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UNDP-LOTFA Steering Committee
Terms of Reference

10 March 2013

Background

In November of 2012, UNDP engaged a Management Review Team (MRT) to assess its Law and Order Trust Fund of Afghanistan (LOTFA). The MRTreport recommended changes to the Terms of Reference (ToR) of theUNDP-LOTFA Steering Committee (SC). The changes proposed by the MRT are intended to strengthen the engagement of all UNDP-LOTFA stakeholders in planning, decision-making, and monitoring. This is especially important in view of the efforts that UNDP-LOTFA is making to promote MoI involvement in the prioritization and planning of activities that will support the reform agenda of the Minister of Interior, and that will fit within the 10- and 2-year plans that are being elaborated in cooperation with the International Police Coordination Board (IPCB).

The draft ToRs proposed below is intended to strengthen the SC and its method of working so as to achieve the objectives envisaged by the MRT report. Proposed changes are on an interim basis during the Phase VI-extension (April 1 to December 31, 2013).Final decisions on UNDP-LOTFA's governance model will be elaborated in the Phase VII document to be presented to the SC at the latter quarter of 2013. These ToRsinter alia reflect activities covering the three Pillars in UNDP-LOTFA.

Terms of Reference

Composition of the SC

The Steering Committee is co-Chaired by the Minister of MoI and the UNDP Country Director.

Full members include:

- Ministry of Interior
- Ministry of Finance
- Funding partners, currently including: Canada, Czech Republic, Denmark, European Union, Finland, Germany, Italy, Japan, Netherlands, Norway, Poland, South Korea, Switzerland, United Kingdom, and United States of America.

On approval of SC other stakeholders may participate in Steering Committee. Currently approved observer members are theIPCB, European Union Police Mission in Afghanistan (EUPOL), North Atlantic Treaty Organization Training Mission in Afghanistan (NTM-A) and Combined Security Transition Command Afghanistan (CSTC-A) or their successor missions.

The SC shall appoint a Technical Committee (TC) to technically assess all proposals put forward by UNDP-LOTFA/MoI and any other actors eligible for LOTFA funding. The TC will be the principle mechanism for technical assessment of projects prior to their submission to the SC. TORs of the TC is elaborated in Annex 1.

1. Key Functions of the SC

    I. Provide strategic and programmatic oversight and direction

- Advises and guides the process of development, review and implementation of policies within the remit of UNDP-LOTFA, consistent with the MoI 10-year vision. This function shall be undertaken in coordination with international partners (IPCB, EUPOL, NTM-A and CSTC-A) and relevant national authorities, including but not limited to Ministry of Finance (MoF), Ministry of Defense (MoD), Ministry of Justice (MoJ), the Attorney General's Office (AGO) and the National Security Council (NSC).

- Ensuresalignment of UNDP-LOTFA priorities with MoI 5-year strategy, the revised National Police Plan (NPP) and the 2-year transition plan.

- Oversees the UNDP-LOTFA/MoI agreed procedures and mechanisms for control and mutual accountability.

II.   Guide and assess performance of UNDP-LOTFA

- Periodically examines reports submitted by the Monitoring and EvaluationUnit of UNDP-LOTFA on joint performance of UNDP-LOTFA and MoI.

- Providesguidance and recommendations on performance reviews carried out by UNDP-LOTFA through external evaluators.

- Establishes mutual responsibilities and accountabilities with MoIas agreed and identified prior to implementation consistent with Tokyo Mutual Accountability Framework.

III.   Approve projects as recommended by the TC

- Reviews and approves project proposals recommended and submitted by the TC.

- Is satisfied that TC and UNDP-LOTFA have ensured compliance to all agreed National Implementation Modality (NIM) procedures.
- Regularly reviews projects and ensures that any adjustments are in line with agreed UNDP-LOTFA remit and relevant MoI policies and strategies, with guidance from the TC.

IV.   Ensure management of funds

- Provides oversight on the utilization of UNDP-LOTFA funds.

- Establishes rules for donor fund allocations, including percentage of funds that can be earmarked among the UNDP-LOTFA Pillars and allocated to the UNDP-LOTFA Project Management Unit (PMU).

- Periodically reviews planning resource requirements to authorize re-allocation of earmarked funding among the UNDP-LOTFA Pillars/PMU.

V.   Ensure expenditures are in line with programs

- Oversees compliance of procedures agreed by UNDP-LOTFA with government (MoI and MoF) regarding basis for reimbursement of MoI expenditures.

- Reviews and approves reimbursement to MoI by UNDP-LOTFAas submitted on a quarterly basis by the MoF's Treasury Department.

- Ensures UNDP-LOTFA amendments or changes to its work plansare presented to the SC in a timely manner.
- Reviews quarterly expenditure reports in relation to program outputs.

VI.   Review and approve relevant reports as presented by the UNDP-LOTFA Project Manager

- Reviews trends and issues identified in the quarterly reports prepared by the Monitoring Agent and presented by the UNDP-LOTFA Project Manager to the Steering Committee.
- Ensures that key findings and issues of concern reported by the Monitoring Agent result in corrective measures and periodically reviews their implementation.
- Reviews and approves quarterly and annual narrative reports in relation to program outputs and seeks clarifications where relevant, recommending remedial action where necessary.
- Ensures lessons-learned from implementation of projects by UNDP-LOTFA/MoI are documented, discussed and disseminated to relevant stakeholders.

VII.   Review audit and evaluation reports

- Reviews findings of audit reports and Monitoring Agent.
- Ensures audit recommendations are implemented by UNDP-LOTFA and periodically reviews their implementation.
- Ensures audit recommendations on MoI are communicated to relevant departments and stakeholders for follow up.
- Reviews evaluation reports and ensures relevant findings are documented.
- Ensures relevant project components are reprogrammed by UNDP-LOTFA/MoI and its implementation is periodically reviewed.

VIII.   Miscellaneous

- Is able to request specific inputs and ad hoc reports from UNDP-LOTFA.

<center>Annex I
Terms of Reference of the Technical Committee</center>

1. Composition of the Technical Committee

UNDP-LOTFA Steering Committee shall appoint a Technical Committee (TC) to assess all proposals submitted by UNDP-LOTFA. The TC shall be comprised of two representatives from the Ministry of Interior (MoI), one from Ministry of Finance (MoF), three from donor countries (selected by donor members of the SC on rotational basis), and UNDP-LOTFA as ex-officio members (Project Manager and Pillar Managers as appropriate).

2. Key functions of the Technical Committee

- On behalf of full Steering Committee (SC) reviews UNDP-LOTFA proposals and ensures that they meet the following criteria:
    - alignment with strategic goals and plans of MoI;
    - gender is placed at the center of all activities where relevant;
    - consistent with the Rule of Law;
    - value for money;
    - sustainability;
    - transparency;
    - accountability;
- Ensures how projects intend to adopt the National Implementation Modality (NIM) to build ownership, knowledge transfer, capacity elevation on matters related to procurement, services, goods, human resources, programming and budgeting.
- Assesses and recommends to the SC for approval.

2.1 Coordination with UNDP-LOTFA Secretariat

- Once projects have been vetted, they will be transmitted by UNDP-LOTFA Secretariat to Steering Committee for approval at the next scheduled SC meeting.
- UNDP-LOTFA Secretariat will ensure to circulate proposals recommended by TC at least two weeks prior to SC scheduled meetings.

3. Meeting Calendar (01 April 2013 – 31 March 2014)

Meeting objective	Mar 2013	Apr 2013	May 2013	Jun 2013	Jul 2013	Aug 2013	Sep 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014	Mar 2013
TC meetings for proposals vetting			▇			▇			▇			▇	
SC regular quarterly meetings	▇			▇			▇			▇			▇
Review and approval of project proposals			▇		▇		▇			▇		▇	▇