



## CALL FOR PROPOSALS

Grants to support implementation and monitoring of reforms in the criminal justice field  
Criminal Justice Reform\_Grants 2018

<b>Project</b>	Continued Support to the Criminal Justice Reform in Ukraine
<b>Awarding entity</b>	<b>COUNCIL OF EUROPE</b> DG1 Directorate General of Human Rights and Rule of Law Directorate of Human Rights Human Rights Policy and Co-operation Department
<b>Funding</b>	Council of Europe Ukraine Action Plan 2018-2021 BH 8423-VC 3301 funded by the Danish Government
<b>Duration</b>	Projects shall be implemented by 15 January 2019. Reporting requirements shall be completed by 31 January 2019.
<b>Estimated starting date</b>	01 August 2018
<b>Issuance date</b>	15 June 2018
<b>Deadline for applications</b>	15 July 2018

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## APPENDICES:

- Appendix I - Application Form
- Appendix II - Provisional budget (Template)
- Appendix III Guidelines for using Grant Agreement budget templates
- Appendix IV - Template Grant Agreement (for information only)

### HOW TO APPLY?

- Complete and sign the **Application Form** (See **Appendix I**)
- Attach a provisional budget (using the template reproduced in **Appendix II and Appendix III Guidelines for using Grant Agreement budget templates**)
- Attach the other supporting documents (See Section V below)
- Send these documents in electronic form (Word .and/or PDF) to the following e-mail address: kyiv@coe.int. Emails should contain the following reference in subject: **Applications\_CJR\_grants**.
- Applications must be received **before 18:00 pm, 15 July 2018 (EET, GMT + 2)**.

## **I. INTRODUCTION**

This call for proposals is launched in the framework of the Council of Europe Project “Continued Support to the Criminal Justice Reform in Ukraine” (hereinafter “the CJR Project”), funded by the Danish Government. It aims to co-fund national projects aimed at supporting implementation and monitoring of reforms in the field of criminal justice and human rights protection in Ukraine.

In particular, the call for proposals is designed to select and award grants to non-governmental organisations in Ukraine to facilitate their participation in the development and implementation of policies and initiatives in the field of criminal justice reform with particular focus on the reform of the public prosecution service and further development of the legal aid system in Ukraine.

Project proposals shall aim to produce an added value to the Council of Europe efforts in this domain.

## **II. BACKGROUND INFORMATION ON THE COUNCIL OF EUROPE PROJECT**

The purpose of the CJR Project is supporting the primary target institutions, namely the Public Prosecutor’s Office (PPO) and the Coordination Center for Legal Aid Provision (CCLAP) under the Ministry of Justice (MoJ), to strengthen and apply their increased capacity to implement criminal justice reform, ensuring full compliance with relevant Council of Europe standards.

In particular, it aims to:

- Support implementation of the reform of the Public Prosecutor’s Office of Ukraine according to the Council of Europe standards and best practices;
- Support the free legal aid system of Ukraine in view of ensuring the access to quality legal assistance, as part of the right of access to justice in line with Council of Europe standards;
- Facilitate active public participation in the processes of reforming the PPO and strengthening the free legal aid system, enhance public confidence in these institutions.

The CJR Project partners include:

- Primary target institutions:
  - the Public Prosecutor’s Office (PPO), including the General Prosecutor’s Office, Regional and Local Prosecutors’ Offices, Council of Prosecutors, Qualifications and Disciplinary Commission of Prosecutors, National Academy of Prosecutors
  - the Coordination Center for Legal Aid Providing (CCLAP) under the Ministry of Justice (MoJ), Regional Free Secondary Legal Aid Centers, Legal Clubs in Kharkiv, Lviv, Odessa, Dnipro and Kyiv.
- Other partners:
  - civil society organisations active in the field of criminal justice and human rights.

## **III. BUDGET AVAILABLE**

The indicative available overall budget under this call for proposals is UAH 3 120 000 (three million one hundred and twenty thousand Hryvnias). The Council of Europe intends to award maximum 3 grants. Proposals for funding are therefore requested from civil society organisations for a budget between UAH 780 000 (seven hundred eighty thousand Hryvnias) and UAH 1 200 000 (one million two hundred thousand Hryvnias).

The Council of Europe reserves the right not to award all available funds, and/or to redistribute the available funds in a different manner depending on the project proposals received and on the outcome of the call for proposals.

## **IV. REQUIREMENTS**

### **1. General objective**

The grants will fund projects designed to support effective policy development, implementation and monitoring of initiatives aimed at:

- enhancing quality and accessibility of legal aid;
- strengthening effectiveness, accountability and transparency of the prosecution system;
- increasing public awareness on the relevant reforms in the areas of prosecution service and legal aid provision;
- boosting cooperation and interaction between the civil society (including legal professionals' groups) and the relevant institutions involved in the above-mentioned reform processes.

### **2. Means of action**

Projects may include:

- a. initiatives aimed at promoting dialogue and building networks between the civil society (including legal professionals' groups) and state institutions;
- b. support to evidence-based and inclusive strategy and policy development;
- c. monitoring of policy implementation and practices with a view to development of expert recommendations;
- d. awareness raising campaigns about reforms;
- e. development and implementation of targeted capacity-building activities.

Please note that the above list is not exhaustive and projects may propose other approaches, in line with the above general objective and the local needs.

### **3. Implementation period**

The implementation period of the projects should start on 1 August 2018 (see indicative timetable under Section VIII. below) and shall not extend beyond 15 January 2019.

Reporting requirements shall be completed on 31 January 2019 **at the latest**.

Projects completed prior to the date of submission of the applications will be automatically excluded.

Projects started prior to the date of submission of the applications, or to be started prior to the date of signature of the grant agreement, may be eligible. However, only those actions and consequently related costs incurred after the date of submission of the grant application could be eligible (provided that this is stated in the grant agreement concerned).

### **4. Target stakeholders**

Projects should target in particular the following key stakeholders:

- Population at large
- Civil society organisations
- Lawyers involved in legal aid scheme, prosecutors and other relevant professional groups whereby the project actions are related to the implementation of the reforms related to the prosecution service and legal aid system
- Free Legal Aid System
- Prosecution Service (including Prosecutorial self-governance and support bodies)

The above list is not exhaustive and projects may propose to target other relevant stakeholders, while keeping in mind the general objective of the Project.

## **5. Budgetary requirements**

Project proposals shall be accompanied by a draft budget (See **Template Budget, in Appendix II**) amounting to a budget between UAH 780 000 (seven hundred eighty thousand Hryvnias) and UAH 1 200 000 (one million two hundred thousand Hryvnias). Applicants should submit their budgets in UAH. Grants shall be paid in UAH and all financial reporting shall be done in UAH. The estimated budget must be consistent, accurate, clear, complete and cost-effective, in the light of the activities proposed.

Each Grantee is entitled to include a total maximum of 7% of the total budget to cover indirect costs for the management of the project implementation. By definition, indirect costs do not include the costs of staff directly assigned to the project.

Each Grantee shall also be required to contribute to the project either by way of its own resources or by contribution from third parties. Co-financing may take the form of financial or human resources, in-kind contributions or income generated by the action or project. The method of co-financing must be indicated in the budget. However, a cost breakdown of the co-financing is not required at this stage.

## **6. Further to the general objective, preference will be given to (without any order of priority):**

- Projects/actions proposed by civil society organisations with proven experience in the field of the reforms related to legal aid and/or prosecution service, including involvement in the policy development or capacity building activities related to these fields;
- Projects/actions proposed by civil society organisations with experience in implementation of donor-funded projects/actions in Ukraine;
- Projects/actions targeting conceptual and systemic elements and changes related to the quality and accessibility of legal aid and effectiveness, transparency and accountability of the prosecution service;
- Projects/actions involving regional initiatives;

## **7. The following types of action will not be considered:**

- Projects/actions providing financial support to third parties (re-granting schemes);
- Projects/actions concerning only or mainly individual scholarships for studies or training courses;
- Projects/actions supporting political parties.

## **8. Funding conditions:**

The funds for each grant should in principle be distributed as follows:

- 80 % will be paid when the Grant Agreement between the two parties is signed;
- the balance will be paid based on actual expenditures incurred, and after the presentation and acceptance by the Council of Europe of the final narrative and financial reports for the Grant implementation.

## **9. Reporting requirements:**

- **narrative reporting** requires a full narrative report, in English, on the use made of the grant and a copy of the register of the persons present during each of the activities, including names and signatures of participants;
  - An interim narrative report, in English, must be submitted during the implementation period, at the latest on 12 November 2018.

- **financial reporting** requires in particular a statement in the currency in which the Grant Agreement will be concluded (in UAH), in English, stating the payments made for the implementation of the activities, certified by the responsible financial officer of the Grantee, accompanied by “appropriate original supporting documents” (see below). The Council of Europe also requires summary translations of invoices into English. If for legal reasons the original documents must be retained by the Grantee, certified copies must be submitted with the financial statement.

“Appropriate original supporting documents” refers to signed contracts, invoices and acceptances of work (for all transactions), payment authorisation for all transactions should also be provided in case the Grantee uses such practice, and reliable evidence of payment (authorised payment order and bank statement).

As regards round tables / conferences, presenting “appropriate original supporting documents” requires submitting a programme indicating the title, dates, venue, and agenda of the event; the names of persons facilitating the event, a signed list of participants, the contracts with the owner of venue of the event (e.g. hotel) for the rent of premises, food and beverages of participants, invoices from the owner of the venue of the event for the above services, and a report on the results of the event (see narrative reporting above).

As regards consultancy services, presenting “appropriate original supporting documents” requires presentation of evidence of the outputs produced, contracts with experts and consultants containing a specific description of services to be carried out, invoices produced after the works have been performed and delivered (the qualifications of the consultants shall correspond to the nature of activities for which they are contracted).

As regards travel fees / lodging of experts and participants, presenting “appropriate original supporting documents” requires submission, where relevant, of contracts with a travel agency for travel fees and lodging, invoices of the travel agency indicating destinations, dates, ticket costs, and names of the travelling persons, a programme of the event indicating the names of the experts and signed lists of participants.

The above description is not comprehensive. Any doubt regarding the interpretation of the notion of “appropriate original supporting documents” should lead the Grantee to consult the Council of Europe.

## V. HOW TO APPLY?

### 1. Documents to be submitted:

Each application shall contain:

Compulsory documents:

- the completed and signed **Application Form** (See **Appendix I**) (in English); a provisional budget (using the template reproduced in **Appendix II** and **Appendix III Guidelines for using Grant Agreement budget templates**) (in English)
- the other supporting documents:
  - Documents (in Ukrainian) certifying the registration of the applicant as a non-governmental organisation and proving that the applicant is entitled to carry out activities described in its project proposal in Ukraine;
  - Bank /financial statements authorised by a financial officer of the NGO (in Ukrainian);

- CVs of the key personnel and experts to be involved in the project (same format for the whole team), describing in particular any relevant qualifications, professional experience and knowledge of the current situation in Ukraine, the national legislation in the fields of the call (in English);
- Contact details (full name, position, organisation name, e-mail address and contact phone number) of 3 referees.

Non-compulsory documents:

- Documents (in Ukrainian) demonstrating preliminary agreement (for instance, support letters) from the relevant beneficiary institutions on the intention to cooperate in the implementation of the project, whereby such cooperation is an important pre-condition for the achievement of the project's objectives;
- Any additional information (in addition to the information provided in the application form) on the previous projects/initiatives undertaken in the above-mentioned fields by the applicant and other documents which would be relevant, including developed materials: studies, strategies, manuals, informative materials, etc. (in English or Ukrainian).

The CoE reserves the right to exclude an application which is incomplete. Please note that no further information may be submitted after the deadline for the purposes of the evaluation, unless in response to a request for clarification from the Council of Europe.

## 2. Questions

General information about the CJR Project can be found on the website of the CJR Project: <https://www.coe.int/en/web/criminal-justice-reform/home>

Other questions regarding this specific call for proposals must be sent at the latest one week before the deadline for the submission of proposals, in English or in Ukrainian, and shall be exclusively sent to the following address: [kyiv@coe.int](mailto:kyiv@coe.int), with the following reference in subject: **Questions\_CJR grants**.

## 3. Deadline for submission

The application form, **completed and signed**, together with the supporting documents, must be submitted in electronic form (Word and/or PDF) to the following e-mail address: [kyiv@coe.int](mailto:kyiv@coe.int). Emails should contain the following reference in subject: **Applications\_CJR grants**.

Applications must be received **before 18:00 on 15 July 2018 (EET, GMT + 2)**. Applications received after the above mentioned time and date will not be considered.

## 4. Change, alteration and modification of the application file

Any change in the format, or any alteration or modification of the original application file, will cause the immediate rejection of the application concerned.

## VI. EVALUATION AND SELECTION PROCEDURE

The projects presented will be assessed by an Evaluation Committee composed of three staff members of the Council of Europe.

The procedure shall be based on the underlying principles of grant award procedures, which are transparency, non-retroactivity, non-cumulative awards, not-for-profit, co-financing and non-discrimination, in accordance with [Rule 1374 of 16 December 2015 on the grant award procedures of the Council of Europe](#).

The applicants, and their projects, shall fulfil all of the following criteria:

### **1. Exclusion criteria:**

Applicants shall be excluded from the grant award procedure where they:

- a. have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering;
- b. are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
- c. have received a judgement with res judicata force, finding an offence that affects their professional integrity or constitutes a serious professional misconduct;
- d. do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of the country where they are established.

By signing the Application Form, applicants shall declare on their honour that they are not in any of the above-mentioned situations (See **Appendix I, Item 12**).

The Council of Europe reserves the right to ask applicants at a later stage to supply the following supporting documents:

- for the items set out in paragraphs a), b) and c), an extract from the record of convictions or failing that an equivalent document issued by the competent judicial or administrative authority of the country where the applicant is established, indicating that these requirements are met;
- for the items set out in paragraph d), a certificate issued by the competent authority of the country of establishment.

### **2. Eligibility criteria:**

In order to be eligible for a grant, an applicant must:

- be legally constituted as a non-governmental organisation in Ukraine;
- be entitled to carry out in Ukraine activities described in its project proposal;
- have been active for at least 2 years in the field of human rights, criminal justice, legal aid and/or prosecution reform;
- have sufficient financial capacity (stable and sufficient sources of funding) to maintain its activity throughout the period for which the grant is awarded and to participate by way of its own resources (including human resources or in-kind contributions);
- have sufficient operational and professional capacity, including staff, to carry out activities described in its project proposal;
- have a bank account.

**Multiple applications are not allowed and shall lead to the exclusion of all applications concerned.**

### **3. Award criteria**

Applications will be assessed against the following criteria:

- the quality, relevance and added value of the project with regard to the objective of the call (40%)



- the quality, accuracy, clarity, completeness and cost-effectiveness of the application and the estimated budget (20%);
- the relevance of the experience of the applying organisation(s) and staff (40%).

## VII. NOTIFICATION OF THE DECISION AND SIGNATURE OF GRANT AGREEMENTS

On completion of the selection process, all applicants will be notified in writing of the final decision concerning their respective applications as well as on the next steps to be undertaken.

The selected Grantees will be invited to sign a Grant Agreement (See Appendix IV, for information only), formalising their legal commitments. **Potential applicants are strongly advised to read the draft contract, in particular its requirements in terms of payment and reporting.**

## VIII. INDICATIVE TIMETABLE

Phases	Indicative timing
Publication of the call	15 June 2018
Deadline for submitting applications	15 July 2018
Information to applicants on the results of the award procedure	25 July 2018
Signature of the grant agreements	30 July 2018
Implementation period	1 August 2018 – 15 January 2019

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