



United Nations
Victims' Rights
Advocate

Frequently Asked Questions

- On the work of the
Victims' Rights Advocate and
Senior Victims' Rights Officers

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Got a question?

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Mandate and role

■ What is the role of the Victims' Rights Advocate?

The system-wide role of the Victims' Rights Advocate is to put the rights and dignity of victims, their experiences, and needs at the forefront of the United Nations' fight against sexual exploitation and abuse by United Nations staff and related personnel. Victims of these wrongs often suffer severe trauma. The Victims' Rights Advocate seeks to ensure that this is acknowledged, that their right to support and assistance is provided in line with each victim's individual needs, which will vary, including as a result of intersecting discriminatory factors. The Victims' Rights Advocate prioritizes raising the voices of victims, so they are not forgotten.

The Victims' Rights Advocate interacts and works with all parts of the United Nations system, including agencies, funds and programmes at headquarters and in the field, Member States, national human rights institutions, civil society, national and international non-governmental organizations, the media and others, to make sure that an integrated response to victim assistance is taken in line with the Secretary-General's strategy and the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel adopted by the United Nations General Assembly in 2007 ([A/RES/62/214, Annex](#)).

The Victims' Rights Advocate visits countries where the United Nations is present to gain first-hand understanding of how sexual exploitation and abuse are addressed. The Victims' Rights Advocate connects with victims directly, to learn about their individual needs and hear their opinions on prevention and response measures so their ideas can inform our work.

■ **What are the roles of the Senior Victims' Rights Officers?**

Senior Victims' Rights Officers operate in the field to advocate for victims and bolster their right to support and assistance. They are in place in the Central African Republic, the Democratic Republic of the Congo, Haiti and South Sudan. These advocates are the main contact for all victims on the ground and they take steps to ensure that a gender- and child-sensitive, non-discriminatory and victims' rights approach is integrated into the United Nations support of victims. They maintain regular communication with victims to ensure that they are kept informed of the follow-up to their complaints.

The mandate of the Senior Victims' Rights Officers is system-wide and encompasses victims of all United Nations staff and related personnel. They cooperate closely with conduct and discipline teams, humanitarian actors and civil society, including local human rights organizations and national human rights institutions, such as Ombuds and human rights commissions. They support the development of livelihood projects funded by the [Trust Fund in Support of Victims of Sexual Exploitation and Abuse](#).

Senior Victims' Rights Officers may also provide advice on victims' rights to peace missions and United Nations Country Teams in other countries upon request. Field Victims' Rights Advocates are full time United Nations personnel with other functions who carry out the functions of a Senior Victims' Rights Officer ad interim, pending the deployment of the selected staff member.

■ **What is the value-added of Senior Victims' Rights Officers on the ground?**

Having a dedicated person on the ground tasked to see that victims' rights are prioritized, someone victims trust, and to whom they can turn to seek assistance and advocate on their behalf makes a real difference. Senior Victims' Rights Officers are active in mobilizing resources and securing support and assistance for victims in collaboration with peace and special political missions, as well as with the Protection from Sexual Exploitation and Abuse Task Force/Network, and the gender-based violence and child protection sub-clusters where present.

Senior Victims' Rights Officers play a crucial role on the ground in realizing the rights and dignity of victims. They refer victims to implementing partners for needs assessment and services, and organize transportation for victims where needed, especially in remote locations. They locate victims and witnesses and assist in securing interview appointments for them and investigative officers. Some have been embedded in United Nations investigations to safeguards victims' rights and support and reassure them by accompanying victims throughout the investigative process, and flagging their concerns and needs to investigators. They facilitate the resolution of paternity and child maintenance claims, supporting the collection of DNA samples and assisting victims to open bank accounts so they can receive child-support payments. The advocates cooperate with all stakeholders, including civil society actors and national human rights institutions to make sure that victims' rights to assistance and support are realized.

■ **What is a focal point for victims' rights?**

In some countries without Senior Victims' Rights Officers, focal points for victims' rights have been appointed to champion the rights of victims. The PSEA Network in Nepal was the first to appoint a victims' rights focal point mirroring the system-wide mandate of the Senior Victims' Rights Officers.

The Victims' Rights Advocate encourages the creation of more Senior Victims' Rights Officer positions and the appointment of focal points for victims' rights across peace, humanitarian, and development settings. The Office of the Victims' Rights Advocate has produced a template generic terms of reference for a focal point for victims' rights.

■ How are the Senior Victims' Rights Officers selected?

Senior Victims' Rights Officers are United Nations personnel selected through a regular competitive recruitment process or deployed through the roster of Senior Victims' Rights Officers.

■ How does sexual exploitation and/or abuse differ from sexual harassment?

The United Nations defines sexual abuse as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. All sexual activity with a child (for the United Nations a person under 18), constitutes sexual abuse. Sexual exploitation is defined as any actual or attempted abuse of position of vulnerability, differential power or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Sexual harassment refers to prohibited conduct in the workplace or in connection with work affecting United Nations staff and related personnel. In context of the United Nations, sexual harassment refers to prohibited behaviour perpetrated by United Nations staff or related personnel. It is defined by ST/SGB/2019/8 and involves any unwelcome sexual advance, request for sexual favor, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.

Managing expectations

■ How are victims' expectations of the assistance they will receive from the United Nations managed?

Senior Victims' Rights Officers and other staff are responsible for outlining the type of assistance victims can expect to receive in light of the context and other factors. The [United Nations Comprehensive Strategy](#) adopted by the General Assembly in 2007, complemented by the United Nations Protocol on the Provision of Assistance to Victims of Sexual Exploitation and Abuse (2019), set out the forms of assistance complainants and victims are to receive from the time a complaint is made.

Victims should receive assistance and support, in accordance with their individual needs directly arising from sexual exploitation and abuse. This comprises medical care, including on sexual and reproductive health; legal services; psychological support; livelihood and basic material assistance, such as food, clothing, transportation, emergency, and safe shelter. United Nations entities may provide direct assistance and support to victims depending on the capacity and availability of resources.

The Comprehensive Strategy indicates that assistance and support should be provided through existing services, programmes and their networks. In most cases, victims will be referred by the concerned United Nations entity

to external service providers, through established gender-based violence and child protection referral pathways, taking account of their quality to prevent further harm or traumatization to the victim. Where necessary, the United Nations supports the development of new services. In peace mission settings, in the absence of any other immediately available means, timely victim support, which may include medical or psychosocial services and travel and accommodation expenses may be provided through mission budgets (A/70/729, para. 77).

Victims also have the right to longer-term assistance, such as comprehensive health care, psychological support, access to legal assistance, livelihood support, skills training. United Nations Trust Funds, in particular the [Trust Fund in support of victims of sexual exploitation and abuse](#), can be accessed to fund projects implemented by United Nations entities or non-governmental organizations which provide longer-term assistance. United Nations entities which work with victims of sexual exploitation and abuse may have dedicated funding within their own programmes for this purpose. They sometimes contribute towards joint contingency funding at the country level.

Compensation / Reparation

■ Does the United Nations provide compensation or reparations for victims?

The United Nations does not provide compensation nor reparations for victims of sexual exploitation and/or abuse.¹ However, the United Nations [Trust Fund in Support of Victims of Sexual Exploitation and Abuse](#) established in March 2016 by the Secretary-General provides funding for project-based activities in communities at risk of sexual exploitation and/or abuse, which can serve to restore victims' dignity, including through economic empowerment.

¹ The United Nations considers reparation to include: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition in accordance with the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law (A/RES/60/147).

LGBTQI+ victims

■ Do the Victims' Rights Advocate and Senior Victims' Rights Officers support LGBTQI+ victims?

The mandate of the Victims' Rights Advocate and Senior Victims' Rights Officers encompasses all victims of sexual exploitation and abuse by United Nations staff and related personnel without discrimination. Accordingly, LGBTQI+ victims are entitled to assistance and support on the same basis as other victims. However, in some countries where the United Nations operates, same-sex relationships are criminalized, and subject to harsh punishments. LGBTQI+ victims face discrimination in many societies.

These factors mean that LGBTQI+ victims may be reluctant to come forward with allegations of sexual exploitation and/or abuse. The Victims' Rights Advocate and Senior Victims' Rights Officers cooperate with all stakeholders, including civil society human rights advocates, to facilitate an enabling environment for all victims to report.

Investigations

■ Is the provision of assistance and support to victims dependent on the status of investigation?

The right of a victim to assistance and support is unconnected to, and independent of an investigation. Victims are entitled to assistance and support in accordance with the [United Nations Comprehensive Strategy](#) as soon as a complaint is made. In the context of investigations, Field Victims' Rights Advocates have been embedded in United Nations investigation missions (e.g., in the Democratic Republic of the Congo) providing victims with support, accompanying them through the process, reassuring them and answering any questions they may have.

Reporting

victims to the United Nations. Senior Victims' Rights Officers cooperate with United Nations staff on the ground to facilitate reporting through awareness-raising within communities, and the creation of reporting mechanisms which are context-specific and non-stigmatizing.

■ How do victims report cases of sexual exploitation and abuse to the United Nations?

Victims confide in people they trust and believe will guide them to the assistance they need. They do not distinguish among different United Nations entities when they report or seek assistance. Accordingly, they may not report to the United Nations entity to which the alleged perpetrator is affiliated, or report to multiple entities.

Victims may report directly to Senior Victims' Rights Officers or focal points for victims' rights on the ground where present. They may also report through community-based complaints networks, which operate in some countries supported by the Senior Victims' Rights Officers and others such as in the Central African Republic, the Democratic Republic of the Congo, and South Sudan. These networks include community leaders, local authorities, civil society, and women and youth groups. In many settings, hotlines, SMS and internet complaint facilities have been established and complaint boxes are available.

Frequently, the national human rights institution in a country, such as a human rights commission or Ombud, may receive complaints from victims. In Haiti, the Ombudsperson's Office forwards complaints received from

Tracking

■ Why is a system-wide tool to track victims important, and what are the challenges to introducing such a system?

A victim assistance tracking system has been operational in United Nations peace operations and special political missions since 2019. However, there is no system-wide tool to track victims, the assistance that they received and available service providers. A system-wide tool is needed because victims do not distinguish among different United Nations entities when they report allegations or seek assistance. Victims may seek assistance from more than one United Nations entity or service provider and also move across countries or borders.

For these reasons, a system-wide tool that tracks assistance provided to victims and the available service providers would facilitate the provision of timely, quality and appropriate assistance for victims. Challenges include those relating to harmonizing the different systems United Nations entities use, designing a secure and confidential system and mobilizing the resources necessary to create such a system and keep it updated.

Paternity claims

■ What are the challenges to seeking resolution of paternity claims for children born as a result of sexual exploitation and/or abuse?

Paternity claims are governed by national laws, and institutions of the Member State(s) concerned. The United Nations' role in the resolution of paternity claims for children born as a result of sexual exploitation and/or abuse is limited to facilitating and supporting a process which leads to the recognition and realization of parental responsibility in accordance with the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse (A/RES/62/214). Support for and facilitation of such claims are provided to the mother independently of any disciplinary process that may occur, and the status or outcome of a disciplinary process has no bearing on the facilitation of a claim. However, the United Nations has no ability to resolve claims, nor standing to pursue claims at the national level. It is also unable to compel fathers to recognize their children, undergo DNA testing, or enforce orders of child support. Only Member States have the power to compel these actions.

Challenges result from a number of factors. If the father of the child does not voluntarily recognize paternity, this would normally have to be established in accordance with the national law of the alleged father's State of nationality.

This may provide for DNA testing evidence, and/or require filing a claim in the courts of the State of the father's nationality or the host State. This requires the mother or guardian to have information on applicable laws and procedures, which vary from country to country, and may be available in a language that the claimant does not understand. Claimants will usually require legal assistance to access these procedures. Legal aid is not always readily available, and where available, providers may not have the expertise required to pursue these cases which have transnational and multilingual dimensions.

Further procedures may be required to have orders made by courts outside those of the State of the father's nationality recognized or enforced in that State. Ways to facilitate transfer of child support payments to women and children who are in remote or conflict-affected locations may need to be devised. Senior Victims' Rights Officers and other United Nations staff are addressing these challenges so that paternity claims can be resolved, and the child support payments securely received.

Mapping of Victims' Assistance

■ What gaps were identified in the mapping exercise related to victim's services carried out by the Office of the Victims' Rights Advocate and how will they be addressed?

The Office of the Victims' Rights Advocate mapped services for victims of sexual exploitation and abuse in 13 countries with different United Nations presences. The exercise involved broad consultation with colleagues in those countries across the entire system. Although gaps identified varied from country to country, the mapping determined that services, including medical, psychosocial, shelter, protection and legal, were usually provided through existing gender-based violence and child protection pathways and largely delivered by implementing partners.

Availability, accessibility, quality, capacity, timeliness, and resourcing of these vary, leading to gaps in services and approaches. In remote contexts, and areas affected by conflict or health emergencies, services may not exist or be very limited. Services may not take into account the specific requirements of victims of sexual exploitation and abuse. Legal support and assistance are often lacking, including in respect of paternity/child support claims. While a victims' assistance tracking system is operational in peace operations and special political missions, there is no system-wide tool to track victims, the support they receive and available service providers.

Gaps can be narrowed by ensuring that support and services available for victims of gender-based violence integrate the specificity of sexual exploitation and abuse, including the particular requirements of their victims. Gender-based violence service actors and mechanisms should also be strengthened and adequate resources for gender-based violence programming made available. Feedback from victims should be sought so there is sufficient data to provide a sound basis for the development of strategies to reinforce assistance and support.

A methodology to seek feedback is under development. The establishment of a United Nations system-wide pooled fund to meet gaps in the support of, and assistance for, victims of sexual exploitation and abuse should be considered. As one way to address gaps in legal assistance, a roster of potential providers of *pro bono* legal support is being developed. A system-wide tracking tool should be devised so no victim is left behind.

The creation/designation of further Senior Victims' Rights Officers or focal points for victims' rights in countries with a United Nations presence is also recommended in light of the positive impact of the work of the existing advocates on provision to victims of timely, quality and multi-faceted support.

Victims' rights to assistance and support

■ Can you elaborate on why strengthening victims' capacity to sustain themselves is needed?

Victims of sexual exploitation and abuse require tools to recover from the wrongs they have experienced and rebuild their lives, including through strengthening of their capacity to sustain themselves financially. Victims who are able to sustain themselves regain their dignity and can support their children and contribute to the needs of their families. This facilitates their reintegration into their communities, bolsters their self-esteem, reducing their vulnerability to further victimization and thereby has a protective effect.

In the Democratic Republic of the Congo victims who received skills training in tailoring, maize flour production, mushroom farming and basket weaving through projects supported by the Trust Fund in Support of Victims of Sexual Exploitation and Abuse are able to generate an income as they have commodities to sell. Some women have used their income to expand their income-generating activities, contributing to the well-being of their families and communities. Similarly, victims in Haiti who acquired skills built on and expanded their initial activities.

Further livelihood support/skills projects are being developed for submission to the Trust Fund and other funding sources. Contributions to the Trust

Fund and similar arrangements are essential to support measures which strengthen the capacity for victims to sustain themselves.

■ What is meant by “long-term” support to victims of sexual exploitation and abuse?

The effects of sexual exploitation and abuse on individuals can be long-lasting, in particular where these lead to a child. The United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel, cited above, provides that victims should receive assistance and support in accordance with their individual needs directly arising from sexual exploitation and abuse which will comprise medical care, legal services, support to deal with the psychological and social effects of the experience and immediate medical care, as necessary.

Children born as a result of sexual exploitation and abuse should receive, in accordance with their individual needs, assistance and support addressing the medical, legal, psychological and social consequences directly arising from sexual exploitation and abuse, in the best interests of the child. Accordingly, in line with their individual needs, victims and their children who require long-term support and assistance will expect the United Nations to facilitate this.

Communities expect the harm pursuant to sexual exploitation and abuse to be addressed. In terms of children born of sexual exploitation and abuse, the United Nations may need to be involved until the child’s majority, for example to assist in the resolution of paternity/child support claims, including to support the victim to pursue the father if the child maintenance payments stop. There may also be health-related consequences for victims such as disability, or they may have a child born with disabilities, who may require long-term support. As noted above, the Comprehensive Strategy envisages assistance and support as being provided through existing services,

programmes, and their networks, but where necessary, requires the United Nations to consider supporting the development of new services. Where children born of sexual exploitation are concerned, the Comprehensive Strategy indicates that the United Nations should work with Member States to facilitate within their competence, the pursuit of claims related to paternity and child support. Assistance and support to victims can be provided by Member States, civil society and, depending on their nature, regional organizations. Coordination on the ground through United Nations entities, supported by Senior Victims’ Rights Officers, where present, is essential to provide appropriate support to victims and avoid duplication.

The right to be protected

■ Which entity is responsible for conducting a personal risk assessment of victims and witnesses?

Victims and witnesses have a right to be protected from any harassment, intimidation, and retaliation for reporting allegations of sexual exploitation and abuse. If such acts are reported to the United Nations, the Organization is obliged to take action to protect the victim or witness from further trauma or additional victimization, in accordance with their wishes, through cooperating with State authorities or non-governmental organizations. The United Nations will cooperate with Member States to facilitate the availability of protection measures in national proceedings.

In line with the Comprehensive Strategy, protection measures may involve the provision of emergency and safe shelter. This may entail the development of an immediate safety or protection plan to address the risk of retaliation, possible breaches of confidentiality or further violence against the victim. The safety response should set out roles and responsibilities, as well as capacities of designated or other actors. Subject to a risk assessment, and based on the victim's consent and best interest, the safety or protection plan may include relocation support where necessary and appropriate.

Depending on the context, the Department of Safety and Security may

conduct a personal risk assessment on an ad-hoc basis where it has capacity to do so. The timing of such a personal security risk assessment will depend on the case and should be discussed with stakeholders, including the Protection from Sexual Exploitation and Abuse Task Force Coordinator and Senior Victims' Rights Officer or focal points for victims' rights where present. Advice is also available from the Victims' Rights Advocate.



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Victims' Rights
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5 GENDER
EQUALITY



16 PEACE, JUSTICE
AND STRONG
INSTITUTIONS

