



This action is funded by the European Union

**ANNEX 1**

of the Commission implementing Decision on the Annual Action Programme 2015 in favour of Egypt to be financed from the general budget of the European Union

**Action Document for the “Citizen Rights Project”**

**INFORMATION FOR POTENTIAL GRANT APPLICANTS**

**WORK PROGRAMME FOR GRANTS**

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following section concerning calls for proposals: Section 5.3.1; in the following section concerning grant-direct award: 5.3.2.

<b>1. Title/basic act/ CRIS number</b>	Citizen Rights Project CRIS number: ENI/2015/038-279 financed under European Neighbourhood Instrument
<b>2. Zone benefiting from the action/location</b>	Egypt The action shall be carried out at the following location: Cairo and country-wide; project team will be located in Cairo.
<b>3. Programming document</b>	Single Support Framework 2014-15
<b>4. Sector of concentration/ thematic area</b>	Priority Area 2: Governance, transparency and business environment
<b>5. Amounts concerned</b>	Total estimated cost: EUR 11.4 million. Total amount of EU budget contribution EUR 10 million. This action is co-financed in joint co-financing by: GIZ for an indicative amount of EUR 1.2 million. Grant beneficiaries for an indicative amount of EUR 200,000.
<b>6. Aid modality(ies) and implementation modality(ies)</b>	Project Modality - Direct management: 1) grants – call for proposal (comp.2/result 2.1); 2) grants – direct award (comp.1); 3) procurement of services (comp.2/results 2.1, 2.2 and 2.3)

<b>7. DAC code(s)</b>	15110 – Public Sector policy and administrative management 15160 – Human Rights 15170 – Women's equality organisations and institutions			
<b>8. Markers (from CRIS DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	N/A			

## SUMMARY

Egypt has undergone major political, economic and social changes during the last four years, following the revolution in January 2011 when Egyptians requested social justice and democratic reform. The new Constitution adopted in 2014 provides for the respect of human rights and a rights-based approach to empowering disadvantaged segments of the society. This project responds to priority area 2 of the SSF 2014-15, which covers cooperation to facilitate access of citizens to public services, particularly women and youth in light of these constitutional provisions.

The overall objective of this project is to contribute to the provision of rights by the Government of Egypt to its citizens as provided for in the 2014 Constitution. It will be addressed through two main components: Component 1 will strengthen the National Council for Human Rights (NCHR) towards fulfilling its mandate as National Human Rights Institution (NHRI) with a focus on institutional and operational reinforcement, strengthening the complaints office and improving awareness on Human Rights through external communication. Component 2 aims at strengthening participation of women in public life. It foresees a focus on empowerment of women to increasingly contribute to shaping the society, access to citizen rights and equal provision of specific public services to women and men and their access hereto.

The involvement of EU Member States will be sought in order to transfer EU best practices through peer-to-peer cooperation with national beneficiaries.

# 1 CONTEXT

## 1.1 Sector/Country/Regional context/Thematic area

Over the last years Egypt has witnessed a clear deterioration of the human rights situation in the country. Human Rights developments have been characterised by a clampdown on Muslim Brotherhood followers and political activists in the name of combatting terrorism, passing of laws restricting freedom of assembly, arbitrary imprisonment and pre-trial detention, as well as further attempts to shrink the space in which civil society organisation and human rights defenders can operate freely. All draft revisions of the Non-Governmental Organisations (NGO) law 84/2002 currently being discussed reflect an even more restrictive approach and aim at increasing control by the Government over civil society's actions. A revision of Article 78 of the penal code in September 2014 tightens the grip of the Government on any entity considered to threaten national security. The developments took place despite the Government's acceptance of several recommendations in the first Universal Periodic Review (UPR) held in 2010 and its partial reflection in the Constitution of 2014<sup>1</sup>, as well as the fact that Egypt is signatory to a wide number of international Human rights conventions and treaties. The preparation to the UPR 2014 was characterised by a lack of consultation and dialogue. In March 2015 at the most recent Human Rights Council meeting -HRC28- Egypt adopted 224 out of more than 300 UPR recommendations. While Human Rights activists and organisations did not take part in any of the UPR 2014 proceedings in fear that their participation might result in reprisal or possible persecution, some NGOs were present at the HRC28 proceedings in 2015.

Of particular concern is the situation of women in the country, as they face political, economic, social and cultural barriers which impede them from equal and full participation in the public life, as well as equal access to basic services. Egypt ranked 129 out of 142 in the latest Gender Gap Index<sup>2</sup> and it still performs poorly towards the Millennium Development Goal (MDG) 3 ('Promote gender equality and the empowerment of women'). In 2013 less than 24% of the total Egyptian labour force were women and the unemployment rate for women is more than twice as high than for men.<sup>3</sup> The gender gap is more pronounced at young age, with 13.4% labour participation among females aged 15–29 years as opposed to 61.4% among males.<sup>4</sup> In 2012/2013 women represented around 30% of all employees in public sectors.<sup>5</sup> A vast number of women experience verbal and/or physical sexual harassment, and violence against women is widespread, both in the private and public sphere. The prevalence rates of Female Genital Mutilation (FGM) nationwide among ever married women age 15-49 years is over 90%, but the prevalence rate among girls in the age group 15-17 years declined from 74% (2008) to 61% (2014).<sup>6</sup> A lack of awareness of women rights and socio-cultural factors remain a key challenge to increased women participation in public life, improved status, and security.

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<sup>1</sup> It includes articles protecting rights and freedom of citizens: political rights, freedom of thought, opinion, and expressions, freedom of the media, and religious freedom.

<sup>2</sup> World Economic Forum: Global Gender Gap Report 2014.

<sup>3</sup> Statistical Yearbook Labor, 2013-14, CAPMAS.

<sup>4</sup> World Bank, discussion Paper No. 1201: Micro-Determinants of Informal Employment in the Middle East and North Africa, 2012.

<sup>5</sup> Statistical Yearbook Labor, 2011/12-2012/13, CAPMAS.

<sup>6</sup> Demographic Health Survey of Egypt, 2014 – unpublished. Data source is the National Population Council.

### 1.1.1 Public Policy Assessment and EU Policy Framework

Article 5 of the 2014 Constitution lists human rights among the foundations of the State's political system. It states that citizenship, equality and equal opportunity form the basis of the relationship between the individual and the State. Article 93 (2014 Constitution) reads: "*The state shall be bound by the international human rights agreements, covenants, and international conventions ratified by Egypt (...).*" The Constitution includes specific articles related to human rights<sup>7</sup>, and dedicates several articles (i.e. Articles 9, 11, 80) to address the rights of women, children, persons with disabilities, older persons and expatriates as well as other rights.

The law refers to independent national councils mandated in the field of human rights<sup>8</sup>. Law No. 94 of 2003 defines NCHR's role as to promote and protect Human Rights.<sup>9</sup> Though the International Coordinating Committee of National Institutions for the promotion and protection of Human Rights (ICC)<sup>10</sup> has deferred its position on the status of the Egyptian NCHR since November 2012, the current rating still allocates an "A" to this institution. Nevertheless, in practice the NCHR does not fully comply with the Paris Principles of international standards that frame and guide the works of NHRIs<sup>11</sup>. Notably, adequate resource allocation and investigation powers are not entirely satisfactory<sup>12</sup>. While autonomy from the Government is formally fulfilled<sup>13</sup>, there are doubts related to its political independence. Political independence is particularly questioned given the varying level of criticism publicly expressed by NCHR with regard to Human Rights violations. According to NCHR a draft law replacing Law No. 94 of 2003 has been prepared, but is pending the election of a parliament to be enacted. The new draft law is expected to strengthen the investigation powers of the NCHR, indeed emphasising one of the six core functions of a NHRI.

Following an increase in media reporting and increased public attention on violence against women and the role of women in society, GoE amended the penal code in June 2014 to tighten legal sanctions for harassment, which includes, for the first time, a broad and detailed definition of sexual harassment. Also, female police officers have been assigned recently and are being deployed regularly to protect in particular women. The Ministry of Interior (MoI) established a new unit to address

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<sup>7</sup> It includes articles protecting rights and freedom of citizens: political rights, freedom of thought, opinion, and expressions, freedom of the media, and religious freedom.

<sup>8</sup> The law specifies independent national councils including the National Council for Human Rights, the National Council for Women, the National Council for Childhood and Motherhood, and the National Council for Persons with Disability. It sets out their structures, mandates, and guarantees for the independence and neutrality of their members. They have the right to report to the public authorities any violations pertaining to their fields of work. These councils have legal personalities and enjoy technical, financial, and administrative independence. They are to be consulted with regards to draft laws and regulations pertaining to their affairs and fields of work.

<sup>9</sup> Its functions include a) to issue recommendations and provide advice to Government on issue relating to protecting and promoting Human Rights, b) to monitor the application of international Human Rights instruments, to report on Human Rights issues in Egypt, to assist the State in preparing reports presented to Human Rights review processes in the application of international conventions, and to coordinate at international level on this issue, c) to promote Human Rights within government and with the public, d) to raise awareness and build capacity on the subject, and e) to process complaints coming from citizens on Human Rights issues.

<sup>10</sup> <http://nhri.ohchr.org/EN/Pages/default.aspx>.

<sup>11</sup> The Paris Principles identify six main criteria that these institutions should meet to be successful: 1. Mandate and competence: broad mandate based on universal Human Rights standards; 2. Autonomy from Government; 3. Independence guaranteed by statute or constitution; 4. Pluralism, including through membership and/or effective cooperation; 5. Adequate resources; 6. Adequate powers of investigation.

<sup>12</sup> The annual budget allocation to NCHR is around EUR 2.3 million, which does not allow NCHR to engage fully as its mandate requires.

<sup>13</sup> As per law 94/2003, the NCHR is under the auspices of the Shoura Council. It presents its annual reports to the President of the Republic, the head of the People's Assembly and the head of the Shoura Council.

violence against women. In terms of equality within the public sector, the Government of Egypt has introduced in recent years "Equal Opportunity Units". In close coordination with the National Council for Women (NCW), a number of ministries introduced some institutional and operational mechanism for equal opportunity within their frameworks. Some progress has also been made from a legal reform perspective, including Constitutional provisions and minor legal reforms in areas of citizenship rights and violence against women, however, a holistic vision for operationalisation across the government apparatus is lacking.

Given the above, particularly the provisions of the 2014 Constitution and specific steps taken by the current President towards protecting and promoting women, development partners recognise a certain momentum which allows addressing aspects of women participation in public life through tackling gender inequality, supporting women empowerment and securing citizen rights for women. However, despite the ratification of UN Convention on the Eradication of all forms of Discrimination Against Women (CEDAW) and the fact that social justice and equal accessibility are principles in all government policies recently launched (Plan 2030, administrative reform vision), the above-mentioned constitutional provisions and the long-term plan 2030 are not yet translated into operationalised measures.

The new EU Action Plan for Democracy and Human Rights highlights the support to national human rights institutions as a key priority. The EU Human Rights Country Strategy for Egypt includes in particular a focus on the improvement of the national framework for the protection of human rights and the functioning of the justice system. Equality between women and men is one of the European Union's founding values. In 2010, the European Commission adopted the Women's Charter, in which it renewed its commitment to gender equality and to strengthening the gender perspective in all its policies, including external assistance. The EU Strategy for Equality between Women and Men - 2010-2015 operationalises the Women's Charters and highlights the contribution of gender equality to economic growth and sustainable development.

### *1.1.2 Stakeholder analysis*

Key players among the state actors are the NCHR, the National Council for Women (NCW), the Ministry of Planning, Monitoring and Administrative Reform (MoPMAR) with its National Management Institute, the Central Agency for Organisation and Administration (CAOA) with its Leadership Institute, the Ministry of Local Development (MoLD) with its local training centres, and the Central Agency for Public Mobilisation and Statistics (CAPMAS) with its Central Department for Gender Statistics and Social Studies. The Civil Registry under the Ministry of Interior will be partner with regard to ID card provision. Additionally, a number of Ministries whose operations and services will be benefitting from gender mainstreaming, such as Ministry of Finance, Ministry of Social Solidarity, Ministry of Local Development and those concerned with the sectors selected for gender mainstreaming in public service will be important stakeholders to the project. Other stakeholders are the civil society, citizens, particularly women, suffering from human rights violations, and their respective organisations and associations. Civil Society Organisations and local authorities will also be directly targeted as implementers of project activities and be the end beneficiaries of all actions.

During the formulation phase the EU Delegation consulted with all relevant stakeholders among the Government institutions. In addition to the above

stakeholders, the consultations included the Ministry of International Cooperation (MoIC), selected key actors among the Egyptian society active in the area of human and particularly women rights and empowerment, including Civil Society Organisation and academics. The Delegation also consulted with specific development partners, such as Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), British Council, Spanish Cooperation, UN Women and the United Nations Office on Drugs and Crime (UNODC), who are currently the main development partners active in the area.

### *1.1.3 Priority areas for support/problem analysis*

The sector context reveals a need to strengthen national capacities in order to adopt better protection of fundamental freedoms and human rights in Egypt, a need also expressed by some EU Member States at the recent Human Rights Council (HRC28). Strengthening the National Council for Human Rights in fulfilling its mandate in linking the state with its people appears crucial in the current situation of the country. The NCHR is currently the only available avenue to address human rights with a state agency in Egypt. Though the impact might be limited in the short term, it is politically of strategic importance to engage with NCHR. In order to improve the human rights situation in Egypt it is indeed necessary to engage with the National Human Rights Institution of the country, transfer best practices and improve the functioning and internal governance of this state institution. Reinforcing EU support to human rights under bilateral cooperation will help establishing a regular policy dialogue on human rights with concerned Government entities and will further complement and strengthen the EU-GoE political dialogue on Human Rights. The price of not supporting the NCHR - a state institution which is mandated to hold Egypt accountable to international Human Rights law - would represent a setback in applying the EU's Human Rights policies and maintaining a dialogue on Human Rights issues.

Concerns related to the situation of women in the country reveal an important need to strengthen the role of women in public life and address gender inequalities as one element to achieve progress towards social justice. Social, economic and political empowerment has proven to be at the centre of strengthening the role of women in the society and moving towards gender equality. An important element in this process is the provision of citizenship rights through ID cards, which is the condition for exercising political rights, for accessing subsidised and social security services, direct assistance to the poor and the marginalised, and for claiming one's place in public life. While the provision of ID cards for women progresses and thereby tackles the symptoms, the root causes for the fact that large numbers of women do not access ID cards need to be thoroughly assessed and addressed. The number of Egyptian women without ID cards remains at a high of 5 million.<sup>14</sup> Also, the Government of Egypt does not have an embedded mechanism for ensuring that all its policies and programmes are gender sensitive and that state resources are equally accessible to women and men, which results in a larger number of vulnerable women and girls who are less able to access their right to public services and tailored support by the state.

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<sup>14</sup> UN Women, 2012, based on Civil Registrar and Ministry of Administrative Reform's estimated figures.

## RISKS AND ASSUMPTIONS

Risk	Level of risk	Mitigation measures
Increased instability at country and/or regional level impacting negatively the political, social and economic conditions in which the project is implemented	High	Instability is partly rooted in the lack of social and economic development prospects. The situation should improve thanks to the commitment of the Government, the alignment of stakeholders around a development agenda and the successful Economic Development Conference organised in March 2015. The situation will be closely monitored by the EU Delegation.
Discontinuation of political support to Human Rights as defined by international instruments	High	The project is designed under the assumption that the state will recognise international human rights instruments and comply with their monitoring mechanisms. This recognition and compliance has been questioned several times in recent history. The project design specifically mitigates this risk as it aims at increasing public pressure on the Government to address human rights violations and comply with international conventions.
Government commitment to address gender equality and protect women discontinues	Medium	Egypt has created a momentum to improve the situation of women in the country by commitments under the constitution towards women's rights and repeated statements by the President as well as recently launched initiatives to support women rights / empowerment. The assumption is that the current momentum will prevail given that the Government does not seem to consider women empowerment as a threat to national security and international pressure. To mitigate the remaining risk the project adopts a two-legged approach by providing balanced support to the Government of Egypt and CSOs: If one leg does not move ahead, the other one can work well. The project also raises awareness of women and the public to voice their rights before the government, thereby increasing internal pressure by domestic stakeholders and externally by the international community.
National Budget allocation to NCHR is reduced	Medium	Although advocacy for an increase in the NCHR budget allocation can be included in the activities under the project, realistic targets should be set, as this is rather unlikely given the political circumstances. This project adds approximately 30% to NCHR's annual budget allocation, which will allow NCHR to better

		fulfil its mandate. The NCHR will remain dependent on external funding as long as the national budget allocation is not increased, however, the purpose of the support is strategic.
NCHR is not politically independent and staff is politicised	Medium	There are doubts related to NCHR's political independence. Political independence is particularly questioned given the varying level of criticism publicly expressed by NCHR with regard to Human Rights violations. The project mitigates this risk by reinforcing the internal governance of NCHR through capacity building activities and technical assistance. Enhancing cooperation with CSO and the transparency of the institutions will contribute to neutral accountability. Being supported by EU Member States can also be expected to result in an increase in NCHR's self-confidence.
Corruption and fraud	High	Overall risk for corruption and fraud in Egypt is considered substantial, as witnessed by low ranking of Egypt in international transparency and corruption perception rankings, high perceived corruption in population corruption surveys, a fragmented institutional framework of anti-corruption entities, incomplete legal framework and inconsistencies in judicial treatment of corruption cases. Procurement practice favours direct award. On the positive side government has adopted an anti-corruption strategy and some streamlining of inspection agencies is underway. The design of the project will mitigate exposure to global corruption risks, through centralised implementation according to EU (/development bank) rules and specific financial procedures.

### 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

#### 3.1 Lessons learnt

Since 2011 the EU finances under the bilateral envelope the "*Promotion and Protection of Human Rights*" project (Decision 19607), which includes support to the Offices of the Ombudsman of the National Council for Women (NCW) and the National Council for Human Rights (NCHR), Institutional strengthening of the National Council of Childhood and Motherhood (NCCM), Economic and Political empowerment of women (UN Women with MoI/NCW/civil society), combatting FGM (UNDP with National Population Council NPC), Mainstreaming Human Rights into Higher Education (UNDP with the Ministry of Higher Education), and support to the Egyptian Environmental Affairs Agency (EEAA) strengthening



environmental rights. The project has been designed based on a thorough analysis of experiences from these various projects, from which strengthening NCHR and supporting women empowerment and gender equality, including combatting FGM and issuance of ID cards, emerge as the most relevant and feasible.

Lessons learned from these projects underline the relevance of the complaints offices, as their functioning is crucial to ensure protection of human rights in Egypt. The long-standing EU support to the Complaints Offices of NCHR and NCW have led to conclude that the Complaints Office of the NCHR is the most relevant of the existing complaints offices and the most likely to be sustained. However, collecting complaints needs to be accompanied by a thorough follow up of each case to provide adequate response to the complainant. Also maximum geographical coverage needs to be ensured. Both Complaints Offices, under NCW and NCHR, could so far not ensure successful referral and follow up of complaints.

Additionally, indirect implementation modalities with United Nations agencies clearly proved to reduce the leverage of EU support to strengthen EU-Government of Egypt policy dialogue in this sector, as it limits direct interaction with the beneficiaries and Government partners and usually does not ensure sufficient visibility. In sensitive and political fields such as human rights and gender equality, direct interaction and dialogue is required and therefore should be preferred if European values, policies and experiences are to be transferred. Experience also shows that while the Government of Egypt is reluctant to engage with the EU in a thorough dialogue on Human Rights, it is open to dialogue and address issues related to specific segments of the society, such as women, children and disabled.

Given the current situation, the main entry point to address human rights issues in its broader perspective with the Government of Egypt is to strengthen relations and support to the National Council for Human Rights as the National Human Rights Institution.

### **3.2 Complementarity, synergy and donor coordination**

The proposed intervention is clearly complementary to the funded actions under the ongoing *"Promotion and Protection of Human Rights"* programme and has been designed based on reflections, lessons learned and experiences from implementing this project. The proposed action particularly follows up on the support to the complaints office at NCHR, which ends in June 2015, and complements activities in support of economic and political empowerment and combatting FGM implemented under the ongoing programme. This action will also complement development and human rights approaches by civil society organisations as it adds a bilateral and structural level of intervention and policy dialogue. The EU Delegation currently supports 58 grant projects implemented by Civil Society Organisations, of which one quarter operates in the field of Human Rights more generally and of which 21% targets specifically women.

In addition, it complements a global European Instrument for Democracy and Human Rights (EIDHR) support which aims at strengthening the capacities of NHRIs around the world as well as their cooperation with regional and international networks in promoting and protecting human rights, in particular on human rights and business, and economic, social and cultural rights.

NCHR currently also receives support from other development partners, to which this action will be complementary. GIZ supports NCHR in the field of capacity

building and communication and recently confirmed its interest to continue its support to NHCR with additional funds in the areas of institutional/operational development and developing state-people relations. Since 2009 and with limited financial resources, Spain supported specifically the Research and Legislative Development Unit of NCHR, a support which ends in 2015 and of which continuation is not secured. These interventions complement other actions funded by UNDP and the OHCHR towards NCHR's independent advisory role to the Government's reporting obligations towards the various international Human Rights monitoring mechanisms.

Major initiatives to address women and gender aspects are currently implemented by UNODC in the field of violence against women, working closely with the Ministry of Justice and the Ministry of Interior. The newly established 'Violence against Women Unit' in the Ministry of Interior (MoI) is supported by UNODC and Spain. UN Women is implementing programmes strengthening economic and political empowerment of women on behalf of other donors, including major contributions from EU and smaller contributions from UNDP, UNICEF and UNFPA. These UN Women-implemented bilateral and regional programmes benefitting Egypt will be complemented by this intervention. This project also complements the EU support to combatting FGM, implemented under a joint programme by the National Population Council, as well as the projects *Institutional Capacity Building for the Central Agency for Public Mobilisation and Statistics (CAPMAS)* and *the Building the Capacity of the Training Sector* of the Central Agency for Organization and Administration (CAOA), both funded under Support to the Association Agreement Programme (SAAP). Important partners for Egypt in the field of gender equality are also some EU Member States, including UK and Spain.

### **3.3 Cross-cutting issues**

The promotion of human rights and citizen rights is at the centre of the proposed action. Furthermore, progress towards gender equality is a main objective of this intervention. While human rights are particularly addressed under component 1, empowerment of women and gender equality is specifically covered under component 2. The project addresses in all its components institutional development and accountability measures. Both components are at the centre of democratic governance and contribute to Egypt's continuing and difficult transition process to democracy. The intervention does not particularly focus on aspects of environmental sustainability, however, in all activities and the capacity-building programmes, environmental and climate change considerations will be mainstreamed as relevant. The Gender Country Profile for Egypt has been finalised in March 2015. An environmental impact assessment is not required.

## **4 DESCRIPTION OF THE ACTION**

### **4.1 Objectives/results**

The overall objective of the programme is to contribute to the provision of rights by the Government of Egypt to its citizens as provided for in the 2014 Constitution.

#### **Component 1 – Support to the National Council for Human Rights (NCHR)**

Specific objective 1: Strengthening NCHR towards fulfilling its mandate as National Human Rights Institution (NHRI)

Result 1.1: NCHR's institutional and operational capacities as well as its internal governance are reinforced

Result 1.2: Complaints services provided by NCHR-Complaints Office are reinforced and their outreach increased

Result 1.3: Awareness on human rights is enhanced

### **Component 2 - Increase women participation in public life**

Specific Objective 2: To strengthen women's role in Egyptian society and increase gender equality in the country

Result 2.1: Capabilities of women and their environment are enhanced to enjoy their rights in the Egyptian society

Result 2.2: Women's access to citizenship rights is improved

Result 2.3: Equal access of women and men to public services is enhanced

## **4.2 Main activities**

### **Component 1:**

Result 1.1: NCHR's institutional and operational capacities as well as its internal governance are reinforced

Envisaged activities:

- Provide management trainings to NCHR leadership and upper/middle management;
- Assist in establishing a human resource management unit and in developing NCHR's human resource management capacities;
- Strengthen the NCHR internal referral and work-flow processes between different departments;
- Strengthen NCHR-internal communication systems between its centre and local branches;
- Assist in establishing a legal aid department in line with the provisions of the 2014 Constitution and strengthen the research and legislative development unit.

Result 1.2: The complaints services provided by NCHR-Complaints Office are reinforced and their outreach increased

Envisaged activities:

- Determine the needs to improve the current complaint system with a focus to increasing geographical coverage and reaching out to specific stakeholders;
- Implement at the central and local level an action plan for reinforcing complaint services, including analysis and reporting;
- Determine the needs to improve the existing process for referral of complaints to relevant departments/services;
- Develop and implement relevant measures to improve case-processing and the institutionalised follow-up procedure with complainants and concerned departments.

Under this result of the project also falls the purchase of two additional mobile units to allow for operations in a larger number of Governorates. Mobile units are small buses transformed into 'mobile offices', which move regularly to the most remote areas in Egypt, where they provide the opportunity to the people to easily file a complaint. The NCHR-mobile unit teams work with the staff of the NCHR local branch, if available, and always in close cooperation with local civil society organisations. Focus will be on increasing outreach in the 7 local NCHR branches and to identify specific stakeholders, such as the youth and children.

**Result 1.3:** Awareness on human rights is enhanced

Envisaged activities:

- Design and implement an action plan for strategic communication with the Government, civil society and the general public;
- Train concerned NCHR staff on the role of communication and communication-related skills;
- Develop and implement a comprehensive awareness campaign on human rights and the role and services provided by the NCHR;
- Develop and implement a comprehensive training programme on awareness activities at the national and local level to multiply awareness activities.

**Component 2:**

**Result 2.1:** Capabilities of women and their environment are enhanced to enjoy their rights in the Egyptian society

Envisaged activities:

- Design and implement a national tailor-made training programme to increase access and participation of women in decision making process in the Egyptian public administration and in relevant sectors;
- Support community-based initiatives aiming at economic and social empowerment of women;
- Support community-based initiatives aiming at combatting all forms of violence against women.

**Result 2.2:** Women's access to citizenship rights is improved

Envisaged activities:

- Assess obstacles for women's access to national IDs and relevant citizenship documentation and formulate recommendations;
- Propose and launch implementation of specific measures for process and capacity improvements to increase women's access to issuance services;
- Design and launch campaigns to raise awareness on women rights, including the right and added value of having a national ID.

**Result 2.3:** Selected public services are gender-sensitive and are equally accessed by women and men

Envisaged activities:

- Prepare and implement an action plan to improve institutional and human capacities to collect, analyse, and disseminate gender-disaggregated data;
- Identify public services for embedding gender mainstreaming functions with the aim to improve gender sensitivity of the services' cycle and to ensure equal accessibility
- Launch implementation of processes and tools to operationalise a gender sensitive approach across the cycle of public services (budget allocation, design, delivery of service);
- Implement a capacity building and awareness programme for a gender-sensitive approach and gender mainstreaming in the delivery of the public services/sectors;
- Assist in developing a strategy for upscaling the integration of gender mainstreaming and gender sensitive approaches into the delivery of public services and resource allocation.

### 4.3 Intervention logic

Support to the National Council for Human Rights is based on the assumption that a strong National Human Rights Institution will better allow the citizens of Egypt, the 'right holders', to access rights-based services and find an avenue to take the state on charge. It also assumes that a strong NCHR will be in a better position to advocate for Human Rights with the Government. To strengthen NCHR across all departments and units institutionally and operationally, the intervention will focus on ensuring functioning work processes implemented by adequately trained staff and qualified leadership, and will focus on putting in place an appropriate institutional structure to fulfil the Council's mandate. NCHR particularly envisages the establishment of a legal aid department on the basis of Article 99 of the 2014 Constitution<sup>15</sup> to add legal investigation to its mandate. Institutional and operational improvements across NCHR combined with a particular focus on increasing the geographical outreach of the complaints office's services as well as the institutional follow-up process will allow an enhanced monitoring of human rights violations and addressing individual cases. This combination is also expected to improve NCHR-internal cooperation and effectiveness, and consequently to increase the quality of the core tasks of NCHR. This approach is complemented by a particular focus on external communication, thereby strengthening NCHR's function as a link between the state and its people, through the implementation of a comprehensive awareness campaign.

The project will implement a 'national women empowerment programme' for women who have the potential to be influential in public life. This intervention will focus on improving women's capabilities, knowledge and skills in leadership, public policy and management as well as other relevant areas. The purpose is to capacitate women to be promoted to leadership and top management posts as well as to increasingly affect decisions in the society. Women in government sectors and civil service at central and local level will be targeted, as well as particular young women from all walks of life, including media, businesses and SME, civil society organisations, social activists, etc., who have a potential to become 'women champions' and an example for others. Well-defined criteria for selecting targeted women will be

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Art. 99/constitution 2014: 'The national Council for Human Rights may file a complaint with the Public Prosecution of any violation of these rights, and it may intervene in the civil lawsuit in favor of the affected party at its request.'

developed. An added-value of the project will be that it supports the GoE in establishing the tools for the identification of talented women and women with potential to lead and shape the society. Additionally, specific support to community-based approaches towards social and economic development of women as well as support to combatting violence against women will contribute to empowering women to increasingly shape their social and economic life and play a role in public life.

Increasing the number of women possessing ID and citizenship documents will also contribute to strengthening their participation in public life. Targeted are those women, who have difficulties accessing the service due to the process and/or cultural impediments, or who are unaware of the necessity to have an ID as a constitutional right. The increase in provision of ID cards for women, a citizenship right to anyone born to an Egyptian father or an Egyptian mother, will contribute to women increasingly accessing their political rights and socioeconomic services, especially subsidised services, social security, pension schemes, public health, etc. The proposed intervention will be closely linked to the national citizenship initiative ("Securing Rights and Improving Livelihoods of Women") (SRILW) not only through increasing its outreach to an additional number of poor and marginalised women, but also by developing sustainable capacities through which national partners process and deliver ID issuance.

The project will also support Egyptian women to increasingly access public services and state-allocated resources which are fair, equitable, and tailored to their needs related to their demographic and socioeconomic characteristics. A mechanism for gender mainstreaming will be operationalised in selected sectors and will be introduced into the entire cycle of public services. This will cover institutional development and human capacity building to produce gender-disaggregated data, to introduce gender analysis, gender impact assessment, gender-responsive budgeting, and to adopt a gender-sensitive approach in services design and evaluation.

In this sub-component the project will focus on key sectors of priorities linked to specific public services for adopting gender sensitive approaches. Priority will be given to public services/sectors which serve large number of women and/or which have special features that should be tailored to women, such as health and educational services, pension schemes, infrastructure and housing services. Dimensions which affect the fairness of distributing resources will be considered, such as equality between women and men in distributing subsidised price-exempted services to specific segments such as those with limited or not income. In addition to the sectorial focus, geographical targeting will also be considered to focus on those women in poor and informal areas. Linked to the above, Egypt needs to avail gender disaggregated data and analysis. The project will support the development of the existing national capacities in this respect.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

## **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

## **5.3 Implementation modalities**

### *5.3.1 Grants: Call for proposals (direct management): 'Support to economic and social empowerment of women and combatting violence against women'*

#### *(a) Objectives of the grants, fields of intervention, priorities of the year and expected results*

The Call for proposal will be launched towards the achievement of result 2.1 under section 4.1. Its objectives will be two-fold: To support the implementation of community-based initiatives aiming at increased economic and social empowerment of women and to support the implementation of community-based initiatives resulting in a reduction of all forms of violence against women. The types of actions to be eligible for financing are envisaged to cover the following among others: income-generating activities for women, economic skills development for women, provision of education and health services for women, such as literacy and general awareness, awareness raising on rights of women related to domestic violence and violence in public, legal, medical and social support to victims of violence, etc. Expected results include an increase in the number of women playing a more prominent role in public life, covering their specific work and family environment as well as local communities, thereby increasing their capabilities, access and participation in the Egyptian society.

The geographical scope will be defined jointly with the Government during the process of preparing the guidelines for the Call for Proposal.

#### *(b) Eligibility conditions*

Applicants will be eligible for funding if they are a legal person and are non-profit-making. They must be established in a Member State of the European Union or any state covered under the European Neighbourhood Instrument and be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

Subject to information to be published in the call for proposals, the indicative amount of the EU contribution per grant is EUR 50,000 to EUR 400,000 and the grants may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 24 months.

#### *(c) Essential selection and award criteria*

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

*(d) Maximum rate of co-financing*

The maximum possible rate of co-financing for grants under this call is 95% as the auto-financing capacity of the targeted beneficiaries is weak.

In accordance with Article 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

*(e) Indicative timing to launch the call*

The call is envisaged to be launched in the first trimester of 2017.

5.3.2 *Grant: direct award (direct management)*

*(a) Objectives of the grants, fields of intervention, priorities of the year and expected results*

The grant will cover all interventions foreseen under component 1 in support of the National Council for Human Rights. The action will cover result areas 1.1, 1.2 and 1.3, which include institutional and operational development of NCHR, particular support to the functioning of the NCHR Ombudsman Office and support to increasing awareness on human rights.

*(b) Justification of the direct grant*

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposal to the German *Gesellschaft für Technische Zusammenarbeit* (GIZ), in consortia with either the Spanish *Agencia Española de Cooperación Internacional para el Desarrollo* (AECID) and/or with other Member States administrations or implementing agencies.

Under the responsibility of the Commission's authorising officer responsible, the recourse to an award of a grant without a call for proposal is justified because the action to be implemented under this grant has specific characteristics requiring a specific type of beneficiary for its technical competencies, and its established high level of trust with the Council.

The direct award is justified given the political sensitivity of the support to the National Council for Human Rights and the need to apply a prudent cooperation with trusted partners. Over the last years GIZ and AECID have established a relationship based on mutual trust with the Council through long-term support to NCHR. GIZ supported NCHR in the field of institutional strengthening, operational development and all aspects related to communication. Among other actions, GIZ has provided important support in creating a new website, a human resources manual, a handbook for journalists working on Human Rights, and a library. AECID has supported the Research and Legislative Development Unit of NCHR.

The German *Bundesministerium für Wirtschaftliche Zusammenarbeit und Entwicklung* (BMZ) allocated recently an amount of EUR 4 million to a new governance initiative, which among others covers support to Egypt in the areas of operational strengthening and improving state-people relations. Up to EUR 1.2



million is expected to come in support of NCHR, which will contribute in form of joint co-financing to this action, in particular to result 1.1. and 1.3 as per BMZ-programming.

*(c) Maximum rate of co-financing*

The maximum possible rate of co-financing for grants under this call is 80% as the auto-financing capacity of the targeted beneficiaries is weak.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100%. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

*(d) Indicative trimester to conclude the grant agreement*

The grant is envisaged to be concluded during the last trimester 2016.

**5.3.3 Procurement (direct management)**

Subject in generic terms	Type	Indicative number of contracts	Indicative trimester of launch of the procedure
Implementation of all activities related to Component 2 'Increasing women participation in public life' (Result 2.1., 2.2. and 2.3) other than those covered under CfP: Service tender targeting EU MS public bodies/MS implementing agencies to work on a peer-to-peer approach with the Egyptian Administration	services	1	03/2016

**5.4 Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other dully substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

## 5.5 Indicative budget

	<b>EU contribution (amount in EUR)</b>	<b>Indicative third party contribution (amount in EUR)</b>
<b>5.5.1 Component 1, result 1.1, 1.2 and 1.3</b>	<b>2 500 000</b>	<b>1 200 000</b>
- Grant – direct award (direct management)	2 500 000	1 200 000
<b>5.5.2 Component 2, result 2.1, 2.2 and 2.3</b>	<b>6 500 000</b>	<b>200 000</b>
- Call for proposals (direct management), result 2.1	3 500 000	200 000
- Procurement (direct management), result 2.1, 2.2 and 2.3	3 000 000	0
<b>5.5.3 Evaluation and Audit</b>	<b>300 000</b>	<b>0</b>
<b>5.5.4 Communication and visibility</b>	<b>500 000</b>	<b>0</b>
<b>5.5.5 Contingencies</b>	<b>200 000</b>	<b>0</b>
<b>Totals</b>	<b>10 000 000</b>	<b>1 400 000</b>

## 5.6 Organisational set-up and responsibilities

Organisational arrangements under each contract with Member State public bodies/implementing agencies will be designed to ensure a clear share of responsibilities and tasks. While MoPMAR will act as main national counterpart under component 2, other entities will be assigned as focal points for specific sub-components, such as MoLD (women empowerment programme at local level as per result 2.1) and CAPMAS for the capacity development in the area of gender-disaggregated data and analysis (result 2.3). The National Council for Women will be closely associated to the implementation of component 2 of the project where ever relevant. The Leadership Institute of CAPMAS and the National Management Institute of MoPMAR will be considered as main partners in the national women empowerment programme. The EU Delegation will maintain a constant policy dialogue with national stakeholders to ensure the highest possible support and political commitment needed for successful implementation.

The programme will be governed by a Steering Committee, which will oversee and guide the overall direction and policy of the programme. It shall meet twice a year as a general principle and can be convened whenever the project's implementation requires strategic decision or changes. The project steering committee shall be chaired by the Ministry of International Cooperation (MOIC) and made up of representatives of the following entities:

- The National Human Rights Council (NCHR);
- The Ministry of Planning, Monitoring and Administrative Reform (MoPMAR);
- The Ministry of Local Development (MoLD);
- The Central Agency for Organisation and Administration (CAOA);

- The Central Agency for Public Mobilisation and Statistics (CAPMAS);
- A representative of the EU Delegation (observer).

The Steering Committee has the right to invite further members of any of the stakeholders whenever deemed appropriate, including representatives of the national administrations and governorates benefitting from the project, the implementing bodies as well as civil society organisations.

## **5.7 Performance monitoring and reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular, at least annual, progress reports and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.8 Evaluation**

Having regard to the importance of the action, a mid-term and a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission. The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to formulate recommendations for adjusting the project activities towards achievement of the results and objectives in light of possibly developments in the sector addressed since the formulation and first phase of implementation. The final evaluation will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that a peer-to-peer approach with MS public bodies is applied as an innovative approach.

The Commission shall inform the implementing partner at least 1 month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Indicatively, two contracts for evaluation services shall be concluded under a framework contract in October 2018 (mid-term evaluation) and July 2021 (final evaluation).

## **5.9 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements. Indicatively, two (2) contracts for audit services shall be concluded under a framework contract, which will be launched in 2018 and 2020.

## **5.10 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

The communication and visibility activities will be implemented through service contracts, making use of one of the Commission's dedicated framework contracts or another applicable procurement procedure. Indicatively, these contracts will be procured in the first semester of 2017 and in the first semester of 2019.

## APPENDIX - INDICATIVE LOGFRAME MATRIX

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action without an amendment to the financing decision. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for listing the activities as well as new columns for intermediary targets (milestones) when it is relevant and for reporting purpose on the achievement of results as measured by indicators.

	Intervention logic	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	To contribute to the provision of rights by the Government of Egypt to its citizens as provided for in the 2014 Constitution	Provisions of the 2014 Constitution related to rights of the people are explicitly operationalised in legislation	Existing Penal Code, Personal Affairs and Family Law, and Executive Regulations of the Child Law; Draft of a first VAW Law; new Executive Regulations of the Civil Service law (2015).	Amendments to Penal Code, Personal Affairs and Family Law, Executive Regulations of Child Law adopted; VAW Law adopted; Executive Regulations of the Civil Service Law adopted.	Legislative analysis	National commitment to operationalise the Constitution's provision related to the rights of the people; Parliament in place to adopt new legislation
Specific objectives: Outcomes	SO1: Strengthening NCHR towards fulfilling its mandate as National Human Rights Institution (NHRI)	Perception of Egyptians about NCHR's competence and level of factual independence	Egyptians have doubts about competence and independence of NCHR – baseline survey at inception stage	Perception of Egyptians has improved – final survey	Focus group discussions; Media	National budget allocation for NCHR maintained at the current level or increased
	SO2: To strengthen women's role in Egyptian society and increase gender equality in the country	Gap between male and female unemployment rate  % of women represented in Egypt's work force	Unemployment rate (2012): Men: 9.5 %; Women: 24.3 %; Gap: 14.8 23.9 %	Gap: 10.0 percentage points (tbc)  30% (tbc)	CAPMAS periodic report ('Egypt in figures 2014')  CAPMAS periodic report ('Egypt in figures 2014')	

Outputs	Specific Objective 1	Output 1.1: NCHR's institutional and operational capacities as well as internal governance are reinforced	% of upper/middle management staff of NCHR trained and applying new management skills	10% (tbc)	80%	- Statistics of HR management unit on training provided - Survey among training participants and other NCHR staff - NCHR institutional reporting - Survey among NCHR staff	NCHR remains committed to improve its capacities and operational functioning
			Number of specific work-processes in NCHR redesigned and functioning	0	tbd		
		Output 1.2: The complaints services provided by NCHR-Complaints Office are reinforced and their outreach increased	Percentage of resolved cases to the total number of cases received	tbd at inception phase	tbd based on baseline	- NCHR reporting on complaints referral and resolution - Survey among a representative selection of complainants	
	Output 1.3: Awareness on Human Rights is enhanced	Percentage among complaints who have heard about the mandate/role of NCHR and the complaint services	0	tbd	Survey among selection of complainants on how they learned about NCHR and the complaint service		
	Specific Objective 2	Output 2.1: Capabilities of women and their environment are enhanced to enjoy their rights in the Egyptian society	Percentage of female civil servants who participated in leadership training	39.3 % (2012) Tbc at inception stage	tbd	Gender-sensitive statistic of CAPMAS ('Men and women in Egypt')	
		Output 2.2: Women's access to citizenship rights is improved	% of Egyptian women having an ID card	80% of all women have an ID card (2012)	84% of all women have ID card (in 2020)	Civil registry/MOPMAR, based on mapping exercise	
Output 2.3: Selected public services are gender-sensitive and are equally accessed by women and men		Number of women accessing the selected service	tbd for specific service at inception stage (pending service selection)	tbd pending baseline	Annual reports by concerned authorities		