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## APPLICANT'S GUIDELINES GRANTS PROGRAMME (GP-2014: STRATEGIC LITIGATION)

UNDER THE «STRENGTHENING NATIONAL CAPACITIES TO PROTECT THE MOST VULNERABLE  
FROM TORTURE IN MOLDOVA» PROJECT  
GRANTS FOR CIVIL SOCIETY, JUNE 2014

*These guidelines describe the rules and procedures that will guide the submission, selection and implementation of projects under the grants programme under the «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project, funded by the European Union and co-funded and implemented by the United Nations Development Programme.*

### A. BACKGROUND

The «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project is funded by the European Union and co-funded and implemented by the United Nations Development Programme in Moldova in consultations with the Office of the UN High Commissioner for Human Rights, the East Europe Foundation and the Soros Foundation – Moldova. The goal of this Project is to contribute to the prevention of torture and fighting against impunity on the whole territory of the Republic of Moldova, including Transnistrian region, especially in respect of the most vulnerable women and men with psycho-social and intellectual disabilities in mental health facilities.

The Project also aims at raising capacities of civil society organisations (CSOs) in strategic litigation on the cases of torture using available national and international mechanisms.

In order to meet this goal the «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project announces an Expression of Interest for project proposals.

### B. IMPLEMENTATION TIMEFRAME AND PROJECTS SIZE

**The implementation timeframe** for any project should be minimum 12 months. Projects may start in **August 2014 and may last till November 2015.**

The maximum amount the applicants can request under their project proposals budget should not exceed **20,000 USD** for each project. In total two projects can be funded under this Expression of Interest.

### C. ELIGIBLE PROJECTS AND ORGANIZATIONS

Project proposals should be submitted by **NGOs** registered in the Republic of Moldova, including Transnistrian region. Projects should include a range of activities to address the issues covered by the Grants Programme. The projects should describe a consistent set of activities with clearly defined operational tasks.

As an overarching goal, a particular focus will be maintained on projects that contribute to the prevention of torture and fighting against impunity on the whole territory of the Republic of Moldova, including Transnistrian region, especially in respect of the most vulnerable women and men with psycho-social and intellectual disabilities in mental health facilities.

The Applicant will be able to submit only one project proposal under this grants competition for its further consideration by the Evaluation Committee.

**The applicants eligible to submit project proposal should meet all the following criteria:**

- Be a registered not for profit organization in the Republic of Moldova, including Transnistrian region;
- Be able, according to their statute, to carry out activities in the area stipulated by the project proposal;

- Be directly responsible for development and management of the project and not to act through intermediaries;
- NGOs will be able to submit only one project proposal under this grant competition.

**Organizations are not eligible to apply and to receive financing if they:**

- Do not correspond to the above mentioned criteria;
- Were found liable for serious professional or financial mismanagement, proven by such evidence as can be recognized by UNDP Moldova;
- Are a for profit and/or state-owned legal entity, trade union, religious or political organizations;
- Have a history of failing to comply with contractual obligations in relation to other donors/financing partners.

*Together with the Application Form, the applicant should submit a statement under their own responsibility that none of the above applies to them (see. Application Form – «Applicant’s Statement»).*

**D. PROJECTS IMPLEMENTATION AREAS**

**Project proposals should focus on the development of strategic litigation** in Moldova (including the Transnistrian region, if possible) **on the cases of torture.**

As a mean of strategic litigation on the international level, successful proposals should include **submission of individual complaint(s) to the UN treaty bodies:** UN Human Rights Committee (HRC), to the UN Committee against Torture (CAT) or to the UN Committee on the Elimination of Discrimination against Women (CEDAW).

Successful proposals should also **prioritise strategic litigation on the issue of torture against women and men with psycho-social and intellectual disabilities in mental health facilities.** The applicants are advised to study the Report A/HRC/22/53<sup>1</sup> as of 1 February 2013 released by Mr. Juan Mendez, the UN Special Rapporteur of torture, which serves as a basis for the understanding of torture in mental and other health facilities, and are encouraged to draft their applications based on the issues covered in the Report. Torture in psychiatric hospitals and neurological internats (care homes), is an emerging issue in Moldova and more information about the situation in this sphere can be found in the reports of the Parliamentary Advocates<sup>2</sup> and the Pilot Ombudsperson in Psychiatric Institutions.<sup>3</sup>

Applicants should demonstrate how **gender and minorities (national, ethnic, linguistic, religious etc.) mainstreaming is ensured throughout the project proposal.** This could be done through, but not limited to, the involvement of both women and men, as well as persons belonging to minorities, into the management/implementation of the proposed project, ensuring that women, men and persons belonging to minorities will be planned beneficiaries of the project, raising gender and minority related aspects within the issues covered by the project proposal (for example, prosecutors inaction in cases of sexual abuse of women in psychiatric facilities amounting to torture, involuntary abortions/sterilization of persons of specific ethnicity in psychiatric facilities, lack of informed consent for medical treatment and medication in preferred language etc.), cooperation with NGOs of persons belonging to minorities for the purposes of project implementation etc.

The selected NGOs should also ensure visibility for the donors – EU and UNDP – and for the «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project.

Representatives of the NGOs will be invited to the training activities related to the issue of prevention and combating of torture in mental health facilities, organised within the «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project.

The project proposals should contain a range of clearly defined and connected activities that will lead to specific outcomes during a defined time frame. If applicants have secured part of the requested funding from other sources, they should include this information in the application form, within the budget section.

Applicants may wish to use the following criteria for the selection of cases for strategic litigation:

- The social impact of the violations and their relevance;
- The impact on legislation or on the abusive practices/poor law enforcement and/or on the judicial system;
- The relevance of the violations depending on the person’s nationality, ethnicity, language, religion, gender, disability, social background, financial condition, category of criminal offense etc.;

<sup>1</sup> The Report in all UN languages (Arabic, Chinese, English, French, Russian and Spanish) can be accessed following this link: [http://ap.ohchr.org/documents/dpage\\_e.aspx?m=103](http://ap.ohchr.org/documents/dpage_e.aspx?m=103)

<sup>2</sup> <http://ombudsman.md/ro/mnpt-vizite-monitorizare/conferinta-presa-violari-ale-drepturilor-omului-cadrul-institutiilor>

<sup>3</sup> [http://dis.md/wp-content/uploads/2012/02/RAPORTUL-FINAL\\_6luni-apr-sept-20121.pdf](http://dis.md/wp-content/uploads/2012/02/RAPORTUL-FINAL_6luni-apr-sept-20121.pdf)  
[http://dis.md/wp-content/uploads/2014/02/RAPORTUL-FINAL\\_9luni-oct-2012-iul-2013.pdf](http://dis.md/wp-content/uploads/2014/02/RAPORTUL-FINAL_9luni-oct-2012-iul-2013.pdf)

- The relevance of the violations depending on the involvement of several judicial actors – police, prosecutors, but also judges;
- The gravity of the infringement for the victim (material and procedural consequences, social, health, impact on professional and private life etc.).

#### **E. APPLICATION PROCEDURES**

The organizations that are interested in applying for the Expression of Interest should submit a package of documents, which include the Application Form and the documents demonstrating the legal status of the applicant, the qualifications of the persons who will be involved in organizing and administering activities, as well as any other information to demonstrate the experience and the ability of the applicant to implement the project.

The application form must include enough detailed data, in particular with respect to the means of achieving the results of the project, the benefits that it will bring and the way in which it will contribute to goals designated in this Expression of Interest.

The Application Form must also show whether or to what extent this project is based upon or complements other projects and initiatives implemented by the applicant or other partners in the same area, as well as ways for preventing the duplication of activities.

The application form should explain whether the project will lead to multiplication or spillover effects by replicating the results in other areas. Please specify whether the project is a pilot project and could be reproduced at a different level or with respect to other initiatives.

#### **F. PROJECT BUDGET**

- The budget of the project, as part of the application form, should be in US dollars;
- The budget should contain clear information about the ways the funds will be spent and a detailed breakdown of eligible expenses;
- The budget should be realistic and cost-efficient;
- The budget must correspond to the activity plan as it is described in the project proposal.

#### **Eligible expenses include:**

- Expenses for experts and personnel who will be involved in project implementation;
- Expenses for consultants;
- Transportation expenses (rent of transportation, gasoline, transportation for participants etc.);
- Expenses for the purchase or rent of equipment (new or used) which is necessary for the project, as well as expenses for services. *Expenses for purchase of equipment can only be included in the budget if they are necessary for the purposes of efficient project implementation with a strong justification for its need;*
- Expenses for the purchase of expendables and other materials required for the project;
- Expenses for events (meals, accommodation, information campaigns and awareness raising, copying, printing, interpretation and translation etc);
- Administrative expenses (communications, office rent, postal and banking services);
- Other expenses which are necessary for efficient implementation of the project.

**NOTE:** In kind contributions are not actual costs and cannot be considered as co-financing from the partner for project implementation. In kind contributions (premises, equipment, vehicles, etc.) of the organization or partner of the project implementation are to be indicated in the Application Form's «Project Description» and in footnotes in the Application Form's «Project Budget». However, in the budget of the project proposal applicant should indicate financial contribution of the partners and co-financing persons, if any.

#### **INELIGIBLE EXPENSES ARE:**

- Expenses incurred before the contract has been signed (including expenses related to project submission);
- Fines and penalties;
- Activities already financially covered by another grant programme / other persons providing financial support;
- Individual sponsorship for participation at workshops, seminars and conferences;
- Individual educational scholarships;
- Covering the current costs of an organization, unless it is clearly related to the project goals;
- Expenses that have already received funding from other sources, including the European Union and UNDP;
- Exchange rate losses.

#### **G. THE APPLICATION PACKAGE SHOULD CONTAIN THE FOLLOWING DOCUMENTS:**

- Application Form\* (which will include the requested budget and activities timeline), filled in Romanian, Russian or English. Handwritten Application Forms will not be accepted;
- Copy of the registration certificate to prove that the organization is a registered legal entity;
- Copy of the Statute of the organization;
- CVs of Project Manager, accountant and key staff, involved in project's implementation (compiled in the same format for the whole team);
- CVs of defence lawyers, experts and their written consent to be involved in the activities of the project;
- To the extent possible, a brief overview of the activities of the organization (including, if applicable, recommendation letters from other donors, developed materials: researches, strategies, training aids, newsletters, brochures; any other relevant materials/information: newspaper articles, audio-/video clips, photo reports from events, etc.);
- Other relevant materials to increase credibility of the Applicant for the donor and to complement the project justification.

\* **Application Form** and **Applicant's Guidelines** are posted on the UNDP in Moldova website (<http://www.undp.md/tenders/archive2014-onepage.shtml>). These documents can also be received by sending a request to Lidia Marchitan at the following e-mail: [lidia.marchitan@undp.org](mailto:lidia.marchitan@undp.org)

**Deadline for submission of proposals: Monday, 28 July 2014, 10.00 o'clock (Moldova local time). Applications received after the deadline will not be considered.**

The documents can be sent either by mail at: [tenders-Moldova@undp.org](mailto:tenders-Moldova@undp.org) titled as «**GP-2014: Strategic litigation**», or by post, or delivered physically in a sealed envelope (marked «**GP-2014: Strategic litigation**») to the following address: **UNDP Moldova, 131, 31 August 1989 Str., MD-2012, Chisinau, Republic of Moldova. Attention: Registry Office/Procurement.**

Applications sent by fax will be rejected. Incomplete applications will not be examined. Applications sent by mail should not exceed 5 MB in size. Applications larger than 5 MB should be split into several messages and each message subject should indicate "part x of y" besides the title «**GP-2014: Strategic litigation**» and the solicitation documents. All electronic submissions are confirmed by an automatic reply from [tenders-Moldova@undp.org](mailto:tenders-Moldova@undp.org). If you do not receive a confirmation by email, please, contact UNDP Moldova Registry Office by phone +373 (0) 22 220-045.

For additional information on the application process, please contact Mr. Evghenii Goloșceapov either by phone at: +373 (0) 22 269-119 or by e-mail at: [evghenii.golosceapov@undp.org](mailto:evghenii.golosceapov@undp.org)

#### **H. SELECTION AND EVALUATION PROCEDURES:**

Upon expiration of the deadline, a two-stage evaluation process of project proposals will take place:

**Stage I: verification of administrative compliance and eligibility of applicants** – exclusion stage. We will verify whether the Application Form is duly filled in, the package is complete, there is no conflict of interest, the project was submitted by a coalition of NGOs, compliance with the project implementation areas. **This stage is carried out by the Evaluation Committee**, which consists of the representatives of UN agencies and project's partners, and with the support of the UNDP «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project Team.

**Stage II: evaluation of project proposals.** The compliance of project proposals with the stated objectives and priorities of the Grants Programme «GP-2014: Strategic litigation» is verified. **This stage is carried out by the Evaluation Committee**, which consists of the representatives of UN agencies and project's partners. The project proposal that receive the highest total number of points will be recommended for final approval by the UNDP management.

#### **I. EVALUATION CRITERIA OF THE PROJECT PROPOSALS**

##### **I. Quality of the project:**

- The projects' contribution to achieving of the overall goals and objectives of the project «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» and the objectives of the Grants Programme «GP-2014: Strategic litigation»;
- Identification of the problem and quality of justification;
- Originality, innovation;
- Project's sustainability;
- Gender mainstreaming ensured;
- Minorities (national, ethnic, linguistic, religious etc.) mainstreaming ensured;
- Visibility for donors and for the «Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova» Project ensured.

## **II. Methodology of project implementation:**

- Correspondence of the proposed activities to the aims, objectives and expected results
- Feasibility of the calendar of activities (*proposed activities are realistic and feasible, taking into account the degree of confidence and ability of the applicant to manage the project*);
- Justification for the selection of the cases for strategic litigation;
- Legal national and international mechanisms planned to be used for the strategic litigation;
- Additional/alternative mechanisms planned to be used for the strategic litigation;
- Involvement of other actors in the strategic litigation;
- Expected changes in legislation and/or practice following strategic litigation;
- Project's implementation monitoring and evaluation methodology.

## **III. Capacity of the applicant:**

- Competence and experience of the organization in the area stipulated by the project;
- Applicant's experience in strategic litigation;
- Degree of strategic litigation expertise of the team that will implement the project (defence lawyers, experts, coordinators, etc.);
- Readiness/availability of the physical resources for the implementation of the planned activities (premises, equipment, transport etc.);
- Staff gender equality;
- Diversity among the staff: employment of persons with disabilities, persons belonging to minorities (national, ethnic, linguistic, religious etc.), discriminated, vulnerable and marginalized groups.

## **IV. Project Budget:**

- Justification of project expenses;
- Co-financing, partners' contribution (financial and in-kind);
- Organization's contribution (financial and in-kind).

*Points to be allotted per one position are from 1 to 5. Maximum allowable amount of points per one project is 120. Will be recommended for funding only those project proposals, having taken at least 75 points out of the 120 maximum.*

**Annexes:** Application Form (in Word Format) and Grants Program «GP-2014: Strategic litigation» Announcement.