

***TERMS OF REFERENCE FOR THE VOLUNTARY FUND FOR FINANCIAL
AND TECHNICAL ASSISTANCE FOR THE IMPLEMENTATION OF THE
UNIVERSAL PERIODIC REVIEW***

I. Establishment of the Trust Fund

1. Pursuant to resolution 6/17 of the Human Rights Council, a Trust Fund is established by the Secretary-General to provide, in conjunction with multilateral funding mechanisms, a source of financial and technical assistance to help countries implement recommendations emanating from the Universal Periodic Review.

II. Purpose for establishing the Trust Fund

2. The Universal Periodic Review (UPR) is a cooperative mechanism of the Human Rights Council established to review, on a regular basis, the fulfilment by United Nations Member States of their human rights obligations and commitments.

3. All 192 United Nations Member States are reviewed within a period of four years in the first cycle - with 48 States reviewed every year.

4. The objectives of the review are: the improvement of the human rights situation on the ground; the fulfilment of the State's human rights obligations and commitments and assessment of positive developments and challenges faced by the State; the enhancement of the State's capacity and of technical assistance, in consultation with, and with the consent of, the State concerned; the sharing of best practices among States and other stakeholders; support for cooperation in the promotion and protection of human rights; and the encouragement of full cooperation and engagement with the Human Rights Council, other human rights bodies and the Office of the High Commissioner for Human Rights.

5. The outcome of the UPR should be implemented primarily by the State concerned and, as appropriate, by other relevant stakeholders. The international community is expected to assist the implementation of recommendations and conclusions.

6. Accordingly, the Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the UPR is established to provide funding for:

- (a) the integration of the UPR outcomes into United Nations common country programming documents, including the U.N. Development Assistance Framework (UNDAF); and the dissemination of information on UPR outcomes with a view to mobilizing support for the countries concerned;
- (b) the coordination of United Nations, multilateral and bilateral action in support of the UPR outcomes, including the conduct of needs assessments as well as the formulation of programmes and projects aimed at implementing UPR outcomes;

- (c) the exchange of information and the sharing of best practices, including through the organization of regional and sub-regional meetings, seminars, consultations and other interactions;
- (d) the development of a national capacity and expertise for the implementation of the UPR outcomes;
- (e) the co-funding of programmes and projects aimed at implementing the UPR outcomes;
- (f) the regular follow up, with national bodies and institutions concerned, of action taken to implement the UPR recommendations.

III. Authority

7. The Trust Fund shall be administered in conformity with the United Nations Financial Regulations and Rules, the general policies and procedures outlined in the Secretary-General 's Bulletins ST/SGB/188 and the administrative instruction ST/AI/284. Exceptions to such rules, policies or procedures are not permissible, unless specifically authorized by the Secretary-General or, on his behalf, by the Controller.

IV. Contributions to the Fund

8. Contributions to the Voluntary Fund for Financial and Technical Assistance are to be made voluntarily by States, intergovernmental and non-governmental organizations or private institutions and individuals. A pledge may only be accepted by the Controller or by officials having the authority to do so.

V. Administration of the Fund

9. The Controller designates the implementing office of the Trust Fund to be the Office of the High Commissioner for Human rights.

10. For the purpose of ensuring proper financial controls, the High Commissioner for Human Rights will be the Programme Manager of the Trust Fund and the Chief, Programme Support and Management Services of the Office of the High Commissioner for Human Rights, shall be the Certifying Officer.

11. The Certifying Officer of the Trust Fund shall ensure that expenditures incurred are in accordance with the United Nations Financial Regulations and Rules. For the purpose intended and within the limits allotted. The United Nations shall assume no liability or responsibility for the travel of representatives to meetings of the Working Group beyond those authorized from contributions actually received.

12. The Voluntary Fund for Financial and Technical Assistance is to be administered jointly with the Voluntary Fund for Participation in the Universal Periodic Review.

VI. Spending Authority

13. In accordance with Regulation 5.9, of the Financial Regulations and Rules of the United Nations, obligations for the current financial period or commitments for current and future financial periods shall be incurred only after allotments or other appropriate authorizations have been made in writing. Such authorizations take the form of allotments which will be issued only after sufficient contributions have been received to meet the requirements for initial financial obligation and for any reserves which may be required. Spending authority will be exercised by certifying officers, designated by the Controller.

VII. Reporting and Evaluation Application for Financial Assistance

14. The Programme Manager's Office will provide appropriate financial statements showing income and expenditures as of 31 December each year with respect to funds pledged. All financial accounts and statements shall be expressed in United States dollars.

VIII. Programme Support Costs and Reserves

15. The Trust Fund will be charged 13 percent of all expenditures in respect of programme support services, unless otherwise agreed with the Controller.

IX. Audit

16. Regulation 5.15. of the Financial Regulations and Rules of the United Nations provides that the Office of Internal Oversight Services shall conduct independent internal audits of the Trust Fund in accordance with regulation 5.8 (d) and in conformity with generally accepted auditing standards. In accordance with the Annex to the Financial Regulations and Rules of the United Nations, the Board of Auditors shall perform jointly and severally such audit of the accounts of the United Nations, including all trust funds and special accounts, as it deems necessary in order to satisfy itself on the administration and management of the Trust Fund. No other additional or special audit arrangements shall be made with donors.

X. Revisions

17. The Secretary-General may revise the above terms of reference of the trust Fund if circumstances so require.

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