



The Malawi SDG Acceleration Fund ToRs



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1.0 Introduction

The 2016 Quadrennial Comprehensive Policy Review (QCPR), requested that the United Nations Development System (UNDS) is better positioned “to support member state efforts to implement the 2030 Agenda for Sustainable Development in a coherent and integrated manner”. The review emphasised the need for a United Nations that is more strategic, accountable, transparent, collaborative, efficient, effective and results-oriented”. The review also emphasised the need for the United Nations system to have well-designed pooled funding mechanisms which would ably support common, cross-cutting UN approaches at country level. This resonates with the call by the 2030 Agenda for Sustainable Development on the need to have a shift on the way the United Nations system transact its business so that the world is put on a path of sustainable development and that no one is left behind.

Achieving the 2030 Agenda will demand that there is a change in the way policies are formulated and sustainably financed. The SDGs are showing interconnected nature of sustainable development and the need to approach policymaking in a holistic manner. It will be necessary for governments and other stakeholders (inclusive the United Nations system) to identify and trigger those policy levers that can contribute to a smart and accelerated achievement of the integrated SDG agenda at national level.

As a way of operationalizing the recommendations of the 2016 QCPR and taking into account the United Nations Development System Reform note of 31st May 2018 that emphasizes that adequate, predictable and sustainable funding should be made available if country offices are to deliver a coherent, effective, efficient and accountable response in accordance with national needs and priorities, the United Nations system in Malawi is establishing the Malawi SDG Acceleration Fund. The fund will aim at improving the quality of non-core resources which would help the UN system support the government of Malawi to achieve Sustainable Development Goals. At the same time, the Fund reflects the UN’s financing approach, as outlined in the UNDG companion piece, “Funding to Financing”, including the need to use limited UN resources as a catalyst to influence much larger financing flows.

The Malawi SDG Acceleration Fund will be used as a focused instrument, supporting the inter-agency or cross cutting agency priorities that have a bearing on the national priorities with the greatest ability to accelerate SDGs through joined up implementation on the ground.

The Malawi SDG Acceleration Fund aims to complement other resources already in implementation by: i) providing targeted resources for multi-agency initiatives that strengthen national capacities for integrated policy; ii) developing the country’s SDG financing ecosystem; iii) implementing catalytic SDG programming and investments; iv) ensuring effective and sustainable development results at national and sub-national levels.

The UN Reform initiative and the Malawi Acceleration Fund is being implemented in a collaborative manner under the leadership of the Government of Malawi. Notably, the Office of the President and Cabinet (OPC) and the Ministry of Finance Economic Planning and Development (MoFEPD).

2.0 Purpose of the Malawi SDG Acceleration Fund

The objective of the Malawi SDG Acceleration Fund is to support coherent resource mobilization, allocation and disbursement of donor resources to under-funded cross sectoral areas where the UN has a comparative advantage in implementing together. The UN Resident Coordinator as leader of the UN Country Team (UNCT) will support the fund, engage with the GoM, key partners and ensure strategic discussions around SDG acceleration in line with the UNDAF 2019-2023. The UNDAF Pillar leads will play a critical role using evidence-based information to identify the areas for strategic engagement through the SDG Acceleration Fund. The Steering Committees (SC) will be co-chaired by the relevant Government Ministry/Department and the UN Resident Coordinator (RC) with the participation of the relevant UN agencies, government representatives, Non-Governmental Organisations and Donors supporting the different windows.

The Fund is being proposed as a vehicle for pooled resources by development partners to tackle strategic challenges for SDG achievements in Malawi. Moreover, the fund is intended to strengthen the planning and coordination process, and channeling consistent and predictable funds towards the highest priority areas and facilitate the realization of the UNDAF 2019-23. The Fund will support partnership and communication between all stakeholders involved with Malawi's development initiatives led by the Government of Malawi. Information given to the press, to the beneficiaries of the UNDAF, all related promotion material, official notices, reports and publications, shall acknowledge the role of Government of Malawi, the United Nations and the donors.

3.0 Programmatic Scope and Summary of Theory of Change

The United Nations Development Assistance Framework (UNDAF) is the strategic plan for the United Nations Country Team (UNCT) contributing to the Malawi Government's national development priorities and actions for the period 2019-2023. It guides UN Agency programmes ensuring UN wide coherence and presents a strong collaborative link with the Government of Malawi's development aims as expressed in the Malawi Growth and Development Strategy (MGDS) III. The UNDAF attempts to step up and match the ambition to attain Sustainable Development Goals through a system-wide response to national challenges and delivering transformation as One UN.

The formulation process was consultative with Government (both at central and local levels), Development Partners, Civil Society Organisations and Non-Governmental Organisations being involved at all stages. The UNDAF has three pillars namely; (1) Peace, Inclusion and Effective Institutions; (2) Population Management and Inclusive Human Development; and (3) Inclusive and Resilient Growth and corresponding. The pillars respond to the identified root causes of development challenges such as; (1) Poor governance (2) Climate change (3) Weak economic structure (4) Rapid population growth and (5) Negative social norms which were identified through the root cause analysis.

The pillars are also linked to the UN Malawi's comparative advantage over other actors in the country, which are centred on multi-sectoral support to resilience, aid effectiveness, policy advice and advocacy, governance and human rights, capacity development, innovation and data support.

The formulation of UNDAF 2019-2023 was evidence-based and inclusive. Strategic prioritization drew upon data from the country's needs and the UN's comparative advantage to act, with a particular focus on the most vulnerable and hard to reach populations. The process was participatory, with opportunities for Government, Civil Society, Development Partners and the General Public to contribute. Further, the formulation and product were guided by the eight transformational principles (reaching the last mile; changing incentive structures; focus on implementation; data for development; changing negative social norms; scalable; Delivering as One at the decentralized level and supporting integration across ministries and departments at the national and decentralized level) These transformational principles are also going to be the key elements that will guide the utilization of the fund.

The fund will initially start the Resilience Window which will support integrated interventions by UN agencies operating under Pillar 3 of UNDAF aimed to : 1) diversify sustainable agricultural production and improve nutrition; 2) enhance inclusive access to the productive resources necessary to increased, secure and predictable income; 3) reduce vulnerability and exposure of households and communities to risk through improved adaptation and natural resource management; 4) increase the capacity of local authorities, communities and individuals to prepare for and respond to shocks.

4.0 Description of the Malawi SDG Acceleration Fund

The Malawi SDG Acceleration Fund shall be administered by UNDP's Multi-Partner Trust Fund Office (MPTF), as Administrative Agent, on behalf of the Participating UN Organisations and the Resident Coordinator as agreed with the Government of Malawi. MPTF will administer the fund in accordance with its Rules and Regulations and a Memorandum of Understanding among the Participating UN Organizations.

The Malawi SDG Acceleration Fund will open funding windows depending on priority. The initial funding window to be opened will be the Resilience Window which will support climate action, renewable energy, resilience and humanitarian action through the implementation of Pillar 3 of the UNDAF 2019-2023.

Other funding windows will be set up using evidence-based analysis on key gaps and potential areas for joint UN work and through consultation with potential partners.

These windows will retain the objective of strengthening the planning and coordination process and channeling consistent and predictable funds towards the highest priority needs with funding gaps which will help to accelerate the implementation of SDGs.

4.1 Contributions to the Malawi SDG Acceleration Fund

Contributions to the Malawi SDG Acceleration Fund may be accepted from governments of Member States of the United Nations or from intergovernmental or non-governmental Organisations, or from private sources, including philanthropic funding. Acceptance of funds from the private sector will be guided by criteria stipulated in the UN system-wide guidelines on

cooperation between the UN and Business Community (the UN Secretary General's guidelines: <http://www.un.org/partners/business/otherpages/guide.htm>).

In support of the overarching aim of the Malawi SDG Acceleration Fund, and to ensure maximum flexibility and adaptation to national priorities, a guiding principle for resource mobilization would be that donors are encouraged to contribute with multi-year unearmarked resources. However, if this is not possible, earmarking at any of the windows will be accepted.

Contributions to the Malawi SDG Acceleration Fund may be accepted in fully convertible currency. Such contributions shall be deposited in the bank accounts designated by the Multi Partner Trust Fund Office of 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.

4.2 Utilization of the Malawi SDG Acceleration Fund

The Malawi SDG Acceleration Fund will be utilized for the purpose of meeting the unfunded gap of initiatives, including new initiatives responding to emerging needs, under the UNDAF. Details of such initiatives, including the respective budgets and implementation partners, will be set out in the Joint Annual Work Plans per pillar. The UNDAF, the Joint Annual Work Plans and Joint Programmes are the programmatic documents that will serve as the basis for funding requests and allocations.

Implementing Partners such as NGOs involved in the UNDAF will have access to the Malawi SDG Acceleration Fund through the Participating UN Organizations. The Participating UN Organisations will utilise their standard NGO cooperation modalities for this purpose and charge the corresponding direct and indirect costs to the Malawi SDG Acceleration Fund on the basis of its financial regulations and rules.

In conformity with the UN Development Group (UNDG) Guidance Note on Establishing, Managing and Closing Multi-Donor Trust Funds, indirect costs of the UN Participating Organizations will be 7% of programme costs. The Administrative Agent's fee will be 1% of contributions of the total contributions.

The Steering Committee may request any of the Participating UN Organizations, to perform additional tasks in support of the Programme not related to the Administrative Agent functions subject to the availability of funds. Costs for such tasks will be agreed in advance and with the approval of the Steering Committee be charged to the Programme as direct costs.

5.0 Governance Arrangements

5.1 The Joint Steering Meeting (JSM)

The JSM in Malawi is comprised of the Chief Secretary as Chair and the Resident Coordinator as Co-Chair. The sitting members of the JSM are Principle Secretaries of Government Departments

and Resident Representatives of UN Agencies that signed the UNDAF 2019-23. The JSM will give overall policy guidance of the Malawi SDG Acceleration Fund.

The Joint Steering Committee is responsible for:

- Assessing overall progress against planned outcomes and their contribution to Malawi Growth and Development Strategy III priorities and related SDGs;
- Ensuring alignment and coordination between UNDAF 2019-23 results and strategies and those of the MGDS III including sector programmes;
- Advise and assist the Outcome (results) groups and output working groups, as required;
- Approve Terms of Reference for the windows and decide on the establishment or discontinuation of thematic funding windows.
- For unearmarked funds; in liaison with the co-chairs of the JSM (1) Allocate unearmarked funds to the windows for further decision making by the Steering Committee of the relevant windows making sure that the allocations are aligned with the strategic development of the Malawi Growth and Development Strategy (MGDS III) and the United Nations Development Assistance Framework (UNDAF 2019-2023).; (2) To review and approve the criteria for the allocation of available resources.
- To review findings of the summary audit reports consolidated by the internal audit service of the Administrative Agent. To highlight lessons learnt and periodically discuss follow up by Participating Agencies on recommended actions that have MDTF-wide impact;
- To agree on the scope and frequency of the independent “lessons-learned and review” of the MDTF commissioned by the SC, in consultation with the HQ Fiduciary Management Oversight Group.
- To review the draft/final reports on lessons learnt, ensure the implementation of recommendations and identify critical issues for consideration by the HQs Fiduciary Management Oversight Group (to be brought up to the ASG Group, if/as required).

5.2 Steering Committee(s) of the Funding Windows

Composition:

The Steering Committees (SC) will be co-chaired by the relevant Government Ministry/Department and the UN Resident Coordinator (RC). Members will include participating UN agencies, government representatives, Non-Governmental Organisations and Donors supporting the different windows. The Steering Committee composition will ensure that principles of national ownership, inclusiveness and balanced representation, as well as the need to have a manageable size for decision-making effectiveness are followed. The agreement with the Government as well as any other documentation on the fund will make reference to the key elements of the TOR of the Steering Committee.

Key Tasks and Responsibilities of the Steering Committee(s):

- To review and approve the Window’s Terms of Reference and Rules of Procedures and update and/or modify them, as necessary, in case of compelling requirements;

- For funds earmarked by donors to Windows or UN agencies and prioritized/allocated within windows; to review and ensure the alignment of the allocations with the strategic development framework of the country and approved national priorities;
- To review and approve proposals from UN agencies submitted (by thematic clusters/sectoral groups or otherwise) for funding; ensure their conformity with the requirements of the MPTF agreements (MoUs, SAAs).
- To discuss the MDTF requirements and priorities concerning, inter alia:
 - Programme/project management, including consistent and common approaches to programme/project costing, cost recovery, implementation modalities, results-based reporting and impact assessment,
 - Information management including appropriate MDTF and MDTF donor visibility;
- To define Terms of Reference and composition for the thematic clusters/sectoral groups or other similar review bodies.
- To ensure appropriate consultative processes take place with key stakeholders at the country level so as to avoid duplication or overlap between the MDTF and other funding mechanisms;
- To review and approve the periodic progress reports (programmatic and financial) consolidated by the Administrative Agent based on the progress reports submitted by the Participating Agencies. To ensure consistency in reporting between clusters; Consolidated annual reports should include a section on the activity of the Steering Committee.
- To review the draft/final reports on lessons learnt, ensure the implementation of recommendations and identify critical issues for consideration by the HQs Fiduciary Management Oversight Group (to be brought up to the ASG Group, if/as required).

Decisions:

- The Steering Committee makes decisions by consensus. Decisions of the Steering Committee shall be duly recorded.
- Prior to presenting their position on a significant issue to the SC, its UN members have to make sure that it is endorsed internally by their Agencies and is in line with their Agencies' regulatory requirements.
- Decisions on programme/project proposals will only be taken upon completion of a review by the appropriate thematic clusters, sectoral working groups or other SC agreed review bodies.

5.3 The Resident Coordinator

The overall management of the Malawi SDG Acceleration Fund, will be led and coordinated by the Resident Coordinator in consultation with the Participating UN Organisations. In line with the strengthened authority of the Resident Coordinator to lead the UN to deliver more effectively at the country level, the Resident Coordinator will be responsible for:

- Strategic leadership of the Malawi SDG Acceleration Fund and all the thematic funding windows on the basis of the UNDAF 2019-23;

- Mobilizing resources for the Malawi SDG Acceleration Fund in collaboration with Participating UN Organisations;
- Signing the Standard Administrative Agreements with Donors and the Memorandum of Understanding with Participating UN Organisations as witness;
- To make sure that the decisions taken by the Steering Committee(s) are in accordance with the regulatory requirements and frameworks of the Participating Agencies and agreements with the programme country and donors;
- To ensure that the decisions taken by the Steering Committee(s) are duly recorded and promptly communicated to the members of the Steering Committee(s), including Participating Agencies, the programme country, and donors, as appropriate;
- To monitor the implementation of the decisions of the Steering Committee;
- To report to the MDTF Fiduciary Management Oversight Group on the evolving risks and to flag issues that may affect the implementation of the decisions of the Steering Committee or otherwise impede the operations of the Fund;
- The UN co-chair, representing the SC, is accountable to the Chair of the MDTF Fiduciary Management Oversight Group, representing the Committee, for the inter-agency fiduciary issues related to the Participating UN Agencies on issues related to funding through the UN for the MDTF activities.

5.4 The Administrative Agent

On behalf of the Participating UN Organizations, as per the Memorandum of Understanding, UNDP's responsibilities as Administrative Agent will include the following:

- Receive contributions from donors that wish to provide financial support to the Malawi SDG Acceleration Fund through signing the SAA;
- Administer such funds received, in accordance with the signed Memorandum of Understanding and the Administrative Arrangement including the provisions relating to winding up the Fund Account and related matters;
- Subject to availability of funds, disburse such funds to each of the Participating UN Organization in accordance with decisions from the Steering Committee, taking into account the budget set out in the approved programmatic document.
- Consolidate financial statements and reports, based on submissions provided to the Administrative Agent by each Participating UN Organization, as set forth in the TOR; and submit the consolidated financial statements and reports and the consolidated narrative progress reports provided by the Resident Coordinator's Office to each donor that has contributed to the Fund Account, and to the Steering Committee;
- Provide final reporting, including notification that the Fund has been operationally completed;
- Disburse funds to any Participating UN Organization for any additional costs of the tasks that the Steering Committee may decide to allocate in accordance with this TOR.

5.5 Support services provided by the Resident Coordinator’s Office and the One UN Communications Team

The Office of the Resident Coordinator is responsible for supporting the strategic leadership role of the Resident Coordinator for the Malawi SDG Acceleration Fund. The Office of the Resident Coordinator will, based on the inter-agency deliberations, provide strategic focus including analysis of progress and lessons learned for future programme implementation. It will consolidate and circulate the finalised narrative annual report of the Malawi SDG Acceleration Fund to the JSM and or the Government for information. The Office of the Resident Coordinator will ensure that these reports are distributed to all development partners contributing to the Fund and maintain an appropriate level of fund information on <http://www.mw.one.un.org> and <http://mptf.undp.org> to ensure transparency.

5.6 The Participating UN Organizations (PUNOs)

The implementation of the Programme activities will be the responsibility of the Participating UN Organizations and will be carried out by each Participating UN Organization in accordance with applicable regulations, rules, directives and procedures. The UNDAF 2019-23 will serve as the reference document for proposed programme activities.

The Participating UN Organizations will carry out the activities for which they are responsible, in line with the budget contained in the approved UNDAF, as amended from time to time by the JSM in accordance with the regulations, rules, directives and procedures applicable to it. Accordingly, personnel will be engaged and administered, equipment, supplies and services purchased, and contracts entered into in accordance with the provisions of such regulations, rules, directives and procedures.

In the event where a Participating UN Organization is unable to deliver as committed, any resources allocated should be returned to the Malawi SDG Acceleration Fund and be re-allocated to other agreed priorities, as approved by the JSM.

The participants recognise that it is important to take all necessary precautions to avoid corrupt, fraudulent, collusive or coercive practices.

6.0 Malawi SDG Acceleration Fund Implementation

For un-earmarked funds, proposals will be submitted by thematic/pillar teams to the UN Resident Coordinator’s Office on behalf of the participating agencies based on outcomes reflected in the UNDAF 2019-2023. The Fund will support initiatives that directly contribute to the UNDAF 2019-2023 results matrix. The following principles will be used:

- Funding eligibility: Funding may be provided to the thematic/pillar areas that are cross sectoral and where the UN system has a comparative advantage.

- Development effectiveness, national priorities and UNDAF-relevance: The Fund will support areas that are aligned to national priorities and the UNDAF and coordinated with other relevant development activities.
- Competitive funding allocation: Where appropriate, funding will be awarded on a ‘competitive’ basis, with proposals being assessed based on their relevance and quality, with special attention on inter-sectoral and catalytic elements.
- Value for money and impact: funding will be awarded to projects that demonstrates a transformational impact towards the SDGs and delivers more with less resources
- Fund management and implementation support: Projects receiving funding will benefit from support in project design, implementation, monitoring and reporting from the Fund Secretariat (UNRCO), as well as from the policy advisory services of PUNOs.

6.1 The UN Country Team/Allocation Committee

For the un-earmarked funds, the fund application process will start with the “call for concept notes” from the Steering Committees through the Secretariat (UNRCO). The concept note will be required to outline the idea for the project and its link to the UNDAF and MGDS III outcomes. Upon review and selection of the concept note by the secretariat (UNRCO), the PUNOs will be required to submit the full project document which should also include a robust risk assessment, and a risk log to manage anticipated exigencies.

The project document will be reviewed by the Secretariat (UNRCO), with support from PUNOs, who will engage substantive policy experts from within and outside the UNDS for proposal review. The Secretariat will make recommendation to the relevant Steering Committee (depending on the funding window) on the suitability of each proposed project document. The Steering Committees will ultimately have the responsibility of approving the fund allocations following the agreed criteria.

The monitoring and evaluation of the Fund will be closely coordinated by the RCO with the Advisory Technical Working Group (MEAG) of the UNCT.

Decisions of the UNCT will be made by consensus. In the event that no consensus is reached, the Resident Coordinator can make ultimate decisions on fund allocation (with documented process and rationale for these decisions). Programme implementation will be the responsibility of the Country Directors/Head of Participating UN Organisations. Refer to annex.... Fund allocation process

6.2 Accountability

Each Participating UN Organization shall assume full programmatic and financial accountability for the funds disbursed to it by the Administrative Agent. Such funds will be administered by each UN Agency, Fund and Programme in accordance with its own regulations, rules, directives and procedures. Each Participating UN Organization shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent.

7.0 Monitoring and Evaluation

Monitoring and evaluation of the activities of the Joint Work Plans/Programmatic Documents funded under the Malawi SDG Acceleration Fund will be undertaken in accordance with the provisions contained in the specific Programmes submitted by the concerned Participating UN Organization and approved by the Resident Coordinator, which are consistent with the respective regulations, rules and procedures of the Participating UN Organisations.

Fiduciary monitoring of the Malawi SDG Acceleration Fund will follow the UN Standard Monitoring and Evaluation procedures.

8.0 Audit

The Administrative Agent and Participating UN Organizations will be audited in accordance with their own Financial Regulations and Rules and, in accordance with the Framework for Joint Internal Audits of UN Joint Activities which has been agreed to by the Internal Audit Services of Participating UN Organizations and endorsed by the UNDG in 2014. Joint audits will be conducted, as appropriate.

9.0 Reporting

The Resident Coordinator will report to the Secretary-General and to the host Government on the implementation of the United Nations Development Assistance Framework (UNDAF 2019-2023), including the joint results achieved through the Joint Programmes funded by the Malawi Acceleration SDG Fund.

Reporting on the Fund will be results-oriented, and evidence based. Annual and final narrative reports of country-level interventions will compare actual results with expected results at the output and outcome level (linked to SDG targets and indicators), as outlined in the United Nations Development Assistance Framework (UNDAF 2019-2023) and explain the reasons for over or underachievement. The final narrative report will also contain an analysis of how the outputs and outcomes of the Fund have contributed to the overall impact in terms of SDG acceleration and the attainment of the National priorities and UNDAF outcomes. The financial reports will provide information on the use of financial resources against the outputs and outcomes in the agreed results framework and will be linked to SDG targets.

To facilitate monitoring and evaluation reporting of resources allocated by the Fund, PUNOS will be required to disclose complementary funding received from other sources for the activities supported by the Fund, including in kind contributions and/or South-South Cooperation initiatives.

Each Participating UN Organization will provide the Convening Agent or the RCO with the following narrative reports prepared in accordance with the reporting procedures applicable to the Participating UN Organization concerned, as set forth in the Joint Programme Document, as agreed by the Fund governance structure.

- Annual narrative progress reports, to be provided no later than three months (31st March) after the end of the calendar year;
- Annual financial statements and reports as of 31st December with respect to the funds disbursed to it from the Fund Account, to be provided no later than four months (30th April) after the end of the calendar year;
- Final narrative 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 four months (30th April) of the year following the financial closing of the Fund. The final report will give a summary of results and achievements compared to the goals and objectives of the Fund; and
- 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 (30th June) of the year following the financial closing of the Fund.

The UNDAF Annual Progress Report, which will include a section on the performance of the Fund, will serve as the narrative part of the Malawi SDG Acceleration Fund report, to be provided no later than five months (31st May) after the end of the applicable reporting period.

The Administrative Agent shall also provide to the Resident Coordinator for submission to donors and participating UN Organizations, an annual certified Financial Report on its activities as Administrative Agent (“Report on Sources and Uses of Funds”) as well as a final Financial Report and certified Financial Statement no later than 30th June of the year following the financial closing of the Malawi SDG Acceleration Fund.

The Office of the Resident Coordinator shall, in close consultation with the relevant inter-agency working group tasked with consolidating the annual narrative reports, provide such reports to the Resident Coordinator no later than four (4) months after the applicable reporting period, and provide the final narrative report no later than 30th June of the year following the closure of the One UN Programme.

Consolidated Malawi SDG Acceleration Fund reporting and documentation, including agreements, will be posted on the websites of the UN Malawi <http://www.mw.one.un.org> and the Administrative Agent <http://mptf.undp.org>.

10.0 Public Disclosure

The Resident Coordinator and the Administrative Agent will ensure that decisions regarding the review and approval of programmes funded under the Malawi SDG Acceleration Fund, as well as periodic reports on the progress of implementation of such programmes and associated external evaluation reports are posted for public information on the websites of the UN Malawi <http://wwwmw.one.un.org> and the Administrative Agent <http://mptf.undp.org>.

11.0 Other Matters

The Malawi SDG Acceleration Fund will be established upon signing of the Memorandum of Understanding amongst Participating UN Organisations, Resident Coordinator and the Administrative Agent. The Fund will terminate upon completion of all Projects funded through it and after satisfaction of all commitments and liabilities. Notwithstanding the completion of the initiatives financed from the Malawi SDG Acceleration Fund, any unutilized balances will continue to be held in the Malawi SDG Acceleration Fund Account until all commitments and liabilities incurred in the implementation of the Projects have been satisfied and project activities have been brought to an orderly conclusion. Any balance remaining in the Malawi SDG Acceleration Fund Account or in the individual participating UN Agencies' accounts shall be used as decided jointly by the Resident Coordinator in consultation with the Joint Steering Committee, the contributing donors and the participating UN Organisations on the priorities established by the Joint Steering Committee.

Malawi Humanitarian Window

Terms of Reference

I. Introduction

The Humanitarian Window of the Malawi One Fund provided a flexible mechanism to rapidly receive and transfer funds to respond to priority programmes in evolving crises. The concept of establishing a Humanitarian Window was initiated in 2009 as part of strengthening humanitarian response in Malawi. This also comes as part of a global effort of implementing humanitarian reform as recommended during the 2005 Humanitarian Response Review by the Inter Agency Standing Committee at the global level. During the review the Inter Agency Standing Committee which comprises UN, NGOs and The Red Cross societies agreed that to counter obvious weaknesses and lack of coordination in responding to emergencies there is need to strengthen the humanitarian response. The review isolated the following as issues that needed more attention: response capacity, coordinated response teams and insufficient accountability. Of the aspects isolated: Financing, Leadership, and Coordination Capacity were chosen to be essential elements in strengthening humanitarian response.

Humanitarian response capacity in Malawi has had obvious challenges. In spite of the existence of a dedicated unit responsible for coordination of humanitarian response, there are challenges in coordination and predictable funding arrangements. Resource mobilization on both sides; government and Humanitarian Community commences after the occurrence of a disaster. This, exacerbated by a lack of standby contingency resources, has often resulted in delays in responding to humanitarian needs of affected communities. Furthermore, the response to emergencies has been dependent on who gets funds first and what their response sector of interest is. This has led to a duplication of efforts or having unmet needs in some sectors.

Since 2009, the Malawi Humanitarian Country Team (HCT) has implemented Humanitarian Reform which aims at strengthening humanitarian preparedness and response. Among the weaknesses identified the Humanitarian Country Team has worked on improving coordination of the various humanitarian response sectors through creation of sectoral groupings of NGOs, government and UN Agencies focusing on particular response sectors. To date coordination clusters are functional in Agriculture, Food Security, Health, Nutrition, WASH, Protection, Coordination and Assessments, which manage preparedness and response for the various sectors.

II. Purpose of the Humanitarian Window

The overall aim of the window is to provide UN Agencies and NGOs with a rapid and flexible in country funding mechanism to help respond to shocks and meet the needs of vulnerable communities. The window will provide funding for emergencies to enable humanitarian partners to respond to a crisis without delay. The emphasis of the window will be to support projects seeking to contribute to sustaining lives and prevention of further erosion of livelihood assets through supporting positive coping mechanism of communities. The window will also be available to strategically fill gaps (geographic or sectoral) within an overall emergency response plan as

reflected in the national contingency plan. In essence the window will be used for response activities to up to 6 months after a disaster occurrence. The window may cover activities like needs assessment, research, and delivery of relief goods and services. It should be noted that provision of inputs for immediate replanting or cassava cutting or sweet potato vines to replace lost crops within 6 months into the disaster will also be covered under the fund.

The Humanitarian Window will present new resources pooled by donors to support the gaps and prioritised needs in humanitarian response in support of government efforts.

III. Description of the Humanitarian Window Theory of Change and Results matrix with indicators

The window will utilise current Malawi SDG Acceleration Fund arrangements, it will thus operate under the Malawi SDG Acceleration Fund arrangements.

The Humanitarian Window can channel resources to a broad range of recipients, including government entities, international organizations and (I)NGOs. Funds implemented by government entities and (I)NGOs must first be disbursed through a Participating UN Organization. Government entities, NGOs and other organisations can subsequently act as implementing partners for the Participating UN Organisations concerned, in accordance with the regulations and rules of the Participating UN Organizations. As funds are disbursed to the Participating UN Organizations, or to other implementing partners through the Participating UN Organizations, the underlying principle is that recipient UN Organizations disburse resources within their legal and accountability framework and thus manage the funds according to their rules and regulations, including in the areas of procurement and audits.

Utilization of the Humanitarian Window

Responding to humanitarian needs of populations still remains the responsibility of the Government of Malawi. This window will thus generally be used where government has requested the humanitarian community for support. In the absence of an official request, the window will also be used where after a joint assessment the HCT arrives at a consensus decision that there is need to use the fund to respond.

The Humanitarian Window will also be used where a response to an emergency has been delayed due to unavailability of quick funds with the government machinery. The window will thus be utilized for the purpose of meeting the unfunded gaps of an emergency, including initial response activities like rapid assessments. This will be with prior approval of the HCT.

Participating organizations will use funds to cover prioritized response activities as identified in the National Contingency Plan. Prior to submission to HCT and Advisory Board, proposals will have to be discussed and approved at Cluster/sector level.

IV. Governance Arrangements

Humanitarian Country Team

The JSM will fully delegate decision making authority on the Humanitarian Window to the Humanitarian Country Team, (HCT), reporting to the JSM through an annual progress report. The HCT comprises Heads of UN agencies concerned with response to humanitarian emergencies, NGOs and other interested humanitarian actors, the Humanitarian Country Team (HCT) represents a senior coordinating structure for humanitarian actors tasked with giving strategic policy direction to humanitarian coordination. Since its establishment in 2009 the following have been regular members: FAO, UNDP, UNHCR, UNICEF, WFP, UNFPA, WHO. From the NGO side; OXFAM, CRS, Action Aid, World Vision, CADECOM, Feed the Children, Save the Children and the Malawi Red Cross Society. Government and Donor partners are invited to HCT meetings as and when necessary.

The HCT will provide overall management of the window under the delegated authority of the JSM. This includes decisions on the modalities of the access and disbursement of the window. The HCT will thus set operational norms, standards and reporting requirement as well as the criteria through which the advisory board will work.

Under the leadership of the Resident Coordinator (hereinafter referred to as RC) as Chairperson, the HCT will mobilize resources for the set-up, subsequent replenishment, allocation as well as monitoring the performance of the window.

The HCT will also support the prioritization of need in an ongoing humanitarian response and agree on priorities to be targeted in an emergency. The HCT will ensure that submitted proposals are based on agreed assessments and prioritization at the cluster level.

The Chairperson will provide overall supervision of the working of the clusters, including consolidation of proposals and narrative and financial reports at the end of humanitarian response interventions by various stakeholders. The Chairperson will be supported by the Fund Secretariat as secretariat of the HCT and the fund.

Advisory Board

The RC will form and chair an Advisory Board (AB) comprising of five members, as follows – Two (2) UN agencies with a humanitarian aid mandate, one (1) Donor Partner, 1 Government and One (1) NGOs. UN Agencies, NGOs and Donor Partners will consult among themselves to nominate the official members and alternates which could be on a rotational basis. Alternate members will be appointed to perform the duties of the core AB members in their absence.

The AB will review project proposals with reference to the criteria as set up by the HCT and make decisions. The AB will make recommendations to the HCT for final approval of project proposals by the Chair Person. The AB will have 2 working days to review and make recommendation on a project proposal to the HCT.

To ensure independence, AB members will excuse themselves if a project submitted by their agency is being discussed and abstain from providing inputs to the board unless explicitly requested to do so by the AB or HCT.

OCHA

The Office of the Coordination of Humanitarian Affairs will perform advisory roles to the Humanitarian Country Team as and when requested.

The Resident Coordinator

The overall management of the Window will be coordinated by the RC as chair of the HCT in consultation with the Participating Humanitarian Organisations. In line with the overall objective of the Humanitarian Window which is to provide predictable, timely and flexible funds for responding to emergencies at the country level, the RC will be responsible for:

- Strategic leadership of the Humanitarian Window;
- Signing the Standard Administrative Agreement with Donors and the Memorandum of Understanding with Participating UN Organizations as a witness;

The Administrative Agent

The UNDP MPTF Office, in its capacity as the Administrative Agent, will administer the Humanitarian Window of the Malawi SDG Acceleration Fund Malawi in accordance with UNDP's financial rules and regulations.

Support services provided by the Malawi SDG Acceleration Fund Secretariat

Based on the National Contingency Plan, the Fund Secretariat supports the prioritization process by the humanitarian response clusters for proposal submission to the HCT/AB. The Fund Secretariat will provide strategic analysis of progress and lessons to be learned for future implementation. It will prepare the narrative report of the fund and circulate the finalised annual consolidated report which includes both narrative and financial sections of the Humanitarian Window to the HCT for information. The Fund Secretariat will ensure that these reports are distributed to all donors contributing to the window and maintain an appropriate level of fund information on the UN system website for Malawi (<http://www.mw.one.un.org/>) to ensure transparency.

The Fund Secretariat will oversee the Malawi SDG Acceleration Fund and hence provide regular information on the financial situation of window through the MPTF Office GATEWAY.

V. Roles and Responsibilities

Donors

Donors will ensure timely contributions to the window, and adequate funding in support of the fund management team. The RC will provide reports on the status of the window at the start and end of any humanitarian intervention.

Participating UN Organizations and NGOs

Participating organisations are responsible for formulation of proposals in consultation with stakeholders especially the intended beneficiaries and local communities as well as the

coordination mechanisms such as clusters and field coordination mechanisms. These proposals will be submitted to the HCT for funding.

The implementation of response activities will be carried out by participating organizations in accordance with applicable regulations, rules, directives and procedures. The National Contingency Plan and joint assessment reports will serve as the reference document for proposed response activities.

In the event where a participating organization is unable to deliver as committed in the submitted proposal, or where there are any changes to planned activities, approval should be sought from HCT on the next steps.

Participating organizations will facilitate the monitoring and evaluation of projects in collaboration with the Humanitarian Team Focal Points. Result oriented narrative and financial reports will be prepared by the participating organisations and submitted to the HCT through the Chairperson within four to six weeks after a project is finished, in addition to monthly updates as outlined below.

The participating organisations recognise that it is important to take all necessary precautions to avoid corrupt, fraudulent, collusive or coercive practices.

VI. Monitoring and Evaluation

The RC may commission periodic reviews of activities funded through the fund in order to encourage lessons learning, identify opportunities for experience sharing as well as practices to be replicated across various comparable projects supported by the fund. The Advisory Board may also suggest and participate in joint assessments with partners, solicit inputs from experts, or commission external evaluations to enhance the work of agencies. Cluster leads – as part of their broader mandate –may also review and evaluate ongoing or completed activities supported with resources from the fund.

The RC in consultation with the Advisory Board may commission regular independent external evaluations of the HF as a mechanism. This will help review the performance of the fund and establish recommendations for improvement of effectiveness. Such evaluations will be funded directly from the window.

An M & E plan for the window will be developed. The plan will outline the strategy for monitoring performance and results. The M&E plan will as a minimum provide details on:

- Reporting requirements for M&E for participating organizations and for the fund itself. The plan will provide information on type, format and frequency of reporting, outline how reports will be disseminated and describe roles and responsibilities.
- Strategy for monitoring of projects through site visits. The number of projects visited and the frequency of visits will be agreed upon. If not, all projects are to be visited the plan will outline criteria and process for selecting a targeted sample of projects. Furthermore, it will define the format of monitoring visits and describe who will undertake these.

The sections below present details on minimum standards for reporting, monitoring and evaluation for Emergency Humanitarian Funds.

Project Reporting:

A brief monthly progress report on project activities will be provided to the Fund Secretariat in addition to a midterm and final financial status report. The monthly progress report will provide information on progress against the agreed targets of the project. The financial updates shall provide preliminary financial data only and do not represent certified financial data. Certified Financial Report will be provided annually after the closing of accounts. Any constraints (financial, logistical, security etc.) affecting the project will be included in the report.

Within two month of the completion of the project, a final report will be submitted. Should the project require an extension, an extension request explaining the circumstances will be submitted a minimum of one month prior to the planned project end date.

The final report will describe the project activities, background, planned objectives, activities and actual accomplishments. The report will include “lessons learnt” and an explanation of any variance between planned and actual outcomes.

The financial report will be presented according to the budget proposal format categories. If there is any unspent money it should be returned to UNDP as AA as per the rules of the One Fund. For NGO funded projects, the final report will be accompanied by an audited account of project spending, accompanied by supporting documentation if necessary. For NGOs, funds will be returned to the Participating UN Organization from which it received funds, who will in turn return the funds to the AA

VIII. Other Matters

The Resident Coordinator will in consultation with the HCT mobilize resources for replenishing the window. The Humanitarian Window will be used alongside other funding modalities; participating organization will still use their available resource mobilization initiatives. Where a need has arisen, an emergency has exceeded local capacity the HCT will engage in additional resource mobilization activities like the Central Emergency Response Fund (CERF).

Malawi Right to Food Window

Terms of Reference

I. Introduction

The initial right to food window was established in 2014 with funding from Flanders to follow up on the recommendations of the UN Special Rapporteur on the right to food, Mr. Olivier De Schutter who, conducted a mission to Malawi from 12 to 22 July 2013

II. Purpose of the Right to Food Window

The Rapporteur assessed a number of issues, and in his final report (UN document A/HRC/25/57/Add.1), the Special Rapporteur, inter alia, recommended that the Government of Malawi:

- Establishes a framework law on the right to food, with a view to ensuring inter-sectorial coordination, transparency, accountability, and inclusiveness, involving non-governmental stakeholders in policy-making;
- Integrates a gender perspective into food and nutrition security strategies and programmes;
- Improves mechanisms and methodologies for the collection of adequately disaggregated data on poverty and food insecurity;
- Reforms agricultural support programmes, bearing in mind the links between agriculture, nutrition and health; and (ii) the need to promote environmentally sustainable agriculture and to do so in a way which also benefits the poorest and most vulnerable farmers;
- Ensures a living wage for all workers, including casual/seasonal workers;
- Strengthens oversight of compliance with labour legislation, the protection of vulnerable workers, and efforts to combat child labour in agriculture;
- Ensures adequate protection against land grabbing and forced displacement, giving specific attention to the obstacles faced by women;
- Scales up and improve targeting of social protection schemes, moving away from ad hoc programmes and towards a comprehensive national scheme;
- Scales up school feeding programmes to achieve full national coverage, and source food for such programmes locally to create synergies with efforts to promote smallholder food production; (j) ensures access to adequate food in prisons;
- Takes measures to curb illicit financial flows, including by joining the Extractive Industries Transparency Initiative, and to ensure adequate taxation of companies operating in the country.

III. Description of the Right to Food Window Theory of Change and Results matrix with indicators

The window will utilise current Malawi SDG Acceleration Fund arrangements, it will thus operate under the Malawi SDG Acceleration Fund arrangements.

The Right to Food Window will channel resources to a range of recipients, including government entities, international organizations and (I)NGOs. Funds implemented by government entities and

(I) NGOs must first be disbursed through a Participating UN Organization. Government entities, NGOs and other organisations can subsequently act as implementing partners for the Participating UN Organisations concerned, in accordance with the regulations and rules of the Participating UN Organizations. As funds are disbursed to the Participating UN Organizations, or to other implementing partners through the Participating UN Organizations, the underlying principle is that recipient UN Organizations disburse resources within their legal and accountability framework and thus manage the funds according to their rules and regulations, including in the areas of procurement and audits.

The Right to Food Window Outcomes will include:

- Research studies implemented on issues that affect food and nutrition security focusing on right to food agenda
- National and district level debates are held to lobby, advocate and build awareness on the right to food policies, strategies and programmes
- Urban low earners and rural communities progressively enjoy the right to food by effectively and efficiently holding duty bearers accountable and achieve a living wage
- CSOs and Government based monitoring and evaluation framework for tracking progress on implementation of strategies, policies and programmes on right to food is functional
- Capacity building for CSOs on the right to food; strategies and policy research and analytical techniques, monitoring and evaluation techniques enhanced.

Utilization of the Right to Food Window

Responding to humanitarian needs of populations still remains the responsibility of the Government of Malawi. This window will thus generally be used where government has requested the humanitarian community for support. In the absence of an official request, the window will also be used where after a joint assessment the HCT arrives at a consensus decision that there is need to use the fund to respond.

The Humanitarian Window will also be used where a response to an emergency has been delayed due to unavailability of quick funds with the government machinery. The window will thus be utilized for the purpose of meeting the unfunded gaps of an emergency, including initial response activities like rapid assessments. This will be with prior approval of the HCT.

Participating organizations will use funds to cover prioritized response activities as identified in the National Contingency Plan. Prior to submission to HCT and Advisory Board, proposals will have to be discussed and approved at Cluster/sector level.

IV. Governance Arrangements

Steering Committee

The overall right to food window will continue to be overseen by a Steering Committee (SC) comprising the UN Resident Coordinator, as Chair, the Resident Representatives of WFP and

FAO, Senior Government Officials, a representative from the Malawi Human Rights Commission, selected Heads of Cooperation and selected Civil Society Organisations (CSOs). Representatives of different UN agencies may be added to the steering committee depending on the substantive areas to be discussed.

The SC will provide strategic direction and oversight of the window. This includes decisions on the modalities to access and disburse funding, and review and approval of proposals submitted by CSOs and their corresponding budgets. Decisions will be made by simple majority. The SC will establish the focus areas, through a consultative process.

To ensure independence members of the SC will excuse themselves if a project submitted by their agency or organisation is being discussed and abstain from providing inputs unless explicitly requested to do so.

In addition to meeting to allocate resources the SC will also meet twice per year together with the implementing CSOs to monitor progress against the individual projects and the Right to Food Window as a whole. Where possible these meetings will be combined.

The main objective of the project is to advance the agenda on the right to food, following up on the official visit of the UN Special Rapporteur on the right to food and his subsequent report (A/HRC/ 25/57 Add.1) and recommendations, addressing issues of the legal, institutional and policy framework, food availability and accessibility.

The Resident Coordinator

The overall management of the Window will be coordinated by the RC in consultation with the Participating Organisations. In line with the overall objective of the Right to Food Window, the RC will be responsible for:

- Strategic leadership of the Right to Food Window;
- Signing the Standard Administrative Agreement with Donors and the Memorandum of Understanding with Participating UN Organizations as a witness;

The Administrative Agent

The UNDP MPTF Office, in its capacity as the Administrative Agent, will administer the Right to Food Window of the Malawi SDG Acceleration Fund Malawi in accordance with UNDP's financial rules and regulations.

Support services provided by the Malawi SDG Acceleration Fund Secretariat

The Fund Secretariat supports the prioritization process. The Fund Secretariat will provide strategic analysis of progress and lessons to be learned for future implementation. It will prepare the narrative report of the fund and circulate the finalised annual consolidated report which includes both narrative and financial sections of the Right to Food Window. The Fund Secretariat will ensure that these reports are distributed to all donors contributing to the window and maintain

an appropriate level of fund information on the UN system website for Malawi (<http://www.mw.one.un.org/>) to ensure transparency.

The Fund Secretariat will oversee the Malawi SDG Acceleration Fund and hence provide regular information on the financial situation of window through the MPTF Office GATEWAY.

V. Roles and Responsibilities

Donors

Donors will ensure timely contributions to the window, and adequate funding in support of the fund management team. The RC will provide reports on the status of the window at the start and end of any intervention.

Participating UN Organizations and NGOs

Participating organisations are responsible for formulation of proposals in consultation with stakeholders especially the intended beneficiaries and local communities as well as the coordination mechanisms such as clusters and field coordination mechanisms. These proposals will be submitted to the HCT for funding.

The implementation of response activities will be carried out by participating organizations in accordance with applicable regulations, rules, directives and procedures. The National Contingency Plan and joint assessment reports will serve as the reference document for proposed response activities.

In the event where a participating organization is unable to deliver as committed in the submitted proposal, or where there are any changes to planned activities, approval should be sought from HCT on the next steps.

Participating organizations will facilitate the monitoring and evaluation of projects in collaboration with the Right to Food Focal Points. Result oriented narrative and financial reports will be prepared by the participating organisations and submitted to the Steering Committee through the Chairperson within four to six weeks after a project is finished, in addition to monthly updates as outlined below.

The participating organisations recognise that it is important to take all necessary precautions to avoid corrupt, fraudulent, collusive or coercive practices.

VI. Monitoring and Evaluation

The RC may commission periodic reviews of activities funded through the fund in order to encourage lessons learning, identify opportunities for experience sharing as well as practices to be replicated across various comparable projects. The Steering Committee may also suggest and participate in joint assessments with partners, solicit inputs from experts, or commission external

evaluations to enhance the work of agencies. Cluster leads – as part of their broader mandate –may also review and evaluate ongoing or completed activities supported with resources from the fund.

The RC in consultation with the Advisory Board may commission regular independent external evaluations of the Right to Food as a mechanism. This will help review the performance of the fund and establish recommendations for improvement of effectiveness. Such evaluations will be funded directly from the window.

An M & E plan for the window will be developed. The plan will outline the strategy for monitoring performance and results. The M&E plan will as a minimum provide details on:

- Reporting requirements for M&E for participating organizations and for the fund itself. The plan will provide information on type, format and frequency of reporting, outline how reports will be disseminated and describe roles and responsibilities.
- Strategy for monitoring of projects through site visits. The number of projects visited and the frequency of visits will be agreed upon. If not, all projects are to be visited the plan will outline criteria and process for selecting a targeted sample of projects. Furthermore, it will define the format of monitoring visits and describe who will undertake these.

The sections below present details on minimum standards for reporting, monitoring and evaluation for Funds.

Project Reporting:

A brief monthly progress report on project activities will be provided to the Fund Secretariat in addition to a midterm and final financial status report. The monthly progress report will provide information on progress against the agreed targets of the project. The financial updates shall provide preliminary financial data only and do not represent certified financial data. Certified Financial Report will be provided annually after the closing of accounts. Any constraints (financial, logistical, security etc.) affecting the project will be included in the report.

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The final report will describe the project activities, background, planned objectives, activities and actual accomplishments. The report will include “lessons learnt” and an explanation of any variance between planned and actual outcomes.

The financial report will be presented according to the budget proposal format categories. If there is any unspent money it should be returned to UNDP as AA as per the rules of the SDG Acceleration Fund. For NGO funded projects, the final report will be accompanied by an audited account of project spending, accompanied by supporting documentation if necessary. For NGOs, funds will be returned to the Participating UN Organization from which it received funds, who will in turn return the funds to the AA

VIII. Other Matters

The Resident Coordinator will in consultation with the UNCT mobilize resources for replenishing the window. The Right to Food Window will be used alongside other funding modalities; participating organization will still use their available resource mobilization initiatives.