



CALL FOR PROPOSALS

Grants to support human rights guarantees in criminal procedure through European standards
Human Rights Compliant Criminal Justice System in Ukraine Grants 2020

Project	Human Rights Compliant Criminal Justice System in Ukraine
Awarding entity	COUNCIL OF EUROPE DG1 Directorate General of Human Rights and Rule of Law Directorate of Human Rights Human Rights Policy and Co-operation Department
Funding	Council of Europe Ukraine Action Plan 2018-2021 BH 8665
Duration	Projects shall be implemented by 15 November 2020. Final reporting requirements shall be completed by 30 November 2020.
Estimated starting date	20 August 2020
Issuance date	02 July 2020
Deadline for applications	19 July 2020

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HOW TO APPLY?

- Complete and sign the **Application Form** (See **Appendix I**)
- Attach a provisional budget (using the template reproduced in **Appendix II**)
- 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: **hrccj.ua@coe.int**. Emails should contain the following reference in subject: **Applications_HRCCJ_UA_grants**.
- Applications must be received **before 23:55, 19 July (EET, GMT+2)**.

I. INTRODUCTION

This call for proposals is launched in the framework of the Council of Europe Project “Human Rights Compliant Criminal Justice System in Ukraine – Phase I”. Its objective is to co-fund a national project aimed at supporting human rights guarantees in criminal procedure through professional capacity building.

In particular, the call for proposals is designed to select and award grants to a non-governmental organisation in Ukraine to facilitate the dissemination of knowledge and skills by the group of lawyers-trainers of the free legal aid system of Ukraine to their peers who provide the legal aid services throughout Ukraine based on European human rights standards.

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 Project “Human Rights Compliant Criminal Justice System in Ukraine – Phase I” is to provide assistance to the Ukrainian authorities in ensuring the effective functioning of the criminal justice system in Ukraine in line with European human rights standards.

In particular, it aims to further harmonise the criminal procedure legislation and practice of its implementation in line with Council of Europe standards and best practices as well as to consolidate independence, effectiveness and transparency of the public prosecution service.

Project partners include:

Primary target institutions:

- Ukrainian Parliament, Ministry of Justice of Ukraine (MoJ), Presidential Administration of Ukraine, Supreme Court (SC), Office of the Prosecutor General of Ukraine (GPO), Council of Public Prosecutors (CPP), Qualification and Disciplinary Commission of Prosecutors of Ukraine (QDCP); National School of Justice (NSJ); Prosecutors Training Center (successor of the National Academy of Prosecutors of Ukraine (NAPU)).

Other partners:

- Ministry of Interior/National Police, State Bureau of Investigations (SBI), Coordination Centre for the Legal Aid Provision (CCLAP), National Bar Association (NBA), and human rights non-governmental organizations.

BUDGET AVAILABLE

The Council of Europe intends to award 1 grant of a maximum amount of UAH 448 800 (four hundred forty-eight thousand eight hundred Hryvnias).

Subject to availability of funds and extension of the Project initial duration, 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.

III. REQUIREMENTS

1. General objective

The grant will fund a project designed to organize 2 days cascade trainings on Criminal Procedure Code of Ukraine in the Light of European Standards for newly recruited lawyers in the system of free legal aid. The trainings will be based on the preliminary developed methodology which includes the programme and hand-out materials of the event and should be carried out by the pool of pre-selected trainers by the Coordination Centre for Legal Aid Provision (CCLAP) from regions across Ukraine.

2. Means of action

Grant Projects shall include

- number of trainings to be conducted in different parts of Ukraine;
- number of lawyers to be involved (in total and per one training);
- selection criteria for the lawyers to be trained with a focus on diversity (gender, ethnic background)
- number and distribution of regions to be covered by the project;
- available training facilities and technical support;
- description of the organization process of training 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 approximately on 20 August 2020 (see indicative timetable under VIII below) and shall not extend beyond 15 November 2020.

Interim reporting requirement shall be completed by 5 October 2020 **at the latest**.

Final reporting requirements shall be completed on 30 November 2020 **at the latest**.

Projects completed prior to the date of submission of the applications will be automatically excluded. As regard projects started prior to the date of submission of the applications, or prior to the date of signature of the grant agreement, only those costs incurred after the date of submission of the grant application could be eligible (provided the agreement concerned so provides).

4. Target stakeholders

Projects should target in particular the following key stakeholders and target groups:

- CCLAP;
- trainers of the system of free legal aid;
- newly recruited lawyers of the system of free legal aid.

The above list is not exhaustive and projects may propose to target other relevant stakeholders (regional/local partners), 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 maximum of UAH 448 800 (four hundred forty-eight thousand eight hundred Hryvnias). The estimated budget must be consistent, accurate, clear, complete and cost-effective, in the light of the activities proposed.

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.

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.

6. Further to the general objective, preference will be given to:

- projects/actions proposed by civil society organisations with proven experience in the fields of the legal aid provision and/or criminal justice, including the focus on human rights aspect and involvement in the 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 involving regional initiatives in Ukraine.

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 short interim narrative report regarding the progress made and activities carried out for the reporting period as well as the activities planned for the next period;
 - a full final narrative report 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, and processed evaluation of training activities as completed by participants at the end of each training.
- **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 reserves the right to ask for 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 presentation of 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 specialities 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 presentation, 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.

IV. HOW TO APPLY?

1. Documents to be submitted:

Each application shall contain:

- the completed and signed **Application Form** in English (See **Appendix I**);
- a provisional budget in English (using the template reproduced in **Appendix II**);
- 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 for the last year authorised by a financial officer of the NGO (in Ukrainian);
 - CVs of the key personnel to be involved in the project (same format for the whole team), describing in particular any relevant qualifications and professional experience (in English);
 - contact details (full name, position, organisation name, e-mail address and contact phone number) of 3 referees.

Applications that are incomplete will not be considered.

2. Questions

General information about the Project “Human Rights Compliant Criminal Justice System in Ukraine – Phase I” can be found on the website of the Project: <https://www.coe.int/en/web/kyiv/human-rights-complaint-criminal-justice-system-in-ukraine>.

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: **hrcj.ua@coe.int**, with the following reference in subject: **Questions_HRCCJ_UA_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: **hrcj.ua@coe.int**. Emails should contain the following reference in subject: **Applications_HRCCJ_UA_grants**.

Applications must be received **before 23:55 on 19 July 2020 (EET, GMT + 2)**. Applications received after the above-mentioned 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.

V. EVALUATION AND SELECTION PROCEDURE

The projects presented will be assessed by an Evaluation Committee composed of at least two staff members of the Council of Europe and one staff member of the Coordination Centre for Legal Aid Providing.

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 non-profit organisation in Ukraine;
- be entitled to carry out in Ukraine activities described in its project proposal (according to its statutory documents);

- have been active for at least past 2 years in the fields of human rights, criminal justice and/or legal aid;
- 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 (either 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 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 the proposed staff/team (40 %).

VI. 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 III, 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.**

VII. INDICATIVE TIMETABLE

Phases	Indicative timing
Publication of the call	2 July 2020
Deadline for submitting applications	19 July 2020
Information to applicants on the results of the award procedure	29 July 2020
Signature of the grant agreements	31 July 2020
Implementation period	20 August – 15 November 2020
Interim reporting deadline	5 October 2020
Final reporting period	15-30 November 2020

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