

**Amendment to the Specific Arrangement between the Netherlands Minister for
Development Cooperation and UNDP**

Programme/project: Inception phase SDG16/Social Protection in Tunisia
Minister's internal identification number: 4000005256
UNDP programme/project/trust fund number: 00129143

Whereas the Netherlands Minister for Development Cooperation (the Minister) and the United Nations Development Organization (UNDP) had concluded on 30 November 2021 the Specific Arrangement of programme/project Inception phase for SDG16/Social Protection in Tunisia, with the Minister's internal identification number 4000005256, Project ID 00129143;

Whereas developments relating to the programme/project justify amendment of the Specific Arrangement mentioned;

Now therefore, the Minister and UNDP decide as follows:

1. Extension of the project's implementation period of one (1) additional months, until 31 July 2022. This extension will not generate any additional financial contribution.

2. Other terms of the Specific Arrangement remain unchanged.

Signed in duplicate in the English language.

For the Netherlands Minister
for Development Cooperation

Name: *Angele Samuere*
Title: *chargée d'Affaires a.i.*

[Signature]
.....
Location: *Tunis*
Date: *24/6/22*

For the United Nations
Development Programme

Name: Eugena Song
Title: Resident Representative a.i.

[Signature]
.....
Location: Tunis
Date : 24 June 2022





Specific Arrangement

between

the Minister for Foreign Trade and Development Cooperation of the Netherlands,

and

the United Nations Development Programme

Project: Inception phase SDG16/Social Protection in Tunisia
The Minister's Project Number: 4000005256
UNDP Project ID: 00129143

With reference to the General Arrangement concluded on 17 August 2005 and the amendment to the General Arrangement dated 4 December 2008 between the Netherlands Minister for Development Cooperation (the "General Arrangement"), currently the Minister for Foreign Trade and Development Cooperation of the Netherlands "(the Minister)", and the United Nations Development Programme ("UNDP" and together with the Minister, the "Parties");

Whereas the Minister and UNDP has agreed to replace the Annex I of the General Arrangement with the present Annex I which shall be applied with no modifications for purposes of funding.

Whereas the Minister has decided to support the Inception phase for SDG16/Social Protection in Tunisia, with the Minister's internal identification number 4000005256, Project ID 00129143, up to a maximum of USD 275.248,00 including the 1% coordination levy.

Whereas UNDP is prepared to accept the support under the conditions of the General Arrangement;

The Minister and UNDP have come to the following Arrangement:

1. The support will be provided for the period 1 January 2022 to 30 June 2022.
2. The terms of the General Arrangement will apply to this Arrangement, unless otherwise stipulated herein. In addition, the following will apply:
 - The UNDP will submit an Inception Report, including provisional financial data, not later than 30-6-2022. The Inception Report will include a Memorandum of Understanding with the Worldbank, on the cooperation during the intended Implementation Phase. The decision on the Implementation Phase will be depending on the assessment of the Minister with regards to both the political developments in Tunisia as well as the contents of the proposed project after 30-6-2022 as laid down in the Inception Report.
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3. The Minister will deposit the contribution into the agreed specific UNDP Contribution Account:

Account name:	UNDP Contribution Account
Account number:	36349562
Bank name:	Citibank, N.A

U1. HM

Coordination Office. The responsibility to refund the levy lies with the United Nations Secretariat, and not with the UNDP.

The Coordination Levy for this Agreement is USD 2.725,23. This amount will be transferred to UNDP at the bank account below as part of the first payment within 30 days of signing this Agreement.

9. UNDP will provide the Minister with the following reports by email to tun@minbuza.nl:

Report type	Period	Submission by
Inception Report including a provisional financial report and MoU (ref: article 2 above)	01/01/2022 - 30/06/2022	30 June 2022
Certified financial report	01/01/2022 - 30/06/2022	30 June 2023

10. Harmonized SEAH language July 2021

A. Sexual exploitation and abuse

The Minister and UNDP have a zero tolerance for inaction approach to tackling sexual exploitation and abuse ("SEA").¹ This means UNDP and its implementing partners will take all reasonable steps to prevent SEA by both its employees and any implementing partner and respond appropriately when reports of SEA arise, in accordance with their regulations, rules, policies and procedures.

Unless inconsistent with a specific regulation, rule, policy or procedure governing UNDP, UNDP will apply the IASC Six Core Principles Relating to Sexual Exploitation and Abuse (Annex A) and the following principles and practices when implementing the activities under this arrangement and provide evidence to demonstrate this where required:

- a) Adherence to the IASC-Minimum Operation Standards on "Protection from sexual exploitation and abuse by own personnel" and/or [the] SEA elements of the Core Humanitarian Standard on Quality and Accountability;
- b) A victim/survivor-centred approach² to SEA issues;
- c) Strong leadership and signalling on tackling SEA;
- d) Make all reasonable efforts to address gender inequality and other power imbalances;
- e) Reporting to enhance accountability and transparency;
- f) Ensure that SEA standards from this arrangement are reflected in funding templates with implementing partners, [for UN entities: by means such as, but not limited to, adherence to the United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners].

B. Sexual harassment

¹ See UNSG Bulletin ST/SGB/2003/13 for the definition of sexual exploitation and abuse.

² A victim/survivor centered-approach is one for which the victim/survivor's dignity, experiences, considerations, needs, and resiliencies are placed at the center of the process, from the initial program design to investigating and responding to potential incidents. Consistent with the UN Protocol on Allegations of SEA Involving Implementing Partners, the victim/survivor should be informed, consulted during the decision-making process, and provide consent on the possible use and disclosure of their information. Those interacting with the victim/survivor and/or handling information regarding the allegation will maintain confidentiality, ensure safety of the victim/survivor, and apply victim/survivor-centered principles which are safety, confidentiality, respect, and non-discrimination. When the victim/survivor is a child, the approach will consider the best interests of the child and engage with the family/caregivers as appropriate. Staff and partners should comply with host country and local child welfare and protection legislation and International standards, whichever gives greater protection.

- 10.3. It is understood and accepted that UNDP's arrangement to report on SEA and SH will be performed in accordance with UNDP's regulations, rules, policies and procedures, including its rules on confidentiality, and is subject to not compromising the safety, security, privacy and due process rights of any concerned persons.
- 10.4. When UNDP becomes aware of reasonable suspicions, complaints or reports of SE or SH by its personnel, UNDP will, as appropriate under its regulations, rules, policies, and procedures, take reasonable, swift and appropriate action to stop harm occurring, investigate and report to relevant authorities (for potential criminal matters), as appropriate and when safe to do so, after considering the wishes of the victim/survivor.
- 10.5. The Minister or any of its duly authorized representatives may, in accordance with agreed mutually accepted terms of reference, carry out reviews or evaluations or other assessment measures to verify UNDP's zero tolerance for SEA and SH, provided that such measures are consistent with the single audit principle governing the UN, if applicable. UNDP will fully cooperate within the scope of the terms of reference with any such reasonable requests by the Minister or any of its duly authorized representatives or agents to carry out such measures.
- 10.6. Any information or documentation provided in accordance with these provisions will be treated by the Minister with utmost discretion in order to ensure, inter alia, the probity of any investigation, protect sensitive information, ensure the safety and security of persons and respect the due process rights of all involved. The Minister will presume information/documentation to be confidential, deliberative, and investigatory and will ensure that information/documentation provided to the Minister will be available solely to those who strictly require access to such information/documentation. Any disclosure of such information/documentation beyond such personnel will require notification and consultation with UNDP. The Minister will obtain the express written authorization of UNDP before disclosing any such information/documentation in a judicial proceeding or to the public, unless disclosure is otherwise required by law applicable to the Minister and is not subject to UNDP's privileges and immunities under international and/or national law (such as information/documentation constituting UN archives).
- 10.7. Unless the regulations, rules, policies, and procedures applicable to UNDP are amended at an earlier stage, and/or there are other substantive changes to any of the referenced policies, processes or mechanisms, the above provisions are subject to possible review two years after the date of the Ministers' mutual decision on their text with UNDP. Any changes to the above provisions that may be mutually decided following such a review will take effect at least four years after the date of the Ministers' mutual decision on the present text with UNDP, until which time the above provisions will continue to apply.
11. UNDP will promptly inform the Minister of any credible allegations of proscribed practices, with regards to any activities of UNDP relating to the activities funded hereunder. This includes credible allegations of proscribed practices by implementing organizations. The notice may indicate the nature of the proscribed practice, specify the amount of money involved, and the actions taken by UNDP. The notice will be given in writing and delivered to fraud-corruption@minbuza.nl. Any information provided to the Minister in accordance with this paragraph will be treated as confidential.

Signed in the English language,



ANNEX A: IASC Six Core Principles Relating to Sexual Exploitation and Abuse (2019)

1.
"Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.
2.
Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.
3.
Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior is prohibited. This includes exchange of assistance that is due to beneficiaries.
4.
Any sexual relationship between those providing humanitarian assistance and protection and a person benefitting from such humanitarian assistance and protection that involves improper use of rank or position is prohibited. Such relationships undermine the credibility and integrity of humanitarian aid work.
5.
Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.
6.
Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment."

