recommendations from the Evaluative Review of UNHCR's Policies and Procedures on the Prevention and Response to Sexual Exploitation and Abuse (SEA) which support UNHCR's efforts to achieve this vision.</p> <p>The Evaluative Review took place at a time when UNHCR was in the process of implementing a series of accelerated actions to eradicate SEA and sexual harassment (SH), a process which is still ongoing. This was recognized in the review, which highlights that the review should be seen as a "stock-take of a system in motion." Indeed most of the recommendations in the review are in line with activities and initiatives which are ongoing or foreseen, particularly those that relate to leadership and commitment, communication and dialogue, organizational change, policy, learning, partnerships, and the need for dedicated resources and capacity. The recommendations highlight that we are moving in the right direction, while at the same time providing additional guidance on how UNHCR's efforts to eradicate SEA may be strengthened even further, which is taken into account in this management response.</p> <p>A multi-functional approach is required to implement these recommendations, with implications for different Divisions, units and entities within the organization. Therefore while this management response indicates the entities engaged in the implementation, overall leadership for ensuring the implementation of these recommendations lies with the Director's Task Force (hitherto Emergency Task Force), which, under the leadership of the Deputy High Commissioner, has been established to oversee organizational efforts to prevent and respond to sexual misconduct.</p>
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RECOMMENDATION 1:	<p>UNHCR to reiterate its commitment to mainstreaming PSEA throughout every aspect of its operations.</p> <p>In addition to continuing with the clear and consistent messaging to staff at all grades that the protection of persons of concern from sexual exploitation and abuse is indeed 'everyone's responsibility', UNHCR should reinforce these messages by emphasising the specific shifts in agency culture and individual behaviours that are</p>
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	needed and by enhancing the mechanisms and resourcing required to ensure mainstreaming happens in practice at individual, functional, programmatic and institutional levels.				
	Timescale: 1-24 months				
Management response:	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>UNHCR will continue to seek impactful ways/multiply avenues to convey standards of conduct to all personnel. Communications strategies and efforts in recent months have already shifted in focus, with specific emphasis on creating safe spaces for dialogue, improving information on reporting channels and encouraging colleagues to speak up. UNHCR is developing a new face-to-face interactive training on SEA and SH and organizing “Reflective Leadership Dialogues” for managers across the organization. Using experiential learning methodology these dialogues provide the opportunity for individual and joint reflection and learning to equip managers to create working environments that are safe, respectful collaborative and inclusive and in which SEA and SH do not happen (or are effectively addressed). Further initiatives such as the Code of Conduct dialogue will facilitate the necessary culture and individual behaviour change, including through innovative training approaches.</p> <p>In relation to mainstreaming, PSEA work is being connected with the broader change and transformation agenda for the organization, which includes results based management, decentralization/regionalization and risk management processes. The obligation on operations to ensure that PSEA is integrated into all phases of operations management is clearly set out in the instructions sent to all offices in the field on annual basis.</p>				
Unit or function responsible:	Director’s Task Force, Global Learning and Development Centre (GLDC), Ethics Office, Senior Coordinator on SEA and SH (Senior Coordinator), Division of External Relations (DER), Enterprise Risk Management (ERM), Senior Advisor Inclusion, Diversity and Gender Equity				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
1.1					
1.2.					
RECOMMENDATION 2 :	<p>UNHCR to continue the dialogic and diagnostic work of clarifying responsibilities and accountabilities for PSEA across the agency.</p> <p>Further work is needed in relation to establishing clear institutional governance of PSEA (at HQ, regionally and in-country), including clarifying the different roles and contributions of stakeholders in the HQ Emergency Task Force to achieving the agency’s vision of eliminating sexual exploitation and abuse. Individual accountabilities need to be made more explicit. As a priority, this means including PSEA in the responsibilities of leaders and</p>				

	<p>managers in the newly-created regional entities and in-country, and in the role descriptions of all Protection and programming staff. Functional responsibilities for PSEA management (including the role of the Division of International Protection - DIP) need to be clarified and agreed. Mechanisms for strengthening responsibilities and accountabilities should be developed, including but not limited to amendments to written frameworks and tools.</p> <p>Timescale : 1-6 months</p>				
Management response:	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>UNHCR Senior management acknowledges the need for further work on institutional governance on PSEA and has taken a number of steps in the framework of its Annual Programme Review 2020/ 2021 to improve clarity of roles, collaboration and complementarity among UNHCR stakeholders supporting integrity mechanisms in the organization. These efforts will continue in the second half of 2019. The new Action Plan to address SEA, which is currently being drafted, will take into account the recommendations of this evaluative review, and will clearly delineate portfolios, accountabilities and responsibilities in relation to PSEA. These will also be reflected in the new Administrative Instruction on Sexual Misconduct.</p> <p>UNHCR has also undertaken a review of job descriptions in the framework of its current regionalization exercise and has clearly included PSEA responsibilities for new regional managerial roles. This review and revision are ongoing for other levels and functions.</p>				
Unit or function responsible:	Senior Management, Division of Human Resources (DHR), Senior Coordinator				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
2.1					

RECOMMENDATION 3 :		UNHCR to continue to resource a Senior Coordinator role for the foreseeable future , with responsibility for facilitating development, coordination, collaboration, ongoing review of and learning from the agency's strategy and plans on PSEA. The Senior Coordinator to continue to report to the Executive Office and have the ongoing support of an operational PSEA Working Group.				
		Timescale : 1-6 months				
Management response:		<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):		Building on considerable work undertaken in 2018 to reinforce its safeguarding structure, and the positive outcomes of the multifunctional approach to implementing accelerated action on sexual misconduct, UNHCR already dedicated further resources in 2019 to anchor the PSEA coordination work in a more stable configuration, including through resourcing the Senior Coordinator role and the creation of key additional positions to support this work. These efforts will be maintained in 2020.				
Unit or function responsible:		Senior Leadership				
Top line planned actions		By whom	Comments	Expected completion date	Progress	
					Status	Comments
3.1	<i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i>					

RECOMMENDATION 4:	<p>UNHCR to strengthen and further develop the network of PSEA Focal Points across its operations.</p> <p>The number of PSEA Focal Points in different operations will need to take into account the size and nature of the operation, but the expectation is that each country operation will continue to have PSEA Focal Points, and that these will be resourced at a sufficiently senior level to ensure both an effective mainstreaming approach internally, and effective PSEA management in protection and programming. At HQ level the Senior Coordinator, Ethics Office, DIP and other functional stakeholders to agree between them the distribution of roles and responsibilities in developing and supporting the performance and impact of the PSEA Focal Point network.</p> <p>Timescale : 1-12 months</p>				
Management response:	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>UNHCR will continue to nurture its network of PSEA focal points as key stakeholders in PSEA mainstreaming and PSEA programming efforts. As per revised Terms of Reference, the profile of a PSEA Focal Point now requires designation of a colleague at a minimum at the P4 level or of the senior-most protection colleague in the office. UNHCR is considering pragmatic ways to ensure systematic inclusion of PSEA-related objectives in the performance appraisal documents of designated focal points. At HQ level, support to the network will be considered in the framework of the above mentioned review of PSEA portfolios, accountabilities and responsibilities.</p>				
Unit or function responsible:	Director's Task Force, DIP, Ethics Office, Senior Coordinator				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
4.1	[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]				

RECOMMENDATION 5:	
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	<p>The next iteration of the 2018 Strategy on SEA and SH to pay more explicit attention to addressing PSEA as a protection priority.</p> <p>This includes ensuring an inclusive victim-centred approach to PSEA that recognises and addresses the needs of all persons of concern including paying specific attention to marginalised groups such as LGBTI people, children, people with disabilities, ethnic minorities, people who cannot read or write. Included in the strategy should be a review of the effectiveness of communications and awareness-raising activities with persons of concern on PSEA, and of the effectiveness of current community-based complaints mechanisms in preventing and responding to sexual exploitation and abuse. The strategy should also include greater emphasis on risk assessment and mitigation, and on action to increase the safety and security of survivors.</p> <p>Timescale : 1-6 months</p>		
<p>Management response:</p>	<p><input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree</p>		
<p>Reasons (if partially agree or disagree):</p>	<p>A paramount consideration in our strategic endeavours will remain to ensure that the needs of all persons of concern, including marginalised groups, are taken into account in the design, implementation and evaluation of PSEA initiatives and in all PSEA-relevant programming. The new Strategy and Action Plan to address SEA (and SH) will better reflect the systematic application of UNHCR's Age, Gender and Diversity approach including in particular in relation to communications and awareness raising activities and community based reporting mechanisms. UNHCR will also focus on programmatic interventions in the form of concrete provision of services and support to survivors, with robust SGBV programming being an essential part of the response component of a functional approach to PSEA. In addition, UNHCR will be compiling and, if required, develop further a set of existing communications and awareness-raising materials on PSEA which can be adapted to different countries and contexts.</p> <p>Full alignment with victim-centred principles is a paradigm driving current work on policy and processes, including the new Administrative instruction on Sexual Misconduct, and the revised Administrative Instruction on Conducting Investigations. In addition, an internal review of existing mechanisms and protocols to promote the safety, security and well-being of victims of and witnesses to misconduct, including SEA, commenced in the first quarter of 2019 and will inform the way forward on materializing the principles of a victim-centred approach. In addition, particular attention is paid to risks of SEA within the context of UNHCR's Risk Management 2.0 initiative.</p>		
<p>Unit or function responsible:</p>	<p>Director's Task Force, DIP, Office of the Inspector General (IGO), Senior Coordinator, Legal Affairs Service (LAS), ERM, Ethics Office,</p>		
<p>Top line planned actions</p>	<p>By whom</p>	<p>Comments</p>	<p>Progress</p>

			Expected completion date	Status	Comments
5.1	<i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i>				

RECOMMENDATION 6 :	<p>UNHCR to continue the work to ensure a coherent policy framework on PSEA.</p> <p>The agency should continue to ensure alignment of and between the range of institutional policies relevant to PSEA. It should also consider a review of its Code of Conduct to ensure consistency with the approach on PSEA.</p> <p>Timescale : 1-12 months</p>				
Management response:	<input type="checkbox"/> Agree <input checked="" type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>The development of a new policy in the form of an Administrative Instruction on SEA and SH that aims at streamlining and consolidating all relevant policy and guidance is well underway; and is expected to be concluded by the end of 2019, following a broad internal consultation process. Key principles underlying this policy include the centrality of protection, a victim/survivor centred approach, and age, gender and diversity, and the policy will outline key actions to prevent and respond to SEA and SH, as well as the roles and responsibilities of various actors. UNHCR is also actively working on the new Code of Conduct dialogue for 2019/2020 (Values in Action - Trust and Collaboration) with a strong focus on positive values and behaviours which should strengthen good ethical conduct and, as such, contribute to a PSEA free environment.</p>				
Unit or function responsible:	Director's Task Force. Ethics Office, Senior Coordinator				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
6.1	<i>[This section is N/A if management disagrees with the recommendation.]</i>				

	<i>Insert further action lines as appropriate.</i>					

RECOMMENDATION 7:	<p>UNHCR to build a global learning and development strategy on PSEA.</p> <p>The strategy to incorporate staff feedback on existing mandatory training to increase its relevance and impact. It should strengthen targeted training for specific roles such as PSEA Focal Points and investigations staff. It should also ensure the integration of PSEA content into existing learning and development, for instance management and leadership development, and existing training for protection and programme staff.</p> <p>Timescale : 1-24 months</p>				
Management response:	<input type="checkbox"/> Agree <input checked="" type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>UNHCR acknowledges the need to continue to reinforce coherence and coordination of approaches to training and learning on PSEA. All UNHCR personnel are required to complete the mandatory on-line training on PSEA and as of 31 May 2019, the compliance rate was 90.7%. Throughout 2019 UNHCR provided targeted training for PSEA focal points, and enhanced their capacity through the sharing of best practices and tools on the on-line community of practice platform, and this will continue. Investigators will continue to have the opportunity to attend available specialized training. As noted above, UNHCR is developing a face-to-face training package on SEA and SH for UNHCR personnel which will be completed as of early 2020 and is launching, in September, "Reflective Leadership Dialogues" for managers that use an experiential learning methodology and focus on individual and joint reflection and learning aimed at equipping managers to create respectful, inclusive working environments in which SEA and SH do not happen (or are effectively addressed). Prevention and response to sexual misconduct is also included in a number of learning initiatives. Additional support to build a global learning and development strategy on PSEA is under consideration.</p>				
Unit or function responsible:	GLDC, Ethics Office, Senior Coordinator, Ethics Office, IGO				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
7.1	<i>[This section is N/A if management disagrees with the recommendation.]</i>				

	<i>Insert further action lines as appropriate.</i>					

RECOMMENDATION 8 :	<p>UNHCR to continue action to strengthen staff reporting mechanisms.</p> <p>This includes taking action to engage staff in feedback on and design of reporting procedures and mechanisms, as well as raising awareness of and continuing to strengthen mechanisms to assure staff safety and security.</p> <p>Timescale : 1-12 months</p>					
Management response:	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree					
Reasons (if partially agree or disagree):	<p>UNHCR's strategic stance on reporting mechanisms, for both personnel and persons of concern, is to ensure those are known, accessible and trusted. The Office acknowledges the need to stay the course on that particular issue with regards to colleagues, as it is complex and requires multifaceted action that can take a long time to bear fruit, in particular with regards to the trust-building element. This includes: continued outreach and communication; taking stock of the recently launched psychosocial case management and helpline systems; multiplying safe spaces for dialogue and equipping managers to create these; and measures to improve the experience of the recourse, to which the above-mentioned internal "review of existing mechanisms and protocols to ensure safety and security of survivors and witnesses of SEA (and SH)" will contribute. Aside from regular surveys, UNHCR is exploring ways of collecting feedback in a more dynamic manner and will further promote initiatives to seek workforce engagement on best ways to address sexual misconduct (such as the fall 2018 challenge on SH launched on UNHCR's ideas platform, and consultation with survivors of sexual harassment in developing the new Administrative Instruction on Sexual Misconduct).</p>					
Unit or function responsible:	Director's Task Force, DIP, Senior Coordinator					
Top line planned actions	By whom	Comments	Expected completion date	Progress		
				Status	Comments	

8.1	<i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i>					
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<p>RECOMMENDATION 9:</p>	<p>UNHCR to revisit the resourcing of and approach to third-party (partner and vendor) capacity on PSEA.</p> <p>The agency to develop a strategy and tools which emphasize collaboration with partner organisations as advocates and allies in PSEA, over increasing control and accountability. UNHCR to designate a named entity to lead the implementation of the requirements under the UN Protocol on Partners. This may be an existing entity or a new one, for instance UNHCR may wish to consider establishing a Partner Advisory Panel, including partners as members, whose first action should be to prioritise local and international Partners for monitoring and capacity-building on PSEA, based on an assessment of the extent of direct contact with persons of concern. PSEA Focal Points should be encouraged to develop collaborative approaches with other UN agencies for localised training, support and monitoring of those Partners which have the highest contact with persons of concern, and low PSEA capacity. A strategy and tools are also needed to identify and prioritise vendors for capacity-building and compliance-checking on PSEA, based on a similar assessment of the extent of direct contact with persons of concern.</p> <p>Timescale : 1-12 months</p>
<p>Management response:</p>	<p><input type="checkbox"/> Agree <input checked="" type="checkbox"/> Partially agree <input type="checkbox"/> Disagree</p>
<p>Reasons (if partially agree or disagree):</p>	<p>UNHCR recognizes the strong strategic framework and leadership required to implement the provisions under the UN Protocol on Allegations of SEA involving Implementing Partners and, this will be led by the Implementing Partner Management Section, working closely with the Office of the Senior Coordinator. In support to a smooth roll out of the Protocol, UNHCR finalized in February 2019 a checklist to assist offices in understanding and implementing the Protocol. The document delineates obligations of both parties under each stage of UNHCR's Enhanced Framework for Implementing with Partners highlighting implementation as a shared undertaking. UNHCR supports the view that the approach to implementing partners' capacity can only be fully efficient if</p>

		<p>collectively and collaboratively designed in relevant humanitarian fora including the IASC. This is particularly important with regards to joint capacity building as well as screening and reference checking mechanisms. UNHCR is fully engaged in inter agency efforts to build NGO capacity on SEA, both at the global level (through the IASC and the SEA Working Group led by the Office of the Special Coordinator on SEA) and through inter-agency PSEA networks in the field.</p> <p>UNHCR also acknowledges that preventative and risk mitigation measures can be further developed for the external part of the Supply Chain and integrated in the sourcing and project implementation processes, as well as through continued monitoring of vendors, including through on-site visits of suppliers, upstream checks on possible breaches of the UN Supplier Code of Conduct.</p>			
Unit or function responsible:		Director's Task Force, Implementing Partner Management Section, Supply Management Section, Senior Coordinator			
Top line planned actions		By whom	Comments	Expected completion date	Progress
					Status
9.1	<i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i>				Comments

RECOMMENDATION 10:	<p>UNHCR to review the budgets and resourcing of PSEA, including the Ethics Office, Senior Coordinator's team and the Division of International Protection. As a priority the agency should review the resourcing of IGO and LAS to ensure the ongoing prioritisation and efficient expediting of sexual misconduct cases.</p> <p>IGO should continue efforts to enhance its expertise in investigating SEA, including by drawing on external expertise as necessary, to increase capacity and knowledge in SEA investigations. Assigning female investigators to interview female survivors should be the default, subject to immediate availability, and this requirement should be taken into account in resourcing plans. UNHCR should remain engaged in efforts within the UN system to address barriers posed by the evidentiary threshold for establishing sexual misconduct.</p> <p>Timescale : 1-12 months</p>
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Management response:		<input type="checkbox"/> Agree <input checked="" type="checkbox"/> Partially agree <input type="checkbox"/> Disagree			
Reasons (if partially agree or disagree):		<p>In 2018 and 2019 the High-Commissioner approved additional resources, including several professional posts in IGO and LAS, for accelerated action to address sexual misconduct. Subsequently these resources were released in 2018 and in 2019, and mainly directed at reinforcing the investigative, disciplinary and SEA/SH coordination capacity, respectively. Strategic resourcing questions were considered more globally by all integrity stakeholders during UNHCR's internal budgeting exercise for 2020/2021 and will be further addressed as roles, responsibilities and structures are being further clarified.</p> <p>The IGO will continue to carry out SEA investigations in a non-discriminatory and gender and culture sensitive manner that respects the rights of all participants. In line with best practice, this does not necessarily require a female interviewer/interpreter but rather that victims/survivors/witnesses can request an interviewer (and interpreter, where relevant) of the gender of their choice, and every reasonable effort should be made to accommodate this request</p> <p>UNHCR representatives on inter-agency sexual misconduct working groups will continue to raise the issue of the appropriate evidentiary threshold.</p>			
Unit or function responsible:		Senior Leadership, LAS , IGO			
Top line planned actions		By whom	Comments	Expected completion date	Progress
10.1	<i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i>				

RECOMMENDATION 11:	UNHCR to contribute to, encourage and support inter-agency mechanisms and culture to facilitate greater collaboration on PSEA and greater transparency in the exchange of current practices and learning on PSEA across the UN system.
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	<p>The High Commissioner to use the agency's forthcoming term as IASC Champion to encourage mainstreaming of PSEA in all areas of humanitarian response, prioritising the theme of culture change on PSEA at organisational and system-wide levels, and evolving and reporting on shared metrics of progress on PSEA.</p> <p>Timescale : 1-24 months</p>				
Management response:	<input type="checkbox"/> Agree <input checked="" type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>UNHCR's commitment in interagency fora is sustained, and one of the positions recently created within the Office of the Senior Coordinator is to ensure steady involvement in this area of growing demands in the UN and broader humanitarian sector. This includes engagement in several ongoing developments in relation to metrics and standards. UNHCR collaborates closely with the UN Victim's Rights Advocate, and the Office of the Special Coordinator on SEA, including through participation in the SEA Working Group. With regards to the IASC, UNHCR is co-chairing and actively participating as a member in IASC Results Group 2 where the accountability and inclusion work plan (including PSEA) is being jointly developed in the above outlined spirit of collaboration and dissemination of standards/best practices. The High Commissioner's IASC Championship will focus on advocacy to tackle sexual misconduct, including an emphasis on prevention and on equipping IASC members with tools that will facilitate a speak-up culture and attitudinal change.</p>				
Unit or function responsible:	Senior Leadership, Senior Coordinator, DIP				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
11.1	<i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i>				

RECOMMENDATION 12:	UNHCR to continue to proactively discuss PSEA with donors.
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	<p>In the spirit of Grand Bargain commitments, efforts to streamline PSEA reporting requirements with donors should continue. Guidance should be developed on integrating PSEA activities in the UNHCR Global Report and Global Appeal.</p> <p>Timescale : 1-24 months</p>				
Management response:	<input checked="" type="checkbox"/> Agree <input type="checkbox"/> Partially agree <input type="checkbox"/> Disagree				
Reasons (if partially agree or disagree):	<p>UNHCR continues to schedule regular and transparent dialogues with donors at both bilateral and multilateral levels and is contributing, among others, to the work on SEA/SH standards undertaken by the OECD's Development Assistance Committee (DAC) and by the Multilateral Organisation Performance Assessment Network (MOPAN). At member states' request, a specific segment on efforts to prevent and respond to SEA and SH has been included in the 2019 programme of work of UNHCR's Standing Committee. UNHCR agrees to feature PSEA activities in future UNHCR Global Appeal and Global Report publications.</p>				
Unit or function responsible:	Senior Leadership, Division of External Relations				
Top line planned actions	By whom	Comments	Expected completion date	Progress	
				Status	Comments
12.1	<p><i>[This section is N/A if management disagrees with the recommendation. Insert further action lines as appropriate.]</i></p>				