

Appendix I: PSEA Allegations in Contractors, Suppliers, Vendors and Implementing Partners

PSEA Allegations in Contractors, Suppliers and Implementing Partners

Introduction

For allegations of sexual exploitation or abuse (SEA)¹ where the alleged perpetrator is a personnel member of a contractor, implementing partner (IPs) or vendors or supplier (Third Party), please use the following as general guidance on steps that both the Third Party and UNOPS should take to respond.

Every case is unique and may require deviation from this guidance. In this guidance contractors, IPs, vendors and suppliers are called Third Party for ease of understanding. In case of any doubt, please contact UNOPS Internal Audit and Investigations Group (IAIG) (investigations@unops.org).

Reporting

If there is an allegation of SEA perpetrated by personnel of a Third Party entity, this must be reported to IAIG by the Third Party. Failure to report may amount to a breach of contract which could result in contract termination. If the allegation is shared with the UNOPS PSEAH Focal Point or any other UNOPS personnel, this person must report it immediately to IAIG. For allegations of Sexual Harassment, the Third Party may report it to IAIG, but this is not mandated.

Investigation

All allegations from a Third Party should be investigated by the entity. The investigations should be conducted in a professional manner and adopt a [victim centered approach](#). UNOPS takes allegations from a Third Party as seriously as internal allegations, and these allegations are also reported to the SG via iReport².

¹ This guidance note concerns allegations of Sexual Exploitation and Abuse and does not consider allegations of Sexual Harassment, which follows a separate process. For allegations of sexual harassment, where the alleged perpetrator is a personnel member of a Third Party the Third Party should refer to their contractual obligations set out their contract with UNOPS (and adherence to said contractual obligations will be overseen operationally by UNOPS Management).

² <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/data-allegations-un-system-wide>

In the event that a Third Party does not have capacity to conduct the investigation, for example they lack a qualified personnel to do so and/or funds to contract investigative services, UNOPS IAIG will support the process on a case-by-case basis. Third Parties are required to collaborate with IAIG investigations and acts or omissions that prevent or hinder UNOPS from investigating are considered a proscribed practice³.

Moreover, IAIG team reviews the investigative process realized by the Third Party to verify whether it was done correctly and in accordance with due process.

The Third Party must take corrective actions, including disciplinary measures in the event of a substantiated finding. Corrective actions may include increased monitoring, capacity development and measures to prevent sexual misconduct perpetrators from being hired by other organisations.

A failure to investigate and take corrective actions, when sexual exploitation or sexual abuse has occurred, may constitute a breach of contract that constitutes grounds for termination of contract.

Victim/Survivor Support Services

The Third Party must ensure victim support is provided in line with UNOPS standards. The entity may seek advice from UNOPS Support and Advocacy <pcg.supportandadvocacy@unops.org>.

³ Should a vendor engage in a Proscribed Practice, they may be sanctioned by UNOPS. Further information on Proscribed Practices and Vendor Sanctions can be found in UNOPS Operational Instruction on Vendor Sanctions (OI.PCG.2021.02) available here <https://www.unops.org/business-opportunities/vendor-sanctions>.

Closing the Case

Prior to closing the case, the Third Party entity must consult with IAIG on the investigation process, outcome and related disciplinary actions.

Action	UNOPS- IAIG	UNOPS-PSEAH Focal Point (Country level)	Third Party	Notes
Reporting to SG iReport SEA Tracker	x			
Reporting to UNOPS (all reports shall be made to investigations@un ops.org)		x	x	
Investigation			x	IAIG will support an investigation if the Third Party does not have sufficient capacity. Corrective actions, including disciplinary measures must be taken by the third party entity
Follow-up with Victim			X	
Closing the case			x	In consultation with UNOPS IAIG