

ANNEX A



UN ACTION MULTI-DONOR TRUST FUND – (UN ACTION MDTF) TERMS OF REFERENCE Updated 31 December 2012

I. INTRODUCTION

UN Action Against Sexual Violence in Conflict (UN Action) unites the work of the UN system with the goal of ending sexual violence during and in the wake of conflict. Launched in March 2007, it represents a concerted effort by a number of UN entities to improve coordination and accountability, amplify advocacy, and support country efforts to prevent conflict-related sexual violence and respond more effectively to the needs of survivors. The goal and purpose of UN Action are set out in its Strategic Framework (see Annex 1) which sets operational parameters and targets for its joint work over a two year period.

In January 2009, UN Action established a Multi-Donor Trust Fund to mobilize funds to support the UN Action Secretariat and a modest range of joint catalytic programmatic activities. The Multi-Donor Trust Fund aims to: (i) streamline joint programming, (ii) strengthen governance and financial management systems, and (iii) standardize reporting to donors. The entities participating in UN Action have appointed the Multi-Partner Trust Fund Office¹ (MPTF Office) of the United Nations Development Programme (UNDP) to serve as the Administrative Agent for the UN Action MDTF. The end date of the UN Action MDTF is **31 December 2017**.²

In November 2011, the UN Action MDTF expanded its scope to include support for the programmatic work undertaken by the Team of Experts established under Operative Paragraph 8 of Security Council Resolution 1888 (2009). The Team of Experts is a team composed of a Team Leader and experts from co-lead entities (DPKO, OHCHR, and UNDP). The mandate of the Team of Experts is to assist national authorities to strengthen the rule of law to fight impunity for conflict-related sexual violence (see Section VI).

The following Terms of Reference are designed to guide the work of the UN Action MDTF.

1. Previously known as the Multi-Donor Trust Fund Office

2. The UN Action MDTF initially had an end date of 31 December 2010, and was extended until 31 December 2012 by decision of the UN Action Steering Committee on 29 June 2010. It was subsequently extended to end 31 December 2013 by decision of the UN Action Steering Committee on 30 March 2012 and further extended to end 31 December 2017 by decision of the UN Action Steering Committee on 21 November 2012.

II. ELIGIBILITY

Participating UN Organization(s), i.e. those UN entities which have signed a Memorandum of Understanding (MOU) with the Administrative Agent, are eligible to submit proposals through the UN Action Secretariat.

III. COMPLIANCE WITH UN ACTION STRATEGIC FRAMEWORK

Participating UN Organization(s) receive funding from the UN Action MDTF for proposals that are identified as deliverables under the **Three Pillars** of the UN Action Strategic Framework:

- 1) **Country Level Action:** strategic and technical support to assist joint strategic planning by the UN system at country level to prevent, respond to, and report on conflict-related sexual violence, including efforts to build capacity.
- 2) **Advocacy:** action to raise public awareness and generate political will to address conflict-related sexual violence.
- 3) **Knowledge Building:** creation of a knowledge hub on conflict-related sexual violence and effective programmatic responses.

IV. SELECTION CRITERIA

Proposals for UN Action MDTF will be considered based on the following³:

- a) The extent to which the goals and objectives of the proposal conform to the UN Action Strategic Framework and are identified as “deliverables” under the three Pillars;
- b) The overall quality of the proposal;
- c) The inclusion of a communications strategy, which lends visibility to UN Action’s *Stop Rape Now* campaign and includes key messages to help UN Action members explain the initiative to external partners;
- d) Institutional capacity of the organization(s) to implement the project/programmes;
- e) The extent to which the proposal fosters joint planning, or programming by a number of UN entities;
- f) Potential for sustainability;
- g) Commitment and plan for monitoring the activity;
- h) Clear description of budget requirements and link to achieving results;
- i) Minimum budget of \$50,000, and
- j) Implementation period of no more than two years.

V. STRUCTURE OF THE UN ACTION MULTI-DONOR TRUST FUND

The **UN Action Steering Committee** provides overall leadership and sets strategic direction for the UN Action network. The Steering Committee comprises Principals from each of its member UN entities and is headed by the Special Representative of the Secretary General on Sexual Violence in Conflict (SRSG SVC).

³The prior selection of and support to the “UN SC 1888 Team of Experts Interim Funding” Joint Programme by the UN Action MDTF in 2010 exempts future Team of Experts Joint Programmes from review by the UN Action MDTF against the selection criteria.

The **UN Action Focal Points** from each of the UN Action member entities develop the biannual Strategic Framework for endorsement by the Steering Committee. UN Action Focal Points meet regularly as an executive sub-group of the Steering Committee.

The **UN Action Secretariat** is responsible for coordinating the work of the UN Action network. It consists of a Coordinator, an Advocacy and Women’s Rights Specialist, and a Programme Assistant and reports to the SRSG SVC.

The UN Action Steering Committee has established a **Resource Management Committee (RMC)**, a sub-committee of the UN Action Focal Points, to take resource allocation decisions for the UN Action network. The RMC is comprised of five UN Action Focal Points, one of whom will serve as the Chairperson, nominated by the broader group of UN Action Focal Points and endorsed by the UN Action Steering Committee Chairperson.

The Multi-Partner Trust Fund Office (MPTF Office) of UNDP shall serve as the **Administrative Agent** of the UN Action MDTF. UNDP’s accountability as the Administrative Agent is set out in the policy “UNDP’s Accountability when acting as Administrative Agent in MDTFs and/or UN Joint Programmes using the pass-through fund management modality.” (see link: www.mdtf.undp.org)

VI. FUNDING FOR THE PROGRAMMATIC ACTIVITIES OF THE TEAM OF EXPERTS

Within the UN Action MDTF, a funding window shall be established to receive earmarked funding on behalf of the Team of Experts. In the case of funding earmarked for the Team of Experts, allocation of such funds will not be subject to RMC review or approval. Team of Experts funding allocations will be determined by the Team Leader in consultation with the co-lead entities through the Team of Experts Advisory Group⁴.

VII. ROLES AND RESPONSIBILITIES

Administrative Agent:

As Administrative Agent, the UNDP MPTF Office administers resources under the direction of the RMC, except in the case of the Team of Experts where it administers resources under the direction of the Team Leader and co-lead entities (DPKO, OHCHR, UNDP) of the Team of Experts.

The MPTF Office will undertake the following responsibilities:

- Sign an MOU with the Participating UN Organizations;
- Negotiate and sign Standard Administrative Arrangements with donors that wish to provide contributions to the UN Action MDTF;
- Receive, administer, and manage contributions from donors;
- Disburse funds to Participating UN Organizations based on resource allocation decisions of the RMC;
- Consolidate financial reports from the Participating UN Organizations and submit them to the UN Action Secretariat for inclusion in the annual Progress Report; and

4. See Team of Experts: Rule of Law – Sexual Violence in Conflict Advisory Group Terms of Reference.

- Transmit UN Action's annual Progress Report to donors following the endorsement of the UN Action Steering Committee.

The UNDP MPTF Office will charge a 1% fee of each donor contribution for Administrative Agent fund administration and fiduciary responsibilities.

Participating UN Organization(s):

Participating UN Organization(s) shall assume full programmatic and financial accountability for the funds transferred to them by the Administrative Agent and will undertake the following activities:

- Submit proposals to the UN Action Secretariat for consideration by the RMC,
- Design, implement and oversee projects/programmes financed by the UN Action MDTF;
- Establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent.

For each project/programme approved for funding from the UN Action MDTF, Participating UN Organizations will be required to provide the following to the UN Action Secretariat:

- Annual narrative progress reports, to be provided no later than three months(31 March) after the end of the calendar year;
- Final narrative reports, after the completion of the activities using approved programmatic document/Joint Programme Document and including the final year of the activities - to be provided no later than four months (30 April) of the year following the financial closing of the UN Action MDTF. The final report will give a summary of results and achievements as compared with the goals and objectives of the proposal.

Participating UN Organizations will be required to provide the following statements and reports to the Administrative Agent:

- Annual financial statements and reports as of 31 December with respect to the funds disbursed to it from the UN Action MDTF 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 project or programme and including the final year of the activities in the approved project to be provided no later than six months (30 June) of the year following the financial closing of the UN Action MDTF.

Indirect costs of the Participating UN Organizations recovered through programme support costs will be 7%. In accordance with the UN General Assembly resolution 62/208(2007 Triennial Comprehensive Policy Review principle of full cost recovery), all other costs incurred by each Participating UN Organization in carrying out the activities for which it is responsible under the UN Action MDTF will be recovered as direct costs.

UN Action Secretariat:

The UN Action Secretariat will support the work of the RMC, Participating UN Organizations, Administrative Agent, and the UN Action Steering Committee for the purpose of facilitating the UN Action MDTF through the following activities:

- Review proposals submitted by Participating UN Organizations for completeness and consistency with the Strategic Framework and transmit to the RMC for its consideration;

- Transmit proposals approved by the RMC to the Administrative Agent for fund disbursement;
- Synthesize the narrative reports submitted by Participating UN Organizations each calendar year upon completion of each UN Action MDTF project or programmes; and
- Compile the narrative reports and consolidated financial reports into an annual Progress Report to be submitted to the UN Action Steering Committee for approval. The Administrative Agent shall provide donors with these Progress Reports.

Resource Management Committee (RMC):

The role of the RMC is to review proposals submitted by Participating UN Organizations and determine the allocation of UN Action's funds.⁵ Its primary responsibilities are to:

- Evaluate proposals, taking into consideration available resources and the degree to which a proposal conforms to the UN Action Strategic Framework and the Selection Criteria;
- Ensure that proposals contain an in-built communications strategy that includes visibility for UN Action's *Stop Rape Now* campaign, brand and/or website, in line with the UN Action Strategic Framework;
- Ensure that UN Action MDTF financed projects or programmes are informed by decisions of the Steering Committee and UN Action Focal Points;
- Ensure appropriate consultative processes take place with key stakeholders to avoid duplication between the projects or programmes of UN Action entities and other UN funding mechanisms;
- Periodically review the RMC's Terms of Reference and Rules of Procedure and submit any necessary revisions to the UN Action Secretariat. Any revisions must then be approved by the UN Action Focal Points and endorsed by the Steering Committee; and
- Periodically evaluate the cost effectiveness of the UN Action MDTF.

The operating procedures of the RMC are set forth in its Terms of Reference and Rules of Procedure.

VIII. CONTRIBUTIONS TO THE UN ACTION MDTF

Contributions to the UN Action MDTF may be accepted from, among others, governments of Member States of the United Nations, inter-governmental organizations, non-governmental organizations, International Financial Institutions, foundations and the private sector. Donors are strongly encouraged to contribute un-earmarked funds, except in the case of funding specifically for the Team of Experts.

Acceptance of funds from the private sector will be guided by the "Guidelines on Cooperation between the United Nations and the Business Community" (June 2000 <http://www.un.org/partners/business/otherpages/guide.htm>), and any relevant guidelines applicable to the individual Participating UN Organization(s).

Contributions may be accepted in fully convertible currency and shall be deposited in the bank accounts designated by UNDP. The value of a contribution-payment, if made in other than United States dollars, shall be determined by applying the United Nations operational rate of exchange in effect on the date of payment. Each individual contribution to the UN Action MDTF should be equivalent to at least US\$50,000.

5. Joint Programmes of the Team of Experts are exempt from RMC review and approval.

IX. PUBLIC DISCLOSURE

Decisions by the RMC will be shared with all stakeholders in order to ensure transparency of MDTF financed projects. In line with the UN's commitment towards public disclosure of its operational activities, the Administrative Agent in consultation with the RMC, will ensure that reports and documents of the UN Action MDTF, such as RMC approved projects/programmes, projects/programmes awaiting approval, fund level annual financial and progress reports, and external evaluations, as appropriate, are posted for public information on the UN Action MDTF page of the MPTF Office website (see link: mdtf.undp.org).

Information given to the press, to the beneficiaries of UN Action and all related publicity material, official notices, reports and publications, shall acknowledge the role of the UN Action donors, the Participating UN Organization(s), and any other relevant parties.

To the extent that it does not jeopardize the privileges and immunities of Participating UN Organization(s), and the safety and security of their staff, Participating UN Organization(s) will promote donor visibility on information, project/programmes materials and at project/programmes sites in accordance with their respective regulations, rules, policies and procedures.

X. AUDIT

The Administrative Agent and Participating UN Organizations will be audited in accordance with their own Financial Regulations and Rules and, where appropriate, 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.

XI. OWNERSHIP OF EQUIPMENT, SUPPLIES AND OTHER PROPERTY

Ownership of equipment, supplies and other property financed from the UN Action MDTF shall vest in the Participating UN Organization(s) undertaking the activities. Matters relating to the transfer of ownership by the Participating UN Organizations shall be determined in accordance with the applicable policies and procedures of the Participating UN Organizations.

XII. EVALUATION OF THE UN ACTION MDTF

The UN Action Steering Committee may commission a review of the UN Action MDTF.

XIII. TERMINATION OF THE UN ACTION MDTF

The UN Action MDTF will terminate upon completion of all projects and after satisfaction of all commitments and liabilities. Notwithstanding the completion of the initiatives financed from the UN Action MDTF, any balances will continue to be held in the UN Action MDTF account until all commitments and liabilities incurred in the implementation of the projects/programmes have been satisfied and project/programmes activities have been brought to an orderly conclusion. Upon termination of the UN Action MDTF, any balance remaining in the UN Action MDTF Account or in the account of the individual Participating UN Organization shall be allocated as decided by the RMC. In the case of the Team of Experts, any balance remaining shall be allocated as decided by the co-lead entities in consultation with contributing donors, UN Action MDTF and the OSRSG-SVC.