



Common Humanitarian Fund

AFGHANISTAN TERMS OF REFERENCE

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Acronyms

AA	Administrative Agent
AB	Advisory Board
CHAP	Common Humanitarian Action Plan
CHF	Common Humanitarian Fund
HC	Humanitarian Coordinator
HCT	Humanitarian Country Team
HFU	Humanitarian Financing Unit
IOM	International Organization for Migration
MA	Managing Agent
M&E	Monitoring and Evaluation
M&R	Monitoring and Reporting
MOU	Memorandum of Understanding
MPTF Office	Multi-Partner Trust Fund Office
NGO	Non-Governmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
PUNO	Participating United Nations Organization
SAA	Standard Administrative Arrangement
TOR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Programme

I. Context

1. The Afghanistan Common Humanitarian Action Plan (CHAP) covers the activities of the UN Agencies, IOM and Non-Governmental Organizations (NGOs), which participate in the nation-wide coordination structures, facilitated by OCHA in close consultation with Government authorities. The CHAP breaks the humanitarian program cycle down into distinct but inter-connected processes: the Humanitarian Needs Overview (HNO), an empirical, credible and quantified needs-based prioritization of humanitarian needs and the Strategic Response Plan (SRP) which outlines the national-level cluster priorities for humanitarian response. These two components drive the programmatic and operational goals for the delivery of humanitarian and emergency assistance in Afghanistan and include a comparison of vulnerability and needs at the national level, a Risk Registry listing the most common conflict and natural-disaster related incidents by geographic area, and objectives and indicators to measure progress and a selection of supporting humanitarian projects.

II. Scope and objectives

2. Given the existence of the CHAP and considering its role in supporting the main aims of humanitarian reform including relevant and predictable funding, a number of donors and the Humanitarian Coordinator (HC) for Afghanistan, in consultation with UN Agencies, IOM and the NGO community, have agreed to establish a Pooled Fund mechanism, the Afghanistan Common Humanitarian Fund (hereinafter “Afghanistan CHF”) for channeling donor contributions towards principled, prioritized humanitarian needs.

3. The “Afghanistan CHF” has four main objectives:

1. To promote needs-based assistance in accordance with humanitarian principles.
2. To improve the relevance and coherence of humanitarian response by strategically funding assessed humanitarian action as identified in the CHAP process.
3. To strengthen coordination and leadership, primarily through the cluster system and function of the HC.
4. To support and strengthen priority clusters and regional priorities in accordance with identified needs.

4. The Afghanistan CHF is intended to improve humanitarian response by: providing early funding to the humanitarian actions; strengthening the planning and coordination process; tying the funding allocation to the CHAP; broadening participation in the CHAP; channeling funds towards the most urgent needs; and ensuring that funds are available for rapid responses to unforeseen circumstances.

5. Further, the Afghanistan CHF aims to ensure that humanitarian needs are addressed in a collaborative manner, fostering cooperation and coordination within and between clusters / and humanitarian organizations. As such, the Afghanistan CHF contributes to improving needs assessments, enhancing the CHAP as the strategic planning document for humanitarian action, strengthening coordination mechanisms, in particular the cluster system, and improving accountability through an enhanced monitoring, reporting and evaluation framework.

6. Interventions supported by the Afghanistan CHF are to be consistent with basic humanitarian principles of humanity, neutrality and impartiality. CHF funding helps to address humanitarian gaps in priority clusters and regions, both in a strategic way. It complements

other funding channels and thus contributes to improving overall funding coordination. Priority clusters and regional priorities are defined at each standard allocation, as described in more detail below.

7. The Afghanistan CHF does not support early recovery or development assistance. It may fund common services (i.e. UNHAS or medical and security evacuation facilities) if they directly support the delivery of humanitarian aid and provide equitable access for humanitarian actors.

8. For all funding allocations, the CHF strives for cost-effectiveness. While most funding is allocated during standard allocations, a reserve is maintained to address both critical activities and needs that emerge during the course of the year due to unforeseen emergencies and other substantial changes in the humanitarian situation that have not been addressed by activities related to the CHAP.

III. Allocations

9. Donor contributions to the Afghanistan CHF will be utilized to finance projects carried out by the following entities:

- Participating UN Organizations (PUNOs) and the International Organization for Migration (IOM), and
- NGO partners (“the Implementing Partners”) which include national and international NGOs and Red Cross and Red Crescent societies registered in Afghanistan.

A. Eligibility Criteria

10. OCHA, in its function as the Managing Agent (MA) of the Afghanistan CHF determines the eligibility criteria for partners to qualify for funding under the Common Humanitarian Fund. These criteria will be based on OCHA assessments of NGO partners in the areas of administrative, financial and operational capacities. Partners’ specific technical competencies and field capacity will also be assessed. It is the responsibility of OCHA as the MA to set up and implement a solid assessment procedure. Cluster Coordinators will support OCHA to assess technical capacities of partners.

B. Allocation Windows

11. The allocation of funds under the Afghanistan CHF will be determined by the Humanitarian Coordinator. There will be two mechanisms for allocation:

- Standard allocations, which will be generally used to allocate the bulk of the resources and to ensure funding for priority projects in line with the CHAP. Every year two standard allocation will be facilitated.
- A reserve allocation mechanism called the CHF Reserve, which will be used for the rapid and flexible allocation of funds in the event of unforeseen needs or to address strategic humanitarian needs.
- The HC decides allocation of funds to support direct cost of the CHF as detailed in the MOU Section 1, paragraph 3.

More information about the allocation windows, the allocation process and eligibility can be found in the separate document entitled ‘Allocation Guidelines.’

IV. Cost Structure of the CHF

12. CHF funds will be utilized only for the approved purposes as defined in the approved project documents including project budgets submitted by UN Agencies, IOM and NGO Implementing Partners under the oversight of the Managing Agent.

13. The Administrative Agent and the Participants will be entitled to deduct their indirect costs on contributions received. The Administrative Agent's administrative fee of 1% will be deducted from every contribution to the Afghanistan CHF at the time they are deposited. The Project Support Costs of the Participating UN Organizations, IOM and NGO Implementing partners will be at a maximum rate of seven percent (7%) for each contract.

V. Governance Structure

14. The Projects and the operations of the Afghanistan CHF are designed and carried out under the overall oversight and coordination of the Humanitarian Coordinator. The Advisory Board (AB) provides advice to the HC while the Humanitarian Financing Unit (HFU) ensures support for the HC. The Advisory Board is chaired by the HC and includes Donors to the CHF, Participating UN Organizations (in their capacity as cluster lead agencies), OCHA, and NGO representatives and observers. All members will be represented equally.

A. Humanitarian Coordinator

15. The overall management of the Afghanistan CHF is led and coordinated by the HC, supported by the Humanitarian Financing Unit and advised by the CHF Advisory Board. The HC is responsible for:

- Resource mobilization;
- Defining allocation amounts and priorities;
- Authorizing disbursement of funds to partners;
- Reporting to donors on Afghanistan CHF operations;
- Overseeing the process of fund-level monitoring, reporting and evaluation;
- Chairing the CHF Advisory Board;

B. Advisory Board

16. The CHF Advisory Board represents the views of the Donors, UN Agencies of the HCT and the NGO Community and provides guidance and advice to the HC on strategic and policy issues and it is consulted in the development of Standard Allocations strategy. It serves as a forum to share information on funding coverage to strengthen donor coordination. The AB will also provide a forum for Representatives and the HC to discuss funding priorities in line with the CHAP. Due to the advisory nature of the AB, with decision making ultimately resting with the HC, recusal procedures do not apply to its membership.

C. Humanitarian Financing Unit (HFU)

17. Under the management of the OCHA Head of Office, the HFU supports the HC in the coordination and management of the Afghanistan CHF. The main responsibilities of the unit are:

- Management of the CHF and policy advice to the Humanitarian Coordinator;
- Project Cycle Management;

- Coordination of monitoring and reporting processes;
- Administration of NGO projects: the Managing Agent role;
- Resource Mobilization;
- Sensitization on and Socialization of the CHF.

D. Project Review Process

18. Strategic Review Committees (SRCs) and Technical Review Committees (TRCs) are established by the HFU on behalf of the HC, for each cluster to prioritize and review proposals submitted by NGOs and UN Agencies to the CHF. The SRC (only for the Standard Allocation) will prioritize Concept Notes in line with the Allocation Strategy Paper, assessing their quality in a standardized manner. The TRC will provide technical feedback on proposals, and analyze the feasibility and relevance of proposed projects within the context of cluster response plans and the CHAP as applicable. Information on the membership, tenure and duties of the SRC and the TRC is available in the Allocation Guidelines.

E. Cluster Coordination

19. Cluster Coordinators will facilitate processes at the cluster level aimed at ensuring a transparent and strategic allocation process. They ensure a more coherent and effective response by mobilizing cluster partners to respond in a coordinated, strategic manner.

20. The Cluster Coordinators will undertake the following activities in relation to the CHF:

- Facilitate all CHF related processes in consultation with cluster partners;
- Provide inputs to the CHF Allocation Strategy Paper as a member of the Inter-Cluster Coordination Team;
- Facilitate inter-cluster coordination in relation to the allocation of resources of the CHF;
- Facilitate a process (through SRCs and TRCs) to transparently identify, review and recommend priority humanitarian Projects for funding based on the CHF Allocation Strategy and agreed overall cluster priorities. In so doing they will ensure efficiency, effectiveness and cost effectiveness of selected projects.
- Present cluster allocation proposals to the HC and AB during CHF Standard Allocation rounds;
- Provide advice and feedback to possible CHF candidate partners during the proposal planning stages before submission;
- Ensure quality and timely submissions of all related cluster materials;

F. Managing Agent

21. OCHA will act as Managing Agent for NGO-implemented projects, integrating the functions of the PUNO for NGOs within the OCHA-led Humanitarian Financing Unit (HFU).

22. The Managing Agent will undertake the following activities:

- **Programmatic / Financial Management**
- Assume programmatic and financial accountability for funds received from the Administrative Agent
- Promote technical standards implementation in accordance with clusters provisions
- Ensure timely disbursements of funds in accordance to the decisions of the Humanitarian Coordinator under the standard allocation and the Reserve;

- Ensure programmatic and financial follow up, including projects monitoring and evaluation and audits of NGO projects;
 - Manage the reporting system of CHF projects on behalf of the Humanitarian Coordinator;
 - Ensure financial follow-up through regular collection of financial reports based on approved budgets;
 - Ensure project closure in line with the project contracts;
 - Maintain information and ensure communication about disbursements to NGOs;
 - Provide financial reports to the Administrative Agent in accordance with the MOU;
 - Maintain up to date and enhance the Grant Management System.
 - Provide consolidated inputs on achievements of the NGO-funded projects to the Annual Report of the CHF operation;
 - Provide financial expenditure to the Administrative Agent in accordance with the timetable indicated in the MOU
- **Monitoring, Reporting and Evaluation**
 - Analyze humanitarian funding trends to ensure complementarities with the CHF;
 - Undertake capacity assessments of implementing NGO partners;
 - Facilitate timely and efficient management, monitoring and reporting of CHF-resourced projects;
 - Coordinate project monitoring activities undertaken in line with the monitoring and reporting framework of the fund;
 - Develop and manage a risk-based approach for the CHF in consultation with RMU;
- **Process Management**
 - Advise the HC and the Board on Pooled Fund allocation strategies;
 - Ensure proper communication and information sharing on CHF related issues;
 - Ensure donor coordination promoting strategic and operational adjustments of the CHF where necessary and providing a sound basis for resource allocation decisions;
 - Acts as secretariat for the Advisory Board;
 - Provide support to partners organization as required;
 - Facilitate all processes related to the CHF standard and Reserve allocations (including SRC and TRC):
 - Service the project cycle for NGOs projects resourced under the CHF (signature of project agreements with NGOs, project documents etc.) in accordance to the decisions of the HC under the Standard Allocation and the CHF Reserve mechanisms;
 - Ensure orientation and training for NGOs with regard to the allocation procedures and the administrative, programmatic and financial procedures applicable to the CHF;
 - Liaise with Cluster Coordinators, Co-coordinators and CHF Participants as necessary, particularly in relation to monitoring activities;

G. OCHA New York – Funding Coordination Section

23. The role of the Funding Coordination Section based in New York is to:

- Develop policies, guidelines, standard operating procedures and tools;
- Liaise with country offices and provide support;
- Monitor compliance with policies, guidelines and standards operating procedures;
- Support resources mobilizations and donor liaison at the capital level;
- Provide training, surge capacity and start-up support;

- Serve as repository for lessons learned and best practices; Facilitate contact with the UNDP MPTF Office and UN Agencies at headquarters level.

H. Administrative Agent

24. UNDP MPTF Office, in its capacity as the Administrative Agent of the Afghanistan CHF, will undertake the following functions:

- Conclude the Memorandum of Understanding (MoU) with the Participating UN Organizations, and the Standard Administrative Arrangements (SAAs) with donors;
- Receive, administrate and manage contributions received from Donors;
- Disburse funds to the PUNOs and IOM in accordance with the decisions of the Humanitarian Coordinator;
- Provide periodic (annual and final) financial reports on the Afghanistan CHF Account to the Humanitarian Coordinator, contributing donors the Afghanistan CHF Advisory Board and PUNOs;
- Provide the Humanitarian Coordinator, the CHF Advisory Board and PUNOs with the statements of donor commitments, deposits and transfers to Participating UN Organizations and other financial information related to the Afghanistan CHF, available directly from the publicly accessible MPTF Office GATEWAY (<http://mptf.undp.org>);
- Provide necessary information and assist the Humanitarian Financing Unit, as needed on CHF fund administration issues;

VI. Accountability Framework

25. The CHF Afghanistan Accountability framework will build on the global Monitoring and Reporting Framework for Common Humanitarian Fund and on the Risk Management Framework for Country Based Pooled Funds as well as on lessons learned from other CHF countries. The methodology, deliverables, and roles and responsibilities of stakeholders will be detailed in the “Afghanistan CHF Accountability Framework” to be attached hereto as ANNEX II (hereinafter referred to as “Accountability Framework”).

26. The Humanitarian Coordinator has the responsibility to ensure the implementation of the accountability system for the CHF Afghanistan. The accountability framework is built upon the following pillars: Risk management, Monitoring, Reporting, Audits and external Evaluations. A risk-based approach will inform how monitoring, reporting and audits’ results will operate combined to ensure the accountability of the Fund while supporting the implementation of projects.

27. This work will be coordinated and facilitated by the Humanitarian Financing Unit on behalf of the HC.

A. Risk Management

28. CHF risk management approach focuses on two different levels: the Fund risks; and Partners risks. The fund level risk assessment will allow the HC, in consultation with the AB, to take informed decisions about the allocation of resources considering specific contextual risks of Afghanistan. The partners risk assessment aims at linking partners’ capacity to a risk ranking system and its assurances plan. The combination of the two will inform HC decisions and will determine assurances applicable.

B. Monitoring

29. CHF monitoring and reporting will be guided by the CHF Afghanistan Accountability framework which will build on the global Monitoring and Reporting Framework for Common Humanitarian Fund and lessons learned from other CHF countries. Costs for monitoring of partner activities will be considered as Direct Costs of the CHF. The methodology, deliverables, and roles and responsibilities of stakeholders will be detailed in the “CHF Accountability Framework” to be attached hereto as ANNEX II (hereinafter referred to as “Accountability Framework.”

30. CHF monitoring will be anchored in the CHF Partners’ M&E systems that support project implementation. The M&R Guidelines do not seek to replace or add significantly to those processes already established. All information on programmatic achievements shall be generated through CHF Partners’ M&E systems. The M&R Guidelines should be regarded as a broader quality assurance system, which assesses performance and distils relevant information and makes it readily available for CHF decision makers.

31. The objectives of the M&R Guidelines of the Accountability Framework are:

1. Ensure adequate verification of reported results at project level thereby contributing to increased accountability.
2. To provide qualitative and quantitative evidence on how the CHF has contributed to the broader outcomes set forth in the CHAP.
3. To make sure that resources are used efficiently and according to what was agreed upon in project documents and CHF policy papers.
4. To inform CHF stakeholders (HC, Cluster Coordinators, Co-coordinators, CHF advisory board) in their decision making.
5. Provide evidence on how the CHF has contributed to broader outcomes set forth in the CHAP, and reinforce evidence based decision making by HC, CHF Advisory Board and Cluster leads.
6. To support Partners while implementing CHF funded activities.

32. The Humanitarian Coordinator, through the HFU, in coordination with the relevant Cluster and the concerned PUNO, IOM or NGOs will establish an action plan to implement recommendations resulting from monitoring. Performance of CHF Participants (PUNOs, IOM and NGO Implementing Partners) shall be part of the eligibility criteria for subsequent CHF allocations.

C. Reporting

33. The Humanitarian Coordinator, supported by the HFU will provide CHF donors, the Advisory Board, PUNOs, NGOs and other relevant stakeholders, with the Annual CHF Report, on the Afghanistan CHF activities as detailed in the MOU (Section IV) and the SAA (Section V).

34. The Humanitarian Coordinator, in consultation with the Advisory Board and OCHA, will ensure the reporting frequency and timeframes for partner organizations for the timely consolidation of reports. The reporting (formats, quarterly, etc. for WHAT look in Acct

framework) frequency and timeframes as well as formats will be specified in the Accountability Framework.

35. Consolidated CHF reports and related documents will be posted on the Administrative Agent website (the MPTF Office GATEWAY at <http://mptf.undp.org/>) and the official CHF website (www.chfafghanistan.unocha.org).

1. PUNOs and IOM

36. PUNOs, IOM and the MA shall provide the Humanitarian Coordinator and the Administrative Agent, statements and reports prepared in accordance with the accounting and reporting procedures applicable to them, and in line with the CHF MOU (Section IV):

- Narrative reports for each Afghanistan CHF-funded project submitted through the Humanitarian Financing Unit, in accordance with the reporting system and templates endorsed by the Humanitarian Coordinator in consultation with the Advisory Board. This will include uncertified financial report on the use of funds;
- Annual financial statements and reports as of 31 December with respect to the funds disbursed from the Afghanistan CHF Account, to be provided no later than four months (30 April) after the end of the calendar year;
- Certified final financial statements and final financial reports after the completion of the activities in the approved programmatic document and including the final year of the activities in the approved programmatic document, to be provided no later than six months (30 June) of the year following the financial closing of the Fund.

37. PUNOs and IOM shall provide the Humanitarian Coordinator, through the HFU, with the following reports using the CHF reporting templates:

- Midterm project progress report, based on the standard format agreed upon in the M&R Guidelines.
- Final project report, including narrative, based on the standard format agreed upon in the M&R Guidelines.

2. NGO Implementing Partners

38. NGO partners will submit reports to the HFU according to procedures set by OCHA. They will provide the following reports:

- Ad hoc financial reports when requesting funding disbursement.
- Final financial reporting.
- Progress narrative reports, including quantitative data on project implementation, whose submission frequency depends on the partner's assessed risk level.
- Final project report, including narrative, based on the standard format agreed upon in the M&R Guidelines.

3. Administrative Agent

39. The Administrative Agent will submit the following financial reports and statements to the HC, the Advisory Board, Donors and PUNOs:

- Statements on donor commitments deposits and transfers to PUNOs directly available on the MPTF Office GATEWAY (<http://mptf.undp.org>);
- Annual Consolidated Financial Report of the Afghanistan CHF as of 31 December, to be provided no later than five months (31 May) after the end of the calendar year;
- Final Consolidated Financial Report of the Afghanistan CHF no later than seven months (31 July) of the year following the financial closing of the Afghanistan CHF;
- Certified annual financial statement (“Source and Use of Funds”) on its activities as Administrative Agent, to be provided no later than five months (31 May) after the end of the calendar year; and
- Certified final financial statement (“Source and Use of Funds”) on its activities as Administrative Agent, to be provided no later than six months (30 June) of the year following the financial closing of the CHF.

D. Evaluation of the CHF

40. External Evaluation of the Afghanistan CHF will be undertaken every three years in accordance with the global agreement. Evaluations are commissioned by the OCHA New York in consultation with HCs and OCHA at the country level and with Donors, UN Agencies and NGOs at the global level through the Polled Fund Working Group. Ad hoc reviews or studies can be considered by the Humanitarian Coordinator, beyond the mandatory three-year evaluation. Such evaluations shall be done in close consultation between the Advisory Board and OCHA.

E. Audit

41. Project-level auditing shall be subject exclusively to the auditing procedures provided for in the financial regulations, rules and directives of the respective PUNO and the Managing Agent.

42. NGO implemented projects will be audited in compliance with financial regulations, rules and directives applicable to the MA. The costs of such an exercise will be added to the project proposals of the NGOs.

43. The Administrative Agent and PUNOs will be audited in accordance with their own Financial Regulations and Rules and, in case of MDTFs, in accordance with the Framework for auditing multi-donor trust funds which has been agreed to by the Internal Audit Services of Participating UN Organizations and endorsed by the UNDG in September 2007.

VII. Termination of Fund

44. Commitments assumed by the withdrawing or terminating Participants under this ToR will survive the expiration or termination of this Memorandum of Understanding or the termination of the Administrative Agent or withdrawal of a PUNO to the extent necessary to permit the orderly conclusion of the activities and the completion of final reports, the withdrawal of personnel, funds and property, the settlement of accounts between the Participants hereto and the settlement of contractual liabilities that are required in respect of any subcontractors, consultants or suppliers.

45. Any balance remaining in the Fund Account or in the individual PUNO’s separate ledger accounts upon winding up of the Fund will be used for a purpose mutually agreed upon or

returned to the donor(s) in proportion to their contribution to the Fund as agreed upon by the donors and the Humanitarian Coordinator, in consultation with PUNOS.

VIII. Conflict Resolution and Complaints Mechanisms

46. Participants with insufficiently addressed concerns or complaints regarding Afghanistan CHF processes or decisions can at any point in time contact the OCHA Head of Office or write to chfafg.complaints@un.org with these concerns. Complaints will be compiled, reviewed and raised to the Humanitarian Coordinator, who will then take a decision on necessary action(s). The Humanitarian Coordinator will share with the Advisory Board any such concerns or complaints and actions taken thereof.

IX. Communication

47. This document is the product of extensive consultation at the field and headquarters levels. As such it will be widely distributed in paper and digital versions to all stakeholders. The document will be made available on the Afghanistan CHF Website. Queries regarding the Afghanistan CHF should be addressed to the head of HFU.

48. Each Participating UN Organization will take appropriate measures to publicize the Fund and to give due credit to the Afghanistan CHF. Information given to the press, to the beneficiaries of the Fund, all related publicity material, official notices, reports and publications, will acknowledge the role of the Afghanistan CHF and its donors.

49. The Humanitarian Coordinator will ensure that decisions regarding the review and approval of projects funded by the Afghanistan CHF, as well as periodic reports and associated external evaluation reports are posted for public information on the official OCHA Website.

X. Other Matters

50. The CHF will be established upon signing of the Memorandum of Understanding amongst OCHA, Participating UN Organizations, IOM and the Administrative Agent. It will become operational upon signing of the first SAA.

51. The HC in consultation with the Advisory Board and representatives of the HCT, PUNOs, IOM and NGOs will develop an exit strategy of the Afghanistan CHF when the evolution of the humanitarian context will suggest so. The HC and Advisory Board will provide inputs to the exit strategy and related benchmarks during the interim period at every annual general meeting of the CHF Advisory Board.

52. The Afghanistan CHF will terminate upon execution of the exit plan and upon completion of all Projects funded through the Afghanistan CHF and after satisfaction of all commitments and liabilities. Notwithstanding the completion of the Projects financed from the CHF, any unutilized balances will continue to be held in the Afghanistan CHF Account until all commitments and liabilities incurred in implementation of the Projects have been satisfied and project activities have been brought to an orderly conclusion. Any balance remaining in the Afghanistan CHF Account or in the individual Participating UN Organizations' or IOM's accounts shall be used as

decided by the Humanitarian Coordinator in consultation with Donors and the Participants or returned to the Donors in proportion to their contributions to the CHF.

53. When it is determined that the conditions necessitating the continued operation of Afghanistan CHF are no longer present, the HC will initiate the exit plan. The HC will determine the exit of the Afghanistan CHF, in consultation with Advisory Board and the Humanitarian Country Team.