**Memorandum of Understanding between [organization] and UNICEF for Sub-National WASH Cluster Coordination Arrangement in Iraq**

1. **INTRODUCTION**
   1. The ‘Humanitarian Cluster approach’ was adopted by the IASC as a key strategy to address the gaps in humanitarian response. The aim of the cluster approach at the global level is to strengthen system-wide preparedness and co-ordination of technical capacity to response to humanitarian emergencies by ensuring that there is predictable leadership and accountability in all the main sectors or areas of humanitarian response. Similarly, at the country level, the aim is to strengthen humanitarian response by demanding high standards of predictability, accountability and partnership in all sectors or areas of activities. The success of the cluster approach will be judged in the terms of the impact it has on improving the humanitarian response to those affected by crises[[1]](#footnote-1).
   2. In September[[2]](#footnote-2) 2005, IASC Principals agreed to designative global cluster lead agencies in critical programme and operational areas, and also agreed that the ‘cluster approach’ should be applied at the country level.
   3. Sub-nationally, [organization] agrees to support to WASH cluster as sub-national coordinating agency for XXXXX governorate. This will include providing coordination on behalf of the national WASH cluster for all population in need of humanitarian assistance as defined under the Humanitarian Response Plan (HRP) IDP responses and the Regional Refugee Resilience Plan (3RP) refugee response.
   4. The present Memorandum of Understanding outlines the modalities for this arrangement
2. **TIME FRAME**

The timeframe of the MoU is 12 months, from 01/01/2021 to 31/12/2021. The agreement may be extended with the consent of both agencies.[[3]](#footnote-3)

1. **AIM OF WASH CLUSTER AT SUB-NATIONAL LEVEL**

The Sub-national WASH Cluster Coordinator will support the National WASH Cluster and will be a part-time position (20%) that sits within the governorate of assignment. The position will be expected to travel to field locations as needed and based on the NGO security plans.

On behalf of the national WASH Cluster Coordinator and Co-Coordinator, and in support of the Government, the position is primarily required to support WASH Cluster in coordinating WASH support in areas of returns, camp consolidation, and ensuring that WASH support in complementary with recovery/durable solutions programs (transition from emergency to recovery) and that knowledge management is improved. The incumbent will be supporting the Cluster Coordinators to ensure that WASH cluster partners are delivering quality WASH services in their governorate of responsibility, attend sub-national inter cluster coordination group and government coordination mechanisms, and facilitate timely WASH response to displaced populations.

UNICEF is accountable to the Humanitarian Coordinator (HC) in Iraq to facilitate a well-coordinated, coherent and strategic WASH in emergencies response in Iraq. [organization] through the sub-national coordination support would contribute to this. National WASH cluster would provide support and policy direction to sub-national cluster for the following:

* Facilitate reporting, information-sharing and collaboration with national and sub-national clusters;
* Promote coherence of national programming and overall coordination;
* Help track trends;
* Identify shared and common concerns in operational areas; and
* Develop more upstream advocacy and programming strategies.

As set out in the IASC Cluster Coordination Reference Module, this entails the following core cluster functions:

1. Supporting service delivery

* Ensure that WASH service delivery is driven by the agreed strategic priorities, including the current Humanitarian Response Plan (HRP) and the Refugee Response and Resilience Plan (3RP), the Iraq WASH Cluster Emergency Standards and other standards and designs defined by the group
* Develop mechanisms to eliminate duplication of service delivery and identification of gaps
* Apply lessons learned from past activities and feedback from beneficiaries to revise strategies and action plans accordingly
* Ensure that WASH activities are provided equitably to all affected population as defined under the HRP and 3RP
* Ensure both cultural relevance and quality of the WASH material support and approach

1. Informing strategic decision-making of the HC/HCT for the humanitarian response

* Needs assessment and response gap analysis (across sectors and within the sector)
* Analysis to identify and address (emerging) gaps, obstacles, duplication, and cross-cutting issues
* Prioritization, grounded in response analysis

1. Planning and strategy development

* Conduct joint assessments using common methodology and tools, involving all stakeholders and ensuring the participation of the beneficiaries.
* Develop WASH cluster/sector plans, objectives and indicators that directly support realization of the HC/HCT strategic priorities
* Apply and adhere to existing national and emergency standards and guidelines, and propose new standards if needed.
* Clarify funding requirements, prioritization, and WASH cluster/sector contributions for the overall humanitarian funding considerations: HRP, 3RP, Flash Appeal, CAP, Emergency response Fund/Iraq Humanitarian Fund, Central Emergency Response Fund, etc.
* Include cross-cutting issues such as gender equality, age, psycho-social and environmental factors in all aspects of the response.

1. Advocacy

* Identify advocacy concerns to contribute to HC and HCT messaging and action
* Undertake advocacy activities on behalf of cluster participants and the affected population

1. Monitoring and reporting the implementation of the WASH cluster strategy and results; recommending corrective action where necessary

* Ensure that adequate monitoring mechanisms are in place to evaluate the impact of WASH programs and progress within the framework of the WASH Cluster Strategy

1. Contingency planning/preparedness/capacity building in areas and situations where there is a high risk of recurring or significant new disaster and where sufficient capacity exists within the cluster.

* Ensure that humanitarian response builds on local capacities; support training and capacity building of regional authorities and civil society
* Develop Emergency Preparedness Plan and Contingency Plan
* Organize lesson learned workshop and create a database of the tools and documents developed during this emergency.

The WASH Cluster works in close collaboration with the relevant line Ministries Directorates of the Government of Iraq and in KRI to ensure a more coherent and effective response by mobilizing key stakeholders (including international agencies, INGOs and national NGOs) to response in a strategic manner across all essential areas of activity related to preparedness and intervention for WASH in emergencies in Iraq.

1. **COORDINATION MECHANISM**

The sub-national WASH Cluster coordinator will be accountable to national Cluster Coordinator, his/her agency and will be supported by:

* WASH Cluster Co-Coordinator, hosted by Mercy Corps, who will support the sub-national coordinator with identifying priorities and talking points for meetings, developing plans and standards, and responsibilities of the National Cluster Coordinator
* WASH Cluster information manager who will be supporting according to the National WASH cluster coordinator indications. This support consists of desk work that can be done with information provided by the focal point: reports, sitreps and maps
* Global WASH Cluster (GWC) at the last instance. As per request for the national WASH cluster coordinator and co-coordinator, the GWC can provide support either remotely and/or physically to local WASH cluster focal point. Communications with the GWC must be discussed and cleared in advance by the national WASH Cluster coordinator.

1. **GEOGRAPHICAL SCOPE OF RESPONSIBILITY**

This role covers the sub-national level. The sub-national WASH Cluster coordinator works as a team with the National WASH Cluster Coordinator and Co Coordinator to ensure a unified approach at the sub-national level.

1. **ROLES AND RESPONSIBILITIES**

**Principles of Partnership**

As Cluster Lead Agency (CLA) and sub-national coordination agency respectively, UNICEF and [organization] agree to work together according to the Principles of Partnership as endorsed by the Global Humanitarian Platform (12 July 2007).

Both Agencies agree to work together to fulfill the obligations of the WASH Cluster as set out in relevant guidance, in particular the IASC “Cluster Coordination Reference Module”.

**Staffing and Resourcing**

The commitment to the NGO sub-national coordination is an organizational commitment, rather than just an individual, ensuring the agency can fill the required profile according to the ToR and have commitment to timely recruitment of an interim personnel (if required). The organization will be accountable to the WASH Cluster Coordinator (who is accountable to the CLA and consequently the Humanitarian Coordinator – HC), WASH cluster membership and the affected population.

The attached TOR defines the role of the Sub-National Cluster Coordinator and forms an integral annex to this MOU. Overall, this role along with government support, UNICEF as Lead Agency and WASH Cluster Coordinator, will work together in the WASH Cluster/Sector to ensure a coherent and effective response by mobilizing groups of agencies, organizations and NGOs to response in a strategic manner to the humanitarian crisis in Iraq.

The sub-national WASH Cluster Coordinator will be employed by [organization] and on the terms and conditions of [organization]. [organization] is responsible for providing all necessary equipment and transport for its employee to effectively and efficiently perform his/her functions as outlines in the TOR.

**Management and Reporting Lines**

[organization] will directly line manage their staff member seconded to the cluster; the national WASH Cluster Coordinator and [organization] will determine and agree an appropriate division of responsibilities to facilitate their working together.

Heads of UNICEF and [organization], or other appropriate designated staff, will hold meetings as needed to ensure the smooth functioning of the co-coordination arrangement.

**Working Arrangements**

It is of the utmost importance to the cluster approach that dedicated staff both act as, and are perceived as, neutral, impartial and fair representatives of the cluster as a whole and do not promote the interests of their particular agency to the detriment of the broader WASH Cluster. [organization] agrees that the staff member will provide 20% of their time supporting the WASH Cluster at sub-national level. [organization] will utilize the remaining 80% of time for internal programming purposes. When the cluster staff member does represent his/her agency-specific perspective, it will be made clear that this is the case. This dual responsibility will be reflected in their job descriptions and performance appraisals. In case of potential conflict of interest, the staff member will recuse his/herself for the specific case.

1. **REVIEW OF THE MoU**

The MoU will be reviewed end of the year, with a view to both performance and impact of the WASH Cluster and the sub-national coordination arrangement, or at any time, by the management of the agencies, based on development of the security situation, humanitarian needs, funding, etc.

1. **SECURITY**

The [organization] Iraq staff member will at all times follow the security and safety guidelines and procedures of his/her agency.

1. **PROTECTION FROM SEXUAL EXPLOITATION AND SEXUAL ABUSE**

The United Nations and its partners are bound by Secretary General bulletin *ST/SGB/2003/13* on Special measures for protection from sexual exploitation and sexual abuse (SEA). UNICEF has a zero-tolerance policy for SEA and is committed to take actions for prevention of sexual exploitation and abuse. UNICEF and its partners are expected to abide by this bulletin and to take necessary measures on these matters by ensuring that all staffs, contractors and consultants seconded to and/or working for or on behalf of UNICEF are made aware of these commitments, including prohibitions against SEA, duties to report any instances of SEA, need to initiate actions for prevention, and need to protect against retaliation for reporting. All the staff, contractors and consultants are therefore, required to sign a code of conduct that includes PSEA prior to commencement of work. Whenever an incident is reported indicating SEA, or any serious breach of the code of conduct, UNICEF partner is expected to report the incident to UNCIEF without delay.

1. **DISPUTE RESOLUTION**

This MoU is based on a mutual commitment to open communication and a desire to see any potential disagreements resolved as quickly as possible.

Issues that cannot be resolved will be brought to the attention of the UNICEF Country Representative and [organization] Country Director for resolution. In the event that a major disagreement remains after this process, both parties agree to seek reconciliation through the involvement of a mutually acceptable external facilitator.

In the event that a final resolution of issues is not possible, leading to either agency no longer wishing to retain the sub-national coordination arrangement, a notice period of three months will be given to terminate the MoU, in order to allow for necessary transition processes to take place.

**ANNEXES:**

**Annex 1: Terms of Reference Sub-National WASH Cluster Coordinator**

*Signed:*

*UNICEF, Iraq [organization], Iraq*

*Date: Date:*

1. IASC Guidance note on Using the Cluster Approach to Strengthen Humanitarian response. 24 November 2006 (Annex 7). [↑](#footnote-ref-1)
2. IASC Ad Hoc Principals Meeting “Strengthening Humanitarian response”, 12 September 2005. New York. Final Summary Record and Action Points. [↑](#footnote-ref-2)
3. [organization] and UNICEF with no automatic extension. [↑](#footnote-ref-3)