

# Civil Society Advisory Council – Terms of Reference

## Uzbekistan Vision 2030 Fund

*Adopted by the Management Committee on 7 February 2023*

*Validated by the High-Level Strategic Committee on 22 March 2023*

### I. Introduction

The Uzbekistan Vision 2030 (Ishonch) Fund (the Fund) was established in August 2022 to support principled, transparent, and effective asset restitution via programs aimed at accelerating the Government of Uzbekistan's national reform agenda and the Sustainable Development Goals (SDGs). Further to the Restitution-Agreement between Switzerland and Uzbekistan, the Fund is capitalized through a contribution representing a return of assets that have been definitively forfeited in criminal proceedings in connection with Ms. Gulnara Karimova initiated in 2012 by the Office of the Attorney General of Switzerland. As these funds belong to the population of Uzbekistan, it is, therefore, crucial that they be used solely for their benefit and are not misappropriated again.

The Fund is anchored in the [UN Sustainable Development Cooperation Framework 2021-25 \(UNSDCF\)](#) and its successors. The current UNSDCF was developed through participatory and inclusive consultations with UN entities, national stakeholders including civil society, contributors, IFIs and other development partners. Any successor UNSDCF would undergo the same level of rigorous consultation.

Civil Society Organizations (CSOs) and academia play a vital role in achieving progress towards the SDGs in Uzbekistan, a role recognized in the UNSDCF. They also perform a critical function by promoting adherence with the core principles of the UNSDCF (Leave No One Behind, Human Rights Based Approach, Gender equality, Inclusiveness, Accountability, Sustainability, and Resilience).

#### ***Provisions on the CSAC included in the Restitution Agreement***

- Consideration shall be given to the role of the public (civil society or community-based organizations) to fulfill these principles (Art. 2 i)
- The Uzbekistan Vision 2030 Fund is composed of the following organs:

(...) f. Civil Society Advisory Council (CSAC): The CSAC is composed of representatives of national and international civil society organizations, and academia. It ensures interaction between the Uzbekistan Vision 2030 Fund and civil society. It has a consultative role (Art. 4.1 f)

#### ***Provisions on the CSAC included in the TOR of the Fund (Art. 4.9)***

1. *The detailed structure, functions, roles and responsibilities of the Civil Society Advisory Council and its membership will be defined in a specific consultative process between representatives of national and international civil society organizations, and academia, the UN, Switzerland and Uzbekistan. Specific Terms of Reference for the Civil Society Advisory Council will be developed and adopted by the civil society representatives and approved by the Management Committee, within six months of the date of the entry into force of the Restitution-Agreement.*
2. *The Civil Society Advisory Council will be comprised of representatives of national and international civil society organizations, and academia. The Civil Society Advisory Council will ensure interaction between the Management Committee and representatives of national and international civil society organizations, and academia.*
3. *To ensure an open and transparent communication between the Civil Society Advisory Council and the Fund's management, the Management Committee and the Civil Society Advisory Council will meet periodically according to the Terms of Reference of the Civil Society Advisory Council.*

## II. Purpose & Objectives

To ensure constructive interaction between the Fund and representatives of national and international civil society and academia, a Civil Society Advisory Council (CSAC) will be established for the Fund with the following objectives in mind:

- Provide an independent advisory function to the Fund's Management Committee in the interests of effective, accountable, transparent asset restitution for the people of Uzbekistan, especially the most vulnerable and marginalized.
- Provide advice to the Fund's Management Committee on the Fund's adherence with core UNSDCF principles (Leave No One Behind, Human Rights Based Approach, Gender equality, Accountability, Sustainability, and Resilience).
- Participate in the monitoring and evaluation of the Fund and the programmes and projects in accordance with the established monitoring and evaluation processes described in the Operations Manual, in line with UN and PUNO policies and procedures.
- Advise on the establishment of an independent whistleblower system to ensure public access to file grievances, ask questions and seek information about Fund activities.
- Facilitate broader civil society engagement relevant for the Fund.

## III. Responsibilities

The CSAC's mandate comprises:

1. Providing advice to the Fund's Management Committee:
  - a. On selection criteria and selection process on projects to be funded on eligible programs to be financed by the Fund and to the related windows A/B/C set out in the article 5 of the [TOR of the Fund](#).
  - b. On possible opening of new Fund Windows as set out in art 5 of the Fund TOR.
  - c. On the ratio of soft and hard components of each eligible programs and projects in accordance with articles 6 (3) and (4)(b) of the Restitution Agreement and chapter 7 of the TOR of the Fund.
  - d. On the effectiveness and efficiency of delivery as well as the overall impact of the Fund against UNSDCF objectives.
  - e. On good governance, transparency and accountability of the Fund's operations and, as deemed necessary, related to specific projects.
2. To represent Uzbek Civil Society as an observer in the Fund Project Assessment Committee.
3. Providing advice to the Fund's Management Committee on adherence with the principles of the UNSDCF at all stages of the programme/project cycle and assessing progress towards UNSDCF priorities in line with the art. 11 of the TOR of the fund:
  - a. Carrying out reviews of interim and final project reports, financial reports, audit reports as well as other relevant documentation provided by the implementing partners and reports prepared by the Secretariat.
  - b. Participate in the monitoring and evaluation of the Fund and the programmes and projects in accordance with the established monitoring and evaluation processes described in the Operations Manual including on-site visits and interviews with project beneficiaries, in line with UN and PUNO policies and procedures.
  - c. Requesting the Management Committee to contract external experts on a needs basis to support monitoring efforts.
  - d. Providing input to project reviews and evaluations (see 3.b. above).
  - e. Reviewing progress reports, including project and Fund-level financial reports and narrative reporting; reviewing any mid-term or final evaluations of the Fund and external evaluations of projects/programmes.
4. Promoting awareness among the population of Uzbekistan on the appropriate use of the Funds and the implementation of projects as well as generate discussion on possible improvement, including by:

- a. Providing suggestions on public engagement to the Secretariat and advising on the need for information sharing / awareness raising on specific topics (e.g. which topics, who should be targeted, best means of conveying information).
  - b. Providing input to informational materials such as press releases, social media content, and other publicity products produced by the Secretariat.
  - c. Monitoring the publication of documents and the release of information by the Fund to promote a high level of transparency of its activities and the use of funds.
  - d. In consultation with the MC and Secretariat, issuing statements and sharing information to the general public, and participating in public events and awareness raising activities.
  - e. Taking other actions to promote public discussions.
  - f. Participating in broader efforts by the UN to engage with civil society and advising on how the UN can strengthen civil society engagement.
  - g. Participating in efforts to build capacity of civil society and members of the public to promote good governance and monitor the implementation of projects and programmes of the Fund.
5. Reporting of issues to the Fund's management structure whereby the Management Committee will be given a reasonable opportunity to respond and/or remedy the situation before CSAC members communicate externally.

## IV. Rights

1. The CSAC will be provided with the reports provided to the Management Committee as per the reporting schedule in Table 3 of the Operations Manual, which include:
  - a. Light six-month updates on activities, progress and obstacles in approved projects/programmes.
  - b. Annual and final narrative reports as well as annual financial reports, certified final financial statements and final financial reports prepared by implementers.
  - c. Documents related to monitoring and evaluation of projects being implemented (Art. 11 of the TOR of the Uzbekistan Vision 2023 Fund) as per the UN and PUNO rules and regulations. Annual Consolidated Fund Reports (Consolidated Annual Narrative Report + Annual Consolidated Financial Report) prepared by the Secretariat.
  - d. Annual Consolidated Fund Reports and Certified Annual Financial Statement.
  - e. Certified Final Financial Statement.
  - f. Final Consolidated Narrative Report.
  - g. Final Consolidated Financial Report.
2. The CSAC members will also be provided with Fund mid-term reviews and final evaluations including any joint evaluations by the Implementing Organizations, the Administrative Agent, the Contributor(s), the Host Government and other partners commissioned by the Management Committee to assess overall performance of the Fund, inclusive of design, management, and functioning against overall objectives.
3. In addition to the above, the CSAC can make requests to the Management Committee for access to other relevant documents and information. The MC can request the Secretariat to share such documents and information, (or, where it doesn't have the respective documentation, facilitate the sharing from other partners). All requests must comply with UN and PUNO policies, procedures, and regulations on disclosure, public access to information, audit principles, confidentiality, HR and financial management.
4. Participating UN organizations, implementing partners, and other organizations that are part of the implementation of the Fund shall collaborate closely with the CSAC to allow it to effectively perform its role as an advisor to the Management Committee.
5. To represent Uzbek Civil Society as an observer in the Fund Project Assessment Committee.

6. By default, documentation and information will be made available to the CSAC in the original language. The Management Committee can request the Secretariat to provide translated documents subject to time and funding constraints.
7. To perform their duties effectively, the UN will also organize capacity building/information sharing events to ensure all members are familiar with key topics relevant to the Fund including but not limited to UNSDCF priorities, UN project implementation; where and how to access information about the Fund; and information about specific projects/programmes financed by the Fund.
8. The CSAC has the right to a timely response from the Management Committee through appropriate channels including but not limited to the regular dialogue between the Management Committee and the CSAC.

## V. Composition & Modalities

### **Composition**

- a. The CSAC shall comprise an odd number of 15-19 members.
- b. Members shall be representatives of the civil society of Uzbekistan, as well as at least one representative of a Swiss-based NGO and at least one international NGO representative.
- c. Membership should include balanced gender representation, regional representation, and marginalized groups of Uzbek civil society.
- d. Members shall have expertise related to asset restitution or the priority areas of the UNSDCF and represent civil society organizations, academia, think tanks, citizen initiatives or other community-based organizations.

### **Selection**

The Selection of members is agreed by the Management Committee through consensus.

### **Term**

The term of members shall be three years. The mandate can be renewed once.

### **Succession**

To fill vacant positions, the CSAC shall propose new candidates for CSAC membership to the management committee, taking into account gender parity, the regional representation, the relevant expertise of candidates and the representation of key interest groups.

When submitting one or several suggestions for new members to the management committee, the CSAC shall

- a. Take into account suggestions from the outgoing member.
- b. Prioritize candidates with a similar expertise as the outgoing member (unless decided otherwise).
- c. In order to identify suitable candidates, the CSAC may decide to issue a public call of interest.

### **Termination of membership**

Membership of CSAC members may be terminated before the end of their mandate:

- a. By request of the member;
- b. By vote of the CSAC. Reasons for such an exclusion are:
  - If the member has failed to attend three consecutive meetings without excuse.
  - If the member has taken on a new role or position (e.g., joined a State institution, a UN or donor, moved to the private sector, etc.).
  - Have a (perceived) conflict of interest that prevents the member from carrying out the mandate in an impartial manner.
  - Becomes a beneficiary of the Fund – for example as part of implementation of a project/programme.

- Severe ethical misconduct.
  - Other reasons that would undermine the credibility and integrity of the CSAC;
- c. In case of death of the member.

**Frequency of meetings**

- Quarterly meetings of the CSAC members (virtual or in-person; in case of in-person meetings, participation via phone/video call shall also be possible)
- At least 1 annual in-person meeting with the Management Committee (with virtual connection for international NGO representatives, as needed)
- Additional ad hoc meetings as agreed

**Decision-making**

- The CSAC members are encouraged to provide a diversity of views to the Management Committee.
- The CSAC will strive to make decisions by consensus.
- If no consensus among the members can be reached, the CSAC can adopt a position or decision by voting, with a simple majority of those present.
- CSAC members can request that their individual and/or minority view is included in the minutes and that positions and decisions are communicated to the management committee. They can further request that the position is attributed to them by name. Consensus is not a requirement for advice provided.
- Voting is carried out openly, unless a secret vote is requested by at least 30% of the CSAC members present.
- Members may delegate their vote to another member in case they cannot participate in a meeting. This delegation has to happen in writing to the Secretariat and the Chair and the Vice-Chairs 24 hours in advance of the meeting.

**Quorum**

- A quorum is reached if at least half the CSAC members attend a meeting if all members have been invited with at least two weeks' notice. Delegation of vote as stipulated above will count towards the quorum.

**Working methods**

- The CSAC may form sub-committees, as needed;

**Compensation & Resourcing**

CSAC members shall be reimbursed for travel costs that relate to their mandate. Members shall be entitled to receive reasonable compensation for their participation in CSAC meetings and preparation time;

**Budget**

Sufficient resources shall be allocated to support the operations of the CSAC according to the below annual budget which will be allocated from the Fund Secretariat budget. The CSAC can make requests to the Management Committee for budget changes.

CSAC Compensation	\$19,000
CSAC Travel costs	\$20,000
CSAC Training and capacity building	\$6,000
<b>Total</b>	<b>\$45,000</b>

**Chair and Vice-Chair**

Members appoint one Chair and one Vice-Chair from its members to moderate its meetings. The CSAC may create working groups and task forces as needed.

### **Secretariat**

The Fund Secretariat will also serve as Secretariat to the CSAC, providing administrative and technical support as required.

The CSAC shall agree with the Secretariat on processes to ensure smooth collaboration and effective facilitation of the work of the CSAC.

### **Meetings of the CSAC**

- a. The CSAC will meet quarterly as an independent body with the support of the Secretariat. The CSAC will use these meetings to:
  - discuss and formulate questions about the materials received on the Fund.
  - give presentations to the Management Committee (requested by members and/or proposed by the Secretariat or the Management Committee).
  - receive capacity building on Fund-related matters.
  - draft and adopt positions and statements.
  - prepare inputs for their meetings with the Management Committee.
- b. Questions and comments for the Management Committee should be compiled and submitted to the Management Committee – via the Secretariat – after each CSAC meeting and at least five working days in advance of a joint CSAC-Management Committee meetings to ensure members can adequately respond to questions or concerns raised by the group.
- c. The Secretariat will prepare reports of the CSAC meetings, which will be made available on the Fund website. The minutes will be shared within five working days for virtual non-objection with all CSAC members within five working days after the meeting before they are posted publicly.
- d. Meetings of the CSAC with the Management Committee:
  - The CSAC will meet with the Management Committee at least annually to ask questions and provide advice on issues, as per their mandate. While comments/questions should be prepared and submitted in advance, the meeting itself should enable a free flow of dialogue and exchange between members.
  - The Secretariat will prepare minutes of the joint CSAC-Management Committee meetings, which will be made available on the Fund website. The minutes will be shared with all CSAC and Management Committee members for virtual non-objection.. The work of the CSAC will be reflected in the annual report of the Fund.

The CSAC has the right to a timely response from the Management Committee through appropriate channels including but not limited to for example the regular dialogue between the Management Committee and the CSAC.

## **VI. Approval & Amendment of the CSAC TOR**

1. The CSAC TOR must be developed/amended in consultation with civil society.
2. The CSAC TOR must not contradict any stipulations made in the Fund TOR.
3. The CSAC TOR are approved by the Management Committee.
4. The Management Committee shall, upon request of the CSAC, consider the adoption of amendments to these TOR.