



**Spotlight
Initiative**

*To eliminate violence
against women and girls*

**Spotlight Initiative
Legal Framework Summary**



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To eliminate violence
against women and girls



UN Multi-Partner Trust Fund Office
Efficiency. Accountability. Innovation.

Acronyms

CPD	Country Programme Document
DSG	Deputy Secretary-General
EOSG General	Executive Office of the Secretary-
EU	European Union
MOU	Memorandum of Understanding
MPTF	Multi-Partner Trust Fund
OSC	Operational Steering Committee
RUNOs	Recipient UN Organizations
TOR	Terms of Reference
UN	United Nations
UNDG	United Nation's Development Group

1. OVERVIEW

1.1 Background

The Spotlight Initiative (SI) is a global partnership launched by the European Union and United Nations to eliminate all forms of violence against women and girls (VAWG), backed by an initial dedicated financial envelope of €500 million from 2018 to 2023.

The Initiative galvanizes political commitment at the highest levels and contributes to achieving the Sustainable Development Goals (SDGs), and more specifically Goal 5 on Gender Equality, fully integrating the principle of ‘leaving no one behind’.

The Initiative focus on forms of violence against women and girls that are prevalent or prominently emerge in specific regions: Femicide in Latin America; Trafficking in human beings and sexual and economic (forced labor) exploitation in Asia; Sexual and gender-based violence, including harmful practices in Sub-Saharan Africa; Domestic violence in the Pacific region and Domestic and family violence in the Caribbean. In line with the principle of universality of the SDGs, it will expand to other regions and focus areas as new funding partners join.

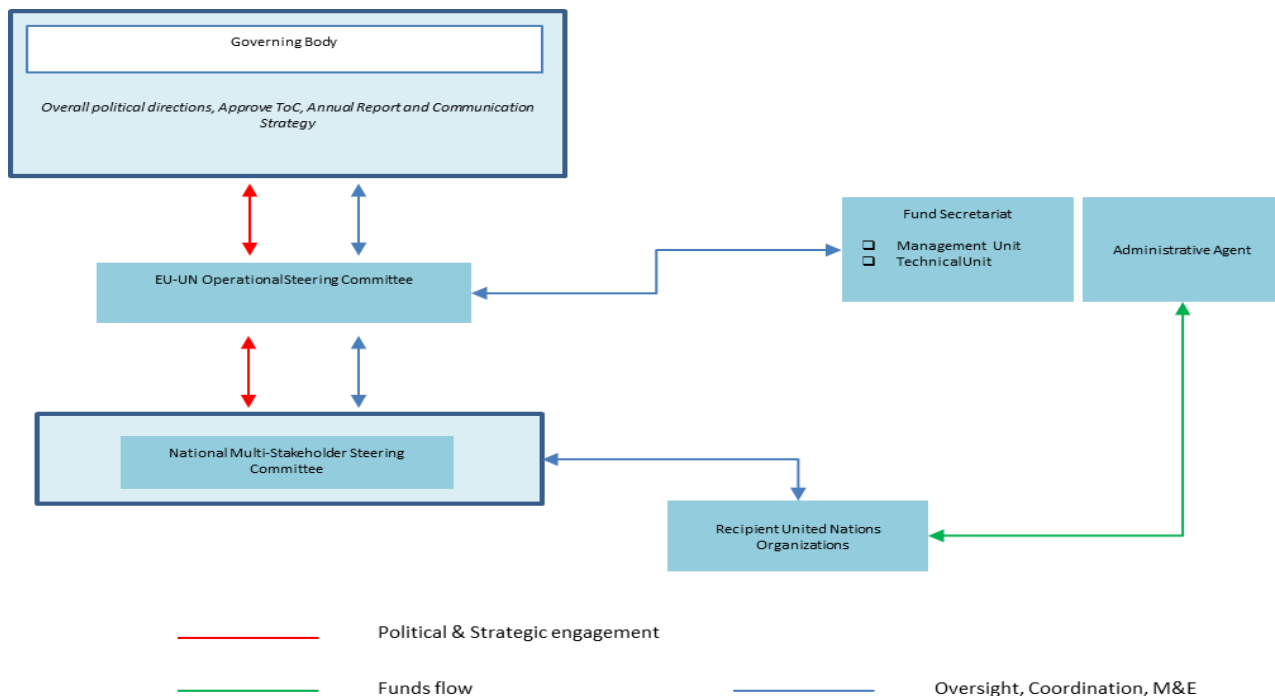
The initiative is implemented through a UN multi-stakeholder trust fund, established by the UN Secretary-General and administered by the Multi-Partner Trust Fund (MPTF) Office, with the support of the following core

agencies: the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), the United Nations Population Fund (UNFPA) and the United Nations Development Programme (UNDP).

This guidance describes the governance structure, operating principles, and procedures required to manage the programme implementation. The guidance is applicable to all Recipient UN Agencies, the Secretariat and the Administrative Agent, ensuring compliance with cash-flow management, budgetary revision and financial and narrative reporting and closure of project. The detailed roles and responsibilities of the governance structure is defined in Section 4.1 of the Spotlight Initiative [Terms of Reference](#).

1.2 Governance Architecture and Administrative Arrangement

The Governance architecture of the Spotlight Initiative has three functions: governance by global and country decision making bodies, daily management and administration supported by dedicated teams, and implementation by the RUNOs. At the global level, it consists of a Governing Body and an Operational Steering Committee.



1.3 Governing Body

The Governing Body is the highest level of the governance structure of the Spotlight Initiative. It is co-chaired by the UN Deputy Secretary-General (DSG) and EU High Representative for Foreign Affairs and Security Policy/Vice President of the European Commission. Membership includes the Executive Director of UN Women, and the EU Development Commissioner for International Cooperation and Development. The Governing Body also includes civil society representative nominated by the Global Society Reference Group in an Advisory role.

1.3.1 Operational Steering Committee

The Operational Steering Committee ensures effective management and coordinates all operational and technical aspects of the initiative including the launch of programmatic cycles, provide feedback on Investment Plans of the Initiative, advise on resource allocation, agrees upon joint programmes and budgets, and requests the Administrative Agent for transferring funds to recipient United Nations Organizations, subject to United Nations regulations, rules, policies and procedures. The Operational Steering Committee is co-chaired by the representative of the Executive Office of the Secretary-General (EOSG) and Director-General of DEVCO. The Committee meets quarterly and agrees upon the programmes of work by consensus.

1.3.1 The Secretariat

The Secretariat is a Fund governance support structure. The Secretariat has two units: Management Unit and Technical Units. It executes the management and coordination activities of the Fund and provide technical support to programme regions/countries. The Executive Office of the Secretary-General provides overall coordination of the Secretariat. The Management Unit act as a secretary of the Governing Body and Operational Steering Committee (OSC), while the Technical Unit hosted by UN WOMEN provides technical and programmatic support.

1.4 Administrative Agent

The MPTF Office is the Administrative Agent (AA) for the Spotlight Initiative Fund in accordance with the terms and conditions set out in Spotlight [Terms of Reference](#) and in the standard Memorandum of Understanding signed between the AA and the Deputy Secretary General. The administration of the Fund follows a “Pass-Through” management modality¹.

Specifically, the AA has the following responsibilities:

- Administration of the EU PaGODA contract and all Fund legal instruments based on standard UNDG legal agreements.
- Receive and administer donor contributions, ensure proper cash management.
- Manage payments request to the EU.
- Disburse funds to Recipient UN Organizations as instructed by Co-chairs of the Operational Steering Committee.
- Reporting – consolidate regular narrative and financial reports from recipient UN Organizations for submission to the OSC and donors.
- Provide real time data through [GATEWAY](#) - governance, decision making, Fund’s finances, project implementation status, emerging results, and evaluations.

1.5 Recipient UN Organizations

In accordance with MOU signed with the AA, each RUNO assumes full programmatic and financial accountability for the funds disbursed to it by the AA as per its regulations, rules, policies and procedures, including fiduciary standards and programmatic safeguards. Other responsibilities by RUNOs include development and implementation of the Spotlight Programmes as well as timely provision of financial and narrative progress reports to the AA.

In consonance with the decision of the Operational Steering Committee, the number of RUNOs in each programme country is expected not to exceed five. The RCs should take the lead for coordination to ensure effective communication

¹ UNDP’s Accountability when Administrative Agent in MPTFs and JPs Joint Programmes using the pass-through fund management modality. www://mptf.undp.org.

flow and decision making while responsibilities for technical leadership in most programme countries and regions rests with the selected RUNO.

2. LEGAL FRAMEWORK

The Spotlight Fund is framed within the UNDG standard Administrative Arrangement Agreement Framework. However, EU contractual modality needs a set of specific requirements not otherwise required by other donors under the UNDG Standard Administrative Arrangement for pass-through mechanism. This implies specific legal requirement and framework for the Spotlight Initiative Fund.

The AA is the custodian of the legal framework. The legal framework includes legal agreements covering various requirements at different level of the Fund.

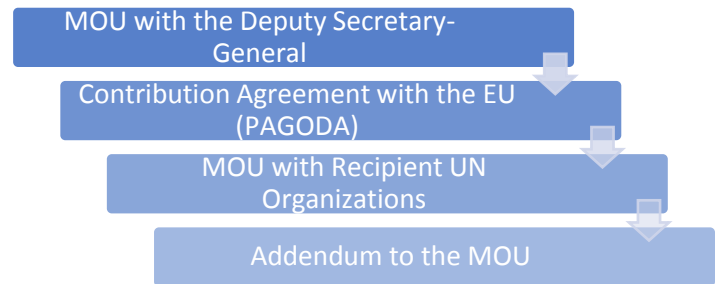
2.1 MOU with the DSG

This is the first legal framework for pass-through arrangements establishing the Fund as per the [Spotlight Initiative Terms of Reference](#). The MOU describes the governance structure of the Fund, accountability framework

for the Recipient UN Organizations and designation of the MPTF office as an AA. The MOU was signed by the Deputy Secretary General and the AA Executive Coordinator in September 2017.

2.2 European Union Co-delegation agreement

The EU Pillar Assessed Grants and Delegation Agreement (PAGODA) defines what constitutes the ‘Action’ (i.e. the undertaking which the EU agrees to (co-)fund) and how it shall be implemented). It also lays out the rules for implementation, the payment of the EU contribution, and defines the relations between the MPTFO as Administrative Agent and the EU².



² European Union PAGODA -2 CO-delegation Agreement Operationalization Guidelines for Joint Programmes and Multi- Donor Trust Funds using pass-through modalities, UNDG, November 2016.

2.2.1 Special conditions and Annexes

The Special Conditions are the cover document for the delegation agreement between the European Union and the Multi-Partner Trust Fund Office. The Special Conditions define the Action as described in Annex I of the Co-Delegation Agreement of the Fund and stipulates seven articles, ranging from the total cost of the action, implementation period, reporting (both financial and narrative), and list of co-delegates (RUNOs). The Special Condition also recognizes the pass-through modality for the Fund according to the UNDG standard. The Action is a multi-donor action, which also requires UN contribution and EU to be listed in the total cost. In the event of a conflict between the present Special Conditions and any Annex thereto, the provisions of the Special Conditions shall take precedence.

Annex I: Description of the Action (DoA) includes the Terms of Reference of the Fund, the ASEAN Programme³ (earmarked), and Regional Investment Plans (Latin America and Africa for now). As the other regional programs become available, they will be included in the DoA. The Investment Plans include summary of Country/Regional Programme documents, budget breakdown by UNDG categories and co-delegates per country and Country and Regional Programme Profiles. All subsequent narrative reporting must follow the structure of the DoA.

Annex II: General Conditions is applicable to European Union contribution agreements with international organizations. It includes the criteria for eligible cost, verification missions, budget revision, cash flow management etc. For more details RUNOs should follow their own agencies guidance on EU General Conditions.

Annex III: Budget of the Action is a high-level budget by regions and by sources of funds (EU/UN). It determines the overall structure of future financial reports to be submitted to the EU by the Administrative Agent.

³ Being the first programme The ASEAN programme was exceptionally included in the DoA.

The PAGODA is composed of the Special Conditions and the following 7 annexes which form an integral part of the Agreement:

- Annex I: Description of the Action (DoA)
- Annex II: General Conditions applicable to European Union contribution agreements with International Organizations
- Annex III: Budget for the Action (Budget)
- Annex IV: Financial Identification Form
- Annex V: Standard Request for Payment
- Annex VI: Communication & Visibility Plan
- Annex VII: Management Declaration

MP/TF COMPONENTS	TOTAL Direct Cost USD			Indirect Cost 7% ^{**}			TOTAL new ACTION Cost as per current Amendments III, USD	TOTAL AMOUNT EURO ^o
	Previously Approved	Changes	Total new as per current Amendment II	Previously Approved	Changes	Total new as per current Amendment II		
1. Global Cost - Secretariat/AA (CDI + EDE)	\$22,007,622		\$22,007,622	\$1,499,884		\$1,499,884	\$23,507,506	EUR 19,934,385
2. ASIA (CDI)	\$28,037,383		\$28,037,383	\$1,962,617		\$1,962,617	\$30,000,000	EUR 25,440,000
3. Latin America (CDI)	\$51,962,581		\$51,962,581	\$3,373,813		\$3,373,813	\$55,336,394	EUR 46,925,282
4. Africa (EDF)	\$1,350,000	\$242,649,096	\$243,999,096	\$94,000	\$16,070,356	\$16,164,356	\$260,164,154	EUR 220,619,202
5. Caribbean (EDF)								
6. Pacific (EDF)								
Total Cost	\$103,357,586	242,649,096	\$346,006,681	\$6,930,314	16,070,356	\$23,001,372	\$369,008,053	EUR 312,918,822
						Total EU contributions to the Actions ^o	\$342,877,358	EUR 290,760,000
						Total UN and Contributions ^o	\$17,816,015	EUR 15,107,881
						Total contributions to be budgetized	\$8,314,680	EUR 7,050,488

Fig 2. ANNEX III Budget of the Action

Annex IV: Financial Identification Form

Annex V: Standard Request for Payment

Annex VI: Communication and Visibility Plan (C&V Plan), aims to ensure visibility is given to the results achieved and to EU's contribution.

Annex VII: Management Declaration

The signed copy of a Management Declaration accompanies the financial and narrative reports.

2.3 MOU with RUNOs

Each Recipient UN organization (RUNO) receiving funds through the pass-through needs to sign a UNDG [MOU](#) with the Administrative Agent. The Spotlight Initiative Fund [MOU](#) defines the management, accountability and reporting requirements for the programmes. The [MOU](#) with RUNOs is not part of the PAGODA Co-delegation agreement, but it establishes the legal framework of the relationship between the Recipient UN Organizations and the AA.

2.4 Addendum to the MOU for EU Contributions to the Spotlight Initiative

The PAGODA co-delegation agreement creates additional responsibilities that are not covered by the standard UNDG MOU. Thus, all recipient UN Organizations will sign an Addendum that covers specific issues applicable to the European Union Co-delegation Agreement in addition to

the standard MOU.

The [Addendum to the MOU](#) reflects all the special conditions set by the EU in the PAGODA that are not part of the Standard MOU such as for example eligibility criteria, evaluation, reporting cycle, verification, risk management and communication.