

UN-Indigenous Peoples' Partnership (UNIPP)

- For democratic
governance, human rights
and equality

Multi-Donor Trust Fund

Terms of Reference
ILO, OHCHR, UNDP
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PART 1 – INTRODUCTION

1.1. Purpose

The purpose of this document is to set out how UN Agencies, notably the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Development Programme (UNDP) intend to work together through joint country programmes to promote the rights of indigenous peoples. ILO, OHCHR and UNDP will support capacities of multiple actors, in particular governments and indigenous peoples and organizations, to establish effective dialogue processes, mechanisms and partnerships aimed at guaranteeing indigenous peoples' rights and founded on the principles of trust and equality.

This document lays out a collaborative framework for coordinated and joint interventions: a **UN Indigenous Peoples' Partnership (UNIPP)**, among the participating UN Organizations, indigenous peoples, governments and other partners. Whereas the focus is on country-level action, supporting activities will be carried out at regional and global levels, particularly focusing on capacity-development, research and documentation, and exchange of experiences and lessons learned.

ILO, OHCHR and UNDP will set up **UNIPP Multi-Donor Trust Fund** (hereafter referred as UNIPP MDTF) to advance the goals of UNIPP and generate and manage resources towards these goals. In the spirit of "Delivering as One", UNIPP will be open to other UN Agencies, and UN Resident Coordinators will have a strategic role in providing support, leadership and ensuring coordination within the UN Country Teams as well as inclusion into CCA/UNDAFs.

1.2. Background

Despite their rich cultures and identities, indigenous peoples are often among the most marginalized groups in society, deprived of participation in decision-making processes that affect their lives and future. Many indigenous peoples face dispossession of their traditional lands and destruction of their livelihoods, belief systems and languages. Indigenous peoples are also disproportionately represented among those living in extreme poverty; they often have limited access to basic services such as healthcare and education and are at great risk of not achieving the Millennium Development Goals (MDGs).

Over generations, indigenous peoples have developed highly specialized knowledge, livelihood strategies and occupations, which are adapted to the conditions of their traditional territories and are thus highly dependent on access to lands, territories and resources. In the context of today's crisis, indigenous knowledge is critical to the search for new solutions, which link human development, human rights, peace and environmental sustainability. Indigenous peoples are in a unique position to contribute to addressing the most pressing environmental and social challenges of our time.

In September 2007, the United Nations General Assembly adopted the United Nations Declaration on the Rights of Indigenous Peoples. This Declaration acknowledges historical processes of discrimination and exclusion and opens a unique window of opportunity for global reconciliation and true partnership between indigenous peoples, governments and civil society at large. The UN Declaration has also renewed trust among millions of indigenous peoples around the world that the United Nations can help bring about dignity, and improve their livelihoods, while preserving their ancestral traditions, customs, institutions and cultures.

With the adoption of the UN Declaration, the international normative framework regulating the protection of the rights of indigenous peoples has been firmly strengthened. The ILO Convention No. 169 on the rights of indigenous and tribal peoples, adopted by the ILO in 1989, is fully compatible with the UN Declaration on the Rights of Indigenous Peoples and the two instruments are mutually reinforcing. The two instruments provide the solid framework for promoting indigenous peoples' rights and addressing the existing implementation gaps at all levels.

1.3. Participating UN organizations

UN Organizations establishing the UNIPP are ILO, OHCHR and UNDP. Other UN Organizations interested in participating in this Partnership can also join UNIPP.

International Labour Organization (ILO)

The ILO has a unique mandate and long-term experience in the area of indigenous peoples' rights, and has adopted two international legally-binding instruments specifically on the subject:

- Convention No. 107 (adopted in 1957), developed upon request from the UN-System as the first international convention on the subject. Convention No. 107 is still in force for 18 countries around the world.
- Convention No. 169 (adopted in 1989), which put an end to previous assimilationist thinking and which has inspired constitutional, legislative and policy reform related to indigenous peoples' rights over the last 20 years. Convention No. 169 has so far been ratified by 20 countries.

The ILO, through its supervisory bodies, monitors the implementation of Conventions Nos. 107 and 169 and has thus generated a unique overview of the challenges and necessary means to implement indigenous peoples' rights. Moreover, the ILO has a specialised global programme (Programme to Promote ILO Convention No. 169 on Indigenous and Tribal Peoples – PRO 169), which works with government and indigenous partners all over the world to promote and implement indigenous peoples' rights. In this regard, the comments arising from the ILO's supervisory bodies serve to guide the interventions of the Programme, thus linking supervision with implementation. PRO 169 counts with a large number of specialized information and training tools as well as specialized staff at Headquarters and in field offices in Africa, Asia and Latin America.

Office of the High Commissioner for Human Rights (OHCHR)

The mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) is to work for the protection of all human rights for all people; to help empower people to realize their rights; and to assist those responsible for upholding such rights in ensuring that they are implemented.

In the area of the rights of indigenous peoples, the OHCHR has a long and distinguished record in advancing the rights of indigenous in supporting standard-setting, monitoring and implementation of the rights of indigenous peoples, through different means. The Office has, for example, serviced the Working Group on Indigenous Population (and now the Expert Mechanism on the Rights of Indigenous Peoples), the inter-sessional working group on the draft declaration, supported the mandate of the Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous People, supported a range of human rights treaty bodies, trained indigenous fellows and, of course, implemented numerous concrete country-specific activities benefiting indigenous peoples through field presences.

Based on this experience and expertise, the OHCHR is committed to make its work in this field even stronger, especially in relation to the UN Declaration on the Rights of Indigenous Peoples, adopted in September 2007. Many of the OHCHR activities in this field are aimed to make sure that the adoption of the Declaration yields concrete positive results for indigenous peoples and the rights stipulated in the Declaration move from paper to practice, especially at the country level. The Office produces awareness raising materials, guides and brochures and supports the translation of relevant documents into indigenous languages. In addition, the Office, through its regional and country presences, provides training not only for, and with, indigenous representatives and governmental representatives, but also for the UN staff and mechanisms.

United Nations Development Programme (UNDP)

The mandate of UNDP is enshrined in the human development paradigm that empowers people by expanding their freedom and choices to determine their own life and future. UNDP has long experience working on democratic governance, which constitutes one of its four corporate Practice Areas. Following the acceptance of the UN Common Understanding on a Human Rights Based Approach (HRBA) within the UN System, UNDP has played a key role in developing and implementing training manuals on HRBA and resources in areas such as human rights and poverty reduction, human rights and parliamentary development, and human rights and water governance.

In the area of indigenous peoples, UNDP was pioneer in establishing a first regional programme in Asia and the GEF Small Grants Programme implemented by UNDP continues to provide support to a large number of indigenous peoples' organizations around the world. UNDP is on the ground in practically all developing countries and holds the coordinating role of the UN Country Teams in many of them, as such putting UNDP strategically placed for concerted UN advocacy on indigenous peoples' rights.

With the Human Development Report of 2004 on Cultural Liberty in Today's Diverse World, and human development reports at the regional, national and local levels, UNDP has already taken the lead in highlighting crucial issues related to cultural diversity, peace, development and equity.

1.4 Administrative Agent

The UNIPP MDTF will be the vehicle for resources pooled by donors to support the UNIPP objectives through funding individual UNIPP projects and joint programmes. This UNIPP MDTF will use the pass-through modality. In a pass-through arrangement, donors and Participating UN Organizations agree to channel funding through one Participating UN Organization, referred to as the Administrative Agent, who is jointly selected by all Participating UN Organizations. The Administrative Agent is the appointed interface between the Participating UN Organizations and the donors

In the context of growing efforts of the UN system towards enhanced coherence and efficiency at the country level and increasing joint UN activities, UNDP, through its [Multi-Donor Trust Fund Office \(MDTF Office\)](#) is often called upon to play the role of [Administrative Agent \(AA\)](#) for [Multi-Donor Trust Funds \(MDTFs\)](#) and [Joint Programmes \(JPs\)](#) that use the pass-through fund management model, established by the UN system, national authorities and donors in the context of humanitarian, transition, reconstruction and development programmes.

PART 2 – UN COLLABORATION

2.1. Rationale for a UN Collaborative Programme

It is generally acknowledged that the realization of indigenous peoples' rights is an enormous task and long-term undertaking. However, the adoption of the UN Declaration on the Rights of Indigenous Peoples has created a unique momentum and enabling environment for the advancement of the rights of indigenous peoples.

The provisions of the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169 constitute the basis for this Partnership. In particular, article 41 of the UN Declaration provides that:

Article 41:

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

UNIPP will be the first global inter-agency initiative with a programmatic focus on indigenous peoples at the country level, supported and complemented by strategic interventions at regional and international levels.

The initiative is launched by leading agencies on the promotion of indigenous peoples' rights worldwide: the OHCHR and the ILO as normative and expert organizations on the main international instruments on the rights of indigenous peoples, and UNDP as the leading agency on human development and United Nations reform.

OHCHR, ILO and UNDP have a long-term commitment in the promotion and implementation of indigenous peoples' rights. In the spirit of the UN reform and '*Delivering as One*' approach, these UN organizations decided to join forces to launch a UN Indigenous Peoples Partnership with States and indigenous peoples, with the **purpose of developing capacities to promote effective dialogue and partnership to fulfill indigenous peoples' rights at the country level.**

UNIPP can be expanded to involve other UN-system agencies that express interest in contributing to its goals and thus make the "One UN" work for indigenous peoples. In this vein, UNIPP will be supported by UN Resident Coordinators at the country level in their strategic leadership of the UN Country Team, involving all the UN agencies and ensuring collaboration with national and local authorities.

UNIPP will build on and strengthen existing individual and joint initiatives and projects at the country and regional levels by providing a coherent policy and programmatic framework and encourage cross-fertilization. Building on existing initiatives and networks and using existing modalities for Joint Programmes will enable rapid initiation of programme implementation and channeling of funds. It will also encourage coordinated and collaborative UN support to countries, thus maximizing efficiency and effectiveness of the organizations' collective input.

The Partnership will be fully aligned with the UNDG Guidelines on Indigenous Peoples' Issues¹ adopted in 2008 to assist the UN system in mainstreaming and integrating indigenous peoples' issues in processes and programmes at the country level. Similarly, UNIPP will contribute to the implementation of the Action Plan developed by the inter-agency team tasked to roll out the UNDG Guidelines².

¹ United Nations Development Group Guidelines on Indigenous Peoples' Issues, February 2008 at: http://www.un.org/esa/socdev/unpfii/documents/UNDG_Guidelines_indigenous_FINAL.pdf

² An Action Plan for the rolling out and implementation of the UNDG Guidelines on Indigenous Issues was developed in 2008 to assist the UN system to mainstream and integrate indigenous issues in processes for operational activities and programmes at the country level, following the normative and programmatic framework presented in the UNDG Guidelines on Indigenous Issues.

2.2. Guiding Principles of Collaboration

The programme will be guided by the following principles:

Guiding principles for the Global Partnership

- Ownership and coherence with the principles of indigenous peoples' self-determination, consultation, participation and free, prior and informed consent.
- Gender equality and special consideration to indigenous children and youth as appropriate.
- Partnerships founded on equality, trust, inclusion and mutual accountability of governments and indigenous peoples.
- Integration of human rights in development processes and promotion of the rights of indigenous peoples.
- The "Delivering as One" approach, improving the effectiveness and impact of the United Nations Development System at the country level, and promoting greater coherence of UNDS activities in support of national priorities
- Special attention to indigenous peoples having no access to other capacity development measures and support frameworks

The key partnership and operational principles are the rights of indigenous peoples to consultation, participation, and free, prior and informed consent, as well as the right to determine their own development path. These principles will be at the center of the UNIPP. At the national level, UNIPP will operationalise these principles notably through the promotion of country-specific and gender-sensitive consultative mechanisms and participatory processes between indigenous peoples and the State as well as with the UN system. At the global level, the partnership will encompass existing avenues for consultation, in particular through the Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples and the mandate of the Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous People.

PART 3 –UNIPP PROGRAMME OUTLINE

The joint programmes at the country level are the principal thrust of UNIPP as the Partnership aims at having a direct and lasting impact in the advancement of indigenous peoples' rights at the local and national levels. UNIPP will constitute the operational instrument to put indigenous peoples' rights into practice and it will encourage a coordinated and collaborative UN support to countries, thus maximizing efficiencies and effectiveness of the organizations' collective input. Country-level programmes will be supplemented by thematic, regional and global undertakings that can strengthen the implementation of indigenous peoples' rights through research, networking, and capacity-development efforts.

3.1. Country-level Programmes

The UNIPP will primarily comprise joint country-level programmes whereby Participating UN Organizations collaborate around common programmatic goals.

The two complementary priority lines of support are:

- A. **Capacity development** for the realization of the rights of indigenous peoples, and;
- B. Establishment or strengthening of **consultative and participatory mechanisms** to these mechanisms will operationalize the principles of consultation, participation and free, prior and informed consent, enabling partnerships between the states, indigenous peoples and the UN Country Teams.

A. CAPACITY DEVELOPMENT for the realization of indigenous peoples' rights in line with the UN Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169.

The capacity development line of support will be the core approach to ensure that national stakeholders can progressively and in a sustainable manner advance in the implementation of indigenous peoples' rights in key areas at local and national levels. In line with the UNDG position statement on "Enhancing the UN's contribution to National Capacity Development", state institutions, indigenous peoples and broader sectors of the society will be strengthened in their capacities, in terms of skills, knowledge and experience, to implement the UN Declaration and Convention No. 169.

Activities under the Capacity Development Line will be implemented through joint programmes at national level in one or more key thematic areas identified below, within the framework of the respective United Nations Country Team. The specific area of intervention will be identified by field offices through consultation with indigenous peoples and national partners. In the implementation of the joint programmes, particular attention will be paid to those indigenous peoples and their organizations that currently have no access to other capacity development measures and support frameworks.

These programs will focus on delivering results while pursuing long-term impact at the local and national level, e.g. through integration with existing training programs, legislative reforms and inclusion of indigenous peoples' rights in national policies and programmes. Indigenous peoples will be consulted and fully participate in the design, implementation and evaluation in order to guarantee ownership. Specific support for capacity development for indigenous organizations and institutions will be provided and grants will be available for innovative and pilot activities relevant to the overall joint national programmes.

Key thematic areas of intervention:

- **Legislative review and reform:** develop capacities of State institutions to have indigenous peoples' rights included and recognized within the national legal system, including through constitutional reforms, development of legislation and incorporation at administrative levels both through indigenous specific legislation such as in areas of non-discrimination.
- **Democratic governance and indigenous peoples' institutions:** strengthening indigenous peoples' institutions and organizational capacity to fully participate in governance and policy processes at local and national levels
- **Access to justice:** recognition and strengthening of indigenous customary law and justice systems; and their inclusion within national legal systems.
- **Access to land and ancestral territories:** developing and strengthening capacities for land titling, demarcation and use of ancestral territories, including local capacity development initiatives and those aimed at securing greater recognition of indigenous lands.
- **Natural resources and extractive industries:** promoting a framework for conflict prevention, consultation, participation, benefit-sharing and dispute resolution. This area will have a special focus on conflict prevention initiatives around ancestral land and use of natural resources, in particular the need to develop capacity of indigenous communities in negotiation skills and dispute resolution in line with international legal instruments.

B. CONSULTATIVE MECHANISMS AND PARTICIPATORY PROCESSES with the State and with United Nations Country Teams

A key constraint for the implementation of indigenous peoples' rights is the absence of appropriate normative and institutional frameworks and mechanisms to **ensure adequate participation, consultation, and the implementation of the principle of free, prior and informed consent of indigenous peoples**. There is thus an urgent need to help structure and institutionalize the participation of indigenous peoples, both at local and national levels, so that they can become recognized as interlocutors in line with the provisions set out in the UN Declaration and Convention No. 169.

The **principles of consultation, participation and free, prior and informed consent** are key for establishing meaningful partnerships and for the realization of the rights and development aspirations of indigenous peoples, as stipulated in ILO Convention No. 169 and the UN Declaration. The ILO's supervisory mechanisms, the UN Permanent Forum on Indigenous Issues and the UN Special Rapporteur on the fundamental rights and freedoms of indigenous peoples have provided basic elements for the understanding and operationalisation of these principles. The future study on indigenous peoples' right to participation in decision-making to be prepared by the Expert mechanism on the Rights of Indigenous Peoples will also provide guidance in this area. However, much remain to be undertaken for the implementation of these principles in practice.

Under this Support Line, priority will be given to

- Promoting and establishing participatory and consultative mechanisms in governance structures, which include indigenous peoples' own representative institutions and aim at ensuring free, prior and informed consent to decisions affecting them, and;
- Establishing UNCT consultative mechanisms with indigenous peoples, fostering inclusion of their rights into UNCT programs (including CCA/UNDAFs) and promoting spaces of dialogue.

3.2. Thematic, global and regional support activities

UNIPP will enhance the impact of the country programmes through thematic, global and/or regional activities that will focus on supporting, strengthening and providing a coherent framework for country-level joint programmes. Regional and global activities may include, among others, areas such as indigenous peoples' leadership, knowledge networks and policy research. Such efforts will be designed to maximize country benefits in the delivery of UNIPP by ensuring consistency in approaches and economies of scale in the development of knowledge and capacities.

Key thematic, global and regional support functions to be addressed include:

- Research on thematic issues
- Technical, policy and legal advisory services
- Knowledge and learning management
- Networking and exchange of experiences
- Training and capacity building at regional and global levels

These activities will be linked up with UN mechanisms dealing with indigenous peoples, such as the ILO's supervisory mechanisms, the UN Permanent Forum on Indigenous Issues, the UN Special Rapporteur on the fundamental rights and freedoms of indigenous peoples and the UN Expert Mechanism on the Rights of Indigenous Peoples.

3.3. Implementation modalities

UNIPP will be implemented by participating UN Organizations utilizing existing and relevant agency or agency/program/project infrastructures, at global, regional and national level and through the joint programming modalities.

UNIPP is not to be exclusively a UN mechanism. In most cases, implementation of activities will be done through – or in collaboration with the relevant government and indigenous peoples' organizations at various levels, in order to strengthen these institutions' mandate and capacity. The possibility of channeling resources directly to indigenous peoples' organizations³ will ensure maximum effectiveness of capacity development efforts, the establishment of equal partnerships and sustainability of the efforts. The partnership with existing fund delivery mechanisms and programmes will be explored in this respect.⁴

UNIPP will also ensure close coordination and collaboration with other UN Organizations and actors, donors and bilateral agencies.

3.4. Selection of priority countries

UNIPP will target three to eight countries from 2010 to 2013. The UNIPP Policy Board will develop criteria to agree on the eligibility of these countries, including criteria such as:

- Specific needs to be addressed related to the implementation of key indigenous peoples' rights (as identified under priority support lines A & B)
- Consultation with and expressed interest from national partners and indigenous peoples, field presences/country and regional offices
- Comparative advantage and capacities of field presences/country/regional offices, coordination with existing United Nations programs
- Opportunities offered by United Nations coordination processes through the UN Resident Coordinators systems and UNCTs (including CCA/UNDAF and Joint Office initiative and the Delivering as One pilot countries)
- Existing capacity development measures and support framework
- Specific recommendations emanating from UN mechanisms dealing with indigenous peoples

³ Indigenous peoples and their representatives have consistently expressed at the UN Permanent Forum on Indigenous Issues and other international fora the importance of accessing resources directly and carry out activities and projects that address priorities identified by indigenous communities.

⁴ For instance, the UNDP-implemented Small Grants Programme, through its multi-sectoral SGP National Technical Committees can provide a ready and well-established framework and delivery mechanism for immediately rolling out funding for indigenous peoples' organizations.

3.5. Selection of thematic, global and regional support activities

UNIPP will identify thematic, global and regional support activities during the period 2010-2013. The UNIPP Policy Board will develop criteria to agree on the eligibility of these activities, taking into account:

- Implementation of recommendations of the UN and regional mechanisms on indigenous issues, such as the UN Permanent Forum on Indigenous Issues, ILO supervisory mechanism, the Special Rapporteur on indigenous peoples, the Expert Mechanism on the Rights of Indigenous Peoples
- Global issues and international developments affecting indigenous peoples, such as climate change.
- Regional activities to promote the rights of indigenous peoples, involving indigenous networks, UN agencies, regional mechanisms and States.
- Specific thematic demands/needs identified in various country programs, in particular in terms of technical advice, specific expertise and training needs.
- Potential for scaling up of local and national experiences at the regional and international levels

PART 4 – UNIPP Architecture

4.1. Structure and roles

UNIPP Policy Board

The composition of the UNIPP Policy Board will include representatives of OHCHR, UNDP and ILO as well as indigenous representatives and experts, identified in consultation with the UN mechanisms on indigenous peoples' issues. The Administrative Agent will be an ex-officio member of the Policy Board.

The UNIPP Policy Board will provide overall leadership and sets the strategic direction of UNIPP. In particular, the UNIPP Policy Board will be tasked with articulating and developing the UNIPP Trust Fund policy, deciding the allocation of UNIPP funds and reviewing the progress of joint country programmes in accordance with the Fund's aforementioned policy priorities and the scope of the UNIPP Collaborative Framework. The UNIPP Policy Board will meet annually or as it is necessary and it will take decisions by consensus.

UNIPP Technical Secretariat

The UNIPP Technical Secretariat will be composed by the leading UN Organizations: OHCHR, ILO and UNDP. It will be supported by one staff position raised as direct cost from the UNIPP MDTF.

The UNIPP Technical Secretariat will provide support to the UNIPP Policy Board, Participating UN Organizations, and Administrative Agent. It will be tasked with the following activities:

- Prepare criteria for the selection of countries participating in UNIPP;
- Develop guidelines for the preparation and submission of country proposals;
- Review proposals submitted by Participating UN Organizations for completeness and consistency with the UNIPP Collaborative Framework and for consideration by the Policy Board;
- Transmit approved proposals to the Administrative Agent for fund disbursement;
- Technical assistance to country offices, with a view to ensuring Fund-wide success and support monitoring processes;
- Synthesize the narrative reports submitted by Participating UN Organizations each calendar year and upon completion of each UNIPP project;
- Contribute to ensuring that policies and strategies decided by the UNIPP Policy Board are implemented and adhered to; and
- Ensure coordination with UNIPP actors at a global scale.

Administrative Agent

Administration of the UNIPP MDTF is entrusted to the UNDP Multi-Donor Trust Fund Office (MDTF Office), as the Administrative Agent who serves as the administrative interface with donors and Participating UN Organizations. 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 <http://www.undp.org/mdtf/docs/UNDP-AA-guidelines.pdf>). UNDP performs the AA functions in accordance with the UNDG "[Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programmes, and One UN Funds](#)".

The Administrative Agent administers resources in accordance with the decisions of the UNIPP Policy Board. It will be responsible for the following activities:

- Sign a MOU with the Participating UN Organizations;
- Negotiate and sign Standard Administrative Arrangements with donors that wish to provide contributions to the UNIPP MDTF;
- Receive, administer, and manage contributions from donors;
- Subject to availability of funds, disburse funds to Participating UN Organizations based on resource allocation decisions of the UNIPP Policy Board;
- Consolidate annual and final financial reports from the Participating UN Organizations;
- Transmit annual/final Consolidated Reports to donors through the UNIPP Technical Secretariat and UNIPP Policy Board.

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

Participating UN Organizations

Participating UN Organizations shall assume full programmatic and financial accountability for funds transferred to them by the Administrative Agent and will be responsible for the following activities:

- Prepare and submit proposals to the UNIPP Technical Secretariat for review;
- Design, implement and oversee projects financed by the UNIPP MDTF; and
- Establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent.

For each project approved for funding from the UNIPP MDTF, Participating UN Organizations will be required to provide the following to the Technical 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 in the approved programmatic document/Joint Programme Document and including the final year of the activities in the approved programmatic document/Joint Programme Document, to be provided no later than four months (30 April) of the year following the financial closing of the UNIPP MDTF. The final report will give a summary of results and achievements compared to the goals and objectives of the UNIPP MDTF.

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 UNIPP 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 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 UNIPP 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 UNIPPMDF will be recovered as direct costs.

National implementation mechanisms

National Steering Committees

The National Steering Committees will include the UN, government and indigenous peoples' representatives. The decisions on the specific composition of the Committees will be taken at the country level.

Key Tasks and Responsibilities:

- To review and approve their Terms of Reference and Rules of Procedures, based on the generic Steering Committee Terms of Reference, and update and/or modify them, as necessary, in case of compelling requirements;
- To review and approve the criteria for the allocation of available resources;
- To allocate available resources making sure that the allocations are aligned with the UNIPP framework and the strategic development framework of the country and approved national priorities; and
- To ensure the quality of proposals to receive funding from the UNIPP MDTF.

Taking into account the national context, UNIPP will promote or build on existing advisory or consultative mechanisms or processes for effective, meaningful and on-going dialogue and consultation with indigenous peoples throughout the management of the joint country Programmes, in line with sub-chapter 3.1.

UN Resident Coordinators

UNIPP will be supported by UN Resident Coordinators in their strategic leadership of the UN Country Team and relationships with national authorities. The UN Resident Coordinators will provide ongoing oversight to the joint programmes at the national level, ensuring the Participating UN organizations are meeting their obligations. The Resident Coordinators are entrusted with supporting the overall programme design, ongoing programmatic oversight of the UNIPP activities and UN coordination.

UN Resident Coordinators will consult and keep UN Country Team members fully informed on UNIPP activities at the country level, ensure whole-of-government responses, and integrate UNIPP into national development planning processes. Involvement of the Government in the deliberations concerning the Fund-related activities in the country will be crucial. UNIPP also looks to Resident Coordinators to reach out to indigenous peoples and indigenous organizations, CSOs, national and local government's agencies and non-resident UN agencies, where appropriate.

The UN Resident Coordinator at the country level also facilitates monitoring and evaluation of UNIPP activities at the country level in conformity with UN standards, joint programming

documents and related MoUs. On receipt of consolidated country level reports, the Resident Coordinator will provide an overall assessment of the programme's progress and results within the scope of its role.

4.2. Contributions to the UNIPP MDTF

The UNIPP Policy Board takes the lead in developing a resource mobilization strategy providing clear roles and targets to each participating organization.

Contributions to the UNIPP Fund may be accepted from governments of Member States of the United Nations or from intergovernmental or non-governmental organisations, or from private sources. 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 UNIPP, and to ensure maximum flexibility and coordination, a guiding principle for resource mobilization would be that donors are encouraged to contribute with multi-year pooled/non-earmarked resources. However, if this is not possible, country or agency specific earmarking will also be accepted.

Contributions to the UNIPP Fund may be accepted in fully convertible currency. Such contributions 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.

4.3. Formulation process, criteria for joint programme screening and release of funds

Based on UNIPP Policy Board policy direction on selection of priority countries, Participating UN Organizations in selected countries will be invited to develop Joint Programme documents in permanent consultation with indigenous peoples and indigenous peoples' organizations at the outset of the process, including the identification and design stages. Resident Coordinators will play a key role in facilitating the process at the country level and engaging the UN Country Teams. The draft Joint Programme proposal will then be submitted to the Technical Secretariat for review in line with design guidelines and standards.

The Joint Programmes will then be presented to the UNIPP Policy Board for substantive review, final decision and budget approval. The UNIPP Policy Board may decide to approve the proposals, approve proposal with modifications/conditions, defer/return with comments for further considerations or reject proposal. The Policy Board may also seek technical comments on the draft document from external partners and recognized experts in the field.

On receipt of the UNIPP Policy Board's joint programme approval, the representatives of country/regional offices of the Participating UN Organizations will proceed with the signing of the Joint Programme document.

On receipt of UNIPP Policy Board's approval of a joint programme and a copy of the signed Joint Programme document accompanied by the joint program budget, the Multi Donor Trust Fund Office acting as Administrative Agent will pass funds to the Participating UN Organization(s). Periodic reviews of joint programme management and finances will be undertaken jointly with the Joint Programme Technical Committee.

Government and civil society partners such as indigenous peoples' organizations will have the possibility of accessing to UNIPP through one of the Participating UN Organizations. Indigenous peoples and civil society organizations can also act as grantees or implementing partners through the correspondent project agreements.

4.4. Monitoring and accountability

Participating UN Organizations that receive funding from the UNIPP Fund resources will be required to provide the Administrative Agent with:

- i. Annual financial reports as of 31 December each year with respect to the funds disbursed to it from the Joint Programme Account, to be provided no later than four months (30 April) after the end of the applicable reporting period;
- ii. A final certified financial statement, to be provided no later than 30 June of the year following the financial closing of Project activities.

The following statements and reports by the Participating UN Organizations to the Technical Secretariat:

- i. Narrative progress reports for each twelve-month period ending 31 March, to be provided no later than three months after the end of the applicable reporting period;
- ii. A final narrative report and financial report, after the completion of all Joint Programme activities financed from the UNIPP MDTF, to be provided no later than 30 April of the year following the financial closing of Joint Programme activities;

The lead Agency at the country level will be responsible for preparing country level joint programme narrative reports. The Technical Secretariat will consolidate the annual narrative report consisting of country level joint programme report submitted by the lead agency in each country.

Decisions by the UNIPP Policy Board will be shared with all stakeholders in order to ensure the full coordination and coherence of UNIPP efforts. The Technical Secretariat and the Administrative Agent will develop dedicated web sites or web pages to ensure appropriate transparency and accountability. In line with the UN's commitment towards public disclosure of its operational activities, summaries of project information and periodic progress reports will be posted on the web site.

4.5. 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 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.

4.6. Evaluation

Monitoring and evaluation of the Fund will be undertaken in accordance with the provisions contained in the TOR, which are consistent with the respective regulations, rules and procedures of the Participating UN Organizations.

The donor(s), the Administrative Agent and the Participating UN Organizations will hold annual consultations, as appropriate, to review the status of the Fund.

4.7. Joint Communications

Each Participating UN Organization will take appropriate measures to publicize the UNIPP and to give due credit to the other Participating UN Organizations. Information given to the press, to the beneficiaries of the Fund, all related publicity material, official notices, reports and publications, will acknowledge the role of the host Government, the donors, the Participating UN Organizations, the Administrative Agent and any other relevant entities. In particular, the Administrative Agent will include and ensure due recognition of the role of each Participating UN Organization and partners in all external communications relating to the Fund.

The Administrative Agent in consultation with the Participating UN Organizations will ensure that decisions regarding the review and approval of the Fund as well as periodic reports on the progress of implementation of the Fund, associated external evaluation are posted, where appropriate, for public information on the websites of UNIPP country Websites and the Administrative Agent (www.undp.org/mdtf). Such reports and documents may include approved programmes and programmes awaiting approval, fund level annual financial and progress reports and external evaluations, as appropriate.

4.8. Other Matters

The UNIPP Fund will be established upon signing of the Memorandum of Understanding amongst at least two Participating UN Organisations and the Administrative Agent. It will become operational upon signing of the first Standard Administrative Arrangement with the donor. Nothing in this Framework Document affects the provisions agreed in the Memorandum of Understanding between Participating UN Organizations and the United Nations Development Programme regarding the Operational Aspects of the UNIPP Multi Donor Trust Fund.

The UNIPP Fund will terminate upon completion of all Programmes funded through the UNIPP Fund and after satisfaction of all commitments and liabilities. Notwithstanding the completion of the initiatives financed from the UNIPP Fund, any unutilized balances will continue to be held in the UNIPP Fund Account until all commitments and liabilities incurred in implementation of

the Projects/Programmes have been satisfied and project activities have been brought to an orderly conclusion.

Any balance remaining in the UNIPP Fund Account or in the individual Participating UN Organizations' accounts upon completion of UNIPP shall be used as decided by the Policy Board.

Further Information

For more information about the MDTF pass-through modality, please see:

www.undp.org/mdtf/overview.shtm

4.9. Launching UNIPP and structure

