



for information only

# VOLUNTARY TRUST FUND

## TERMS OF REFERENCE

ATT/CSP2/2016/WP.3/Rev.1

Adopted: ATT Second Conference of States Parties

Amended: ATT Fourth Conference of States Parties

## TERMS OF REFERENCE FOR THE ATT VOLUNTARY TRUST FUND

### Purpose and Scope of the Trust Fund

1. The Conference of States Parties to the Arms Trade Treaty (ATT) establishes a Voluntary Trust Fund (VTF) in accordance with Article- 16 of the ATT.
2. The primary objective of this Trust Fund is to assist requesting States Parties requiring international assistance to implement the ATT.
3. The Conference of States Parties to the ATT shall decide on General Principles for Implementation Assistance Projects under the ATT Voluntary Trust Fund, in particular specific criteria for eligibility.
4. Contributions to the Trust Fund may be allocated by donors for sole use to the benefit of States Parties.

### Authority

5. The Trust Fund shall be administered by the ATT Secretariat, with the support of the Selection Committee, which shall be established in accordance with Article 17.4 (f) of the ~~Arms Trade Treaty~~ATT and Rule 42 of the Rules of Procedure, to execute the functions as set out in these Terms of Reference. ~~The Secretariat shall endeavour to fulfil this function with the existing internal resources.~~<sup>3</sup>The administration of the VTF by the Secretariat shall be funded, as appropriate, from VTF contributions as determined by the Selection Committee annually.
6. The Selection Committee shall consist of up to 15 seats<sup>2</sup>, as agreed by the Second Conference of States Parties (para. 23, ATT/CSP2/2016/5).~~a limited number of States Parties shall~~<sup>to</sup> be appointed to be members of the Selection Committee by the Conference of States Parties, including donors as well as non-donors to the Fund, States having announced financial contributions to the Voluntary Trust Fund and ensuring<sup>to ensure</sup> diverse representation. Members of the Selection Committee shall serve for two years and are eligible ~~to be reappointed for further terms~~<sup>for reappointment</sup>.<sup>3</sup> The Selection Committee shall select one of its members to chair its deliberations. The President of the Conference of

<sup>4</sup>Should it become apparent that the administration of the Trust Fund requires additional resources, the Secretariat shall propose alternative options to States Parties.

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<sup>3</sup>In the event that one or more seats on the Selection Committee is vacated for any reason before the period of two years, the next Conference of States Parties may appoint one or more States Parties to fill the seat or seats, as the case may be.

States Parties and ~~a representative from~~ the ATT Secretariat should participate in meetings of the Selection Committee in an ex officio capacity.

7. The Selection Committee shall meet in accordance with Article 13 of the Rules of Procedure of the Conference of States Parties and draw, as appropriate, on outside expertise, in particular from UN agencies and civil society. A member of the Selection Committee State Party that has submitted a project proposal ~~as a beneficiary~~ cannot take part in the decision making of the ~~s~~Selection ~~e~~Committee for that project selection cycle.<sup>4</sup>

### Operation of the Trust Fund

8. States Parties or other entities may donate to the ~~ATT Voluntary Trust Fund~~VTF throughout the year and may make pledges at a dedicated segment of each ordinary session of the Conference of States Parties. These donations shall be transferred to the ATT Voluntary Trust Fund, preferably within 30 days. The ATT Secretariat will keep a record of received contributions to the Trust Fund, and will inform States Parties of the amount of funds available for each cycle of the VTF.
9. ~~Following the pledging session at the ordinary session of the Conference of States Parties and on the basis of pledges made, On an annual basis,~~ the ATT Secretariat will inform States Parties of the amount of funds available for the following project year, and issue a call for project proposals by States requiring implementation assistance to be submitted by 31 March a date determined by the Selection Committee allowing for adequate time for the preparation of those proposals.
10. The ATT Secretariat shall conduct a pre-screening of all project proposals received by the due date against ~~“The General Principles for Implementation Assistance Projects under the ATT Voluntary Trust Fund”~~ as decided by the Conference of States Parties to the ATT (see Attachment) and taking into account the Guidance for the Selection Process developed by the VTF Selection Committee accordingly. The ATT Secretariat shall ~~and~~ draft a shortlist of eligible project proposals, relying on outside expertise as appropriate and needed, by 30 April, subject to approval for consideration by the Selection Committee.
11. The Selection Committee shall decide ~~by 15 June~~ on the initial allocation of available funds, based on the shortlist. This decision, and any subsequent allocation decisions that may be required over the course of the project year, shall follow ~~“The General Principles for Implementation Assistance Projects under the ATT Voluntary Trust Fund”~~ as decided by the Conference of States Parties (see ~~attachment~~Attachment) and shall be reported to the Conference of States Parties.

<sup>4</sup> In the case of equality of votes, the Chairperson of the VTF Selection Committee will cast the deciding vote.

12. The ATT Secretariat will ensure that the ~~initial~~ grants are ~~paid out~~transferred as decided by the Selection Committee and ensure transparent accounting. It shall report to the Conference of States Parties accordingly.
13. The ATT Secretariat will ~~ensure that~~evaluate reports on the implementation of projects by beneficiaries ~~will be evaluated~~ and will report ~~back to the Conference of States Parties via the Selection Committee~~ on the ~~success—outcomes~~ of the projects. Beneficiary ~~countries~~States may be invited by the VTF Selection Committee to present their results and answer questions.
14. Administrative details regarding the application procedure to be followed by applicants ~~beneficiaries~~ shall be elaborated by the ATT Secretariat.

### Monitoring, Auditing and Reporting

15. The audit provisions as per Rule 10 of the ATT Financial Rules ~~for the Conferences of States Parties and the Secretariat~~ shall be applicable to the VTF mutatis mutandis.
16. All recipients of funds shall submit a final report that should be made publicly available via the ATT Website. The final report should include a description of the outcomes, achievements and impacts as well as outline possible shortcomings and recommendations for further actions. Furthermore, the final report should include a detailed financial report on expenditures and balances. The report is due 60 days after completion of the activity financed by the Trust fund. The ATT Secretariat shall provide technical guidelines for reporting, and shall ensure appropriate monitoring and evaluation.

### Final Provisions

17. These Terms of Reference will be re-evaluated by the Conference of States Parties ~~after two years~~ as appropriate.<sup>5</sup>
18. In the event of a termination of the activities of the Trust Fund, outstanding bills shall be paid and the remaining donations shall be refunded.

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<sup>5</sup> The issue of needs and geographic balance in the operation of the Voluntary Trust Fund was raised at the Second Conference of States Parties. There was a general understanding that this issue will be reconsidered at the re-evaluation of these Terms of Reference in two ~~years time~~ years' time, as appropriate.

## ATTACHMENT

### The General Principles for Implementation Assistance Projects under the ATT Voluntary Trust Fund

#### **Eligibility Criteria**

1. Any State Party to the ATT requiring assistance in the implementation of the Treaty may submit a project proposal.
2. Signatory States and other States having shown clear and unambiguous political commitment to accede to the ATT requiring assistance to implement the Treaty may also submit project proposals.

~~— Assistance projects required by requesting States may be implemented by or in conjunction with UN agencies, international or regional organisations, civil society organisations or other competent bodies.~~

~~3.~~ Applicants must be the beneficiary ~~country/countries.~~ States.

~~3.4.~~ Assistance projects required by requesting States may be implemented by or in conjunction with UN agencies, international or regional organisations, civil society organisations or other competent implementing partners.

~~4.5.~~ Project-VTF project applications must contain an adequate description of the proposed project, including a description of the state of ATT implementation in the requesting country or, if the applicant is not a State Party, a plausible roadmap towards ratification/accession, an outline of challenges, a description of the aim of the project, how it can help overcome the challenges identified and the added value of the project in relation to other initiatives, a timeline for project implementation, an outline of the institutional and organizational setup of the proposal and a detailed budget plan.

~~5.6.~~ Applicants must ensure that any project funding received from the Voluntary Trust Fund does not duplicate funding received for the same or a similar project from other sources.

~~6.7.~~ The ATT Secretariat shall consult regularly with other funding entities on projects funded and discuss options and possibilities for synergies with a view to avoiding duplication.

#### **Selection Criteria**

1. The selection shall be based on a qualitative assessment of the descriptions and outlines to be submitted as specified by the eligibility criteria.

2. Priority shall be given to States Parties requiring assistance to implement the Treaty.
3. ~~If the prerequisites established by the Terms of Reference are met, applications~~ Eligible projects by Signatory States and other States requiring assistance may also be considered if the applicant has ~~having~~ shown clear and unambiguous political commitment to accede to the ATT ~~requiring assistance to implement the Treaty may also be considered if the requesting State can provide a plausible roadmap towards ratification/accesion and is able to~~ show how the envisaged projects will help to meet envisaged milestones and ultimately lead to speeding up (or enabling) the process of ratification/accesion.
4. If two or more project proposals are considered to be equally eligible of equal quality after thorough assessment against the ~~qualitative criteria~~ quality considerations as established by the Selection Committee,— priorities established by the Conference of States Parties, including ~~on~~ geographic requirements, ~~may~~ shall be taken into account in the allocation of funds to beneficiary ~~countries~~ States.
5. Overlap/duplication with projects funded by UNSCAR, by States Parties on a bilateral basis or through other channels, shall be avoided.

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