

## **ANNEX A: Guidance for Country LOU development**

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### The LoU Template

The country-level LOU template provides the formal basis for the relationship between UNHCR and UNICEF at the country or regional level. It is based on LOUs developed by Country Offices since 2011 and has been pre-approved by the legal offices of both organizations. The template aims to reduce the time required to develop the agreement so that more time can be spent on substantive discussions. It should facilitate country-level coordination and partnership, and should be used flexibly per the country context.

The LOU facilitates and formalises, bilateral coordination between UNHCR and UNICEF in assisting populations of concern. The LOU should be contextualised and make reference to coordination and response for all vulnerable populations to ensure complementarity and synergies, avoid duplication and/ or gaps. While focusing primarily on the bilateral relationship between UNICEF and UNHCR, the course of action and respective roles of the two agencies must relate and link appropriately to other relevant humanitarian and development initiatives, actors and coordination structures. It should also calibrate UNHCR and UNICEF advocacy and messaging with partners such as host government and donors.

While ensuring a mutually enforcing partnership between UNICEF and UNHCR as part of good contingency planning for an initial onset of an emergency, the LOU can apply to longer term collaboration. The engagement should take into consideration longer term impact and longer term needs, including durable solutions for refugees, and the linkage to the Country Programme of UNICEF (and thus, emergency response to national development plans). The template is also designed to enable flexible adaptation in response to a change in situation.

As the template and process have been approved by each agency's senior management, and the language has been vetted by each Legal Department, there is no further endorsement procedure required for signing the LOU by the Country Representatives/Country Directors. However, it is recommended that the substance of the Plan is shared with technical specialists within each agency. This consultation is at the discretion of the agency.

### The Joint Plan of Action (attached to the Template)

The Joint Plan of Action is an integral part of the agreement between the two agencies and is annexed to the LOU. The Plan should be used as a tool to clearly articulate a division of labour in terms of support activities such as logistics and supply, and joint activities such as contingency planning, resource mobilisation, risk assessment, preparedness, advocacy and communications. Most importantly, the Joint Plan of Action should give further definition to the type of partnership and leadership within thematic areas laid out in the LOU (i.e. technical support, service delivery, sector coordination), and describe the roles and responsibilities of each agency. The Plan and related activities/results should have a specific timeframe, and mechanisms should be put in place to jointly review progress.

Capacities and functions outlined in the Plan represent UNHCR's and UNICEF's accountability to one another. The Plan should ensure that technical tools such as standards, indicators, methodologies are agreed between the two agencies and key partners in the refugee operation. The head of each Party's country office should meet at least twice per year and when there is a significant change in the situation to discuss and review the Joint Plan of Action and its implementation, including, any policy, strategic security, operational and implementation issues that have arisen or may arise.

### **Tips for the successful development of the Joint Plan of Action:**

- **The process is as important as the plan.** Having a structured discussion about all aspects of the collaboration in advance can go a long way to ensuring that problems can be avoided, or when issues arise, possible solutions are already outlined.
- **Don't make assumptions.** Many misunderstandings are based on assumptions made by one of the partners in a collaboration – be as explicit as possible about how you are thinking, and how you imagine the other is thinking.
- **Be clear on timelines.** The higher the degree of certainty, the more useful the Plan of Action and the LOU will be in providing predictability to the collaboration and the response – and vice versa.
- Engagements **should largely be funded or clearly be fundable.** Each agency is responsible for the resources associated with their agreed interventions. Funding challenges must be discussed jointly as early as possible and in order to identify a mutually-agreed solution.
- Give due credit to both agencies and calibrate **communications and visibility** activities accordingly.
- UNICEF and UNHCR should **consult with each other on selection of implementing partners and management of partnerships** in the technical areas in which they collaborate, since this has a direct bearing on the coordination of capacities across the refugee response and for longer term strategy and hand-over following the emergency period.
- **Information and data-sharing** around assessments and technical specifications in all areas is important; as well as agreeing on methodologies for collecting and analysing data and on reporting. While overall guidance from HQs should be heeded, these issues also must be addressed and agreed at country level.
- **A common understanding of how numbers are to be reported** (number 'reached' versus number 'assisted' etc.) needs to be reached before resource-mobilisation and reporting gets underway. UNICEF and UNHCR have quite different approaches sometimes to how they report the coverage and impact of their interventions, UNICEF sometimes taking a broader approach encompassing indirect impact through advocacy and intended policy change by local authorities, for example.

### **Opportunities for improving collaboration, as part of the LOU and Action Plan process**

UNHCR and UNICEF should leverage one another's comparative advantage vis-à-vis government counterparts, line ministries, local authorities and other stakeholders. UNICEF and UNHCR should drive towards a common agenda, guided by protection concerns and durable solutions for refugees.

**A communications plan** could be part of the action plan, including what types of communications will be made by the agencies and to whom they will be addressed, including how numbers and joint

activities will be reported. The plan could also include an in-country advisory for all staff when dealing with government officials at all levels, to provide **a common advocacy platform**.

The action plan should explicitly include advocacy, on engaging with other partners, **resource mobilisation and donor visibility**. Messaging to donors by one organisation should raise the issues of the other, and visibility requirements (in particular national committee visits/needs, high profile goodwill ambassadors etc.) need to be described 'in principle' in advance. Space should be made for both 'on the podium' at donor conferences, and should mutually reinforce one another's need for funding to support refugee and other populations in need.

How the agencies determine **targeting and reporting of numbers** needs to be defined in the Action Plan or an annex. All targeting numbers need to be disaggregated as far as possible, by location, status, specific needs etc. Separate strategic and operational objectives should be defined for different groups of people, and different geographic areas.

The Action Plan should take a **phased approach, to reflect changes over time**, and potential changes in types of funding and staff responsible. Action plan activities need to be time-bound to reflect the evolution of the situation. It may even be that different individuals in UNICEF or UNHCR are engaged in the planning of the different phases. The agreement on **review process** should be adhered to.

Technical work plans/operational plans should be developed jointly and the action plan should define how joint operational planning should be undertaken.

Both agencies can also explore other opportunities for collaboration, such as sharing offices, joint training, or sharing logistic resources. This can be described in the action plan, and may allow for cost reductions.

### **Questions and Problem-solving**

If expected progress is not being met, or the Joint Plan of Action is not being implemented as agreed, concerns should be raised between respective focal points and/or senior management including Representatives, at the country-level.

If colleagues meet difficulties in agreeing on certain issues at country-level and would like support or advice, the Partnership Section/ DER (UNHCR) and the Inter-Agency Humanitarian Partnership Section/EMOPS (UNICEF) are the identified focal points within each agency's headquarters to facilitate discussion and/ or help clarify questions relating to the overall partnership.

On technical questions, the respective HQs advisers for health/nutrition, WASH, education and child protection are the relevant colleagues to turn to for assistance.

For more challenging policy issues, both Sikander Khan, Deputy Director and Head of Office of Emergency Programmes in Geneva, UNICEF, and Daniel Endres, Director of the Division of External Relations, UNHCR are always ready to engage directly.

If modifications are made that entail risk of financial exposure or legal obligation, the country level in agreement with the identified focal points within each agency's headquarters should consult with the respective legal departments.