

TERMS OF REFERENCE

Trust Fund in Support of Victims of Sexual Exploitation and Abuse

I. Establishment

1. The Trust Fund is established by the Secretary-General to provide specialized services in Support of Victims of Sexual Exploitation and Abuse by United Nations and Related Personnel.

II. Purpose

2. The Trust Fund shall be used, in accordance with the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse contained in General Assembly resolution 62/214, to provide support including but not limited to:

- a) for the specialized services who provide assistance and support required by complainants, victims and children born as a result of sexual exploitation and abuse (medical, psychosocial, legal etc.);
- b) to engage in community outreach;
- c) addressing service gaps in the provision of assistance and support to complainants, victims and children born as a result of sexual exploitation and abuse,
- d) additional support and communications for complainants, victims and children born as a result of sexual exploitation and abuse.

III. Authority

3. The Trust Fund shall be administered in conformity with the United Nations Financial Regulations and Rules outlined in the Secretary-General's Bulletin ST/SGB/2013/4, the general policies prescribed in the Secretary-General's Bulletin ST/SGB/188; and the procedures defined by administrative instructions ST/AI/284. Management of the Fund also requires observance of the United Nations Staff Regulations and Rules. Exceptions to such rules, policies and procedures are not permissible, unless specifically authorized by the Secretary-General or on his behalf by either the Assistant Secretary-General, Controller or by the Assistant Secretary General for Human Resources Management, as appropriate.

IV. Contributions

4. Pledges to the Fund can be made from Governments, inter-governmental and non-governmental organizations, private institutions or individuals. Contributions may only

be accepted by the Head of entity or the person officially delegated by the Head of entity to receive contributions for this Fund. Contributions to the Fund can be in the form of cash or in kind.

5. Contributions in cash to the Fund may be accepted in United States dollars or other fully convertible currencies. Contributions in non-convertible currencies may be accepted only if the Controller determines that the respective currency can be fully utilized for activities related to the purposes of the Trust Fund and these contributions will be given an estimated value by the Controller at the time the pledges are accepted.

6. The making of a pledge and its acceptance are to be recorded in an exchange of letters between the UN and the contributing party, or, if deemed appropriate, in a more formal agreement.

7. Any interest income derived from the contributions to the Trust Fund shall be credited to the Trust Fund in accordance with the applicable United Nations Financial Regulations, Rules, policies and procedures.

9. The Controller has designated the following bank account in which the resources of the Trust Fund shall be kept:

Account Name: **United Nations General Trust Fund**
Account Number: **485-0019-69**
Bank: **J.P. Morgan Chase, International Agencies Bank Group.**
ABA Number: **021-000-021**
SWIFT: **CHASUS33**
Reference: **Relevant Grant number**

10. Contributions made to the Trust Fund may be un-earmarked or earmarked and disbursed for a specific initiative in accordance with the intention of the respective donor, including for general administrative, logistical and management support activities, for which falls within the purpose of the Fund of the implementation of the activities described in paragraph 2. above. If they cannot be used as intended, consultations will be held with the donor on an appropriate use.

V. Administration of the Trust Fund

11. The Controller designates the Implementing Office of the Trust Fund to be the Department of Management Strategy, Policy and Compliance. The Implementing Office will be responsible for coordinating all aspects of the work programme to be financed from the Trust Fund.

12. For the purpose of ensuring proper financial controls, the Programme Manager will

be the Conduct and Discipline Service in the Administrative Law Division, Department of Management Strategy, Policy and Compliance and the Certifying Officer shall be the Executive Officer/ Business Partner, Department of Management Strategy, Policy and Compliance.

13. The Programme Manager shall be responsible for ensuring that the Trust Fund is utilized for the purpose as described in paragraph 2.

14. The Certifying Officer shall ensure that expenditures are incurred in accordance with the existing financial and staff regulations, rules and procedures for the purpose(s) intended and within the limits allotted, and to draw to the attention of the Controller any proposed commitment or expenditure which, in his or her view, is inconsistent therewith.

VI. Preparation of cost and action plan

15. A cost plan, including provision for programme support costs is a prerequisite for the commencement of operational activities financed by the Trust Fund. The cost plan shall be prepared by the Certifying Officer and submitted to the Programme Manager. The cost plan shall include a detailed budget and a plan of action, clearly outlining the purpose and distribution of funds.

VII. Programme support costs

16. All cost plans for the Trust Fund, including those for operational activities, must include provision for programme support costs at the rate of thirteen (13) percent of the total annual expenditures. The Trust Fund shall also be charged with an amount equivalent to one (1) per cent of the remuneration or net salary of persons whose engagement is financed by the Trust Fund, to provide a reserve for coverage of any claim for service-incurred death, injury or illness, under applicable United Nations Regulations and Rules. The reserve shall not be refunded to donors.

VIII. Spending Authority

17. In accordance with financial rule 105.3, no funds should be utilized without prior authorization of the Controller or his/her designated official. Spending authority will be exercised by certifying officers, designated by the Controller in accordance with paragraph 14 above.

IX. Assets and liabilities of the Trust Fund

18. If not otherwise determined in the applicable project agreement, ownership of equipment, supplies and other property financed from this Trust Fund will be vested in the United Nations. On the termination or expiration of this Trust Fund, the matter of ownership will be determined in accordance with the Financial Regulations and Rules of the United Nations.

X. Reporting and evaluation

19. The implementing offices will provide appropriate financial statements showing income and expenditures as of 31 December each year with respect to funds contributed. All financial accounts and statements shall be expressed in United States dollars.
20. Substantive progress reports on implementation will be prepared annually by the implementing office and sent to the Controller.
21. Modalities will be established in the MOU with the implementing partners regarding the Type of reports, both substantive and financial, that are to be provided, as well as the frequency of such reporting.

XI. Audit

22. The Fund is subject to audit by the Office of Internal Oversight Services, under Financial Regulation 5.15, and by the United Nations Board of Auditors, under Article VII of the Financial Regulations and the annex thereof. No other additional or special audit arrangements shall be made with donors.

XII. Revision

23. The Secretary-General may revise the above terms, if circumstances so require.

XIII. Closure of the Trust Fund

24. The implementing offices shall notify the Controller that, in the opinion of the Programme Managers, the purposes for which the Fund was established have been realized. The Fund shall be terminated when all of the projects/programmes have been satisfactorily completed and agreed upon by all parties concerned.
25. Any balances of the Trust Fund remaining at the time the Fund is closed shall be disposed of in consultation with the respective donors, and in a manner consistent with the purpose of the Fund, and with the Financial Regulations and Rules of the United Nations. In the absence of separate instructions from a donor, the Assistant-Secretary-General, Controller may authorize the transfer of any remaining balances to a trust fund with a similar purpose.