
TERMS OF REFERENCE FOR THE AFRICAN ELEPHANT FUND STEERING COMMITTEE

The African Elephant Fund (hereinafter referred to as the 'Fund') is a fund to be applied to the implementation of the African Elephant Action Plan (AEAP)¹. The Fund is open to donations of any amount from any party, be it governments, intergovernmental organizations, non-governmental organizations, private business or individuals.

The Steering Committee of the African Elephant Fund (hereinafter referred to as the 'Steering Committee') is established to govern the Fund and support and advise African elephant range States² on the implementation of the AEAP. The range States have adopted the present Terms of Reference to regulate the operations and administration of the Fund.

Composition and tenure

1. A minimum donation of USD 50,000 must have been paid to the Fund in order for a donor to be eligible for membership in the Steering Committee. Only State donors are eligible to become members of the Steering Committee.
2. The Steering Committee shall consist of 11 member States: eight African elephant range States (two from each subregion) and three donor States. The United Nations Environment Programme (UNEP)³, as host of the Fund, and the CITES Secretariat shall be entitled to participate in the Committee as *ex officio* members.
3. The eight African elephant range States members of the Steering Committee shall be elected by the African elephant range States.
4. The three donor States members of the Steering Committee shall be elected by those donor States eligible for membership in the Committee, i.e. those that have donated at least USD 50,000 to the Fund.
5. The Steering Committee may invite experts to attend some of its meetings (or parts thereof) as observers to contribute to a particular issue under discussion.
6. A chair and an alternate chair from the same subregion shall be elected by the range States members of the Committee from among the four subregions. The chairmanship shall rotate among the subregions on an triennial basis, unless otherwise agreed.
7. Each member of the Steering Committee will serve for a term of three years. In addition:
 - a) Members may be nominated for a maximum of two consecutive terms; and
 - b) One member per subregion should be retained on the committee after the first term.
8. If a range State is a donor State and also a subregional representative, then that State may only be represented in one of these capacities in the Steering Committee.

¹ See document CoP15 Inf. 68.

² African elephant range States are grouped by subregion. The following four subregions have been defined:

- Central Africa (Cameroon, the Central African Republic, Chad, the Democratic Republic of the Congo, Equatorial Guinea, Gabon and the Republic of the Congo);
- East Africa (Eritrea, Ethiopia, Kenya, Rwanda, Somalia, the Sudan, South Sudan, Uganda and the United Republic of Tanzania);
- Southern Africa (Angola, Botswana, Malawi, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe);
- West Africa (Benin, Burkina Faso, Côte d'Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone and Togo).

³ See Decision 26/10 in document UNEP/GC.26/19 (Proceedings of the Governing Council/Global Ministerial Environment Forum at its twenty-sixth session).

Key tasks and responsibilities of the African elephant range States and donor States

The key tasks and responsibilities of the African elephant range States and donor States are:

1. To provide the Steering Committee with details of the relevant national competent authorities or focal points;
2. To make, through their respective subregional and donor representative, recommendations to the Steering Committee on any draft amendment to the present Terms of Reference;
3. In the case of national competent authorities of African elephant range States, to submit project proposal(s) for funding by the AEF to the Steering Committee through their respective subregional representatives; and
4. To review and approve by a two-thirds majority any amendments to the present Terms of Reference.

Key tasks and responsibilities of the Steering Committee

The key tasks and responsibilities of Steering Committee are:

1. To operate in accordance with the present Terms of Reference, Rules of Procedure and criteria and guidelines adopted by the Steering Committee;
2. To establish and implement appropriate mechanisms for the operation of the Fund, including the issue of calls for proposals, reporting requirements, monitoring and evaluation methods, and awareness-raising and outreach tools;
3. To evaluate submitted proposals according to criteria established and adopted by the Steering Committee and in line with the AEAP;
4. To consider and approve or reject proposals submitted to the Steering Committee for funding, and recommend disbursement of the funds. In addition:
 - a) The Steering Committee shall ensure that funds earmarked by donors for specific activities identified within the AEAP are disbursed in a timely fashion; and
 - b) Funds that are not earmarked shall be divided into 70% for a regional account and 30% for a discretionary account. This ratio may only be altered by consensus of the African elephant range States:
 - i) The regional account shall be divided into four equal parts. Each part shall be exclusively allocated to proposals submitted by African elephant range States in each of the four subregions, so as to guarantee that each subregion benefits from the Fund; and
 - ii) The discretionary account shall be used for any proposal identified by the Steering Committee as urgent and consistent with the AEAP's Priority Objective 1, 2 or 3;
5. To ensure that appropriate consultation takes place between members of the Steering Committee and other stakeholders, in order to minimize any duplication of effort in the allocation of money from the Fund or in implementing actions under the AEAP;
6. To serve as a clearing house to:
 - a) encourage that projects that benefit African elephants and that are funded outside the Fund are compatible with the AEAP;
 - b) provide guidance on areas of the AEAP that require priority funding and promote these with donors;
 - c) monitor the overall implementation of the AEAP; and

d) keep the African elephant range States, other stakeholders and the general public informed about progress with the implementation of the AEAP;

7. To prepare and submit to the African Elephant range States and donors to the Fund periodic programmatic and financial progress reports, with assistance from UNEP as host of the Fund, and to ensure their wide dissemination;
8. To oversee project implementation, review any audit reports and take corrective action on the direction of the Fund as appropriate;
9. To establish and review criteria and guidelines for the submission of proposals in line with the AEAP;
10. To establish and review criteria for the evaluation of proposals to be funded in line with the AEAP; and
11. To consult each subregion or donor constituency in reviewing, approving and carrying out these Terms of Reference and the Steering Committee Rules of Procedure, and, where necessary, to recommend any amendments to all range States and donors for their approval.

Decisions

All decisions shall be made by a consensus. However, where necessary, decisions will be approved by a two-thirds majority of voting steering committee members. Members not represented at any AEFSC meeting may transfer their vote to a subregional representative, provided a written permission is given to the chair.

Role of the chair and alternate chair of the Steering Committee

The role of the chair and, in the absence of the chair, of the alternate chair of the Steering Committee is:

1. To convene meetings of the Steering Committee;
2. To ensure that the decisions of the Steering Committee are in accordance with the AEAP;
3. To ensure that appropriate records of the decisions and proceedings of the Steering Committee are kept and promptly communicated to the members of the Steering Committee, range States and donors, and as appropriate to other partners;
4. To monitor the implementation of decisions of the Steering Committee;
5. To liaise with UNEP and the CITES Secretariat concerning the operation of the Fund and Steering Committee;
6. To report to the Steering Committee and the donor community on emerging risks to, or any issues that may affect, the implementation of the AEAP; and
7. To serve as a spokesperson of the Fund.

Role of UNEP

The role of the United Nations Environment Programme (UNEP) is:

1. To host the Fund and provide regular financial reports on its status;
2. To provide secretarial support to the Steering Committee; and
3. To disburse funds in accordance with the decisions of the Steering Committee

Role of the CITES Secretariat

The role of the CITES Secretariat is:



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1. To liaise with CITES Parties on relevant matters relating to the Fund, the Steering Committee and implementation of the AEAP.