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COMMISSION ON HUMAN RIGHTS  
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Agenda item 11 (a)

**CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF:  
TORTURE AND DETENTION**

**United Nations Voluntary Fund for Victims of Torture**

**Report of the Secretary-General**

**Addendum\***

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\* This report is submitted late so as to include the most up-to-date information as possible.

## **Introduction**

1. This addendum updates the report of the Secretary-General to the sixtieth session of the Commission on Human Rights on the activities of the United Nations Voluntary Fund for Victims of Torture. It provides information on the progress made on the evaluation of the Fund requested by the Commission on Human Rights in paragraph 39 of its resolution 2003/32 (see E/CN.4/2004/53, paragraph 3). The terms of reference for the evaluation are also provided.

### **I. EVALUATION ON THE FUNCTIONING OF THE FUND**

2. The Office of Internal Oversight Services of the Secretariat has finalized the terms of reference for the evaluation following consultations with donors, and has also selected and recruited two consultants for the project. The evaluation team has selected the projects that will be visited for on-site evaluations. These projects, located in Austria, Bangladesh, Canada, Chile, Rwanda and the United States, were selected to provide a comprehensive cross-section of regional location, size of project, type of service provided and length of funding. Initial contact has already been made with some of the projects to plan for these visits. The first visit to a project located in the United States (New York) will take place on 9 March 2004.

3. The evaluation team has completed the data collection instruments for stakeholder interviews and project evaluations, and has also finalized the methodology for reviewing project files and analysing programme data.

4. The evaluation team visited Geneva from 23 to 27 February 2004. It conducted interviews with donors and staff of the Office of the United Nations High Commissioner for Human Rights, and reviewed the files for a random sample of projects currently receiving grants from the Fund. The evaluation team is also developing a survey that will be sent to all project directors of the projects currently receiving grants. The survey, which will be administered by e-mail, will be conducted during March 2004.

5. The evaluation team will conduct its on-site evaluations of projects from March to the end of May 2004. The evaluation team will also visit Geneva when the Board of Trustees meets in May 2004 to observe the decision-making process and interview Board members, as well as members of the Committee against Torture. The evaluation team will conduct a project debriefing in New York the beginning of June 2004. The draft report will be finalized by the end of August 2004.

## **Annex**

### **FORMAL TERMS OF REFERENCE**

1. **Frame of reference.** In accordance with Commission on Human Rights resolution 2003/32, the Office of the United Nations High Commissioner for Human Rights (OHCHR) has initiated an independent evaluation, in accordance with United Nations regulations and rules,<sup>a</sup> of the functioning of the United Nations Fund for Victims of Torture. The evaluation will be undertaken by the United Nations Office of Internal Oversight in collaboration with two independent consultants.
2. **Objective of evaluation.** The objective of the evaluation is to review the functioning of the United Nations Voluntary Fund for Victims of Torture, in particular the lessons and best practices learned from the Fund's activities, with a view to further enhancing its effectiveness.
3. **Deadline.** The deadline for submission of this report is the end of October 2004.

### **BACKGROUND**

4. Pursuant to General Assembly resolution 36/151 of 16 December 1981, the Fund receives voluntary contributions for distribution, through established channels of humanitarian assistance, as humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of torture and to relatives of such victims, priority being given to aid to victims of violations by States in which the human rights situation has been the subject of resolutions or decisions adopted by either the General Assembly, the Economic and Social Council or the Commission on Human Rights. The Secretary-General administers the Fund through OHCHR with the advice of a Board of Trustees appointed by the Secretary-General. Further background information is provided in the report of the Secretary-General of 14 August 2003 (A/58/284), as well as in the management review of the Office of the United Nations High Commissioner for Human Rights (A/57/488) and the management letter on the audit review of 2000-2001 of the financial statements of the trust funds.

### **EVALUATION TOPICS**

5. **Scope.** The evaluation will focus on the following main themes and make recommendations accordingly (the term "Fund" is used to describe the Voluntary Fund, the Board of Trustees and the Secretariat):
  - The effectiveness of the Fund;
  - The efficiency of the administration of the Fund;

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<sup>a</sup> Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (ST/SGB/2000/8), which establish standards for evaluations, and regulations and rules governing administrative and financial procedures.

- The Fund's activities, focus and priorities;
- The impact of the Fund;
- Lessons learned/best practices;
- Reporting by projects, including how this information could be used to determine trends in the number and types of projects subsidized and victims serviced.

6. **Topics.** While addressing the above-mentioned themes the evaluation will, inter alia, take into account the following more specific topics:

**Topic I - How does the Fund currently function?**

- (a) What are its priorities?
- (b) How is the Fund structured?
- (c) How does the Secretariat support the Fund, including procedures followed by staff?
- (d) How is its workload organized?
- (e) What is the process for awarding grants, including criteria used?
- (f) What data are maintained on the Fund's operations and activities?

**Topic II - How is the Fund functioning financially?**

- (a) Is adequate and reliable documentation of expenditures of the Fund maintained, including receipt of grants and use of these by recipients?
- (b) What are the Fund's financial reporting obligations? How reliable is this reporting?
- (c) How can the financial functioning of the Fund be more efficient?

**Topic III - What role does the Board of Trustees play in the Fund's operations?**

- (a) How does the Board interact with the Secretariat?
- (b) What role does the Board play during its annual sessions and intersessionally in awarding grants and other Fund activities, including fund-raising?
- (c) What material does the Board receive to guide its decision-making?

**Topic IV - What oversight role does the Fund play for the projects it subsidizes?**

- (a) How does the Fund monitor these projects, including with respect to their impact?
- (b) How and to whom does it report on its findings?
- (c) How does it ensure that funds are spent appropriately?
- (d) How does the Fund maintain financial oversight of projects it subsidizes?

**Topic V - What is the relationship between the Fund and others?**

- (a) What is the relationship between the Fund and the Committee against Torture?
- (b) What its relationship with the Special Rapporteur on the question of torture?
- (c) What is the relationship of the Fund with other bodies and institutions concerned with torture, including regional and national bodies and mechanisms?
- (d) How does it interface with donors?

**Topic VI - What best practices exist with regard to the Fund's effectiveness?**

- (a) How does the operation of the Fund compare with other, similar United Nations funds?
- (b) Does the operation of other funds provide examples of best practices or benchmarks to make the operation of the Fund more effective?
- (c) What best practices exist within the Fund, and how are these captured and shared?

**Topic VII - What is the impact of the Fund?**

- (a) How are programme outcomes and the impact of the Fund measured, if at all?
- (b) What data does the Fund maintain on victims, organizations and types of assistance provided?
- (c) How can this data be recorded and analysed to measure impact?

**METHODOLOGY**

7. This evaluation will combine five different methods: (i) surveys of various stakeholder groups; (ii) on-site visits to a sample of Fund-subsidized projects; (iii) an analysis of programme data maintained by the Fund; (iv) a review of the documents concerning the Fund's procedures; and (v) a review of financial records and reports and an analysis of necessary financial audit procedures as warranted by circumstances. At no time while this evaluation is being conducted will the safety and confidentiality of any victims receiving services be jeopardized.

8. **Stakeholder surveys.** Interviews will be conducted, in person or by telephone, with members of the Board of Trustees, staff from OHCHR, members of the Committee on Torture, the Special Rapporteur on the question of torture and donor representatives. A mail or web survey of a sample of Fund projects will also be conducted.
9. **On-site visits to projects.** A sample of projects from five to seven countries to visit will be selected. Countries and projects will be selected on the basis of selection criteria that will ensure that a good cross-section of projects is visited (e.g., by region, by type of service provided, by amount of grant, etc.). During the visits, the evaluation team will meet with staff members of the organization implementing the project and with beneficiaries.
10. **Analysis of programme data.** Data maintained by the Fund regarding its activities, its grant disbursements, and its evaluations of the projects it subsidizes will be reviewed, along with any reports submitted to the Fund by these projects.
11. **Document review of programme policies and procedures.** The Fund's written programme policies and procedures will be reviewed to determine how the Fund is structured, how workloads are managed, and what guidelines exist for its activities.
12. **Review of financial records and reports.** Financial records and reports will be reviewed to assess the financial functioning of the Fund.

#### EVALUATION SCHEDULE

13. The tentative evaluation schedule is as follows:
  - Mid-December 2003 to end of January 2004: select project consultants and finalize terms of reference, after feedback from donors. Begin development of data collection instruments. Complete all data collection (survey and document review) instruments. Complete preliminary financial audit survey;
  - February-mid-May 2004: conduct data collection, including completing surveys, on-site visits and reviews of programme data and documents. Depending on the schedule of external auditors' biennium-end audit, financial review may not occur until May;
  - End June 2004: complete data analysis. Complete financial audit;
  - End August 2004: complete draft report;
  - End October 2004: complete final report.

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