

**Annex B**  
**Call For Proposals (CFP) Template for Responsible Parties**  
**(For Civil Society Organizations - CSOs)**

[Section 1](#)

**Description of Services: Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders**

CFP No. UNW-AP-NPL-CFP-2024-003

**a. CFP Letter for Responsible Parties**

UN Women plans to engage a Responsible Party as defined in accordance with these documents. UN Women now invites sealed proposals from qualified proponents to provide the requirements as defined in the UN Women Terms of Reference.

Proposals must be received by UN Women at the address specified not later than (time) 5.00 pm Nepal Standard Time end of 22 April 2024.

**The budget range for this proposal is upto NPR. 26,500,000.00 (approx. 87% for Component A and 13% for Component B)**

This UN Women Call For Proposals consists of <u>two</u> sections:	Documents to be completed by proponents and returned as part of their proposal (mandatory)
<p><u><a href="#">Section 1</a></u></p> <p>a. CFP Letter for Responsible Parties</p> <p>b. Proposal Data Sheet for Responsible Parties</p> <p>c. UN Women Terms of Reference</p> <p>d. Acceptance of the terms and conditions outlined in the template Partner Agreement</p> <p>e. <b>Annex B-1</b> Mandatory Requirements/Pre-Qualification Criteria and Contractual Aspects</p>	<p><b>Annex B-1</b> Mandatory Requirements/Pre-Qualification Criteria and Contractual Aspects</p>
<p><u><a href="#">Section 2</a></u></p> <p>a. Instructions to Proponents, which includes the following:</p> <p><b>Annex B-2</b> Template for Proposal Submission</p> <p><b>Annex B-3</b> Format of Resume for Proposed Personnel</p> <p><b>Annex B-4</b> Capacity Assessment Minimum Documents</p> <p><b>Annex B-5</b> UN Women template Partner Agreement [<b>UN Women to attach most up to date version</b>]</p> <p><b>Annex B-6</b> UN Women Anti-Fraud Policy [<b>UN Women to attach most up to date version</b>]</p>	<p><b>Annex B-2</b> Template for Proposal Submission</p> <p><b>Annex B-3</b> Format of Resume for Proposed Personnel</p> <p><b>Annex B-4</b> Capacity Assessment Minimum Documents</p>

Interested proponents may obtain further information by contacting this email address: [technical-bid.np@unwomen.org](mailto:technical-bid.np@unwomen.org)

**b. Proposal Data Sheet for Responsible Parties**

Program/Project:	Requests for clarifications due:	
<b>Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders</b>	<b>Date: 15 April 2024</b>	<b>Time: 5 Pm</b>
<b>Programme Officer's name: NA</b>	<b>(Via e-mail) <a href="mailto:technical-bid.np@unwomen.org">technical-bid.np@unwomen.org</a></b>	
<b>Email: <a href="mailto:technical-bid.np@unwomen.org">technical-bid.np@unwomen.org</a></b>	<b>UN Women clarifications to proponents due: [if applicable]</b>	
<b>Telephone number: + 977- 01-4290000</b>	<b>Date: 16 April 2024</b>	<b>Time: 5 pm</b>
	<b>Proposal due:</b>	
<b>Issue date: 1 April 2024</b>	<b>Date: 22 April 2024</b>	<b>Time: 5 PM</b>
<b>Pre-proposal conference with proponents:</b>	<b>Planned award date:</b>	<b>June 2024</b>
<b>Location: If anyone interested to join pre proposal meeting, please send your request in <a href="mailto:technical-bid.np@unwomen.org">technical-bid.np@unwomen.org</a> before 12 April 2024</b>	<b>Planned contract start-date/delivery date (on or before):</b>	<b>June 2024</b>
<b>Date: 15 April 2024</b>		
<b>Contact: <a href="mailto:technical-bid.np@unwomen.org">technical-bid.np@unwomen.org</a></b>		

# Terms of Reference

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## Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders

### 1. Background and justification

Grounded in the vision of equality enshrined in the Charter of the United Nations, UN Women works for the elimination of discrimination against women and girls; the empowerment of women; and the achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security. Placing women's rights at the centre of all its efforts, UN Women leads and coordinates United Nations system efforts to ensure that commitments on gender equality and gender mainstreaming translate into action throughout the world. It provides strong and coherent leadership in support of Member States' priorities and efforts, building effective partnerships with civil society and other relevant actors. Under the United Nations Sustainable Development Cooperation Framework (2023-2027), and the UN Women Nepal's current Strategic Note (SN) 2023-2027, UN Women Nepal continues to work in the area of inclusive governance and access to justice, including both the duty bearers and right holders, for advancing gender equality and women's empowerment.

Over the years Nepal has made significant progress in guaranteeing women's rights and ensuring women's access to justice through constitutional, legal and institutional reform. The Constitution of Nepal, 2015, ensures equal protection and equal treatment of law to every individual including women and girls. Despite a progressive and strong legal framework, women and girls continue to face significant barriers in accessing equal opportunities, resources, and decision-making platforms. This is visible in the sharp gender gaps across development outcomes. The Committee on the Elimination of Discrimination against Women (CEDAW, 2018) also notes a range of persistent challenges that limit the full realization of women's human rights and recommendations to address them. These include gender-based violence, stereotypes and harmful practices, and challenges to access to justice and services.<sup>1</sup> Women in Nepal, especially Dalit, Madhesi, indigenous, and women from religious minorities, as well as LGBTIQ+ persons and persons with disabilities (PWDs) experience intersectional and multiple forms of discrimination. These are magnified by harmful social norms embedded in patriarchal structures and unequal power relations. Patriarchal values and discriminatory social norms deeply entrenched in the society presents formidable barriers to accessing justice, particularly for women and excluded groups. It results in attitudes and behavior that is insensitive and discriminatory towards women and others marginalized groups. GBV against women, girls, LGBTIQ+ persons and other vulnerable and excluded groups remains a common occurrence in their homes, communities, workplaces and learning environments. One in five women in Nepal aged 15-49 have experienced physical violence since the age of 15, and at least one in four (26%) ever married women have experienced spousal physical, sexual, or emotional violence – with husbands accounting for 84 percent of the perpetrators<sup>2</sup>.

To address the critical challenges of access to justice faced by women and marginalized groups, the UN Women Nepal Country Office (NCO) will work closely with duty bearers, rights holders and communities to advance gender-responsive justice. Based on the results and lessons from earlier interventions, the project will continue to strengthen the capacity of frontline justice sector actors – judicial committees, mediators and informal justice actors – to apply gender-responsive laws and procedures to address gender-based discrimination and enhance women's access to justice in line with Sustainable Development Goals 5 and 16. The federal structure in Nepal presents an unprecedented opportunity to strengthen the capacity of frontline justice actors such as judicial committees, mediators, and informal justice actors who in turn can play a significant role in advancing gender equality, addressing GBV, and strengthening access to justice. Women human rights defenders (including members of Grassroots women's organizations (GWOs)/community-based women's organizations

<sup>1</sup> CEDAW (2019 Concluding observations on the sixth periodic report of Nepal, CEDAW/C/NPL/CO/6, 14 November 2018)

<sup>2</sup> GoN, 2017. Nepal Demographic and Health Survey 2016.

(CBWOS), and women human rights defenders' networks) have also been playing a critical role in their communities as frontline responders to a range of longstanding and emerging issues related to gender equality and women's empowerment, including gender-based violence. The project will therefore continue to support women advocates/human rights defenders to demand accountability and enhance their capacity to facilitate access to justice, including to address GBV. UN Women will contribute to strengthening voice, and agency of women and excluded groups by strengthening their capacity on advocacy and gender responsive justice.

In the context of women, peace and security (WPS), globally, Nepal has set a strong example by adopting two National Action Plans (NAP). The first NAP I on UNSCRs 1325 and 1820 (2011- 2016) was adopted by the Government of Nepal (GoN) in February 2011 and second NAP on 1325 and 1820 (2022- 2025) on 22 September 2022. The second NAP has a specific focus on victims-survivors of conflict-related sexual violence. The NAP II focuses on four key pillars – participation, protection and prevention, relief and reparation, and capacity development, resource management, and monitoring and evaluation. Advancement of WPS agenda is aligned with and contributes to the UN Sustainable Development Cooperation Framework 2023-2027 for Nepal, in particular priority 4 on “Governance, Federalism, Participation and Inclusion” that sets out the outcome as “By 2027, more people, especially women, youth, and the most marginalized and poor increasingly participate in and benefit from coordinated, inclusive, accessible, participatory, transparent, gender responsive governance, access to justice, and human rights at federal, provincial and local levels.” Human rights mechanisms including CEDAW Committee and Universal Periodic Review have issued a range of recommendations<sup>3</sup> on WPS agenda, which further highlights the human rights obligations of Nepal for translating the WPS agenda into action.

In this context, UN Women is implementing the EU-UN joint programme titled “Empowered Women, Prosperous Nepal” which is a four-year (2023-2026) joint programme (JP) to be implemented by four agencies (UNICEF, UN Women, ILO and UNFPA). The overall objective of the JP is to contribute to the full realisation of Nepali women and girls' human rights and agency. The project seeks to empower women and girls through strategic actions targeting the underlying drivers of gender inequality and investment in gender equality accelerators.

UN Women Nepal is also implementing the “Governance Peace and Security Regional Framework for Asia Pacific” funded by DFAT at the country level. The regional framework contributes towards building peaceful, inclusive societies to advance the agenda of Women, Peace and Security (WPS) and inclusive governance in the Asia Pacific Regional. The overall outcome of the framework on WPS agenda in particular is for women to meaningfully participate and lead in peace and security processes that contribute to sustaining peace and resilience in Asia and the Pacific.

**This project will have two components- Component A and Component B. The EU-UN joint programme will contribute to Component A and DFAT fund will contribute to Component B.**

In this context, UN Women seeks to partner with a **national non-profit and non government organisation/Responsible party (RP)** to implement the proposed intervention (**for details see scope of work in section 3**) in three provinces, namely Madhesh, Karnali and Sudurpashchim Provinces. Applying agencies are encouraged to forge a **consortium of CSOs with expertise** in the key themes related to the project and physical presence in some of the target geographic locations. For **component B**, the RP will engage and collaborate with established networks of conflict victim women<sup>4</sup> in Nepal. The RP will also coordinate with relevant government stakeholders for this initiative for effective implementation and strengthening advocacy of conflict victim women.

The RP will take stock of ongoing interventions related to the project by other development partners to harmonise and complement the interventions and leverage the project results.

## **2. Contribution to UN Women Strategic Note (2023-2027) and relevant programmes**

<sup>3</sup> With regard to UPR third cycle, there were nine recommendations related to WPS. Out of the nine recommendations, eight were ‘fully supported’ by Nepal. The outcome of the review was adopted by the Human Rights Council on 8 July 2021.

<sup>4</sup> such as Conflict Victim Women's National Network

## UN Women Strategic Note indicators

- Outcome 1.4. By 2027, more people, especially women, youth, and the most marginalized and poor increasingly participate in and benefit from coordinated, inclusive, accessible, participatory, transparent, and gender-responsive governance, access to justice and human rights at federal, provincial, and local levels.

### Relevant indicators

- *NPL\_D\_1.4.1A\_Number of government officials, justice actors and elected representatives with increased capacity to implement and monitor gender responsive laws, policies, plans and budgets with support from UN Women.*
- *NPL\_D\_1.4.3\_Women, girls and LGBTIQ+ persons, especially from excluded groups, have adequate capacities to meaningfully engage and influence governance processes at all levels.*

## Indicators under UN-EU joint programme

### **Outcome 2: Women, men, girls and boys in all their diversity access opportunities to exercise their equal economic, labour and social rights**

#### **Outcome 2 indicators of EU:**

- 2.3) Number of individuals who benefit from essential services, including multisectoral GBV services, and social protection measures promoted by the project (EU-GAP III indicator)
- Output 2.3: Enhanced capacities of multisectoral essential service providers to deliver quality survivor-centered, child-sensitive GBV response services

### Relevant indicators

- *Output. 2.3 indicator: 2.3.1) Number of multisectoral GBV service providers trained on child-sensitive and survivor-centered approach to service delivery for GBV survivors*

### **Outcome 3: Institutions deliver gender equality outcomes in all spheres, in line with national and international normative frameworks**

- Output 3.2: Key duty bearers and relevant stakeholders have the capacity to develop, implement, and monitor evidence-based laws, policies, strategies and action plans, promoting gender equality from intersectional lens

### Relevant indicators

- *Output indicator 3.2.1) Number of duty bearers<sup>5</sup> and other relevant actors trained to formulate, implement and monitor gender-responsive laws, policies, and budgets*

## DFAT related

### **SN Outcome**

NPL\_D\_1.2 By 2027, more people, especially women, youth, children, and the most marginalized and poor, increasingly participate in and benefit from equitably improved quality social services at federal, provincial, and local levels.

SN Output NPL\_D\_1.4.1. Government officials, including justice actors and elected representatives, have adequate capacities to formulate or reform gender responsive laws, policies and plans for the advancement of

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<sup>5</sup> Note: Duty bearers include government officials, elected representatives including parliamentarians, security personnel, justice actors

human rights and inclusive governance in line with international/national normative frameworks, in support of Nepal's transition to federalism, and with the participation of the most marginalized and poorest population.

#### **Relevant indicators**

***NPL\_D\_1.4.1A: Number of government officials, justice actors and elected representatives with increased capacity to implement and monitor gender responsive laws, policies, plans and budgets with support from UN Women. (aligned to pipeline programme with Finland)***

***NPL\_D\_1.4.3A. Number of rights-holders with knowledge and understanding on gender responsive and inclusive governance and justice, social accountability and feminist leadership in UN Women project locations. (aligned to pipeline programme with Finland)***

Regional SN Output 1.4.1 Capacities of women's rights organizations at regional, national, and community levels are strengthened (skills building, networking support, technical and financial assistance), to ensure women's meaningful participation and leadership in peace and security, development and crisis-affected contexts.)

### **3. Objectives**

The main objectives of the project are to:

#### **Component A (Under EU-UN Programme)**

1. Strengthen capacities of community-based justice actors and service providers to facilitate access to gender responsive justice for women and marginalized groups
2. Strengthen capacities of women human rights defenders [including members of Grassroots women's organizations (GWOs)/community-based women's organizations (CBWOS), and women human rights defenders' networks] to facilitate access to justice for women and marginalized groups

#### **Component B**

3: Strengthen capacity of stakeholders including government, particularly at the local level, on National Action Plan-II (NAP II) on the United Nations Security Council Resolution 1325, 1820 and subsequent resolutions on Women Peace and Security

### **3. Scope of work**

To achieve the aforementioned objectives, the responsible party (RP) is expected to carry out the below activities in close coordination with UN Women Nepal. Details of project locations and local government units (LGUs) are given in section 5.

***Exact number of trainings/events and tentative training locations can be proposed by RP based on feasibility and justification.***

#### **Component A (Under EU-UN Programme)**

Objective 1: Strengthen capacities of community-based justice actors and service providers to facilitate access to gender responsive justice for women and marginalized groups

##### **Activity 1.1. Training for trainers (ToT) on gender responsive justice and advocacy**

Organize **3-day** training for trainers on **gender responsive justice** to create a pool of trainers who will deliver training to the key target groups of the project.

**3-day training of trainers on gender responsive justice on various target groups = approx. 10-15 trainers (or as necessary depending on requirement).**

- Trainers from previous project will also be mobilized where feasible in consultation with UN Women. To the extent possible the trainers will be from target geographic locations (provinces).
- The training manual and resources materials on gender-responsive justice developed through UN Women's successfully implemented "Enhancing Access to Justice for Women" and other relevant training materials of UN Women will be utilized. The training for trainers will cover a range of topics to be delivered to target groups, such as gender and power; core justice and human rights principles; GESI/GBV issues; recent laws and policies, structures related to women's rights and excluded groups; gender discriminatory attitudes and behaviour, and human rights advocacy by women's organizations in line with the project objectives. Pre and post assessments will be carried out for all activities. Training content will also include content on international human rights standards related to GEWE, including Women Peace and Security related UN Security Council Resolutions and NAP-II.
- Key content for training by each target group: 1) judicial committee member and key staff; 2) mediators; 3) informal justice actors (such as Bhalmanasa), and 4) WHRDs (including members of grassroots women's organizations/community-based women's organizations WHRD networks), and methods for the training will be finalized during the training. To the extent possible, ensure that the participants in training events include a majority of women and marginalized groups.

**Activity 1.2. Training on gender-responsive justice for judicial committee (JC) members and key staff**

**3-day training for JC team and key staff from project LGUs =160 members (approx.). Number of trainings will be decided by the RP.**

Organize training on gender responsive justice for **judicial committee members and key staff** from **32 project focused LGUs** in Sudurpaschim Province, Madhes Province, and Karnali Province.

[For details on LGUs and geographic locations please see section 5 on 'geographic location']

**Activity 1.3. Two-day training on gender-responsive justice for mediators**

**2-day training for mediators = 160 members (approx.). Number of trainings will be decided by the RP.**

Organize training on gender responsive justice for mediators from **32 project focused LGUs** in Sudurpaschim Province, Madhes Province, and Karnali Province.

**Activity 1.4. Two-day training on gender-responsive justice for informal justice actors**

**2-day training for informal justice actor = 100 members (approx.)**

Organize training for informal justice actors from any of the **32-project focused LGUs** in Sudurpaschim Province, Madhes Province, and Karnali Province. Informal justice actors include community-based actors such as Bhalmanasa, and Pancheti, traditional or indigenous community mechanisms that are still accessed by community members for justice and cases related to gender discrimination and GBV.

**Activity 1.5. Legal advisors to provide technical support to JCs**

The project will deploy legal advisors/experts (**this number to be suggested by the RP**) to provide legal advisory support on delivery of gender-responsive justice. Some of the roles to be carried out by the legal advisors are given below, and can be proposed by the RP.

Support at least **10 priority LGUs** with the following:

- Legal advisory/technical support to judicial committees to deliver justice in a more gender responsive manner, including by providing legal advisory support related to case handling.

- Support to strengthen the existing system of case management and procedures to enable GRJ.
- Support to review and/or formulate, and/or implementation of laws, policies and guidelines that can enable GESI/gender responsive justice.
- Legal advisors will also provide technical advice to JC/LGUs on legal aid for enabling access to justice especially for women and marginalized groups.
- Provide legal counselling to victims-survivors on issues related to GBV/gender-based discrimination/legal identity.
- Legal advisors will organize meetings with JCs and relevant officials to provide their support.

**The RP will provide the overall guidance to legal advisors and monitor the role delivered by legal advisors. A technical/legal expert can be hired to provide overall support to formulate and/or revise at least two laws/policy/procedure that enables GEWE/GRJ.**

#### **Activity 1.6. Provision of legal aid for women and marginalized groups to strengthen access to justice**

There will be provision of legal aid for women and marginalized groups. The legal aid will entail legal counselling at a minimum, and other necessary legal services including accompaniment to service providers, referrals, and court representation in some cases. The details of the modality will be proposed by the RP. At a minimum, legal advisors (if feasible link can be made to the same legal advisors mentioned under activity 1.4) will be engaged to deliver the following roles including GBV related services:

- Provide legal counselling and referral services to victims-survivors on issues related to GBV/gender-based discrimination/legal identity for **a minimum of 200 victims-survivors (at least 80 percent women)**
- Provide legal aid including court representation for a minimum of **50 victims/survivors (at least 80 percent women) the target project locations.**
- Provision necessary fund and resources for legal aid.

***Number of victims-survivors getting legal services can be proposed by the RP if more than suggested minimum number can be reached.***

#### **Activity 1.7. Organize one-day training for project supported legal advisors**

- Organize one day training to legal advisors on how to effectively carry out their role as legal advisors to strengthen GESI in LGUs
- Provide guidance on legal aid provision for GBV/gender discrimination related cases
- Sharing and exchange among legal advisors on strengthening legal aid in respective LGUs and provinces
- RP should organize regular online meetings with legal advisors.

#### **Activity 1.8. Disseminate Information Education and Communications materials related to Access to Justice**

- Print and disseminate set of two **large infographic posters with the mandates of Judicial Committees - one poster for Section 47 (1) and second for Section 47 (2) of the Local Government Operation Act, 2017 in at least 10 project focused LGUs.** (i.e., 20 large posters) [Use the electronic design already developed by UN Women]
- Print at least 1000 small infographic posters [500 for Section 47 (1), and 500 for Section 47 (2) with mandates of Judicial Committees (Section 47 (1) and Section 47 (2) of the Local Government Operation Act, 2017, to be placed in strategic locations where community members and service seekers can see. [Use the electronic design already developed by UN Women]
- The dissemination of IEC material will be tracked by partner organizations and feedback will be collected from JC members/duty bearers and service seekers on the usefulness of the posters.

- Re-print of around 200 copies of 'handbook (around 150-200 pages) on delivering gender responsive justice for judicial committees' for community-based justice actors, published through the previous UN Women A2J project.
- IEC and branding for the products will be finalized in consultation with UN Women.

**Breakdown of materials below:**

- 2 set large posters with JC mandate (e.g., as flex or wood framing to be hung on the wall in LGUs) in 10 LGUs- 32x 2 sets= 20 large posters
- Smaller paper posters on JC mandates = 1000 posters
- Re-print of around of 'handbook (around 160 pages) on delivering gender responsive justice for judicial committees'= 200 copies

**Activity 1.9. Dialogue platform among frontline justice service providers for strengthening GRJ**

**3 dialogue platform, one-day event, in each of the three provinces to foster dialogue on GRJ- Sudurpaschim Province, Madhes Province, and Karnali Province, around 30-35 participants.**

Organize **three platforms** in each province to foster dialogue among key justice actors and service providers on gender responsive justice.

The participants would include, but not limited to, Judicial Committee members, mediators, informal justice actors, ward representatives, district court reps, police, and women human rights defenders, (including from 10 project focused LGUs) to exchange and share challenges on gender responsive justice, best practices, and way forward to enable gender responsive justice for women and excluded groups. Each event will have around 30-35 participants.

**Objective 2: Strengthen capacities of women human rights defenders (including members of Grassroots women's organizations (GWOs)/community-based women's organizations (CBWOS), and women human rights defenders' networks) to facilitate access to justice for women and marginalized groups.**

**Activity 2.1. Three-day training on advocacy and gender responsive justice for members of grassroots women's organizations/WHRDs/CBOs**

**3-day training for a total of 60 women. Training could be organized in multiple locations, if feasible by province. RP to propose accordingly.**

Organize 3-day training for 60 women human rights defenders (including members of Grassroots women's organizations (GWOs)/community-based women's organizations (CBWOS), and women human rights defenders' networks) from **10 priority LGUs** in Sudurpaschim Province, Madhes Province, and Karnali Province.

The GWO members will be trained on a range of issues to strengthen their role as first responders for cases related to GBV and gender-based discrimination. The training will focus on topics such as strengthening their advocacy capacity, documentation, monitoring and tracking cases related to GBV/gender-based discrimination, victim-survivor-centred approach, referral mechanisms, confidentiality and do no harm, international human rights standards including WPS, gender discriminatory social norms, and gender-responsive justice. Training will also focus on digital literacy and resource mobilization for the sustainability of the GWOs/CBWOS/WHRD networks. Training will be carried out on the basis of training manual and tools developed by UN Women from the previous UN Women A2J project, and other relevant training materials. The content for this training will be finalized during the 'trainer for trainers' event (under activity 1.1).

**Activity 2.2. Dialogue platform among members of GWOs/CBWOS/WHRD networks for sharing and building solidarity**



**3 dialogue platform, one-day event, around 20-30 women in one event [dialogues could be organized by province, if feasible]**

Organize dialogue platforms for around **50-60 women** from **GWOs/CBWOs/WHRD networks** from 10 focused LGUs. The organizations should be women-only groups/networks. The platform will foster exchange of key issues related to gender responsive access to justice, best practice with regard to advocacy and build solidarity. Participatory tools will be used to facilitate the discussion and to make it interactive. Breakdown given below.

**Activity 2.3: Support advocacy effort of GWOs/CBWOs/WHRDs networks through technical and financial support.**

Support members of GWOs/CBWOs/WHRD networks in 10 LGUs to conduct targeted advocacy on various GEWE related issues. The organizations should be women-only groups/networks. RP to provide technical support and guidance to select GWOs/CBWOs/WHRD networks in 10 LGUs to develop action plans and identify issues for their advocacy with duty bearers/key stakeholders. RP will also allocate **financial support for advocacy and develop a mechanism for such support. [activity linked to 2.2]**

#### **Component B (DFAT funded)**

**Objective 3: Strengthen capacity of stakeholders including government, particularly at the local level, on National Action Plan-II (NAP II) on the United Nations Security Council Resolution 1325, 1820 and subsequent resolutions on Women Peace and Security**

**Activity 3.1: Event on National Action Plan II on Women Peace and Security on key stakeholders particularly at the local level**

**Events related to NAP II in a minimum of 10 LGUs with approx. or more**

Propose necessary, timely and relevant events that strengthen capacity (orientations, and/or dialogue/interactions as necessary) on National Action Plan-II on the United Nations Security Council Resolution 1325, 1820 and subsequent resolutions on Women Peace and Security for key stakeholders including government actors.

To the extent possible, the LGUs covered will be from the three provinces- Madhes, Sudurpaschim, and Karnali Provinces. Similarly, where possible, **LGUs will also be selected from the 32 LGUs of EU-UN programme**. If any LGUs are to be selected beyond the three aforementioned provinces, a brief reason for selecting those LGUs should be provided in the proposal. The final LGUs will be selected in coordination with UN Women. Tentative LGUs to be mentioned by RP. Activities under component 2 should be planned and implemented in 2024 unless otherwise indicated by UN Women once the RP is on board.

#### **4. Methodology/Approaches**

- **The Responsible Party is encouraged to propose innovative ideas and strategies based on their past experiences and lesson learned** that will contribute to access to justice for women and marginalized groups.
- Coordinate with relevant government agencies at the federal, provincial and local level. These include but not limited to Ministry of Federal Affairs and General Administration, (MoFAGA), Ministry of Women, Children and Senior Citizen (MoWCSC), Ministry of Law Justice and Parliamentary Affairs, and relevant ministries at provincial and local levels.
- Explore opportunities to facilitate horizontal and vertical coordination across provincial and local level government through project interventions to strengthen inter-governmental coordination.
- Ensure networking and coordination with other development partners interventions on gender equality and women's empowerment, particularly on access to justice, inclusive governance, and Women, peace and security.
- Promote local resource persons/experts to deliver training and events. Where applicable linkages can be made to resource person/experts developed by other ongoing interventions.

- Different language needs of target groups in various provinces should be factored into the programming and budgeting, this could include (but not limited to) planning and budget for interpreters/translators (e.g., translators for Nepali-Maithali in Madhes Province) if needed.
- Effort should be made by RP to include participants as well as trainers/facilitators/experts with intersectional identities.

#### Enabling measures:

Enabling measure to support participation of women and marginalized groups in the programme should be designed and adequately budgeted for, keeping in mind their distinct needs. This can include (but not limited to) childcare support for women, or reasonable accommodation for persons with disabilities. Adequate logistics and travel support should be provided, including for an accompanying family member/care provider.

### 5. Geographic Location

As mentioned in the aforementioned activities, EU-UN joint programme will be implemented across **32 LGUs** of Madhesh, Karnali and Sudurpachim provinces. Some of the EU-UN joint programme activities are concentrated in **10 priority LGUs**. The geographic locations are mentioned in the activities above.

The **10 priority LGUs under EU-UN joint programme in Madhesh , Sudurpaschim, and Karnali provinces are given below**. The proposed LGUs will be reviewed and finalised during the inception phase of the project implementation.

Total LGUs to be covered	Sudurpaschim Province (3 districts)	Madhes Province (4 districts)	Karnali Province (3 districts)
1	Badimalika Municipality, Bajura	Janakpur Sub metro, Dhanusha	Birendranagar Municipality, Surkhet
2	Dipayal Silgadhi Municipality, Doti	Agnisar Krishan Savaran Rural municipality , Saptari (Saptari)	Narayan Municipality, Dailekh district
3	Beluari Municipality, Kanchanpur	Pakahamainpur Rural Municipality, Parsa District	Suvakalika RM (kalitkot district)
4		Birgunj metropolitan city, Parsa	

The list of 32 LGUs under EU-UN Joint programme are as follows:

Madhes Province	Janakpur, Nawarajpur, Siraha, Agnisair Krishna Savaran, Sankhuwanankarkatti, Nagarian, Boudhimai, Yemunamai, Bindabasini, Pakahamainpur, Birgunj, Adarshkotwal
Sudurpaschim Province	Dhangadi, Chure, Godavari, Durgathali, Khaptad Channa, Masta, Badimalika, Joroyal, Dipayal Silgadhi, Belauri
Karnali Province	Birendranagar, Chaukune, Dullu, Bhairabi, Narayan, Mahabu, Shuva Kalika, Khadachakra, Sanni Bheri, Thulibheri

As indicated above in Activity 3.1, geographic location for **Component B** of DFAT supported WPS activity are **LGUs in Madhesh, Sudurpaschim, and Karnali provinces**. RPs are encouraged to selected LGUs from the **32 LGUs if possible**. If LGUs are to be selected outside the three provinces, the RP will provide a brief reason. The final LGUs will be selected in consultation with UN Women during implementation based on the evolving context of NAP/WPS.

## 6. Timeframe

June 2024- May 2026 (two-year programme period.) The actual project start date will be based on project agreement date and may vary.

## 7. Guiding principles

Proposal development and implementation of the outlined activities will be guided by the following principles:

- Result based programming and management
- Cultural diversity, social inclusion and gender sensitivity
- Human rights-based approach
- Leave no one behind (LNOB)
- Confidentiality
- Do no harm
- Impartiality

## 8. Monitoring, learning and documentation

In consultation with UN Women, the selected partner will develop tools to collect baseline and end line information. Additionally, a project monitoring framework (PMF) will be created by the selected responsible partner to review progress on these indicators periodically. The results framework (or performance monitoring framework) will be refined/finalized for the project in consultation with UN Women.

## 9. Sustainability

The responsible party will explore the sustainability of the initiative as it has been articulated in its objective. The technical proposal should include how the initiative interventions will be sustainable and what are the further course of actions to be followed, to ensure project results are sustained beyond project period.

## 10. Technical/functional competencies required for the Responsible Party

**Demonstrate technical competencies in the area (or areas) where the applicant is applying:**

- Demonstrable organizational experience in designing and implementing capacity development interventions on gender-responsive access to justice for women and marginalized groups. They should have the experience **in engaging with frontline justice actors such as judicial committees, mediators, informal justice actors**, mentioned in the target groups as well as work with **community based/grassroots women's organizations and WHRD networks**.
- Experience in carrying out interventions and advocacy around Women Peace and Security/NAP II agenda.
- Prior experience in implementing programme on A2J/GEWE/ending GBV at LGU level along with policy advocacy on gender responsive justice at provincial and federal level.
- Experience in applying human rights-based and feminist approaches to advance gender equality and for ensuring their voices as rights-holders.
- Demonstrable organizational experience of forming and supporting networks of women and marginalized groups, including at the community level.
- Sound knowledge of the governance system and local justice system/GEWE/GBVs in Nepal, in particular the context of federalism.
- Past experience of working with provincial and/or local government on revising/formulating GESI policies.
- Proven organizational experience in building strategic partnerships, and networks with relevant partners, including women-led organizations, CSOs and government agencies at all levels.

## 11. Proposed Human Resource/Team Structure

In order to manage and coordinate the intervention in an effective and timely manner, the selected RP is requested to establish a management team in charge of day-to-day.

**The team will consist of at least the following members:** (1) One Team Leader with experience in programme management, gender equality, access to justice, ending GBV, and governance issues in the federal context of Nepal (2) Three **Project Coordinators** in the field with experience in managing similar initiatives and promoting access to justice for women and marginalized groups (3) One Knowledge Management and Monitoring and Evaluation Officer, and 4) One Finance Officer. The required personnel for community mobilization and outreach can be included in line with the TOR.

### 1. Team Leader (1)

- Master's in social sciences, development studies, gender studies or relevant fields
- Minimum 7 years of relevant experience on designing, managing and implementing interventions related to gender equality, access to justice, ending GBV, and governance.
- Demonstrable understanding of the federal context in Nepal
- Demonstrable experience of working with key stakeholders at different levels, both civil society and government agencies
- Demonstrable expertise in designing and implementing complex multi-stakeholder capacity development initiatives using adult learning and/or feminist pedagogies
- Experience in project management

### 2. Project Coordinators in the field (3)

- Master's in social sciences, development studies, gender studies or relevant field
- Minimum 5 years of relevant experience on gender equality, access to justice, and governance issues
- Demonstrable experience of designing, implementing and managing programme/interventions related to GEWE, A2J, and GESI issues
- Demonstrable expertise in coordinating with multi-stakeholders across all tiers of governments on GEWE, governance and/or access to justice issues

### 3. Knowledge Management and Monitoring & Evaluation Officer (1)

- Master's degree in social sciences, information and knowledge management, or a related areas.
- Minimum 5 years of relevant work experience in development planning, information and knowledge management, and monitoring and evaluation related to projects and/or research.
- Excellent knowledge of qualitative and quantitative data collection tools
- Demonstrable ability to conceptualize, plan and execute ideas as well as to transfer knowledge and skills.
- Proven writing and communications expertise.

### 3. Finance Officer (1)

- Bachelor's degree in finance, management, or relevant subjects.
- Minimum five years of experience in finance and operations in development organizations including NGOs.
- Experience working on programming related to governance, GEWE, or women's access to justice will be an asset.

**Annex B-1**  
**Mandatory Requirements/Pre-Qualification Criteria and Contractual Aspects**  
**[To be completed by proponents and returned with their proposal]**

**Call For Proposals**

**Description of Services: Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders**

**CFP No. UNW-AP-NPL-CFP-2024-003**

Proponents are requested to complete this form and return it as part of their submission. Proponents will receive a **pass/fail rating** on this section. To be considered, proponents must meet all the mandatory criteria described below. All questions should be answered on this form or an exact duplicate thereof. UN Women reserves the right to verify any information contained in a proponent’s response or to request additional information after the proposal is received. **Incomplete or inadequate responses, lack of response or misrepresentation in responding to any questions will result in disqualification.**

Mandatory requirements/pre-qualification criteria	Proponent’s response
1. Are the services being requested part of the key services that the proponent has been performing as an organization? This must be supported by a list of at least two customer references for which similar service has currently or has been provided by the proponent.	Reference #1: Reference #2:
2. Is the proponent duly registered or does it have the legal basis/mandate as an organization? [Please attach a copy of the official registration here].	Yes/No
3. Has the proponent as an organization been in operation for at least five (5) years <sup>6</sup> ?	Yes/No
4. Does the proponent have a permanent office within the location area?	Yes/No
5. Can UN Women conduct a site visit at a customer location in the location or area with a similar scope of work as the one described in this CFP?	Yes/No
6. Fraud or other wrongdoing: i. Has the proponent, its employees, personnel, sub-contractor or sub-contractor’s sub-contractor or sub-partner or sub-partner’s partner been the subject of a finding of fraud or any other wrongdoing following an investigation conducted by UN Women, another United Nations entity or otherwise? OR ii. Is the proponent, its employees, personnel, sub-contractor or sub-contractor’s sub-contractor or sub-partner or sub-partner’s partner currently under investigation for fraud or any other wrongdoing by UN Women, another UN entity or otherwise?	Yes/No
7. Sexual exploitation and abuse: i. Has the proponent, its employees, personnel, sub-contractor or sub-contractor’s sub-contractor or sub-partner or sub-partner’s partner been the subject of any investigations and/or been charged for any misconduct related to sexual exploitation and abuse (SEA) <sup>7</sup> ? OR ii. Is the proponent, its employees, personnel, sub-contractor or sub-contractor’s sub-contractor or sub-partner or sub-partner’s partner currently under investigation for SEA by UN Women, another UN entity or otherwise?	Yes/No
8. Has the proponent or any of its employees or personnel been placed on any relevant sanctions list including as a minimum the Consolidated United Nations Security Council Sanctions List(s), United Nations Global Market Place Vendor ineligibility and any other donor sanction list that may be available for use, as applicable?	Yes/No

<sup>6</sup> In exceptional circumstances, three (3) years of history registration may be accepted and it must be fully justified.

<sup>7</sup> [Secretary General’s Bulletin, 9 October 2003 on “Special measures for protection from sexual exploitation and sexual abuse” \(ST/SGB/2003/13\)](#), and United Nations Protocol on Allegations of Sexual Exploitation and Abuse involving Implementing Partners.

9. Has the proponent read and accepted the standards set out in section 3 of ST/SGB/2003/13 “Special measures for protection from sexual exploitation and sexual abuse”?	Yes/No
10. Does the proponent acknowledge that SEA is strictly prohibited, and that UN Women will apply a policy of “zero tolerance” in respect to SEA of anyone including the proponent’s employees, agents, sub-partners and sub-contractors or any other persons engaged by the proponent to perform any services?	Yes/No
11. Has the proponent reviewed and taken note of UN Women Anti-Fraud Policy (Annex B-6)?	Yes/No

Please provide the following information:

1. Is the highest executive (e.g., Director, CEO, etc.) in the proponent organization a female?	Yes/No
2. What is the female to male ratio in the proponent’s board?	

**Acceptance of the terms and conditions outlined in the template Partner Agreement.**

- Proponents must include an acceptance of the terms and conditions outlined in the template Partner Agreement or their reservations or objections thereto.
- Submission of any such reservations or objections does not mean that UN Women will automatically accept them should the proponent be selected as a Responsible Party.
- UN Women will evaluate any reservation or objection during its evaluation of the proposal and may accept or reject any such reservation or objection.

Requirements	Proponent’s response
Acceptance of the terms and conditions outlined in the template Partner Agreement.	Yes/No
Indicate any reservations or objections to the terms and conditions outlined in the template Partner Agreement.	

## Section 2

CFP No. UNW-AP-NPL-CFP-2024-003

### a. Instructions to Proponents

#### 1. Introduction

- 1.1 UN Women invite qualified parties to submit Technical and Financial Proposals to provide services associated with the UN Women requirements for a Responsible Party.
- 1.2 UN Women is soliciting proposals from Civil Society Organizations (CSOs). **Women’s organizations or entities are highly encouraged to apply.**
- 1.3 A description of the services required is described in CFP **Section 1 – c) “UN Women Terms of Reference”**.
- 1.4 UN Women may, at its discretion, cancel the services in part or in whole.
- 1.5 Proponents may withdraw the proposal after submission, provided that written notice of withdrawal is received by UN Women prior to the deadline prescribed for the submission of proposals. No proposal may be modified subsequent to the deadline for the submission of proposals. No proposal may be withdrawn in the interval between the deadline for submission of proposals and the expiration of the period of proposal validity.
- 1.6 All proposals shall remain valid and open for acceptance for a period of 90 calendar days after the date specified for receipt of proposals. A proposal valid for a shorter period may be rejected. In exceptional circumstances, UN Women may solicit the proponent’s consent to an extension of the period of validity. The request and the responses thereto shall be made in writing.
- 1.7 Effective with the release of this CFP, all communications must be directed only to UN Women, by email at technical-bid.np@unwomen.org. Proponents must not communicate with any other personnel of UN Women regarding this CFP.

#### 2. Cost of Proposal

- 2.1 The cost of preparing a proposal, attendance at any pre-proposal conference, meetings or oral presentations shall be borne by the proponent, regardless of the conduct or outcome of the CFP process. Proposals must offer the services for the total requirement. Proposals offering only part of the services will be rejected.

### **3. Eligibility**

- 3.1 Proponents must meet all mandatory requirements/pre-qualification criteria as set out in **Annex B-1**. See point 4 below for further explanation. Proponents will receive a pass/fail rating on this section. UN Women reserves the right to verify any information contained in proponent's response or to request additional information after the proposal is received. Incomplete or inadequate responses, lack of response or misrepresentation in responding to any questions will result in disqualification.

### **4. Mandatory/Pre-Qualification Criteria**

- 4.1 The evaluation of technical and financial proposals by UN Women is conducted in two phases (see section 11 below) and the mandatory requirements/pre-qualification criteria have been designed to ensure that, to the degree possible in the initial stages of the CFP selection process, only those proponents with sufficient experience, financial strength and stability, demonstrable technical knowledge, evident capacity to satisfy UN Women requirements and superior customer references for supplying the services envisioned in this CFP will qualify for further consideration. UN Women reserves the right to verify any information contained in proponent's response or to request additional information after the proposal is received. Incomplete or inadequate responses, lack of response or misrepresentation in responding to any questions will result in disqualification.
- 4.2 Proponents will receive a pass/fail rating in the mandatory requirements/pre-qualification criteria section. In order to be considered for Phase I, proponents must meet all the mandatory requirements/pre-qualification criteria described in this CFP.

### **5. Clarification of CFP Documents**

- 5.1 A prospective proponent requiring any clarification of the CFP documents may notify UN Women in writing at UN Women email address indicated in the CFP by the specified date and time. UN Women will respond in writing to any request for clarification of the CFP documents that it receives by the due date for requests for clarification as outlined in **Section 1b of this annex (on page 1)**.
- 5.2 Written copies of UN Women's responses to such inquiries (including an explanation of the query but without identifying the source of inquiry) will be posted using the same method as the original posting of this (CFP) document.
- 5.3 If the CFP has been advertised publicly, the results of any clarification exercise (including an explanation of the query but without identifying the source of inquiry) will be posted on the advertised source.

### **6. Amendments to CFP Documents**

- 6.1 At any time prior to the deadline for submission of proposals, UN Women may, for any reason, whether at its own initiative or in response to a clarification requested by a prospective proponent, modify the CFP documents by amendment. All prospective proponents that have received the CFP documents will be notified in writing of all amendments to the CFP documents. For open competitions, all amendments will also be posted on the advertised source.
- 6.2 In order to afford prospective proponents reasonable time in which to take the amendment into account in preparing their proposals, UN Women may, at its discretion, extend the deadline for the submission of proposal.

### **7. Language of Proposals**

- 7.1 The proposal prepared by the proponent and all correspondence and documents relating to the proposal exchanged between the proponent and UN Women, shall be written in English.
- 7.2 Supporting documents and printed literature furnished by the proponent may be in another language provided they are accompanied by an appropriate translation of all relevant passages in English. In any such case, for interpretation of the proposal, the English translation shall prevail. The sole responsibility for translation and the accuracy thereof shall rest with the proponent.

### **8. Submission of Proposals**

- 8.1 Technical and financial proposals should be submitted as part of the template for proposal submission (**Annex B2**) in one email with the CFP reference and the clear description of the proposal by the date and time stipulated in this document. If the emails and email attachments are not marked as instructed, UN Women will assume no responsibility for the misplacement or premature opening of the proposals submitted. The email text body should indicate the name and address of the proponent. **All proposals should be sent by email to the following secure email address: technical-bid.np@unwomen.org**
- 8.2 Proposals should be received by the date, time and means of submission stipulated in this CFP. Proponents are responsible for ensuring that UN Women receives their proposal by the due date and time. Proposals received by UN Women after the due date and time will be rejected.
- 8.3 When receiving proposals by email (as is required for the CFP), the receipt time stamp shall be the date and time when the submission has been received in the dedicated UN Women inbox. UN Women shall not be responsible for any delays caused by network problems, etc. It is the sole responsibility of proponents to ensure that their proposal is received by UN Women in the dedicated inbox on or before the prescribed CFP deadline.
- 8.4 **Late proposals:** Any proposals received by UN Women after the deadline for submission of proposals prescribed in this document, will be rejected.

**9. Clarification of Proposals**

9.1 To assist in the examination, evaluation and comparison of proposals, UN Women may, at its discretion, ask the proponent for a clarification of its proposal. The request for clarification and the response shall be in writing and no change in the price or substance of the proposal shall be sought, offered or permitted. UN Women will review minor informalities, errors, clerical mistakes, apparent errors in price and missing documents.

**10. Proposal Currencies**

10.1 All prices shall be quoted in (local currency) \_NPR  
10.2 UN Women reserves the right to reject any proposals submitted in a currency other than the mandatory currency for the proposal stated above. UN Women may accept proposals submitted in another currency than stated above if the proponent confirms during clarification of proposals, see item (9) above in writing, that it will accept a contract issued in the mandatory proposal currency and that for the purposes of conversion, the official United Nations operational rate of exchange of the day of CFP deadline (as stated in the CFP letter) shall apply.  
10.3 Regardless of the currency stated in proposals received, the contract will always be issued and subsequent payments will be made in the mandatory currency for the proposal (as stated above).

**11. Evaluation of Technical and Financial Proposals**

**11.1 PHASE I – TECHNICAL PROPOSAL (70 points)**

Only proponents meeting the mandatory criteria will advance to the technical evaluation in which a maximum possible 70 points may be determined. Technical evaluators who are members of an Evaluation Committee appointed by UN Women will carry out the technical evaluation applying the evaluation criteria and point ratings as listed below. In order to advance beyond Phase I of the detailed evaluation process to Phase II (financial evaluation) a proposal must have achieved a minimum cumulative technical score of 50 points.

**Suggested table for evaluating technical proposal**

<b>1</b>	The organization’s mandate is relevant to the work to be undertaken in the UN Women Terms of Reference ( <b>component 1</b> )	<b>10 points</b>
<b>2</b>	The organisation has the capacity and previous experience of carrying out similar assignment on gender responsive access to justice and WPS from a GESI lens on working (particularly to work with frontline justice actors such as judicial committees, mediators, informal justice actors, mentioned in the target groups as well as work with community based/grassroots women’s organizations and WHRD networks)	<b>40 points</b>
<b>3</b>	The proposal demonstrates a sound understanding of the requirements of the ToR and indicates that the organisation has the prerequisite capacity to undertake the work successfully	<b>20 points</b>
	<b>TOTAL</b>	<b>70 points</b>

**11.2 PHASE II - FINANCIAL PROPOSAL (30 points)**

Financial proposals will be evaluated following completion of the technical evaluation. The proponent with the lowest evaluated cost will be awarded 30 points. Other financial proposals will receive pro-rated points based on the relationship of the proponents’ prices to that of the lowest evaluated cost.

Formula for computing points: Points = (A/B) Financial Points

Example: Proponent A’s price is the lowest at \$10.00. Proponent A receives 30 points. Proponent B’s price is \$20.00. Proponent B receives (\$10.00/\$20.00) x 30 points = 15 points.

**12. Preparation of Proposals**

12.1 Proponents are expected to examine all terms and instructions included in the CFP documents. Failure to provide all requested information will be at the proponent’s own risk and may result in rejection of the proponent’s proposal.  
12.2 The proponent’s proposal must be organized to follow the format of this CFP. Each proponent must respond to every stated request or requirement and indicate that the proponent understands and confirms acceptance of UN Women’s stated requirements. The proponent should identify any substantive assumption made in preparing its proposal. The deferral of a response to a question or issue to the contract negotiation stage is not acceptable. Any item not specifically addressed in the proponent’s proposal will be deemed as accepted by the proponent. The terms “proponent” and “contractor” refer to those organizations that submit a proposal pursuant to this CFP.  
12.3 Where the proponent is presented with a requirement or asked to use a specific approach, the proponent must not only state its acceptance, but also describe, where appropriate, how it intends to comply. Failure to provide an answer to an item will be considered an acceptance of the item. Where a descriptive response is requested, failure to provide one will be viewed as non-responsive.



- 12.4 The terms of reference in this document provides a general overview of the current operation. If the proponent wishes to propose alternatives or equivalents, the proponent must demonstrate that any such proposed change is equivalent or superior to UN Women established requirements. Acceptance of such changes is at the sole discretion of UN Women.
- 12.5 Proposals must offer services for the total requirement, unless otherwise permitted in the CFP document. Proposals offering only part of the services will be rejected unless permitted otherwise in the CFP document.
- 12.6 Proponents may use the services of sub-contractors or sub-partners to partially perform the work except if the proponent is providing grant-making work. The proponent's Technical Proposal shall indicate clearly if the proponent is intending to use sub-contractors or sub-partners and their names. If it is not possible to include the names of sub-partners and sub-contractors in the proposal, the names must be submitted to UN Women as soon as possible.
- 12.7 The proponent's proposal shall state the following and include all of the following labelled annexes:

**CFP submission** (on or before proposal due date):

As a minimum, proponents shall complete and return the below listed documents (annexes to this CFP) **as an integral part of their proposal**. Proponents may add additional documentation to their proposals as they deem appropriate.

Failure to complete and return the below listed documents as part of the proposal may result in proposal rejection.

Part of proposal	<b>Annex B-1</b> Mandatory Requirements/Pre-Qualification Criteria and Contractual Aspects
Part of proposal	<b>Annex B-2</b> Template for Proposal Submission
Part of proposal	<b>Annex B-3</b> Format of Resume for Proposed Personnel
Part of proposal	<b>Annex B-4</b> Capacity Assessment Minimum Documents

If after assessing this opportunity you have made the determination not to submit your proposal, we would appreciate it if you could return this form indicating your reasons for non-participation.

**13 Format and Signing of Proposals**

- 13.1 The proposal shall be typed or written in indelible ink and shall be signed by the proponent or a person or persons duly authorized to bind the proponent to the contract. The latter authorization shall be indicated by written power-of-attorney accompanying the proposal.
- 13.2 A proposal shall contain no interlineations, erasures, or overwriting except as necessary to correct errors made by the proponent, in which case such corrections shall be initialled by the person or persons signing the proposal.

**14 Award**

- 14.1 Award will be made to the responsible and responsive proponent with the highest evaluated proposal following negotiation of an acceptable contract. UN Women reserves the right to conduct negotiations with the proponent regarding the contents of their proposal. The award will be in effect only after acceptance by the selected proponent of the terms and conditions of the agreement and the terms of reference. **The agreement will reflect the name of the proponent whose financials were provided in response to this CFP.** Upon execution of agreement UN Women will promptly notify the unsuccessful proponents.
- 14.2 The selected proponent is expected to commence providing services as of the date and time stipulated in this CFP.
- 14.3 The award will be for an agreement with an original term of 3 years 8 month s]] with the option to renew under the same terms and conditions for an additional period or periods as indicated by UN Women.

**Annex B-2**  
**Template for Proposal Submission**

Call For Proposals:

**Description of Services: Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders**

CFP No. UNW-AP-NPL-CFP-2024-003

<b>Mandatory Requirements/Pre-Qualification Criteria</b>
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Proponent's Eligibility Confirmation and Information	Proponent's Response
1 What year was the organization established?	
2 In what province/state/country has the organization been established?	
3 Has the organization ever been adjudged bankrupt, or been liquidated, or been insolvent, or applied for a moratorium or stay on any payment or repayment obligations, or applied to be declared insolvent? (If YES, explain in detail the reasons why, filing date, and current status.)	Yes/No
4 Has the organization ever been terminated for non-performance on a contract? If YES, describe in detail.	Yes/No
5 Has the organization or any of its employees and personnel ever been: <ul style="list-style-type: none"> <li>a. suspended or debarred by any government, a UN agency or other international organization;</li> <li>b. placed on any relevant sanctions list including the - <a href="https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list">https://www.un.org/sc/suborg/en/sanctions/un-sc-consolidated-list</a>, United Nations Global Market Place Vendor ineligibility or any other Donor Sanction List; and/or</li> <li>c. been the subject of an adverse judgment or award?</li> </ul> If YES, provide details, including date of reinstatement, if applicable. (If proponent is currently on any relevant sanctions list this should be disclosed in Question 8 of the Mandatory Requirements/Pre-Qualification Criteria above and is grounds for immediate rejection.)	Confirm Yes/No
6 It is UN Women policy to require that proponents and their sub-contractors and sub-partners observe the highest standard of ethics during the selection and execution of contracts. In this context, any action taken by a proponent, a sub-contractor or a sub-partner to influence the selection process or contract execution for undue advantage is improper. The proponent must confirm that it has reviewed and taken note of UN Women Anti-Fraud Policy ( <b>Annex B-6</b> ). The proponent must also confirm that the proponent and its sub-contractors and sub-partners have not engaged in any conduct contrary to that policy including in competing for this CFP.	Confirm Yes/No
7 Officials not to benefit: The proponent must confirm that no official of UN Women has received or will be offered any direct or indirect benefit arising from this CFP or any resulting contracts by the proponent or its sub-contractors or its sub-partners.	Confirm Yes/No
8 The proponent must confirm that the proponent is not engaged in any activity that would put it, if selected for this assignment, in a conflict of interest with UN Women.	Confirm Yes/No
9 The proponent must confirm that the proponent, its sub-partners or sub-contractors have not been associated, or involved in any way, directly or indirectly, with the preparation of the design, terms of references and/or other documents used as a part of this CFP.	Confirm Yes/No
10 UN Women policy restricts organizations from participating in a CFP or receiving UN Women contracts if a UN Women personnel or their immediate family are an owner, officer, partner or board member or in which the personnel or their immediate family has a financial interest in the organization. The proponent must confirm that no UN Women personnel or their immediate family are an owner, officer, partner or board member or have a financial interest in either the proponent, or its sub-partners or its sub-contractors.	Confirm Yes/No

Proponents are requested to complete this form (**Annex B-2**) and return it as part of their submission.

**Component 1: Organizational Background and Capacity to implement activities to achieve planned results (max 1.5 pages)**

This section should provide an overview (with relevant annexes) that clearly demonstrate that the proponent has the capacity and commitment to implement the proposed activities and produce results successfully. Key elements to be covered in this section include:

1. the nature of the proponent – whether it is a community-based organization, national or sub-national NGO, research or training institution,

- etc.;
2. the overall mission, purpose, and core programmes/services of the organization;
  3. the organization's target population groups (women, indigenous peoples, youth, etc.);
  4. the organizational approach (philosophy) - how the organization delivers its projects (e.g., gender-sensitive, rights-based, etc.);
  5. the organization's length of existence and relevant experience;
  6. an overview of the organization's capacity relevant to the proposed engagement with UN Women (e.g., technical, governance and management, and financial and administrative management);
  7. details of the following relating to prevention of SEA:
    - a. describe what measures are in place to prevent SEA;
    - b. describe reporting and monitoring mechanisms and procedures;
    - c. describe what capacity exists to investigate SEA allegations;
    - d. describe past allegations of SEA, if any, and how they were handled, including the outcome;
    - e. describe what SEA training the people (employees or otherwise) who will perform the services have completed; and
    - f. describe what reference and background checks have been done for employees and associated personnel.
  8. details relating to grant-making work, if applicable:
    - a. describe the proponent's institutional capacity to manage grants, including appropriate grant award management, system/framework for undertaking grant proposal evaluation, due diligence and, appropriate governance and risk management (including composition and terms of reference of the independent designated steering committee or grant selection committee);
    - b. describe relevant history in managing resources through grant awards;
    - c. describe the proponent's grant portfolio;
    - d. describe relevant history in working with small organizations including experience in providing technical assistance;
    - e. describe the proponent's programmatic capacity, including monitoring and evaluation capacity; and
    - f. describe the proponent's capacity to assess and manage risks.

**Component 2: Expected Results and Indicators** (max 1.5 pages)

This section should articulate the proponent's understanding of the UN Women Terms of Reference (TOR). It should contain a clear and specific statement of what the proposal will accomplish in relation to the UN Women Terms of Reference. This should include:

1. The **problem statement** or challenges to be addressed given the context described in the UN Women Terms of Reference.
2. The specific **results** expected (e.g., outputs) through engagement of the proponent. The expected results are the measurable changes which will have occurred by the end of the planned intervention. Propose specific and measurable indicators which will form the basis for monitoring and evaluation. These indicators will be refined, and will form an important part of the agreement between the proponent and UN Women.

**Component 3: Description of the Technical Approach and Activities** (max 2.5 pages)

This section should describe the technical approach and should be able to show the soundness and adequacy of the proposed approach, what will actually be done to produce the expected results in terms of activities. There should be a clear and direct linkage between the activities and the results at least at the output level. Specific strategies should also be described to support the achievement of results, such as building partnerships, etc.

Activity descriptions should be as specific as necessary, identifying **what** will be done, **who** will do it, **when** it will be done (beginning, duration, completion), and **where** it will be done. In describing the activities, an indication should be made regarding the organizations and individuals involved in or benefiting from the activity.

This narrative is to be complemented by a tabular presentation that will serve as Implementation Plan, as described in Component 4.

This section should also include the details of all proposed sub-contracting and sub-partnering.

**Component 4: Implementation Plan** (max 1.5 pages)

This section is presented in tabular form and can be attached as an annex. It should indicate the **sequence of all major activities and timeframe**

**(duration).** Provide as much detail as necessary. The Implementation Plan should show a logical flow of activities. Please include all required milestone reports and monitoring reviews in the Implementation Plan.

**Implementation Plan**

Project No:		Project Name:											
Name of proponent organization:													
Brief description of project													
Project start and end dates:													
Brief description of specific results (e.g., outputs) with corresponding indicators, baselines and targets. Repeat for each result.													
List the activities necessary to produce the results and indicate who is responsible for each activity		Duration of Activity in Months (or Quarters)											
Activity	Responsible	1	2	3	4	5	6	7	8	9	10	11	12
1.1													
1.2													
1.3													
1.4													

**Monitoring and Evaluation Plan** (max. 1 page)

This section should contain an explanation of the plan for monitoring and evaluating the activities, both during its implementation (formative) and at completion (summative). Key elements to be included are:

- how the performance of the activities will be tracked in terms of achievement of the steps and milestones set forth in the Implementation Plan;
- how any mid-course correction and adjustment of the design and plans will be facilitated on the basis of feedback received; and
- how the participation of community members in the monitoring and evaluation processes will be achieved.

**Component 5: Risks to Successful Implementation** (1 page)

Identify and list any major risk factors that could result in the activities not producing the expected results. These should include both internal factors (for example, the technology involved fails to work as projected) and external factors (for example, significant currency fluctuations resulting into changes in the economics of the activity, risk of sub-contractors or sub-partners not performing). Describe how such risks are to be mitigated.

In this section also include the key **assumptions** on which the activity plan is based on. In this case, the assumptions are mostly related to external factors (for example, the assumption that the relevant government’s environmental policy will remain stable) which are anticipated in planning the activity, and on which the feasibility of the activities depend.

Please attach a risk register to capture the above risk factors and risk mitigation measures.

**Component 6: Results-Based Budget** (max. 1.5 pages)

The development and management of a realistic budget is an important part of developing and implementing successful activities. Careful attention to issues of financial management and integrity will enhance the effectiveness and impact of activities. The following important principles should be kept in mind in preparing a project budget:

- Include costs which relate to efficiently carrying out the activities and producing the results which are set forth in the proposal. Other associated costs should be funded from other sources.
- The budget should be realistic. Find out what planned activities will actually cost, and do not assume that they would cost less.
- The budget should include all costs associated with managing and administering the activity or results, particularly the cost of monitoring and evaluation.
- The budget could include “support costs”, being those indirect costs that are incurred to operate the Responsible Party as a whole or a segment thereof and that cannot be easily connected or traced to implementation of the work, i.e., operating expenses, over-head costs and general costs connected to the normal functioning of an organization/business (such as cost for support staff, office space and equipment that are not direct costs).

- “Support cost rate” means the flat rate at which the Responsible Party will be reimbursed by UN Women for its support costs, as set forth in the Partner Project Document and not exceeding a rate of 7 or the rate set forth in the Donor Specific Conditions, if that is lower. The flat rate is calculated on the eligible direct costs.
- The budget line items are general categories intended to assist in thinking through where money will be spent. If a planned expenditure does not appear to fit in any of the standard line-item categories, list the item under other costs, and state what the money is to be used for.
- The figures contained in the budget sheet should agree with those on the proposal header and text.
- Depending on the results to be delivered, following suggestive thresholds could be followed for costs:
  - maximum for personnel related costs on a proposal - 20% of programming costs;
  - between 3-5% for audits (to be retained by UN Women for Responsible Party audits) (may change as per the annual audit cost);
  - 3% for monitoring and evaluation; and
  - up to 7% (or as per relevant donor agreement) – support costs including (utilities, rent etc.).

Expenditure Category *	Year 1 [Local currency]	Year 2 (Local currency), If applicable	Total [local currency/NPR]	Percentage Total
1. Personnel				
2. Equipment/Materials				
3. Training/Seminars/Travel Workshops				
4. Contracts				
5. Other costs <sup>8</sup>				
6. Incidentals				
7. Other support requested				
8. Support costs (not to exceed 7% or the relevant donor percentage)				
<b>Total Cost for Result 1</b>				

**\*Please submit the detailed activity level budget in excel sheet apart from the above summary table.**

I, (Name) \_\_\_\_\_ certify that I am (Position) \_\_\_\_\_ of (Name of Organization) \_\_\_\_\_; that by signing this proposal for and on behalf of (Name of Organization) \_\_\_\_\_, I am certifying that all information contained herein is accurate and truthful and that the signing of this proposal is within the scope of my powers.

I, by signing this proposal, commit to be bound by this proposal for carrying out the range of services as specified in the CFP package and respecting the terms and conditions stated in the UN Women template Partner Agreement.

\_\_\_\_\_  
(Signature)

(Seal)

(Printed Name and Title)

(Date)

<sup>8</sup> “Other costs” refers to any other costs that is not listed in the results-based budget. Please specify what they are in the footnote.

Format of Resume for Proposed Personnel

Call For Proposals

**Description of Services: Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders**

CFP No UNW-AP-NPL-CFP-2024003

Name of personnel: \_\_\_\_\_

Title: \_\_\_\_\_

Years with CSO: \_\_\_\_\_ Nationality: \_\_\_\_\_

**Education/Qualifications:**

*Summarize college/university and other specialized education of personnel member, giving names of schools, dates attended, and degrees-professional qualifications obtained.*

**Employment Record/Experience**

*Starting with present position, list in reverse order, every employment held:*

- *For all positions held by personnel member since graduation: List each position and provide dates, names of employing organization, title of position held and location of employment.*
- *For experience in last five years: Detail the type of activities performed, degree of responsibilities, location of assignments and any other information or professional experience considered pertinent for this assignment.*

**References**

*Provide names and addresses for two (2) references.*

**Annex B-4**  
**Capacity Assessment Minimum Documents**  
**[To be submitted by proponents and assessed by the reviewer]**

Call For Proposals

**Description of Services: Pathways to Gender-responsive Justice: Strengthening Capacities of Duty Bearers and Rights Holders**

CFP No. UNW-AP-NPL-CFP-2024-003

Document	Mandatory / Optional
<b>Governance, Management and Technical</b>	
Organization's legal registration documentation	Mandatory
Rules of governance of the organization	Mandatory
Organigram of the organization	Mandatory
List of key management at organization	Mandatory
CVs of key personnel of organization who are proposed for the engagement with UN Women	Mandatory
Details of organization's anti-fraud policy framework (which shall be consistent with UN Women's anti-fraud policy)	Mandatory
Details of organization's PSEA policy framework	Optional
Documentation evidencing training offered by organization to its employees and associated personnel on prevention and response to SEA.	Mandatory
Organization's policy and procedure documents in respect to grant-making (if grant-making activities are included in the UN Women Terms of Reference of the CFP)	Mandatory
Organization's policy and procedure for selecting partners (if sub-partner/s are going to be used)	Mandatory
<b>Administration and Finance</b>	
Administrative and financial rules of the organization	Mandatory
Details of the organization's internal control framework	Mandatory
Audited statements of the organization during last 3 years	Mandatory
List of banks with which organizational bank accounts are held	Mandatory
Name of external auditors of organization	Optional
<b>Procurement</b>	
Organization's procurement policy/manual	Mandatory
Templates of the solicitation documents for procurement of goods/services (e.g., request for quotation (FRQ), request for proposal (RFP) etc.) used by organization	Mandatory
List of main suppliers/vendors of organization and copies of their contract(s) including evidence of their selection processes	Mandatory
<b>Client Relationship</b>	
List of main clients/donors of organization	Mandatory
Two references for organization	Mandatory
Past reports to clients/donors of organization for last 3 years	Mandatory



## PARTNER AGREEMENT

This Partner Agreement (the “Agreement”) is between the United Nations Entity for Gender Equality and the Empowerment of Women, a subsidiary organ of the United Nations, established by the General Assembly of the United Nations, with Headquarters at 220 East 42nd Street New York, NY 10017 (“UN Women”) and [Full name and address of partner and legal registration number], (the “Partner”).

UN Women and the Partner hereinafter collectively referred to as the Parties and individually also as a Party.

UN Women has been entrusted by its donors with certain resources that can be allocated for the implementation of its programmes and UN Women is accountable to its donors and its Executive Board for the proper management of these resources.

UN Women is willing to make resources available to engage the Partner to contribute to the implementation of UN Women’s programmes by performing the Work and achieving the Results.

The Parties therefore agree as follows:

### ARTICLE I DEFINITIONS

In this Agreement:

“**Direct Costs**” mean costs that can easily be connected and traced to the implementation of the Work. For example, if an employee or consultant is hired to work on the implementation of the Work, either exclusively or for an assigned number of hours, their labor on the implementation of the Work is a direct cost.

“**Donor Specific Conditions**” mean the conditions requested by a donor when making a contribution for the Work to UN Women, which are required to be imposed on the Partner, and accepted by UN Women.

“**FACE Form**” means the Funding Authorization and Certificate of Expenditure Form attached to this Agreement. The FACE Form is used for (i) requests for cash advances, direct payments or reimbursements and (ii) financial reporting by the Partner.

“**Fraud**” is any act or omission whereby an individual or entity knowingly misrepresents or conceals a material fact (i) in order to obtain an undue benefit or advantage for himself, herself, itself, or a third party, and/or (ii) in such a way as to cause an individual or entity to act, or fail to act, to his, her or its detriment.

**“Progress Report Form”** means UN Women’s standard form for progress reports attached to this Agreement.

**“Partner Authorized Official”** means the person or persons appointed by the Partner to be its focal point for this Agreement with the authority to and ability to respond to all questions from UN Women and authorized to sign the FACE Forms and Progress Report Forms and other funding authorization forms. In addition, the Partner Authorized Official is authorized to sign the written statement set forth in Article V, section 5 (c).

**“Partner Project Document”** means the document describing in detail the Work, the Parties’ responsibilities, the expected Results including the work plan, the budget and the installment schedule. The Partner Project Document is the basis for requesting, committing and disbursing funds to carry out the Work and for monitoring and reporting.

**“Property”** means equipment, supplies, non-expendable materials and other property either provided by UN Women to the Partner for the purposes of this Agreement or purchased by the Partner with the funding provided by UN Women under this Agreement.

**“Results”** mean the outcomes and outputs described in the Partner Project Document.

**“Sexual Exploitation”** has the same meaning as set forth in the “Special measures for protection from sexual exploitation and sexual abuse” (“ST/SGB/2003/13”), in which it is defined as follows: “any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from sexual exploitation of another.”

**“Sexual Abuse”** has the same meaning as set forth in ST/SGB/2003/13, in which it is defined as follows: “the actual or threatened physical intrusion of a sexual nature, whether by force or unequal or coercive condition.”

**“Support Costs”** mean those indirect costs that are incurred to operate the Partner as a whole or a segment thereof and that cannot be easily connected or traced to implementation of the Work, i.e., operating expenses, overhead costs and general costs connected to the normal functioning of an organization/business, such as cost for support staff, office space and equipment that are not Direct Costs.

**“Support Cost Rate”** means the flat rate at which the Partner will be reimbursed by UN Women for its Support Costs, as set forth in the Partner Project Document and not exceeding a rate of 8% or the rate set forth in the Donor Specific Conditions, if that is lower. The flat rate is calculated on the eligible Direct Costs.

**“Work”** means the activities, work and services to be performed by the Partner as set forth in this Agreement.

## ARTICLE II AGREEMENT DOCUMENTS

1. This Agreement consists of the following documents:
  - (a) This agreement document;
  - (b) [ST/SGB/2003/13 "Special Measures for Protection from Sexual Exploitation and Sexual Abuse"](#) (Annex 1);
  - (c) The [General Terms and Conditions for Partner Agreements](#) (Annex 2);
  - (d) [Donor Specific Conditions, as applicable](#) (Annex 3);
  - (e) The Partner Project Document (Annex 4);
  - (f) The [Face Form](#) (Annex 5); and,
  - (g) The [Progress Report Form](#) (Annex 6).
2. The documents listed under section 1 above, form an integral part of this Agreement. All parts of the Agreement are intended to be complementary and what is set forth in any one document is as binding as if set forth in each document. In the event of any conflict, discrepancy, error or omission among any parts of the Agreement, either Party shall immediately notify the other Party. The Parties shall in good faith consult and decide how to remedy such conflict, discrepancy, error or omission including if necessary, making the required amendment to this Agreement.
3. If the Partner is a government entity, this Agreement supplements the relevant provisions of any host country agreement entered into between the Government and UN Women. If there is no such agreement then the Standard Basic Assistance Agreement entered into between the Government and the United Nations Development Programme (UNDP), or any other applicable host country agreement between the Government and UNDP, shall apply *mutatis mutandis* between UN Women and the Partner for the purposes of this Agreement.

## ARTICLE III GENERAL RESPONSIBILITIES OF THE PARTNER

1. The Partner shall perform the Work and achieve the Results.
2. The Partner shall use the funds and the Property provided by UN Women under this Agreement exclusively for performing the Work as set forth in this Agreement.
3. The Partner shall not accept funding from any other source than UN Women for performing the Work without UN Women's prior written approval.

The Partner shall inform UN Women in writing of the name of the source and the details of such funding.

4. The Partner shall not use the funds provided under this Agreement to award grants.
5. The Partner's responsibilities include:
  - (a) Commencing the Work in accordance with the timeline but not before both Parties have signed the Agreement;
  - (b) Making its designated contributions of technical assistance, services, equipment, non- expendable materials and other property towards the Work;
  - (c) Completing its responsibilities with diligence and efficiency, and in conformity with the requirements set out in the Partner Project Document (including in connection with the workplan and budget);
  - (d) Providing the reports required under this Agreement in a timely manner and satisfactory to UN Women, and furnishing any other information relating to the Work and the use of any funds and Property that UN Women may reasonably ask for;
  - (e) Exercising a high standard of care when handling and administering the funds and Property provided to it by UN Women;
  - (f) Appointing a Partner Authorized Official to act as the focal point for the Partner with the authority to and ability to respond to all questions from UN Women and sign the FACE Forms, Progress Report Forms and other funding authorization forms or requests required by UN Women on behalf of the Partner. In addition, the Partner Authorized Official/s is authorized to sign the written statement set forth in Article V, section 5 (c).

Full name of Partner Authorized Official:

Name: [enter name]

Title: [enter title]

Sample signature: [\_\_\_\_\_]

Name: [enter name]

Title: [enter title]

Sample signature: [\_\_\_\_\_]

It is understood, for the avoidance of doubt, that any removals from or amendments to the (list of) Partner Authorized Official/s identified above shall require a written amendment to this Agreement in accordance with Article 19.0 of the General Terms and Conditions for Partner Agreements.

(g) In relation to Sexual Exploitation and Sexual Abuse:

i. Undertaking that the Partner accepts the standards of conduct set out in section 3 of ST/SGB/2003/13 including, *inter alia*:

1. Acknowledging that Sexual Exploitation and Sexual Abuse are strictly prohibited. The Partner, any of its employees, personnel, sub-contractors and others engaged to perform the Work shall not engage in Sexual Exploitation or Sexual Abuse.
2. Acknowledging the following specific standards:
  - a. Sexual activity with any person less than eighteen years of age (“child”), regardless of any laws relating to the age of majority or to consent, shall constitute the Sexual Exploitation and Sexual Abuse of such person. Mistaken belief in the age of a child shall not constitute a defense under this Agreement.
  - b. The exchange or promise of exchange of any money, employment, goods, services, or other thing of value, for sex, including sexual favors or sexual activities, shall constitute Sexual Exploitation and Sexual Abuse.
  - c. Sexual relationships between Partner’s employees, personnel, sub- contractors and others engaged to perform the Work and beneficiaries of assistance, since they are based on inherently unequal power dynamics, undermine the credibility and integrity of the work of UN Women and are strongly discouraged.
  - d. The Partner must take all appropriate measures to prevent Sexual Exploitation and Sexual Abuse of anyone by it or any of its employees, personnel, sub-contractors and others engaged to perform the Work.
- ii. Acknowledging that UN Women will apply a policy of “zero tolerance” with regard to Sexual Exploitation and Sexual Abuse of anyone by the Partner, its employees, agents or any other persons engaged by Partner to perform any services under this Agreement.
- iii. Reporting to UN Women and investigating any allegation of Sexual Exploitation and Sexual Abuse as such allegations arise in the context of the Work as set forth in 14.3 of the General Terms and Conditions.
- iv. Ensuring that its employees, personnel, sub-contractors and others engaged to perform the Work have undertaken training on prevention and response to Sexual Exploitation and Sexual Abuse, including information on the definition and

prohibition of Sexual Exploitation and Sexual Abuse, the requirements for prompt reporting of Sexual Exploitation and Sexual Abuse allegations to the Partner and referral of victims to immediate assistance. Training options include the UN Sexual Exploitation and Sexual Abuse online training that is available for all implementing partners at: <https://agora.unicef.org/course/info.php?id=7380>.

- (h) In relation to Fraud:
  - i. Reviewing and taking note of the [UN Women Anti-Fraud Policy](#) (or such other URL as UN Women may from time to time decide).
  - ii. Having a written fraud prevention and fraud awareness policy in place, which at a minimum shall provide a system to prevent, detect, report, address and follow-up on fraud, corruption and other wrongdoing.
  - iii. Reporting to UN Women any allegation of fraud as such allegations arise in the context of the Work as set forth in 14.3 c of the General Terms and Conditions;
  - iv. Acknowledging that any fraud may lead to the imposition by UN Women of sanctions (including censure or ineligibility/debarment) with regard to future transactions with UN Women, at UN Women's sole discretion and without prejudice to any other right or remedy available to UN Women.
- (i) Opening a separate bank account for the funds, if requested by UN Women.

#### **ARTICLE IV GENERAL RESPONSIBILITIES OF UN WOMEN**

- 1. UN Women shall contribute to the Work as set forth in this Agreement, including by:
  - (a) Commencing and completing the responsibilities allocated to it in this Agreement in a timely manner, provided that all necessary reports and other documents are available, and UN Women is satisfied with the same;
  - (b) Making transfers of funds in accordance with the provisions of this Agreement;
  - (c) Making Property available in accordance with the provisions of this Agreement;
  - (d) Undertaking and completing monitoring, evaluation and oversight of the Work;
  - (e) Liaising on an ongoing basis, as needed, with the relevant Government (as applicable), other members of the United Nations Country Team, donors, and other stakeholders;
  - (f) Providing training, if stated in the Partner Project Document, overall guidance, oversight, technical assistance and leadership, as appropriate, for the Work, and making itself available for consultations as reasonably requested; and,

- (g) Reimbursing the Partner for its Support Costs at the Support Cost Rate. The Partner acknowledges and agrees that the Partner is not entitled to any reimbursement for Support Costs exceeding, or any indirect costs in addition to, the agreed Support Cost Rate.

#### **ARTICLE V FUND REQUESTS**

1. UN Women shall provide the Partner with funds for the Work, subject to the availability of funds and the terms of this Agreement. UN Women’s funding to the Partner shall not exceed the total amount of [fill currency and total amount] as set forth in the Partner Project Document. UN Women shall provide such funding to the Partner utilizing, at its discretion, any of the following three fund transfer modalities:
  - (a) Cash advance by UN Women to the Partner;
  - (b) Reimbursement by UN Women to the Partner; and,
  - (c) Direct payment by UN Women on the Partner’s behalf to the Partner’s vendor or supplier.
2. The fund transfers shall be made in installments as set forth in the Partner Project Document or more frequently if the criteria set forth in this Agreement have been satisfied. Each fund transfer shall be made utilizing the fund transfer modality decided solely by UN Women. The fund transfers shall be made in the currency used in the country where the Work is taking place.

#### Terms and conditions applicable to all fund transfer modalities

3. Any request for a fund transfer by the Partner shall fulfill the following criteria to the satisfaction of UN Women, failing which UN Women may decide not to honor the request in whole or in part:
  - (a) The Partner may submit funding requests, using the FACE Form, every three months during the term of the Agreement or more frequently provided that the Work relevant for those months has been completed and the corresponding funds expended, and the relevant criteria in the Agreement are satisfied.
  - (b) The FACE Form shall be signed by a Partner Authorized Officer.
  - (c) The request for fund transfer shall be accompanied by the financial and progress reporting as provided in Article VIII.
  - (d) The amount and purpose of the request shall be consistent with the provisions of this Agreement.

- (e) The request shall be reasonable and justified under principles of sound financial management, in particular the principles of value for money and cost-effectiveness.
- (f) Prior fund transfers shall have been reported on to UN Women's satisfaction in accordance with Article VIII.
- (g) At least 80% or more of the expenditure relating to the immediately preceding fund transfer and 100% of the expenditure relating to all previous fund transfers, if any, have been reported to the satisfaction of UN Women. If the fund transfer request is made more frequently than every three months, all Work relevant for those months has been completed and all corresponding funds expended.
- (h) There shall be no other grounds for believing the expenditure is in contravention of this Agreement, including the Partner Project Document.

Specific procedures for each fund transfer modality

4. Requests for cash advances:

- (a) The Partner may submit funding requests for cash advances, using the FACE Form, every three months during the term of the Agreement except as set forth in sections (b) and (c) below.
- (b) The Partner may submit the first funding request for a cash advance as soon as both Parties have signed this Agreement.
- (c) The Partner may submit requests more frequently than every three months in accordance with section 3 above.

5. Requests for direct payment transfers:

- (a) The Partner may submit to UN Women a written request for direct payment to the Partner's vendor or supplier.
- (b) The request for direct payment must be submitted no later than the three-month period following receipt of the goods or services.
- (c) The request for direct payment shall in all cases include the vendor or supplier's banking information, the original invoice or invoices issued by the vendor or supplier to the Partner, the purchase order, the quotation and a written statement by the Partner Authorized Officer certifying that the vendor or supplier delivered the goods and/or performed the services satisfactorily and in accordance with the terms of the contract between the Partner and the vendor or supplier.

6. Requests for reimbursements:



- (a) Any expenditure by the Partner from its own resources in respect of which the Partner intends to request a reimbursement under this Agreement, shall be subject to prior funding authorization by UN Women. To obtain funding authorization of the Partner's expenditures that will be subject to reimbursement, the Partner shall submit to UN Women a funding authorization request for reimbursement in a form and format as decided by UN Women. This funding authorization request may not exceed the relevant amount set forth in the Partner Project Document and shall be duly signed by a Partner Authorized Officer. If the funding authorization request for reimbursement is in proper form and complete and all the requirements in this Agreement are met, UN Women will determine the amount to be authorized for funding and will authorize that amount by written reply to the Partner.
- (b) Subject to prior authorization under section 6 (a) above, the Partner may submit to UN Women a written request for a reimbursement further to section 3 above. The request for reimbursement shall be submitted in connection with satisfactory financial and proper progress reporting (see Article VIII).

Other provisions relevant for fund transfers

7. Revision of budget by Partner:

The Partner may, without UN Women's approval but with prior written notice to UN Women, revise the budget by re-allocating funds either within an activity or between activities identified by account codes on the FACE Form, as long as the re-allocation is not (i) exceeding twenty (20%) of the total budgeted amount; (ii) negatively impacting the Results; or, (iii) increasing the total budgeted amount. Any other revisions of the budget require an amendment to this Agreement.

8. Payment of fund transfers by UN Women:

- (a) If each request for fund transfer is received in a timely fashion and is in proper form and complete and all the requirements in this Agreement have been met, UN Women will determine the amount to be transferred and will transfer that amount to the Partner, or if the direct payment modality is used, on behalf of the Partner, within reasonable time.
- (b) UN Women may decide to adjust the amount of any fund transfer where it has reason to do so, including:
  - i. To take into consideration the general progress made to the Work to date;
  - ii. To take into consideration any unspent or unsatisfactorily reported balance remaining with the Partner from any previous fund transfer or any amounts paid by UN Women as direct payment, reimbursement or otherwise, lost by the Partner or used by the Partner other than in accordance with this Agreement, including any amounts shown by audits, site/field visits, spot checks or investigations to have been so paid, lost or used;

- iii. To take into consideration any expenditure that is ineligible in accordance with this Agreement;
- iv. To take into consideration interest or income earned by the Partner from a previous fund transfer; and,
- v. To withhold up to 10% of the total budgeted amount for the Work for risk management purposes.

(c) UN Women is only required to transfer to or, where the direct payment modality is used, on behalf of the Partner the amount UN Women determines is due under the terms of this Agreement. UN Women shall not be liable to the Partner or any third party, including the Partner’s vendor or supplier, for any amounts that UN Women determines are not owing under this Agreement.

(d) The fund transfers other than direct payments shall be made by UN Women to the following bank account:

Bank name: [ ] Bank address: [ ] Account title: [ ] Account No.: [ ]

Bank contact person: [ ]

**ARTICLE VI ADMINISTRATION OF FUNDS AND PROPERTY**

Administration of funds

1. The Partner shall administer the funds and carry out the Work under its own financial regulations, rules and procedures to the extent that they are determined to be appropriate by UN Women. Where UN Women determines that the Partner’s financial regulations, rules, policies and procedures are not appropriate, UN Women shall give written notice the Partner. In such cases, UN Women may decide, *inter alia*, to implement the Work or any parts thereof, including procurement activities, directly or transfer the implementation thereof to another partner.
2. Where the Partner buys goods or services from the funds, the Partner shall do so giving due consideration to the following principles:
  - (a) Best value for money;
  - (b) Fairness, integrity and transparency; and,

(c) Competition.

Administration of Property

3. UN Women shall remain the owner of the Property.
4. UN Women may during the term of this Agreement decide that Property shall be reassigned towards the implementation of another UN Women programme or project, which may be implemented by the Partner or by another partner. In the latter case, the Partner shall, upon written instructions by UN Women, transfer the Property to the other partner, as directed. Article IX sets forth the obligations when the Work is completed, or the Agreement ends.
5. The Partner shall be responsible for the care, security, maintenance and physical inventory of the Property.
6. The Partner, unless self-insured, shall maintain insurance for the Property. Upon request, the Partner shall produce documentary evidence of such insurance including self-insurance.
7. The Partner shall place UN Women markings on the Property in consultation with UN Women.
8. In cases of damage, theft or other losses of the Property, the Partner shall provide UN Women with a comprehensive report, including a police report, where appropriate, and any other evidence giving full details of the events leading to the loss of the Property.
9. UN Women shall assist the Partner in clearing the Property through customs at places of entry into the country where the Work is taking place.
10. Detailed inventories shall be taken of the Property by the Partner at the end of every year, or if the Agreement is for less than a calendar year, at the end of the Agreement.

**ARTICLE VII  
RECORD KEEPING/ACCOUNTING SYSTEM**

1. The Partner shall establish and maintain, for a period of seven (7) years after this Agreement ends the books and records set forth in this Article in a reasonable accounting system that enables UN Women to readily identify how the funds received under this Agreement have been used, including detailed inventories of the Property, expenditures, costs of goods and services, supporting documentation, all fund transfers received by the Partner and any unspent funds.
2. The Partner's books and records shall clearly show which transactions recorded in its accounting system represent the expenditures reported for each line on the FACE Form.

3. The books and records shall in addition to what is referred to under section 1 of this Article, include, but not be limited to, accounting records, written policies and procedures; sub-contractor files (including proposals of successful and unsuccessful bidders, bid recaps, etc.); all paid vouchers including those for out-of-pocket expenses; other reimbursement supported by invoices; purchase orders; suppliers' invoices; contracts (including employment contracts); delivery notes; leases; airline tickets; gasoline coupons; ledgers; cancelled checks; deposit slips; bank statements; journals; original estimates; estimating work sheets; contract amendments and change order files; backcharge logs; insurance documents; payroll documents; timesheets; memoranda; correspondence and HR records for personnel hired to assist with the Work; and any other relevant supporting documentation.
4. The Partner acknowledges and agrees that a written statement by the Partner that money has been spent is insufficient and cannot replace the original documentation to support expenditures.
5. If any necessary and supporting documentation or detailed inventory of Property is not properly maintained and available for review, or was lost or prematurely destroyed, UN Women may stop any further payment under the Agreement and demand refund of such amounts as set forth in Article 14.1 f of the General Terms and Conditions for Partner Agreements.
6. The Partner acknowledges and agrees that UN Women has the right to conduct audits, site/field visits, spot checks and investigations in accordance with Article 14 of the General Terms and Conditions for Partner Agreements.

#### **ARTICLE VIII REPORTING REQUIREMENTS**

##### Financial reporting

1. The Partner shall submit to UN Women the reports detailed below signed by the Partner Authorized Official. Such reports shall be in English. When UN Women has reviewed the reports, UN Women will determine to what extent it will approve the expenditure and further process fund transfers. UN Women's approval of the expenditure at this stage of the process does not preclude UN Women from claiming refund of the same amount if it is later shown, including by an audit, site/field visit, spot check or investigation, that the initially approved expenditure was not in accordance with this Agreement or relates to misuse of funds including fraud or other wrongdoing.
2. All financial reporting to UN Women shall be performed by the Partner in the currency in which the fund transfer was made.
3. The Partner shall, using the FACE Form, submit financial reports no later than 20 calendar days after the end of every three-month period starting three months after UN

Women disbursed the first fund transfer, or every time the Partner is requesting fund transfers, if the requests are made more frequently than every three-month period.

The FACE Form:

- (a) Shall include only eligible expenditures in the form of Direct Costs that are identifiable and verifiable. Direct Costs are identifiable when the expenditures are recorded in the Partner's accounting system and the accounting system shows which transactions represent the Direct Costs reported for each line on the FACE Form. The Direct Cost is verifiable when the expenditures can be confirmed by supporting documentation as set forth in Article VII;
  - (b) Shall include only expenditures that have been paid by the Partner. The financial report has been designed to reflect transactions on a cash basis. For this reason, unliquidated obligations or commitments should not be reported to UN Women, i.e., the reports should be prepared on a "cash basis", not on an accrual basis, and thus will include only expenses paid by the Partner and not commitments. Any cash disbursement to sub-contractors or vendors can be reported as expenses in the financial report only after the sub-contractor or vendor complete the activities for which these funds have been transferred;
  - (c) Shall not include any expenditures that are ineligible for fund transfer, as stipulated in section 5 below;
  - (d) Shall include the balance of any unspent funds remaining from any previous fund transfers;
  - (e) Shall include any refunds or adjustments received by the Partner against any previous fund transfers;
  - (f) Shall include interest earned on any unspent balance remaining from any previous fund transfers;
  - (g) Shall include any income earned when performing the Work; and,
  - (h) Shall include the Support Costs.
4. The Partner shall submit an Excel sheet listing all documents supporting the liquidation of expenditure in the FACE Form and at a minimum specifying the name of the vendor or supplier, the date and a description of the goods or service and provide any original supporting documentation to UN Women immediately upon written request by UN Women.
5. The following are non-exhaustive examples of ineligible expenditures and, therefore, shall not be included in the FACE Form and UN Women shall be entitled to reject any such ineligible expenditure:

- (a) Expenditures not made for the Work, or not necessary for the Partner to perform the Work as set forth in this Agreement;
- (b) Expenditures for value added tax unless the Partner can demonstrate to the satisfaction of UN Women that it is unable to recover the value-added tax;
- (c) Expenditures paid or reimbursed to the Partner by another donor or entity;
- (d) Expenditures in relation to which the Partner has received an in-kind contribution from another donor or entity;
- (e) Any expenditure for indirect costs in excess of the Support Cost Rate;
- (f) Expenditures that are not verifiable by supporting documentation as provided in Article VII of this Agreement;
- (g) Salaries for Partner's employees, if the Partner is not a government, exceeding the rates payable by UN Women for comparable functions performed by locally recruited staff members at the relevant duty station;
- (h) Salaries for Partner's employees, if the Partner is a government, exceeding the established salary or pay scale rates of the Partner for comparable functions, and in no case exceeding the rates payable by UN Women for comparable functions performed by locally recruited staff members at the relevant duty station;
- (i) Expenditures in respect of fees for individual consultants retained by the Partner exceeding the rates payable by UN Women for comparable services rendered by individual consultants;
- (j) Expenditures for travel, daily subsistence and related allowances for the Partner's employees or consultants exceeding the rates payable by UN Women to its staff members or consultants, as applicable;
- (k) Expenditures that have been incurred but have not actually been paid (see section 3 (b) above);
- (l) Expenditures that merely represent financial transfers between administrative units or locations of the Partner;
- (m) Expenditures that relate to obligations that were entered into before the commencement or after the end date of this Agreement; or,
- (n) Debt and debt service charges.

Progress Reporting

6. The Partner shall, using the Progress Report Form, submit narrative progress reports no later than 20 calendar days after the end of every three-month period starting three months after UN Women disbursed the first fund transfer, or every time the Partner is requesting fund transfers, if the requests are made more frequently than every three-month period.
7. The Partner shall always submit the progress report together with the financial report and such progress reports shall be filled out appropriately and duly signed by a Partner Authorized Official.

#### Inventory Reporting on Property

8. A detailed inventory report of the Property shall be submitted to UN Women within 30 calendar days after each calendar year, and at the end of the Agreement. If the Agreement is for less than one calendar year, the Partner shall submit the inventory report within 60 calendar days after the end of the Agreement.

### **ARTICLE IX COMPLETION OF THE WORK**

1. The Partner shall, no later than 60 calendar days after the Work has been completed or the Agreement expired or is prematurely terminated, whichever happens first:
  - (a) Submit to UN Women an inventory report of the Property. UN Women may decide that the Property shall be: (i) transferred for use by another partner; (ii) transferred back to UN Women; or (iii) donated to the Partner or a third party. The Partner shall deliver the Property at a reasonable time and place as instructed by UN Women in writing and shall fully cooperate with UN Women in good faith in the transfer and delivery;
  - (b) Submit to UN Women a final financial report, using the FACE Form, including a request for reimbursement of any withheld amount; and,
  - (c) Submit to UN Women a final progress report using the Progress Report Form.
2. UN Women shall when the Work has been completed or the Agreement expired or is prematurely terminated, whichever happens first, make a final liquidation of the funding provided under this Agreement. If UN Women's final liquidation shows that the Partner has received more funds than the Partner is entitled to in accordance with this Agreement, the Partner shall repay such balance within 30 calendar days of receiving a request for repayment. UN Women shall, when making such final liquidation of the funding, consider items, including any unspent funds, interest or income earned, ineligible expenditure or funds used for expenditure not supported by documentation.

### **ARTICLE X**

**TERM OF AGREEMENT**

This Agreement shall enter into force on the date it is signed by both Parties. It shall expire automatically on [fill in the date the Work shall be completed according to the timeline] unless terminated earlier in accordance with the terms of this Agreement.

IN WITNESS, WHEREOF, the undersigned, duly authorized by the respective Parties, have signed this Agreement.

For the Partner:

Name: [ ]

Title: [ ]

Signature: \_\_\_\_\_

Date: [ ]

Email: [ ]

For UN Women:

Name: [ ]

Title: [ ]

Signature: \_\_\_\_\_

Date: [ ]

Email: [ ]



Annex B-6  
UN Women Anti-Fraud Policy

UN WOMEN ANTI-FRAUD POLICY	
<b>Effective Date</b>	20 June 2018
<b>Review Date</b>	20 June 2022
<b>Approved by</b>	Moez Doraid, Director, DMA
<b>Content Owner/s</b>	Lene Jespersen, Deputy Director, DMA

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## Purpose

UN Women, as a potential victim of fraud, is exposed to various risks which may include: **financial risks**, which can be measured in monetary terms; **operational risks**, which cause deficiencies in the implementation and delivery of programmes; and **reputational risks**, which harm the prestige and respect of the Organization.

In respect of fraud risks, UN Women maps its three lines of defense as follows:

Implementation and management of fraud prevention and detection controls designed to manage potential risks that may expose the Entity to fraud. These activities are in accordance with several instruments developed by UN Women, namely its Internal Control Policy and the Delegation of Authority, which are incorporated into manual and automated systems and processes.

Quality assurance and risk management provide an oversight role and the support required to be able to assess the adequacy of governance structures that are in place to manage fraud and make recommendations on the implementation of mitigation actions that may be required to manage fraud related risks.

Internal and external audit carry out agreed upon regular audits, the scope of which includes the consideration of prevention and detective controls to manage fraud risk. The

investigation function is responsible for receiving, analyzing, and investigating all information received on alleged cases of fraud, and making findings based on which action is taken. The output of these assurance activities is then fed back into fraud prevention activities.

UN Women is committed to promoting and adhering to the highest standards of probity and accountability in the use of its resources. To effectively address fraud, UN Women strives to ensure that the three lines of defense respond efficiently and effectively to its operational and administrative environment, while taking advantage of lessons learned and best practices developed during the prevention, detection, and response to fraud.

The purpose of this anti-fraud policy (the “Policy”) is to outline UN Women’s current approach to the prevention, detection and response to incidents of fraud. This Policy compiles existing provisions set out in UN Women regulations, rules, policies and procedures including the UN-Women Policy for Addressing Non-Compliance with UN Standards of Conduct (the “Legal Policy”), the UN-Women Policy for Protection Against Retaliation, and the Delegation of Authority Policy (the “DoA Policy”) A full list of existing regulations, rules, policies and procedures can be found under Annex I. As such, the Policy is a cumulative statement of UN Women’s anti-fraud strategy and does not depart from UN Women’s current approach to confronting fraud.

## Application

This Policy applies to any fraud involving UN Women staff members as well as any party, individual or corporate, having a direct or indirect contractual relationship with UN Women or that is funded, wholly or in part, with UN Women resources.

This Policy can apply to:

a) **Personnel:** staff members of UN Women and persons engaged by UN Women under other contractual arrangements to perform services for UN Women.

**Implementing Partners and Responsible Parties:** entities engaged by UN Women to carry out programme or project activities including government entities, non-UN inter-governmental organizations, non-governmental organizations, and UN agencies.

**Vendors:** An offeror or a prospective, registered or actual supplier, contractor or provider of goods, services and/or works to the UN System.

## Definitions

### “Fraud”

The UN system wide common definition of fraud is "any act or omission whereby an individual or entity knowingly misrepresents or conceals a material fact (a) in order to obtain an undue benefit or advantage for himself, herself, itself, or a third party, and/or (b) in such a way as to cause an individual or entity to act, or fail to act, to his, her or its detriment" (High-Level Committee on Management (HLCM), 33<sup>rd</sup> Session, March 2017).

### **“Presumptive Fraud”**

The UN system wide common definition of fraud is “allegations that have been deemed to warrant an investigation and, if substantiated, would establish the existence of fraud resulting in loss of resources to the Organization” (High-Level Committee on Management (HLCM), 33<sup>rd</sup> Session, March 2017).

## **Roles and Responsibilities**

All parties to whom this Policy applies are responsible for safeguarding the resources entrusted to UN Women and have critical roles and responsibilities in ensuring that fraud in relation to UN Women resources and activities is prevented, detected, reported and addressed promptly.

Director, Division of the Internal Evaluation and Audit Services (IEAS)

The Director, IEAS shall act as the corporate manager who is the custodian of this Policy and who is responsible for the implementation, monitoring, and periodic review of this Policy.

In carrying out this role, the Director, IEAS will among other things:

- Serve as the repository of knowledge on fraud risks and controls; and
- Manage the fraud risk assessment process and co-ordinate anti-fraud activities across the Organization.

### **Personnel**

UN Women Financial Rule 203 states, “All personnel of UN-Women are responsible to the Under-Secretary-General/Executive Director for the regularity of actions taken by them during their official duties. Personnel who take any action contrary to these financial regulations and rules or to the instructions that may be issued in connection therewith may be held personally responsible and financially liable for the consequences of such action.”

### **Staff members**

Staff members have a responsibility to report allegations of wrongdoing (allegations of wrongdoing is defined in the Legal Policy as a reasonable belief on factual information that misconduct has occurred. Misconduct is further defined in Section 5.1.3 of the Legal Policy and includes allegations fraud) to the Office of Internal Oversight Services of the United Nations (OIOS) entrusted with the responsibility of providing investigation services to UN Women or to their immediate supervisor or another appropriate supervisor within the operating unit. The supervisor to whom the report was made, shall report the matter to OIOS. If the staff member believes that there is a conflict of interest on the part of the person to whom the allegations of wrongdoing are to be reported, he or she will report the allegations to the next higher level of authority. In addition, as set out above, they are responsible for the regularity of actions taken by them during their official duties.

Failure to report allegations of misconduct, which includes fraud, represents misconduct itself. Staff members are, however, cautioned that using the investigation process in a malicious manner – or otherwise providing information known to

be false or with reckless disregard for its accuracy – may constitute misconduct.

*For further information on the responsibilities of staff members, please consult Section 5.1.3- Misconduct and Section 4.9 - Staff members of the Legal Policy and Staff Rule 1.2 (c) of the Staff Rules and Staff Regulations of the United Nations.*

### **Non-staff personnel**

Like the responsibilities of staff members, non-staff personnel must understand their role in managing fraud risks and how non-compliance with the Organization's existing policies and rules may create an opportunity for fraud to occur or go undetected. Non-staff personnel should adhere to the provisions of their contractual agreement entered with UN Women. Non-staff personnel are reminded that under no circumstances should they engage in, condone, or facilitate, or appear to condone or facilitate, any fraudulent and corrupt conduct during operations with UN Women. They should also report allegations of wrongdoing to the OIOS.

*For further information on the responsibilities of non-staff personnel, please consult the terms of the respective contractual arrangement with UN Women, ST/SGB/2002/9, the UNDP Service Contract Guidelines (which governs UN Women Service Contractors) and the Special Service Agreement Policy.*

### **Managers**

Managing the risk of fraud is a crucial part of the Organization's good governance. While it is the responsibility of all personnel to assist in preventing, identifying, and combating fraud, managers are expected to put in place the appropriate controls to prevent and address fraud risks. Furthermore, managers should use sound judgement and act lawfully in compliance with applicable UN Women regulations, rules, policies, and procedures.

Managers have a responsibility to:

- Identify the types of risks to which activities within the area of responsibilities are exposed, including those relating to implementing partnership management and procurement and sub-contracting of goods and services;
- Assess the identified risks and risk mitigation options, and design and implement cost effective prevention and control measures, including to prevent the occurrence and recurrence of fraud and corruption;
- Escalate any risks where the relevant impact or likelihood is assessed to have markedly increased and can no longer be managed within his / her level
- To report any allegations of wrongdoing to OIOS as soon as they become aware of such allegations; and
- Raise awareness of this Policy, inform all those to whom this Policy applies, and reiterate the importance of reporting fraud and the mechanisms for doing so.

*For further information on responsibilities of managers, please consult Section 5.1.3 and Section 4.8- Staff members with supervisory role (“managers”) of the Legal Policy and Section 5.3- Exercise of Delegated authority of the DoA Policy.*

### **Implementing partners and Responsible parties**

As part of the capacity assessment process of potential partners, it must be assessed whether the organization has an effective policy and system in place to prevent, detect, report, address, and follow-up on fraud and irregularities. Potential partners should also be provided with a copy of this Policy to ensure that they are familiar with reporting obligations and mechanisms.

Implementing partners and Responsible parties are responsible and accountable to UN Women for the management of individual projects and programmes. Implementing partners and Responsible parties must maintain documentation and evidence that describes the proper use of programme resources in conformity with the relevant agreement.

While implementing a UN Women project or programme, implementing partners shall refrain from any conduct that would adversely reflect on UN Women and shall not engage in any activity that is incompatible with the aims and objectives of UN Women. As set out in the Project Cooperation Agreement (PCA), the implementing partner has an obligation to comply with any investigation conducted on behalf of UN Women.

*For more information on the responsibilities of implementing partners, please conduct the Programme Formulation Policy, the Implementing Partners and Responsible Parties Due Diligence Procedure, the Sourcing NGO Partners Procedure, the Capacity Assessment of NGOs Procedure, and the terms and obligations of the respective contractual arrangement with UN Women.*

### **Vendors**

UN Women expects its vendors to adhere to the highest standards of moral and ethical conduct, to respect international and local laws and not engage in any form of corrupt practices, including extortion, fraud, or bribery, at a minimum.

As set out in the UN Women General Conditions of Contract, vendors have an obligation to comply with any investigation conducted on behalf of UN Women.

*For more information on the responsibilities of vendors, please consult the terms and obligations of the respective contractual arrangement with UN Women, Section 21 of the UN Women General Conditions of Contract, and the United Nations Supplier Code of Conduct.*

### **Office of Internal Oversight Services of the United Nations (OIOS)**

OIOS has been entrusted with the responsibility of providing investigation services to UN Women as required. OIOS’s Investigation Division will assess and, as needed, investigate allegations of fraud, corruption or other wrongdoing by UN Women personnel or by third parties to the detriment of UN Women. OIOS conducts fact-finding investigations in an ethical, professional and impartial manner, in accordance with the Legal Policy, the Uniform Guidelines for Investigations adopted by the Conference of International Investigators, and OIOS’s Investigation Manual. OIOS will establish the facts that will allow UN Women’s senior management to initiate disciplinary proceedings or other sanctions.

OIOS has established a dedicated reporting mechanism. For more information on reporting procedures, please refer to Section 5.3 of this document.

### **UN Ethics Office**

The UN Ethics Office is responsible for receiving complaints from staff members of retaliation, maintaining confidential records of all complaints, and conducting a preliminary review of the complaint. The UN Ethics Office reviews such complaints under the UN–Women Policy for Protection against Retaliation. For more information on protection from retaliation, please refer to Section 5.4.2 of this document.

## **Policy**

### **Preventing Fraud**

Fraud prevention is a shared responsibility that cuts across functional and managerial and reporting lines and extends to UN Women partners. Successful preventive measures safeguard resources, support the integrity of the Organization, and protect its reputation.

#### **Fraud awareness and training**

All personnel, regardless of contract type, must complete the Ethics and Integrity at the United Nations course within 90 days of arrival at UN Women. Staff members must also complete the Legal Policy course within 90 days of their arrival at UN Women. In addition, UN Women provide regular in person training with OIOS on the Legal Policy with a focus on raising fraud awareness. These trainings cover fraud in the context of policies and procedures supporting operational transactions, particularly commercial and procurement transactions. They also highlight every staff member’s personal responsibility and financial liability under the Financial Regulations and Rules.

#### **Internal control systems**

Internal controls are a basic element of an effective accountability framework. UN Women’s internal control objectives are to provide assurance regarding the achievement of operation, financial, and compliance objectives. The UN Women Internal Control Policy (ICP) sets out a framework for operationalizing and assigning responsibility for internal controls, based on the principle of segregation of duties which is necessary to implement appropriate levels of checks and balances upon the activities of individuals. This minimizes the risk of error or fraud and helps detect these occurrences (See: UN-Women Internal Control Policy (“ICP”), Separation of Duties, section 5.10).

#### **Fraud risk identification and management (as a part of Enterprise Risk Management [ERM])**

The Enterprise Risk Management Framework and the Enterprise Risk Management Policy include mechanisms and measures to identify where the organization should focus its interests in fraud risk management activities by demonstrating the organization’s links to the highest internal and external residual fraud risks as outlined in a fraud risk profile.

UN Women's existing business risk management practices includes the carrying out of fraud risk assessments that include the identification, measurement and reporting on the organization's risk profile based on the key risks identified, the inherent likelihood and impact, the existing controls to manage these risks, the residual fraud risks as well as any planned mitigation activities to manage these risks within the risk tolerance levels.

### **Programme management controls**

When developing a new programme or project, it is important to ensure that fraud risks are fully considered in the programme/project design and processes. This is especially important for high risk programmes/projects, such as those that are complex or operate in high risk environments.

These programme/project risk logs shall be communicated to relevant stakeholders, including donors, implementing partners and responsible parties, together with an assessment of the extent to which risks can be mitigated.

Programme and Project Managers are responsible for ensuring that the risk of fraud is identified during the programme/project design phase. Managers shall consider how easily fraudulent acts might occur and be replicated in the day-to-day operations. They must also evaluate the impact of fraudulent activities, and the effectiveness of the measures taken to mitigate risks, including systemic monitoring actions. Informed decisions can then be made on additional mitigating actions.

Capacity assessments represent a key step in identifying potential partners. As set out above, potential partners must be assessed to determine whether they have an effective policy and system in place to prevent, detect, report, address, and follow-up on fraud and irregularities. Potential partners should also be provided with a copy of this Policy to ensure that they are familiar with reporting obligations and mechanisms.

*For further information on programme management controls, please consult the Programme Implementation and Management Policy, the Programme Implementation and Management Procedure, the Knowledge management and learning during Implementation Guidance, including the Implementing Partners and Responsible Parties Due Diligence Procedure, the Sourcing NGO Partners Procedure and the Capacity Assessment of NGOs Procedure, and the Cash Advances and other Cash Transfers to Partners Policy, as well as the relevant agreement.*

#### **1.1.1 Procurement management controls**

Personnel charged with procurement management responsibilities are required to assess all vendors with which business is conducted and ensure that funds are used for their intended purpose. UN Women has established procurement review committees to ensure compliance with due diligence and due process regulations against procurement fraud.

Furthermore, relevant staff members and other personnel with procurement functions must abide by the procurement management controls and procedures,

including the Procurement and Contract Management Policy and the Separation of Duties section of the ICP.

*For further information on programme management controls and procedures, please consult the Procurement and Contract Management Policy and the Separation of Duties section of the ICP.*

#### **Asset management controls**

Personnel charged with asset management responsibilities shall act in accordance with existing business practices, which are designed to mitigate the risk of fraud and corruption during the asset management cycle. Existing business practices include:

- Purchasing all assets through a purchase order (PO) to ensure they are captured in the asset management module;
- Maintaining segregation of duties with respect to authorization, recording, custody, and disposal of assets; and
- Conducting bi-annual physical verifications.

*For further information on asset management controls and procedures, please consult the Asset Management Policy and Vehicle Management Policy.*

#### **Financial management controls**

Personnel charged with finance roles are required to perform different activities depending on their respective delegations of authority, which are designed to ensure segregation between budget owner, procurement, vendor approvers, and payment approvers. All finance personnel are assigned user profiles in Atlas ARGUS which also ensure segregation of duties.

Procurement, vendor approvals and payment approvals are all subjected to two levels of approvals: Level 1 (verification) and Level 2 (approvals).

The centralized Level 1 (verification) and Level 2 (approval) process within Finance HQ for all general ledger journal entries ensures that all requests are reviewed in terms of accuracy, correctness and validity with focus on the reason for the GLJE request. The verifier and/or approver must reject the GLJE request if none of the above tests are met.

Finance HQ performs monthly general ledger account reconciliations to highlight any exceptional transactions. All general ledger account reconciliations are reviewed and approved by Team Leads and the Chief of Accounts.

Detailed Month-end / Year-end closure instructions are sent to all offices, requiring adherence to timelines and certification of completed tasks by the Head of Office.

*For further information on finance management controls and procedures, please consult the Petty Cash Policy, the Revenue Management Policy and the Finance Manual and Standard Operating Procedures (Extract for Field Office).*

#### **Human resource management controls**



Hiring managers (for purposes of this Policy, a hiring manager shall be defined as an official whom the authority has been delegated to hire staff and non-staff personnel) shall conduct due diligence and exercise due care during any recruitment process for staff and non-staff personnel, regardless of rank or length. For the recruitment of staff, reference checks and review of performance appraisals are required. For non-staff personnel, hiring managers shall ensure that reference checks are carried out, including from past supervisors. The UN Women Personal History Form contains targeted questions whereby applicants must indicate if they have ever been imposed disciplinary measures, including dismissal or separation from service, on the grounds of misconduct.

### **Detecting Fraud**

Effective fraud prevention measures as outlined in Section 5.1 also enable the successful detection of fraud. Specifically, the internal controls UN Women has established in the areas of procurement, asset management, financial management, programme management of implementing partners, and human resources management, as well as fraud awareness training containing various components aimed at enabling UN Women to detect anomalies, or identify areas of high concern. UN Women's complaint mechanism, highlighted in Section 5.3 below, ensures that any persons who detect and identify such anomalies or concerns, may do so through a dedicated "anti-fraud hotline".

UN Women's Audit Unit, also provides UN Women with effective independent and objective internal oversight that is designed to improve the effectiveness and efficiency of UN Women's operations in achieving its development goals and objectives through the provision of internal audit and related advisory services. UN Women's internal audit function plays a key role in anti-fraud activities, including in management's role of preventing, detecting and responding to fraud. Internal audit is responsible for evaluating the design and operating effectiveness of anti-fraud controls and considering the appropriateness of mitigation strategies in place to prevent and detect fraud. The internal audit processes are used by UN Women management to identify and take decisions on improvements needed in UN Women's financial and risk practices.

### **Reporting Fraud**

Any party with information regarding fraud or other corrupt practices is strongly encouraged to report the information to OIOS. OIOS has established a reporting mechanism also known as the "anti-fraud hotline" to ensure that persons wishing to report fraud, corruption or other wrongdoing may do so at any time, free of charge, and confidentially. The "anti-fraud hotline" can be directly accessed worldwide in different ways:

a) **Online referral form**

(<http://www.unwomen.org/en/about-us/accountability/investigations>)

**Phone:** + 1 212-963-1111 (24 hours a day)

**Regular mail:**

Director, Investigations Division – Office of Internal Oversight Services  
7th Floor 300 East 42nd (Corner Second Avenue)

*For further information on reporting procedures, please consult the UN Women Legal Policy and the UN Women Accountability website.*

## **Confidentiality and Protection from Retaliation**

### **Confidentiality**

Confidentiality is required for effective investigation and other appropriate action in cases of alleged fraud. Confidentiality is in the interest of the Organization, investigation participants and the subject of the investigation (see OIOS Investigations Manual).

All investigations undertaken by OIOS are confidential and requests for confidentiality by investigation participants will be honored to the extent possible within the legitimate needs of the investigation.

### **Protection from Retaliation**

The UN–Women Policy for Protection against Retaliation establishes a framework and procedure for the protection of staff members from retaliation. Staff members who believe that retaliatory action has been taken against them because they have reported allegations of wrongdoing, or have cooperated with a duly authorized audit or investigation, may forward all supporting information and documentation to the UN Ethics Office. This should be done promptly and in any event, no later than 60 calendar days after the alleged act or threat of retaliation has occurred. The complaint can be made in a variety of ways:

**Phone:** +1 917-367-9858

**Email:** [ethicsoffice@un.org](mailto:ethicsoffice@un.org)

If, in the opinion of the UN Ethics Office, there is a prima facie case of retaliation or threat of retaliation, the UN Ethics Office will refer the case to OIOS for investigation and will immediately notify the complainant in writing that a formal investigation has been initiated.

*For further information on protection from retaliation, the UN Women Policy for Protection Against Retaliation, including Section 5.3-Reporting Retaliation to the UN Ethics Office. Full details are provided through the Ethics Office web-site on Protection against Retaliation.*

### **Investigations**

OIOS has discretionary authority to decide which matters to investigate. All reports received by OIOS will be assessed through an intake process. Where it is determined that the matter warrants an OIOS investigation it will be appropriately assigned.

The investigation is the process of planning and conducting appropriate lines of inquiry to obtain the evidence required to objectively determine the factual basis of allegations. This will include: (i) interviewing people with relevant information and recording their testimony; (ii) obtaining documents and other evidence; (iii) conducting financial and IT analysis; (iv) evaluating information and evidence; and (v) reporting and making

recommendations. OIOS will conduct investigations in accordance with its Investigation Manual.

*For further information on OIOS investigations procedures, please consult the OIOS Investigations Manual, the UN Women Legal Policy and the UN Women Accountability website.*

### **Actions based on investigations**

Upon completion of the internal reporting of an investigation process and upon receipt of information on the results of the investigation(s), UN Women will determine what further action shall be taken. For staff members, further action may include disciplinary, non-disciplinary, and/or administrative measures, in accordance with the Legal Policy. For other parties covered under this Policy, including non-staff personnel, implementing partners, and vendors, further action may be taken in accordance with the contractual arrangements between UN Women and the party, and may result in termination of the contract.

If there is evidence of improper use of funds as determined after an investigation, UN Women will use its best efforts, consistent with its regulations, rules, policies and procedures to recover any funds misused. This may include administrative action to recover funds from staff members, referral of the matter to the appropriate national authorities of the Member State in accordance with General Assembly resolution 62/63, or, in relation to implementing partners and vendors, acting in accordance with the terms of the relevant contract or agreement.

*For further information on disciplinary, non-disciplinary, or administrative measures resulting from investigations, please consult Section 5.4-Disciplinary proceedings of the UN Women Legal Policy for staff members or the respective contractual agreement for non-staff personnel, implementing partners, and vendors.*

### **Disclosing cases of fraud**

Fraud and other cases of misconduct investigated by OIOS on behalf of UN Women will be reported to the Executive Board through its established reporting mechanisms, as follows:

Cases of fraud and presumptive fraud are publicly reported to UN Women's Executive Board by the United Nations Board of Auditors through the Report of the Board of Auditors (Section C. Disclosures by management, point 3. Cases of fraud and presumptive fraud). Note that the proposed definition of presumptive fraud is as follows: "Allegations that have been deemed to warrant an investigation and, if substantiated, would establish the existence of fraud resulting in loss of resources to the Organization".

An annual report on internal investigation activities is also provided annually to the Executive Board. As requested by the Executive Board in its decision UNW/2015/4, this report includes complaints received broken down by category including fraud, disposition of cases, and any financial loss as well as information on the actions taken and UN Women management's response to substantiated allegations of misconduct including fraud.

Pursuant to the UN–Women Legal Framework, “in the interests of transparency, the Executive Director shall inform the UN–Women Executive Board of disciplinary decisions taken in the course of the preceding year, and publish an annual report of cases of misconduct (without the individuals’ names) that have resulted in the imposition of disciplinary measures.”

Investigation activities and disciplinary decisions relating to allegations of sexual exploitation and abuse may require additional reporting as mandated by the Secretary General of the United Nations. The Director, Investigations Division, OIOS, may provide additional reports to the Executive Board, and may also provide in person briefings during the course of the year, as he or she deems appropriate, or in response to requests for such a briefing from the President of the Executive Board.

Information relating to allegations of fraud and other misconduct, subsequent investigations and post-investigation actions is to be treated confidentially and with utmost discretion in order to ensure *inter alia* the probity and confidentiality of any investigation, to maximise the prospect of recovery of funds, to ensure the safety and security of persons or assets, and to respect the due process rights of all involved. Any consideration of disclosure to third parties shall give consideration to these principles, in consultation with OIOS as appropriate.

Where OIOS informs UN Women of an investigation into allegations of fraud that are identifiable as allegations relating to any activities funded in whole or in part with specific financial contribution or to specific activities, UN Women may give consideration to the disclosure of information regarding the allegations to third parties, including to the funding source, with due regard to the principles in paragraph 5.7.3 above.

Any such disclosures further to paragraph 5.7.4 shall be made by the Director, IEAS, through the appropriate counter-part unit of the recipient of the information, which has appropriate mechanisms in place to ensure compliance with the principles in paragraph 5.7.3 above.

The report of the outcome of an investigation of any allegations of fraud and other misconduct is a confidential document which forms part of the United Nations archives; neither the report of the investigation, nor any summary of the report, will be disclosed unless it is in the context of a request for judicial cooperation and referral to national authorities. Any such requests for judicial cooperation shall be directed through the UN Women Legal Adviser at Headquarters, in consultation with the Office of Legal Affairs of the Secretariat, which has sole authority on behalf of the Secretary-General for determining such matters.

## Other Provisions

Not applicable.

## Entry into Force and Other Transitional Measures

The present Policy enters into force on 20 June 2018.

## Relevant documents

See Annex I.

## Annex I: Reference Matrix for Dealing with Fraud

Area	Regulatory Instrument	Process/Controls	Focal Point
Financial Management	Financial Regulations and Rules of the United Nations (as at 1 May 2018 ST/GB/2003/7 and, ST/SGB/2003/7/Amend.1) UN Women Financial Regulations and Rules (as at 1 May 2018 UNW/2012/6)  UN Women, Petty Cash Policy UN Women, Revenue Management Policy  UN Women, Cash Advances and other Cash Transfers to Partners Policy	Segregation of duties Transaction approval system Reconciliation of accounts	Chief of Accounts, Division of Management and Administration (DMA)
Programme Management	UN Women, Programme Formulation Policy; Programme Cycle Procedure; Programme Appraisal and Approval Policy; Procedure for Programme Appraisal and Approval; Programme Implementation and Management Policy; Programme Implementation and Management Procedure; Programme Monitoring, Reporting, and Oversight Policy  UN Women Capacity Assessments of NGOs Procedure	Programme formulation Capacity assessment	Director, Programme Division
Procurement	UN Women, Contract and Procurement Management Policy; Vendor Protest Procedures	Competitive bidding	Chief of Procurement, DMA
Asset Management	UN Women, Asset Management Policy UN Women, Vehicle Management Policy	Physical verification	Administrative and Facilities Specialist, DMA
Partnerships	UN Women, Audit Approach Policy UN Women, Audit Approach Procedure  UN Women approved agreement templates	Project agreement Project audit	Director, IEAS
Staff Conduct	UN Charter Staff Rules and Staff Regulation of the United Nations (as at 1 May 2018 ST/SGB/2018/1) ICSC Standards of Conduct for the International Civil Service (2013)	Staff regulations and rules	Director, DMA Director, Human Resources
Protection	UN Women Policy for Protection Against Retaliation	Protection	Director, Human Resources
Reporting and investigating misconduct, and disciplinary process	Article X and Chapter X of the Staff Rules and Staff Regulation of the United Nations (as at 1 May 2018 ST/SGB/2018/1) UN Women Policy for Addressing Non-Compliance with UN Standards of Conduct OIOS Investigations Manual	Investigation Internal justice system	Director, DMA Director, Human Resources Director, IEAS

Recovery	UN Women Financial Regulations and Rules (as at 1 May 2018 UNW/2012/6) UN Women Policy for Addressing Non-Compliance with UN Standards of Conduct ST/AI/2004/3 (gross negligence) A/RES/62/63 (Referral to national authorities)	General reconciliations Disciplinary measures	Director, DMA Director, Human Resources
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