

**Economic and Social Council**

Distr.: General
15 May 2020

Original: English

For decision

United Nations Children's Fund

Executive Board

Second regular session 2020

8–11 September 2020

Item 12 of the provisional agenda*

Update on the implementation of the recommendations made in the independent panel review of the UNICEF response to protection from sexual exploitation and abuse; the Morgan Lewis report on sexual harassment investigations conducted by the UNICEF Office of Internal Audit and Investigations; and the report of the Independent Task Force on Workplace Gender Discrimination, Sexual Harassment, Harassment and Abuse of Authority

Summary

The present report is submitted pursuant to Executive Board decision 2019/17 which “*Takes note with appreciation* of the UNICEF strategy to prevent and respond to sexual exploitation and abuse of beneficiaries and sexual harassment...and requests that UNICEF present an update on the implementation of the strategy at the annual session of 2020”; and decision 2019/25, which “*Requests* UNICEF to implement the recommendations of the report of the Independent Task Force...and further requests UNICEF to provide to the Executive Board regular updates on corresponding progress.” The report provides a progress update on the work of UNICEF to improve its organizational culture, as well as actions taken to implement its strategy to prevent and respond to sexual exploitation and abuse and sexual harassment.

Elements of a decision for consideration by the Executive Board are provided in section VI.

* E/ICEF/2020/17.



I. Overview

1. UNICEF has made significant progress in follow-up actions to implement the recommendations made in the independent panel review of the UNICEF response to protection from sexual exploitation and abuse; the Morgan Lewis report on sexual harassment investigations conducted by the UNICEF Office of Internal Audit and Investigations (from 2013 to 2017); and the report of the Independent Task Force on Workplace Gender-Discrimination, Sexual Harassment, Harassment and Abuse of Authority. However, further efforts are needed to accelerate progress and to institutionalize the changes across offices, systems and processes.

2. With respect to progress in strengthening the organizational culture, several initiatives stand out. The Humans of UNICEF staff-initiated appreciation programme has been an unprecedented success for staff engagement; almost 1,000 staff were nominated by their peers in the programme's first four weeks. The introduction of a values-based competency framework for all staff will help to clarify, recognize, encourage and assess the expected standards of behaviour for all staff. Trust in the investigation process continues to grow, with a 120 per cent increase in the number of all new reports made to the Office of Internal Audit and Investigations (OIAI) in 2019 compared to 2018. Staff have access to more information than in the past, in more accessible and easy-to-understand formats, on reporting, investigation, behavioural standards, ethics and human resources. Staff have access to additional mediators in the Office of the Ombudsman for United Nations Funds and Programmes to help them to resolve interpersonal conflicts. Organizational culture is being embedded into UNICEF tools and systems (such as the UNICEF Strategic Plan, 2018–2021 and office scorecards) and initiatives (such as management training and the new innovation strategy).

3. UNICEF has made significant progress since releasing its strategy to prevent and respond to sexual exploitation and abuse and sexual harassment in January 2019. Most notably, in 2019, UNICEF developed a comprehensive procedure, with a related tool kit, for managing the risks of sexual exploitation and abuse in implementing partnerships. The procedure was issued in February 2020. An investment of \$21.6 million in regular resources resulted in increased capacity to prevent and respond to sexual exploitation and abuse among offices in 32 countries facing humanitarian emergencies. At the inter-agency level, a few initiatives stand out: the implementation of the Inter-Agency Standing Committee (IASC) plan for accelerating protection from sexual exploitation and abuse (PSEA) in humanitarian response at country-level in 34 countries facing humanitarian crises; the appointment of dedicated coordinators for protection from sexual exploitation and abuse in 29 of those countries; the endorsement of the new United Nations protocol on the provision of assistance to victims of sexual exploitation and abuse; and the development of common inter-agency tools for assessing implementing partners' capacity to prevent and respond to sexual exploitation and abuse. The examples listed below include several other initiatives, such as stronger and more accessible reporting mechanisms for sexual exploitation and abuse and embedding sexual exploitation and abuse in internal accountability systems. UNICEF also encouraged reporting on sexual harassment, for example by eliminating deadlines for reporting misconduct and introducing interim measures to protect both complainants and victims. Policy revisions effective March 2020 will also ensure full alignment with the United Nations System Model Policy on Sexual Harassment, including by placing clear responsibilities on all staff and managers to prevent prohibited conduct, and by providing victims with support options and ensuring they are kept informed of the status of their complaints.

4. There have been several challenges to date. There is a need to balance individual and systemic actions (e.g., identify and change interpersonal behaviours to more

closely align with the core values, while also creating systemic incentives to support those changes). More intensive communication, knowledge-sharing and engagement with staff at all levels is needed to ensure they understand and can contribute to the changes. Additional resources to sustain – and, in some cases, accelerate – progress are needed, especially since most of the work has been funded by regular resources, which continue to decline relative to earmarked resources.

5. Going forward, UNICEF will focus on improved monitoring of its efforts in organizational culture and protection from sexual exploitation and abuse and sexual harassment; on more systematically consolidating and scaling up good practices; and on greater outreach and engagement with staff. Collaboration and sharing with the broader United Nations community and other partners remains a key strategy.

II. Introduction

6. In its decision 2019/17, the Executive Board took note with appreciation the UNICEF strategy to prevent and respond to sexual exploitation and abuse and sexual harassment and requested the UNICEF management to present an update on the implementation of the strategy at the 2020 annual session.

7. In its decision 2019/25, the Board requested the UNICEF management to implement the recommendations of the report of the Independent Task Force, and further requested regular updates on corresponding progress.

8. This document is being presented to the Board in fulfilment of those requests. It contains a detailed update on the progress made since the 2019 annual session in countering sexual exploitation and abuse and sexual harassment, and on improving the organizational culture, further building on the update presented at the first regular session of 2020.

9. Having already implemented and reported on the recommendations made in the Morgan Lewis report on sexual harassment investigations conducted by OIAI, this document does not provide any further updates. Ongoing work related to strengthening the investigative function, specifically in relation to sexual misconduct, will be included in the UNICEF Office of Internal Audit and Investigations 2019 annual report to the Executive Board.

10. Although the UNICEF work on sexual exploitation and abuse and sexual harassment is closely linked to efforts to improve the organizational culture, this update separates both workstreams. Linkages between the two are highlighted throughout the document.

11. The work of UNICEF to prevent and respond to sexual exploitation and abuse and sexual harassment, and to improve its organizational culture, does not come at the expense of its mandate for children, but in service to it. UNICEF is committed to realize the rights of the children and communities it serves to have access to the protection and assistance to which they are entitled, without the fear of, or the actual occurrence of, sexual exploitation and abuse, and to ensure that all UNICEF staff can work in a respectful and empowering environment free of sexual harassment and other forms of workplace abuse.

III. Organizational culture

12. To ensure coherence in its follow-up actions to the recommendations of the independent panel review and report of the Independent Task Force, UNICEF has grouped these actions into three pillars: (1) Living our core values and behaviours and embedding them in all facets of our work; (2) Redefining people management to

promote our core values; and (3) Maintaining appropriate incentives and accountabilities to promote our core values as well as deter inappropriate behaviours.

A. Pillar 1: Living our core values and behaviours and embedding them in all facets of our work

13. Since the release of the report of the Independent Task Force in June 2019, many UNICEF offices have developed follow-up action plans or established culture committees to improve their workplace environments. For example, in several offices, country and zonal office staff are engaging in small group discussions to better understand workplace issues affecting staff and to identify needed actions.

14. UNICEF offices have implemented good practices to help to implement the core values (care, respect, integrity, trust and accountability). A common practice has been the development of a set of localized ‘do’s and don’ts’ – based on the core values – using a participatory model that involves all staff. These lists can be used as a common standard across the office to clarify the understanding of acceptable/unacceptable behaviours. Many offices have also established informal ways to recognize and appreciate staff who demonstrate the core values among their colleagues. These good practices are being compiled and shared by headquarters to help offices to learn from and inspire each other.

15. Staff have been actively engaged throughout the culture transformation process. The Global Staff Association has been a key partner from inception and is constructively engaged in key initiatives such as Young UNICEF and Humans of UNICEF, as well as in staff communications and engagement.

16. In July 2019, the Young UNICEF group was set up to create a space to involve staff under 35 years old, of all contract categories, in driving the UNICEF culture. Globally, there were approximately 500 members in the first quarter of 2020. Young UNICEF works closely with the Young UN: Agents for Change network. As part of an overall expansion of the Global Management Team (GMT) to include more diverse voices, as of the February 2020 meeting of the GMT, Young UNICEF completed a competitive selection of eight representatives globally to serve as members of the GMT. The group is engaging in initiatives around talent management, knowledge-sharing and peer support, and is also establishing a Young Management Team to better inform the work of the GMT. Several offices have established local Young UNICEF groups, such as the Supply Division, where members periodically meet with divisional management to share their concerns and ideas.

17. In January 2020, UNICEF initiated the recertification process for EDGE (Economic Dividends for Gender Equality). A key element of the follow-up certification actions since 2018 was the increased promotion of flexible work arrangements, which increased for all staff from 7 per cent in the first quarter of 2019 to 29 per cent at the end of 2019. Women represented 66 per cent of all users of the flexible work arrangements. These arrangements are a concrete way through which UNICEF can support its staff to have a better work-life balance and they rely on staff and managers practicing the core values, i.e. demonstrating trust, integrity and accountability to each other.

18. UNICEF has achieved gender parity (50 per cent male/50 per cent female) in the international professional category of staff, as well as in the senior staff cohort (51 per cent female/49 per cent male). However, there are variations by level of staff (e.g., there are only 42 per cent female staff at the P-5 level; additional measures are being put in place to address the issue), and by region (only 42 per cent of the staff in the West and Central Africa region are female). Among national staff, 47 per cent are female, with regional differences.

19. In October 2019, the third annual Ethics Month focused on the core value of integrity. Around 2,300 staff from 59 offices participated in extensive outreach and awareness-raising activities on issues related to integrity, including through webinars, intranet outreach and office dialogues.

20. Efforts to reaffirm the centrality of the core values and the ethics agenda have also directly contributed to furthering the organization's zero-tolerance culture for sexual misconduct. Through integrated communications to staff, prevention of sexual exploitation and abuse and sexual harassment has been integrated into the overall culture change effort.

21. In terms of the next steps, UNICEF is integrating organizational culture and the core values into key systems: office scorecards, performance appraisal reports of heads of offices, and, through the mid-term review, as a proposed fifth enabler, accompanied by monitoring indicators, in the UNICEF Strategic Plan, 2018–2021. By embedding organizational culture into these systems for monitoring, performance assessment and strategic planning, UNICEF will be better able to ensure that it becomes a routine part of how the organization works.

22. Another key priority is to engage with all staff, and, in partnership with the staff associations, to develop a shared vision of the organizational culture, based on the core values and the Standards of Conduct for the International Civil Service. As offices implement concrete actions to improve their workplace culture, a growing area of work will be systematically documenting and sharing these experiences (both positive and negative) to inform organizational learning. Similarly, UNICEF will continue to accelerate collaboration across the United Nations system on organizational culture, especially with respect to common assessment approaches and staff-appreciation initiatives.

B. Pillar 2: Redefine people management to promote our core values

23. A major step towards a more values-based organizational culture was made with the roll-out of a new competency framework. The framework highlights people skills, including self-awareness and ethical awareness, while retaining a focus on the delivery of results.

24. UNICEF continues to invest in building the skills of different levels of staff. An estimated 30 per cent of managers have already been trained through the Management MasterClass programme, with the intention being to scale up the programme in 2020. Staff participating in the programme undergo 360-degree assessments, with over 450 staff benefiting from these assessments and coaching in 2019. The GMT participated in a customized Management MasterClass in February 2020 and will complete management refresher training in September 2020 as a demonstration of its concrete commitment to lead by example. UNICEF will explore with other United Nations entities the possibility of joint training on management skills, where feasible.

25. For national staff learning and career development, UNICEF launched the Striving Towards Excellence Programme (STEP) in early 2020. A programme component will help to develop managerial, technical and soft skills among national staff who wish to remain in their countries of origin (IMPACT+); another component (REACH) will help to prepare interested national staff for international careers.

26. Matrix management has been introduced for the 2020 performance period for several functions, including human resources, supply, security and evaluation. This is intended to enhance collaboration, reinforce accountability, break silos between teams and offices and empower staff.

27. The Humans of UNICEF peer-to-peer staff appreciation programme was launched in February 2020 with unprecedented staff engagement and uptake. Almost 1,000 staff participated in the programme's first month, expressing mutual appreciation for demonstrating the core values in their daily work. Each month, the intranet features a few Humans of UNICEF, with personal stories, videos and photographs used to inspire continued appreciation of staff who demonstrate the core values in their behaviours. Staff have found the programme motivating and inspiring. As expressed by one nominated "Human of UNICEF" from the Somalia Country Office, "Thank you the Human of UNICEF team...for your valuable recognition and encouragement. This will give me further strength to live up [to] and demonstrate UNICEF values for many more days, months and years to come."

28. In July 2019, a working group was established to look at workplace issues specifically related to individual contractors engaged by UNICEF. The organization plans to start addressing the group's recommendations in the second quarter of 2020, for example by providing individual contractors with more clarity about their contract terms and conditions during the hiring phase. Other recommendations, such as establishing transparent pay scales for individual contractors across all duty stations, will require additional time to implement. The working group actively looked to other United Nations entities to learn from their approaches to managing consultants and individual contractors.

C. Pillar 3: Maintaining appropriate incentives and accountabilities to promote our core values as well as deter inappropriate behaviours

29. Many workplace issues at UNICEF stem from poor, insufficient or delayed communication between the staff involved, or inadequate managerial action to address disagreements among staff. UNICEF is investing in prevention of misconduct, for example, by strengthening managers' skills to oversee their teams, as detailed above in pillars 1 and 2, while also dedicating resources to earlier informal interventions, primarily through additional mediation services. Around 40 additional mediators in 28 countries are now available to UNICEF staff through the Office of the Ombudsman for United Nations Funds and Programmes. Several tools have been developed by that office to facilitate its work: a mediation guide, a mediators' code of conduct, an agreement to mediate and an evaluation form. Global presentations of the expanded mediation capacity are helping to ensure that all staff are aware of these services. After the additional services were announced to all staff in October 2019, the Office of the Ombudsman saw a peak in its caseload, with 50 cases in the last quarter of the year.

30. Recognizing that many staff are still unclear on where and how to report potential misconduct or inappropriate behaviours, UNICEF has made a concerted effort to provide more information on the spectrum of behaviours that may be considered unacceptable and the response mechanisms available to staff, including with regard to sexual misconduct. This has included providing frequently asked questions across the intranet, instructional videos, interactive dialogues via global webinars and direct communications in forums such as regional meetings and country visits.

31. Eight new investigators have been added to OIAI and the office has decentralized its services, moving an investigative unit to the UNICEF office in Budapest. Investigators have received specific training on handling sexual misconduct investigations. Joint investigation services with other United Nations entities are being explored, where possible and relevant.

32. Trust is growing among UNICEF staff in the investigation process. There was a 120 per cent increase in new allegations received by OIAI in 2019 compared to 2018, and, as of the drafting of this report, the number of new cases reported in 2020 had significantly increased compared to the same period in 2019. At the same time, OIAI is closing cases at a faster rate, with a 209 per cent increase in the rate of closure in 2019 compared to 2018. Sexual misconduct investigations have, on average, taken 99 days to complete. In 2019, the Office instituted a target of 90 days for all investigations into sexual misconduct. In 2019, OIAI received 364 new allegations; the largest category of these allegations was harassment and abuse of authority, with 58 allegations (16 per cent of the total), followed by inappropriate staff conduct, with 47 allegations (13 per cent).

33. UNICEF also shares with all staff statistics on disciplinary cases, which include the types of misconduct and the sanctions imposed. This increases the visibility as well as the deterrent effect of the disciplinary process.

34. In 2019, the Deputy Executive Director, Management, a.i., after completion of the disciplinary process, issued 32 disciplinary sanctions for staff misconduct, including dismissal/separation from service (19), demotion (1), loss of steps (5) and written censure (7), as well as other categories of misconduct. The OIAI annual report for 2019 includes details on investigations and disciplinary sanctions issued in 2019.

35. Effective March 2020, UNICEF substantially revised its policies governing investigations and the disciplinary process, and on the prohibition of all forms of prohibited conduct (discrimination, harassment, sexual harassment and abuse of authority) in line with the best practices of other United Nations entities. The UNICEF policy on the disciplinary process and measures now provides for a clearer and more streamlined process, from making a report of possible misconduct through to the imposition of a disciplinary sanction. This includes clear guidelines on the rights and obligations of staff members who are interviewed by OIAI as subjects or witnesses. The policy on the prohibition of discrimination, harassment, sexual harassment and abuse of authority fully implements the United Nations System Model Policy on Sexual Harassment developed by the United Nations System Chief Executives Board for Coordination for use by all United Nations system entities. The revised UNICEF prohibited conduct policy also contains the prevention and support mechanisms envisaged in the model policy and extends them to all types of prohibited conduct. Key provisions of the model policy relating to early intervention and receipt and handling of informal/formal complaints of sexual harassment have been fully implemented. The policy also contains clear obligations for UNICEF in general, and for responsible managers and staff in particular, in preventing and addressing all types of prohibited conduct.

36. As one of the institutional follow-up actions to which UNICEF committed after issuance of the report of the Independent Task Force, the administrative law function was moved from the Division of Human Resources to the Office of the Executive Director, as a separate unit reporting directly to the Deputy Executive Director, Management. This will help to ensure that the unit operates with greater autonomy and impartiality. The unit's functions include reviewing requests by staff members for management evaluation of administrative decisions affecting the terms and conditions of their employment and preparing a recommendation for a decision by the Deputy Executive Director, Management; reviewing investigation reports prepared by OIAI and making recommendations to the Deputy Executive Director, Management, on disciplinary measures; dealing with related matters, such as placement of staff on administrative leave pending an investigation and/or disciplinary process; and handling all appeals related to UNICEF before the United Nations Dispute Tribunal.

37. An advisory panel to the Deputy Executive Director, Management, on disciplinary measures, has been established. The panel consists of two external experts who will review all cases related to prohibited conduct and provide their views on the appropriate disciplinary measures to be taken. While the recommendations made by the panel are not binding, they will help to ensure that the UNICEF responses to prohibited conduct are fair, proportionate and consistent with its responses in other cases. Together, these structural measures are intended to provide greater objectivity and rigour to the sanctions process for staff who have committed misconduct.

D. Working with other United Nations agencies on organizational culture

38. Since early 2019, UNICEF has consulted with other United Nations entities on organizational culture in order to promote mutual learning. In October 2019, UNICEF shared its experiences in building a more values-based workplace culture with the Executive Committee of the Office of the United Nations High Commissioner for Refugees (UNHCR). UNICEF has used existing United Nations networks and platforms, such as the Human Resources Network and the Young UN: Agents for Change network, to share its experiences more widely.

39. Together with UNHCR and the United Nations Department of Operational Support, UNICEF co-leads sub-stream 2 on new ways of working of the High-Level Committee on Management's Task Force on the Future of Work. The task force's objective is to "propose elements to foster an enabling culture and positive employee experience from multiple perspectives, including leadership, people management, flexible work arrangements, transparency and dialogue". The task force will make its final recommendations in the fall of 2020.

IV. Update on the progress of implementing the UNICEF strategy to prevent and respond to sexual exploitation and abuse and sexual harassment

40. In January 2019, UNICEF released the strategy to prevent and respond to sexual exploitation and abuse and sexual harassment, which builds on and is aligned with the recommendations of the independent panel review on the UNICEF response to protection from sexual exploitation and abuse and the Morgan Lewis report on sexual harassment investigations conducted by OIAI. The strategy is also closely aligned with the recommendations included in the report of the Independent Task Force on Workplace Gender-Discrimination, Sexual Harassment, Harassment and Abuse of Authority that was released later in 2019, particularly those related to organizational culture and accountability (as described in section I of this document).

41. The UNICEF strategy to prevent and respond to sexual exploitation and abuse and sexual harassment articulates the organization's vision of an aid environment in which those persons the organization serves and works with are free from all forms of sexual misconduct; in which victims of sexual exploitation and abuse or sexual harassment are provided with the assistance needed based on their will and needs; and in which those who perpetrate such acts are held to account and, where applicable, are not permitted to work with UNICEF or within the United Nations system again.

42. Throughout 2019 the strategy was promoted through global, regional and country-level webinars involving technical and managerial staff, and at meetings and events such as regional management team meetings, meetings of regional and country focal points for protection from sexual exploitation and abuse, regional staff association events, and dedicated sessions for country representatives working in

humanitarian, conflict and high-threats environments where the risks of sexual exploitation and abuse are typically the highest.

43. The strategy has five areas of focus: (1) an organizational culture of zero tolerance built through accountability, prevention and gender equality; (2) reporting mechanisms that are safe and trusted; (3) investigations and sanctions that are swift and credible; (4) a quality response that is survivor-centred; and (5) engaging partners in the fight against sexual exploitation and abuse and sexual harassment.

A. An organizational culture of zero tolerance built through accountability, prevention and gender equality

44. Ongoing efforts to improve the UNICEF organizational culture and to reaffirm the centrality of its core values in everything it does are directly relevant to advancing the culture of zero tolerance for all forms of sexual misconduct.

45. Proper vetting and adequate training of all UNICEF personnel are key to preventing sexual exploitation and abuse and sexual harassment. As of 12 February 2020, 96 per cent (14,652) of UNICEF staff had completed the mandatory online training on prevention of sexual exploitation and abuse (currently available in Arabic, English, French and Spanish); and 94 per cent (14,409) the mandatory online training on prevention of sexual harassment and abuse of authority (available in the six official United Nations languages). UNICEF plans to adapt the innovative and interactive learning package on prevention of sexual exploitation and abuse developed by the International Organization for Migration for use by UNICEF personnel. The package will be made available to regional and country focal points for regular staff training and awareness-raising sessions. The annual system-wide survey managed by the Office of the Special Coordinator on improving the United Nations response to sexual exploitation and abuse will allow UNICEF to measure increased levels of awareness and understanding of these issues among staff.

46. In August 2019, UNICEF issued the Child Safeguarding Personnel Standards that, among other things, prohibit sexual activity with children (i.e., any person under the age of 18), with no exception and regardless of the age of consent in a country, further reinforcing the prohibition included in the Secretary-General's bulletin on Special measures for protection from sexual exploitation and sexual abuse. The standards also prohibit UNICEF personnel from marrying or forming a similar union with a child.

47. As noted above, UNICEF has substantially updated its policies related to disciplinary matters and prohibited conduct. The definition of sexual harassment now follows the uniform definition as agreed in the United Nations System Model Policy on Sexual Harassment of the United Nations System Chief Executives Board for Coordination. The UNICEF policy related to disciplinary matters explicitly requires that victims of sexual exploitation and abuse and sexual harassment be notified of the progress of their case if they have filed a formal report. This means they will be notified by OIAI if an investigation report is transmitted for review by the Deputy Executive Director, Management, who will in turn notify victims upon the conclusion of their case.

48. In February 2020, UNICEF released a comprehensive procedure for managing the risks of sexual exploitation and abuse in implementing partnerships, which was accompanied by a tool kit. The procedure details the prevention of sexual exploitation and abuse requirements for partners seeking cooperative arrangements with UNICEF, as required by the United Nations protocol on allegations of sexual exploitation and abuse involving implementing partners. The UNICEF procedure applies to all offices and all partnerships with civil society organizations, regardless of their financial

value. An assessment of all partners is required; it rates their capacity (policies, procedures and systems) to prevent and respond to any credible allegation of sexual exploitation and abuse and is valid for five years. Partners deemed “high-risk” due to insufficient organizational capacity to prevent and respond to sexual exploitation and abuse are requested to develop and implement an action plan to address the identified gaps within 12 months, after which the risk rating is reassessed. Additional risk-mitigation measures may be implemented in response to the context, nature of interventions, or other factors. Alongside the procedure, to support partners to improve their organizational capacity, UNICEF has released a tool kit on protection from sexual exploitation and abuse. The tool kit includes practical tools and templates, such as a template for an action plan to be developed by partners and a template for developing a protection from sexual exploitation and abuse policy. The tool kit was field tested with non-governmental organization (NGO) partners in Uganda as part of its finalization. Both the procedure and the tool kit were developed in close consultation with international and national NGO partners and IASC members.

49. The roll out of the procedure was a priority in the first and second quarters of 2020. A series of training initiatives (both UNICEF-specific and inter-agency) and webinars were held to socialize the procedure among all regions.

50. The number of UNICEF country offices that have scaled up their systems for protection from sexual exploitation and abuse has increased by 135 per cent since 2018 (from 23 to 54). This scale-up includes training staff and partners and rolling out reporting and response procedures across UNICEF operations.

51. UNICEF has designated sexual exploitation and abuse and child safeguarding as two distinct enterprise risks under the risk area misconduct, wrongful and negligent behaviour towards others. In alignment with the UNICEF enterprise risk management strategy, starting in 2020, all offices were required to systematically assess, manage and report to senior management on the risks of sexual exploitation and abuse and child safeguarding arising from their work, and on the measures taken to mitigate them in the enterprise governance, risk and compliance system. The reported data will enable thorough risk analysis and the development of action plans to better manage the identified risks.

52. To strengthen management accountability for protection from sexual exploitation and abuse, one of the key recommendations of the 2018 independent panel review, and in compliance with the requirements of the Secretary-General’s annual report on special measures for protection from sexual exploitation and abuse, UNICEF develops an annual management action plan. Implementation of the action plan is monitored by a cross-divisional task force. UNICEF also submits a management letter to the Secretary-General annually, certifying actions taken at the global level to prevent and respond to sexual exploitation and abuse. In 2019, UNICEF appointed focal points in all 32 priority countries, later introducing standard terms of reference that clarify accountabilities at the country level. UNICEF is also working towards the further integration of the protection of sexual exploitation and abuse and child safeguarding workstreams, which will enhance the efficiency and effectiveness of the organization’s safeguarding work.

53. UNICEF continues to strengthen its recruitment processes to ensure more consistency of rigour and quality. UNICEF utilizes the United Nations Clear Check database to prevent the rehiring of individuals with established allegations of sexual exploitation and abuse and sexual harassment, or those who left prior to the conclusion of an investigation. UNICEF submitted seven entries to the platform in 2019 and the first quarter of 2020. UNICEF also introduced specific questions on previous misconduct as part of its mandatory reference checks. Lastly, UNICEF is

identifying “elevated risk roles” for personnel (i.e., roles involving significant contact with children or their data, or involvement in a child safeguarding response). New recruitment guidance calls for additional rigour in vetting candidates for these roles, based on candidates’ skills, attitudes and experiences relating to organizational culture and safeguarding. This includes, for example, the use of specific safeguarding interview questions during recruitment and additional reference check questions.

54. Protection from sexual exploitation and abuse is being integrated into key systems, where relevant, to ensure long-term sustainability of this work. Examples of these systems include office scorecards, performance appraisals of senior managers and focal points for protection from sexual exploitation and abuse, and relevant corporate training programmes, such as results-based management and programme planning training packages. Safeguarding is also being proposed as an additional enabler in the UNICEF Strategic Plan, 2018–2021, through the midterm review process. Safeguarding is understood as prevention and detection of, and response to, avoidable harm to the people UNICEF serves caused by its personnel, or the personnel of implementing partners, programmes and operations. Thus, the term includes both the prevention of sexual exploitation and abuse and child safeguarding. Having robust safeguarding systems in place would not only directly contribute to the five Goal Areas of the Strategic Plan, but would also assist in the change strategies of winning public support for the cause of children and leveraging resources and partnerships. Robust systems will also enhance internal governance and risk management, thus strengthening overall organizational performance.

B. Reporting mechanisms that are safe and trusted

55. As part of the commitments made during the Executive Director’s leadership as IASC Champion on protection from sexual exploitation and abuse, and sexual harassment, UNICEF invested significantly in field-level reporting mechanisms. In 2019, 8.9 million children and adults had access to a UNICEF-supported channel for reporting allegations of sexual exploitation and abuse, a 27 per cent increase from 2018 and a 43 per cent increase from 2017. In the Central African Republic, UNICEF supported community-based complaint channels in 17 of 28 planned localities, reaching more than 100,000 children, 18,000 adults and 1,500 community leaders with safe and accessible reporting channels. In 90 per cent of all cases of sexual exploitation and abuse, assistance was provided to child survivors within 48 hours of receiving reports. In Ethiopia, UNICEF supported the Protection from Sexual Exploitation and Abuse Network (PSEA Network) to develop a costed action plan and to establish community-based complaint mechanisms and coordination on the issue in three regions hosting the highest number of internally displaced persons. As a contribution to the PSEA Network in Jordan, UNICEF developed guidelines and forms for safe referrals, and is piloting the use of U-Report to expand the reach of reporting channels for affected children and their communities. More than 90 per cent of UNICEF partners (Government and NGOs) have drafted workplans, codes of conduct and policies, which was followed by increased reporting of sexual exploitation and abuse in Jordan.

56. Since 2017, UNICEF has reported 82 allegations of sexual exploitation and abuse. The number of allegations has increased from 8 in 2017, 18 in 2018, and 50 in 2019 to 6 in 2020 (as at 1 March 2020). This includes allegations involving UNICEF personnel and personnel of implementing partners. In 2019, 8 out of the 50 allegations involved UNICEF personnel (4 national staff, 2 international staff, 1 international consultant and 1 perpetrator who could not be classified) and 42 allegations (or 84 per cent) involved implementing partner personnel. Like other United Nations entities, UNICEF reports allegations in real time using the online United Nations

system-wide tracker maintained by the Office of the Special Coordinator on improving the United Nations response to sexual exploitation and abuse.

57. The 82 allegations of sexual exploitation and abuse since 2017 involve 107 victims, of whom at least 64 were children (the age of some victims is unknown). In 2019, South Sudan had the highest number of reported allegations (17), followed by Jordan (8), and Bangladesh and the Central African Republic (4 each). Although it is hard to distinguish patterns, alleged perpetrators typically included schoolteachers implementing UNICEF-supported projects, community volunteers or refugee camp facilitators. In 2019, 19 allegations were reported in the third quarter of the year, compared to 14 in the second, 8 in the first and 9 in the fourth. The incident date is unknown for 29 allegations; only 7 allegations concerned incidents that reportedly occurred in 2019. UNICEF interprets the increase in the number of allegations as a sign of greater access to and improved confidence in its reporting, investigations and disciplinary mechanisms.

58. In 2019, the United Nations system shifted from quarterly to real-time reporting of allegations of sexual exploitation and abuse, using a common online database that allows tracking of individual reports. UNICEF is fully committed to promptly making available to the United Nations Special Coordinator any new information on cases, to facilitate update of their website. The system is still relatively new, and UNICEF is cooperating with the Office of the Special Coordinator to address any identified weaknesses in the system.

59. In 2019, sexual harassment cases accounted for 10 per cent of all OIAI intake cases, or 36 out of a total of 364 cases, versus 29 cases in 2018.

C. Investigations and sanctions that are swift and credible

60. Out of the 50 allegations of sexual exploitation and abuse reported in 2019, as of 7 April 2020, 45 had been closed. Out of the 45 cases closed, in 13 cases perpetrators were dismissed after investigations substantiated the allegations; 6 allegations were unsubstantiated; and in the remaining cases, the allegation was closed because of other reasons, such as insufficient information, or no collaboration from victims.

61. When an allegation of sexual exploitation and abuse involves personnel from a UNICEF implementing partner, the partner bears the primary responsibility to investigate the matter, in accordance with the provisions of the programme cooperation agreement between UNICEF and the implementing partner. Nonetheless, UNICEF reserves the right to investigate the allegation if this is deemed necessary. The provisions of the programme cooperation agreement are aligned with the United Nations protocol on allegations of sexual exploitation and abuse involving implementing partners.

62. Strengthening the victim-centred approach in investigations requires application of the “do no harm” principle, with appropriate handling of victims in relation to: (a) appropriate consideration of consent on the use of personally identifiable information; (b) avoiding multiple interviews that may retraumatize victims; (c) providing adequate information on support mechanisms, and providing adequate communication on the investigation process and periodic communication on its progression; and (d) ensuring confidentiality to avoid stigma. To strengthen their child forensic interviewing skills, UNICEF investigators have attended training organized by the National Children’s Advocacy Center.

63. Following the recommendations of an external review, OIAI introduced credibility assessments, which are a means of weighing testimonial evidence and are

of critical importance in sexual misconduct investigations. In sexual misconduct cases, the alleged conduct typically takes place in private, without direct evidence. Such cases therefore centre around credibility, in terms of consistency, coherence and probability in the circumstances and testimonies. Furthermore, UNICEF prioritizes sexual exploitation and abuse and sexual harassment investigations over all other matters. The Independent Audit Advisory Committee of the United Nations cited UNICEF as being at the forefront in terms of the timely completion of these cases.

64. In 2019, the UNICEF Division of Human Resources received 20 cases of sexual harassment and 2 cases of sexual exploitation and abuse for a disciplinary process.

D. A quality, survivor-centred response

65. As part of its \$21.6 million investment in capacity for protection from sexual exploitation and abuse in 32 countries experiencing humanitarian emergencies in 2018 and 2019, UNICEF has strengthened quality assistance for survivors as part of the broader inter-agency effort. The UNICEF child protection and gender-based violence in emergencies programmes provide essential, survivor-centred responses to sexual exploitation and abuse. In 2018, UNICEF programmes reached over 3.6 million children and caregivers with mental health and psychosocial support, and 1.3 million children and women – including survivors of sexual exploitation and abuse – with gender-based violence prevention and response services. In 2019, UNICEF revised the Core Commitments for Children in Humanitarian Action to include expanded commitments on protection from sexual exploitation and abuse, and issued to all country offices an operational guide on gender-based violence in emergencies that will help to strengthen the quality of services and access to them. The Executive Director committed to increased inclusion of gender-based violence in emergencies in UNICEF Humanitarian Action for Children appeals, which also provide essential services for survivors of sexual exploitation and abuse. As a result, 70 per cent of country offices included gender-based violence in emergencies in their appeals, a significant increase from 30 per cent in 2018. Increasing investments in child protection and gender-based violence in emergencies services is a priority for 2020.

66. Around half of all victims in reported cases of sexual exploitation and abuse in 2019 received victim assistance, provided either by UNICEF or a partner. This support typically includes counselling, psychosocial support, medical assistance, other material support and, in some cases, legal aid. In the remainder of cases, the victim did not seek assistance, was not identified or was unreachable. UNICEF continues to work with partners to ensure that all victims receive safe and timely assistance.

67. UNICEF staff who have experienced sexual misconduct have access to in-house psychosocial, medical and human resource support. The organization does not have a dedicated duty of care focal point, or specific standard operating procedures for such cases, but is working on these issues. UNICEF offers legal support with respect to reporting sexual misconduct to local authorities, whether in the location where the act was committed, the staff member's national jurisdiction, or the perpetrator's jurisdiction. It should be noted, however, that a case-by-case approach is often required; each case has its own complexities and the needs of the affected staff are multidimensional and thus require a tailored approach and response.

68. UNICEF has strengthened its internal human resource policies, including by eliminating all deadlines for submitting reports about sexual misconduct; permitting anonymous reporting; and introducing interim measures to protect complainants and victims. As mentioned previously, further enhancements to these policies were introduced in March 2020.

E. Engaging partners in the fight against sexual exploitation and abuse and sexual harassment

69. Protection from sexual exploitation and abuse is a shared responsibility of the development and humanitarian community. Enhanced due diligence work with implementing partners, as previously highlighted, is grounded in that recognition. UNICEF welcomes ongoing efforts within the United Nations system and in the various IASC forums that have been established, to better coordinate work on protection from sexual exploitation and abuse and to collectively address challenges.

70. From 2018 to 2019, while serving as the IASC Champion on protection from sexual exploitation and abuse and sexual harassment, the UNICEF Executive Director focused on accelerating collective action in countries facing humanitarian crisis around three priorities: (1) safe and accessible reporting mechanisms; (2) quality assistance for survivors of sexual exploitation and abuse; and (3) the ability to offer survivors prompt, confidential and respectful investigations. The emphasis on country-level implementation of the work on protection from sexual exploitation and abuse has led to greater inter-agency cooperation and coherence, which is essential for a stronger and more sustainable system-wide response to allegations. A system-wide mapping of resources was conducted in 34 priority countries to identify capacity and resource gaps while setting a baseline for benchmarking progress over time. The mapping found that there has been progress in establishing inter-agency coordination on protection from sexual exploitation and abuse, but gaps remain in implementing the three priorities. By the end of the Executive Director's tenure as IASC Champion in September 2019, over 50 per cent of in-country coordination structures for protection from sexual exploitation and abuse had integrated gender-based violence referral pathways in their work, which is essential for ensuring timely assistance to survivors of sexual exploitation and abuse. In addition, 29 countries had put in place dedicated coordinators for protection from sexual exploitation and abuse to accelerate action. UNICEF is supporting inter-agency coordinators in eight countries and continues to advance inter-agency work through the IASC results group 2 on accountability and inclusion. This includes continuous tracking and addressing gaps in access to safe and accessible channels for community-based reporting of sexual exploitation and abuse and to scale up the capacity of networks to deliver results.

71. A collaborative effort across the United Nations system, including substantial contributions by UNICEF during the drafting process, resulted in a new protocol on the provision of assistance to victims of sexual exploitation and abuse. The protocol was endorsed by the High-Level Steering Group on the system-wide response to sexual exploitation and abuse in December 2019 and released in February 2020. The protocol outlines a holistic approach to victim assistance, which includes medical assistance, psychosocial support, basic material assistance and referral for legal aid, as appropriate. In 2020, UNICEF will be working with counterparts to develop a practical guide to support the implementation of the protocol. UNICEF is actively working with other United Nations entities to integrate training on the protocol within broader inter-agency training on protection from sexual exploitation and abuse.

72. UNICEF supported the revision of the IASC six core principles relating to sexual exploitation and abuse. Previously, the principles *strongly discouraged* sexual relationships between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection. The revised principles (September 2019) *prohibit* any such sexual relationship when it involves the improper use of rank or position.

73. With support from a \$21.6 million investment in 2018 and 2019, UNICEF strengthened inter-agency collaboration in the field. For example, UNICEF

reactivated and supported the PSEA Network with the United Nations Humanitarian Coordinator for Yemen. In the Democratic Republic of the Congo, UNICEF supported the development of a national action plan on prevention of sexual exploitation and abuse, and established a subnational PSEA Network in one region, training clusters and partners on community-based reporting. Capacity development of inter-agency PSEA Network members and partners, as well as targeted work to support survivors of sexual exploitation and abuse and strengthen community-based responses, has also been scaled up in the Central African Republic, Iraq, Somalia and the Syrian Arab Republic.

74. In October 2019, an inter-agency training session was co-organized by UNICEF, the United Nations Population Fund, the United Nations Development Programme and the United Nations Office for Project Services, and attended by 55 focal points for protection from sexual exploitation and abuse from 37 high-risk countries. The sessions provided technical training and interactive discussion on the roles and responsibilities of the focal points within their organizations and within inter-agency collaboration. In particular, the participants were offered guidance and shared best practices on safe and accessible reporting mechanisms, assistance to survivors, linkages with investigations, the establishment of inter-agency networks and collaboration with implementing partners. An inter-agency approach to capacity-building is critical to advance system-wide work at country level and promote cross-agency learning.

75. UNICEF also worked with other United Nations entities participating in the United Nations working group on sexual exploitation and abuse to accept the findings from each other's PSEA Assessments, provided they address six minimum criteria in line with the requirements of the United Nations protocol on allegations of sexual exploitation and abuse involving implementing partners. A harmonized PSEA Assessment is being finalized for use by all United Nations agencies.

76. Along with the World Food Programme, UNICEF co-chairs the sub-working group on improved reporting of sexual harassment in the United Nations system. The group's work has followed two streams: (i) preventing individuals from being hired by other United Nations entities while there is a pending investigation or disciplinary process regarding sexual harassment and (ii) administering the system-wide questionnaire on improved reporting of sexual harassment in the United Nations system and analysing the data to inform system changes. In 2019, the group administered the questionnaire to 25 entities that were seeking historic data on cases of sexual harassment from 2016 to 2018. In future, the questionnaire will seek data only for the previous calendar year. Data collection for 2019 was launched on 31 March 2020.

V. Cross-cutting issues: monitoring progress and communicating with staff

77. UNICEF has several tools and mechanisms to monitor the progress made in strengthening the organizational culture. These include the Global Staff Survey (which is done every two to three years to provide comprehensive disaggregated data on staff perceptions about different aspects of working at UNICEF), and routine data systems in human resources, ethics and investigations. In addition, UNICEF is developing a regular "temperature check", which will allow staff to assess specific aspects of their workplace culture on a quarterly or monthly basis (e.g., whether they feel safe to report potential misconduct; whether they have received feedback in the past month). The data will automatically be integrated into existing office scorecards with key metrics such as delivery of programme results, fundraising and partnerships.

78. The results monitoring framework on protection from sexual exploitation and abuse has been operational since February 2020; it offers a set of minimum indicators that country offices can use to measure progress on programming work on protection from sexual exploitation and abuse. Offices in high-risk countries that received funding for extra capacity are required to use the framework; other country offices are strongly encouraged to utilize it. The results will provide strategic insights to senior management on progress made against concrete benchmarks. Moreover, indicators have been included in office scorecards in relation to sexual exploitation and abuse risk management with implementing partners, and will be rolled out beginning in July 2020. Additional indicators on protection from sexual exploitation and abuse have also been included in the country office annual reports, with a focus on reporting and referral systems for survivors of sexual exploitation and abuse.

79. UNICEF has strengthened its internal communications and information-sharing with staff, as well as external stakeholders. Updated information on protection from sexual exploitation and abuse, the zero-tolerance approach, organizational culture, audit and investigations, ethics and human resources has been made available through various channels. More than 550 staff queries on these issues were received from June 2019 to February 2020, with responses provided through various means: individual responses online, live responses at meetings and events; and posting frequently asked questions on the intranet.

80. All of these efforts at internal communication are in recognition of the fact that, while important changes are happening across the organization on culture and the prevention of sexual exploitation and abuse and sexual harassment, staff awareness and perceptions of these changes are just as critically important.

VI. Draft decision

The Executive Board

Takes note of the report on the update on the implementation of the recommendations made in the independent panel review of the UNICEF response to protection from sexual exploitation and abuse; the Morgan Lewis report on sexual harassment investigations conducted by the UNICEF Office of Internal Audit and Investigations; and the report of the Independent Task Force on Workplace Gender-Discrimination, Sexual Harassment, Harassment and Abuse of Authority ([E/ICEF/2020/24](#)).
