

## FLA Review: Clause 9 Revision Nov 21: PSEA

The purpose of this revision is to:

- 1 Strengthen the link to directives/policies
- 2 Strengthen the definition of PSEA and clarify prohibitions
- 3 Include text on compliance with WFP expectations of reporting and investigation of SEA
- 4 Ensure PSEA provisions are in place within in all sub-contracts or sub-agreements entered into by the CPs under the FLA.

**Title:** Prevention of Sexual Exploitation and Abuse has been revised **to Protection from Sexual Exploitation and Abuse** to be aligned with WFP and Interagency Policy Frameworks and terminology. The acronym PSEA stays the same.

**Clause 9.1:** No substantial changes, FLA will now include link/attachments of the following documents which are referenced:

1. Secretary-General's Bulletin Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13);
2. WFP's Executive Director Circular Special Measures for Protection from Sexual Exploitation and Sexual Abuse (OED2014/020).

**Clause 9.2:** Condition added to explicitly highlight the prohibition of the following:

1. Sexual activity with any person less than eighteen years of age;
2. Exchanging any money, goods, services, or other things of value, for sexual favours or activities, or from engaging in sexual activities that are exploitive or degrading to any person (this includes engaging in prostitution service).

It is important to note that the above prohibitions **were already included in the Secretary-General's Bulletin Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)** which by entering into an agreement with WFP, CPs undertook to adhere to under the FLA. This revision has only added a separate condition to highlight these prohibitions.

**Clause 9.3:** (Previously 9.2). Revisions made with regards to expectations of reporting and investigations. The condition requires that CPs:

1. Promptly inform WFP's Office of Inspections and Investigations (OIGI) of allegations of sexual exploitation or abuse;
2. Provide OIGI with a copy of any relevant investigation report, and
3. Advise of any corrective action taken in relation to the allegation.

The condition also highlights that WFP reserves the right, at its discretion, to investigate any allegation of sexual exploitation or abuse in connection with this Agreement, and the CP agrees to fully cooperate and any failure to do so shall constitute grounds for termination or suspension of the Agreement.

**Clause 9.4:** Added to explicitly highlight that a provision similar to Clause 9.3 above must be included in all sub-contracts or sub-agreements.