



## ANNEX 2

of the Commission Implementing Decision on the Multi-Annual Action Programme 2018-2020 for the European Instrument for Democracy and Human Rights (EIDHR) to be financed from the general budget of the Union

### **Action Document for EIDHR Human Rights Crises Facility**

#### **INFORMATION FOR POTENTIAL GRANT APPLICANTS**

#### **WORK PROGRAMME FOR GRANTS**

This document constitutes the work programme for grants in the sense of Article 110(2) of the Financial Regulation in the following sections concerning grants awarded directly without a call for proposals: 5.3.1.1.

<b>1. Title/basic act/ CRIS number</b>	<b>EIDHR Human Rights Crises Facility</b> CRIS numbers: EIDHR/2018/041-028; EIDHR/2019/041-335, EIDHR/2020/041-340 financed under the European Instrument for Democracy and Human Rights	
<b>2. Zone benefiting from the action/location</b>	Global scope (outside the EU) – countries or situations where human rights are most at risk (cf. 1.1.1) In principle, actions shall be carried out in the EU partner countries identified as target countries in awarded grants.	
<b>3. Programming document</b>	Multiannual Indicative Programme (2018-2020) for the Instrument for Democracy and Human Rights Worldwide - Commission Implementing Decision C(2018)6409	
<b>4. Sector of concentration/ thematic area</b>	Human rights and democracy	DEV. Aid: Yes
<b>5. Amounts concerned</b>	Total estimated cost: EUR 11 052 632 Total amount of EU budget contribution <b>EUR 10 500 000</b> . The contribution is for an amount of: <ul style="list-style-type: none"> <li>• <b>EUR 3 500 000</b> from the general budget of the European Union for 2018,</li> <li>• <b>EUR 3 500 000</b> from the general budget of the European Union</li> </ul>	

	<p>for 2019, subject to the availability of appropriations following the adoption of the relevant budget,</p> <ul style="list-style-type: none"> <li>• <b>EUR 3 500 000</b> from the general budget of the European Union for 2020, subject to the availability of appropriations following the adoption of the draft budget and the budget.</li> </ul> <p>This action is expected to be co-financed by potential grant beneficiaries for an indicative amount of EUR 552 632, however it is to be noted that this amount is indicative as the action may finance up to 100% of proposed projects.</p>			
<b>6. Aid modality(ies) and implementation modality(ies)</b>	<p>Project Modality Direct management – grants – direct award</p>			
<b>7 a) DAC code(s)</b>	15160 - Human rights			
<b>b) Main Delivery Channel</b>	Channel 1 – 20000 – Non-Governmental Organisations (NGOs) and Civil Society			
<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"/>	X
	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	X	<input type="checkbox"/>
	Trade Development	X	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<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	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
	<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	N/A		
<b>10. SDGs</b>	<p>Main SDG Goal: - SDG 16: promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels</p> <p>Secondary SDG Goal: - SDG 5: achieve gender equality and empower all women and girls</p>			

## SUMMARY

According to the Regulation (EU) No 235/2014 establishing a financing instrument for democracy and human rights worldwide (EIDHR): "The Union should pay particular attention to countries and urgency situations where human rights and fundamental freedoms are most at risk and where disrespect for those rights and freedoms is particularly pronounced and systematic" (recital 18).

The **EIDHR Human Rights Crises Facility** has been designed to respond to this need. In accordance, the objective of this Action is to address the most difficult human rights situations worldwide. It aims at supporting actions in a timely, flexible and reactive way through direct awards in proven situations of short-, mid- to long-term human rights crises, where the publication of a call for proposals would be inappropriate or impossible, and/or where funding organisations working for human rights and their defenders prove to be seriously hampered.

This action responds to the Specific Objective 1 of the EIDHR – Support to human rights and human rights defenders in situations where they are most at risk. While mainly targeting civil society operating inside the most difficult country contexts, this facility may also support organisations based outside the given country, such as groups that are located in neighbouring countries or within diaspora communities.

## 1 CONTEXT

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

EIDHR has been designed to be a flexible and responsive tool for human rights promotion and protection. Effective support for human rights and their defenders in situations where they are most at risk has been an EU priority since 2004 and a priority of the European Instrument for Democracy and Human Rights (EIDHR) since 2007. Support for human rights and their defenders at risk is underpinned in the current Regulation (EU) No 235/2014, Article 2.1 (b)(iii) and in Objective 1 of its Annex to which this action specifically contributes. The EIDHR is also a specialised and complementary part of the EU's response to crises, as outlined in the EC/EEAS joint communication on 'The EU's comprehensive approach to external conflict and crises' (December 2013).

In order to respond to these objectives and more specifically to the alarming and deteriorating situation of independent civil society and human rights defenders (HRDs) around the world, the EIDHR human rights crises facility (hereafter: "the EIDHR Facility") was designed. It was first introduced in the Multiannual Indicative Programme (2014-2017) for the European Instrument for Democracy and Human Rights, and the respective Annual Action Programmes 2014 (Annex 1) and 2015 (Annex 3) and the Multi-Annual Action Programme 2016-17 (Annex 3). The EIDHR Facility became operational in 2015.

#### *1.1.1 Public Policy Assessment and EU Policy Framework*

The EIDHR Facility has been designed in line with art. 2.4 of the EIDHR Regulation (EU) No 235/2014. Article 2.4 of the Regulation states that the "measures referred to in this Regulation shall take into account the specific features of crisis or urgency situations and countries or

situations where there is a serious lack of fundamental freedoms, where human security is most at risk or where human rights organisations and defenders operate under the most difficult conditions".

The Multiannual Indicative Programme (2018-2020) for the European Instrument for Democracy and Human Rights reiterates the continued and increasingly worrying global trend of shrinking space for independent civil society and HRDs, "facing an unprecedented crackdown, marked by new pieces of legislation on foreign funding, restrictions in registration or association, anti-protest laws, gagging laws and laws that criminalise online dissent and expression and block the access to websites and social media." In some cases, the access to the internet is restricted on a permanent basis. However, governments have not been the only culprits for the increasing crackdown on CSOs. Non-state actors, which include inter alia armed groups, criminal gangs, violent extremists and multinational corporations, have also been responsible, both on their own initiative and as drivers of government assaults, for an unprecedented number of attacks against CSOs which advocate for universal values that these actors firmly reject. Disinformation and misinformation campaigns and propaganda fuelled by both states and non-state actors have seriously endangered quality journalism, media pluralism and fact-checking and have largely incited to discrimination, hostility or violence. As a consequence, CSOs are inhibited from operating at full capacity, vilified, administratively harassed, closed down and sometimes expelled.

In terms of EU policy framework, support to independent civil society and human rights defenders is a key priority under the EU Strategic Framework and Action Plan on Human Rights and Democracy, adopted in June 2012 and July 2015 respectively. This Action Document focuses in particular on the following area of the Action Plan: (I) Boosting ownership of local actors: especially Actions 7-10 on 'invigorating civil society', which inter alia includes: promoting partnership with local CSOs, invigorating support to HRDs, and addressing threats to civil society space. It also contributes to areas (II) Addressing human rights challenges, and (III) Ensuring a comprehensive human rights approach to conflict and crises.

This Action is also in line with the EU Guidelines on human rights, in particular the EU Guidelines on Human Rights Defenders.

Moreover, the Action contributes to three areas of the new European Consensus for Development: (i) People - Human development and dignity, (ii) Peace – Peaceful and inclusive societies, democracy, effective and accountable institutions, rule of law and human rights for all, and (iii) Partnership.

Any actions under this Action Document shall be in line with and be implemented through a Rights-Based Approach (RBA) to development cooperation, encompassing all human rights<sup>1</sup>. It shall contribute to the implementation of the Gender Action Plan 2016-2020 (GAP II). Finally, the Action shall also respect and be implemented in accordance with the Charter of Fundamental Rights of the European Union.

---

<sup>1</sup> Cf. Council conclusions on a rights-based approach to development cooperation, encompassing all human rights, 19 May 2014, and art. 3.8 DCI. [https://ec.europa.eu/europeaid/sectors/rights-based-approach-development-cooperation\\_en](https://ec.europa.eu/europeaid/sectors/rights-based-approach-development-cooperation_en).

While due to its human rights focus the action contributes to the implementation of the 2030 Agenda and SDGs as a whole, the main direct contribution is towards the implementation of SDG 16 ('promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels') and SDG 5 ('achieve gender equality and empower all women and girls').

### *1.1.2 Stakeholder analysis*

The main stakeholders and target groups are independent civil society<sup>2</sup>, in particular Civil Society Organisations (CSOs) and HRDs, operating in difficult contexts, whether based inside or outside target countries.

According to the EU Guidelines on human rights defenders, HRDs are those individuals, groups and organs of society that promote and protect universally recognised human rights and fundamental freedoms. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realisation of economic, social and cultural rights. Human rights defenders also promote and protect indigenous peoples' rights and the rights of persons belonging to minorities. The definition does not include those individuals or groups who commit or propagate violence.

Activities foreseen under this Action Document target countries or situations worldwide where public actions in support of human rights are not possible without putting the implementing partners themselves at risk, where CSOs and HRDs are at risk, where they work under severe constraints and where they are most under pressure. This facility can be used to support organisations that are based outside the 'most at risk' country that is the focus of their activities, such as groups that are located in neighbouring countries or within diaspora communities. It can also provide support to women's organisations operating in such difficult situations.

The applicants will be primarily CSOs with no geographical requirements set a priori. Natural persons, entities without legal personality and, in exceptional and duly justified cases, other bodies or actors not identified in this paragraph, are eligible for funding when this is necessary to achieve the objectives of the instrument, as per article 11 of the Common Implementation Regulation.

Relevant national, regional and international organisations, institutions and donors involved in supporting independent CSOs and HRDs operating in most difficult contexts, EU Member States and Institutions are also among the identified stakeholders.

The final beneficiaries are individuals, independent media outlets, and the wider public in target countries who will benefit from actions addressing the particularly difficult human rights contexts.

---

<sup>2</sup> A definition of civil society and the wide range of actors it may imply is provided in the "The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations", Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, (COM(2012) 492).

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

Since its beginning, the EIDHR Facility has aimed at supporting actions in a flexible and reactive way through direct awards in proven situations of short-, mid- to long-term human rights crises, where the publication of a call for proposals would be inappropriate or impossible, and/or where funding organisations working for human rights and their defenders prove to be seriously hampered.

The concept of "most at risk" broadly refers to countries and situations marked by a serious lack of respect for and observance of human rights and fundamental freedoms, where there is a pattern of human rights violations and abuses, including gross and systematic ones, where the security of individuals is not guaranteed and there is little room for inclusion, participation, accountability and political pluralism, where civil society operates under difficulty or individual human rights defenders face specific risks and are in extremely vulnerable situations.

This includes countries that are in a crisis situation or other exceptional . This can also include situations where there is no EIDHR Country Based Support Scheme (CBSS) budget allocation or where the CBSS is mainly used to address non-sensitive issues or 'entry points' and where a restrictive space for civil society does not allow for the existence of independent human rights projects.

In countries where a CBSS exists, actions may help the EU to address particularly sensitive issues in a timely manner that cannot be addressed under the CBSS, thus complementing EIDHR support to civil society in the most optimal way. Activities foreseen under this Action Document target priority countries or situations where public actions in support of human rights are not possible without putting the implementing partners themselves at risk.

As mentioned above, during the past years the crackdown against CSOs and HRDs has been of unprecedented nature and the situation of many independent civil society and HRDs has unfortunately deteriorated. In many countries, measures have been put in place to inhibit CSOs from operating freely, taking the form of administrative and legal hurdles for their associative action, close-down of organisations or even expulsion. HRDs in turn face increased repression by both State and Non-State Actors (such as private companies, armed groups, and violent mobs), ranging from increased surveillance, travel bans and asset freeze, physical and psychological threats, harassment, and attacks, arbitrary arrest, detention and imprisonment, and even extrajudicial execution. These independent actors, be they CSOs or individual HRDs, are often targets of smear campaigns and may be labelled 'foreign agents', or even 'terrorists'.<sup>3</sup> In addition, women's organisations and HRDs face additional threats of repressions, e.g. in the form of sexual and gender-based violence.

Therefore, the Action aims at supporting specific projects in defending human rights and their defenders where they are most at risk. In order to remain relevant and timely, focus themes and geographic areas of awarded actions may hence vary over time and on the basis of evolving needs in target countries. Awarded projects may address a variety of thematic human rights issues, however, with a particular focus on exceptional situations, HRDs under threat,

---

<sup>3</sup> See e.g. the MIP 2018-20, CIVICUS Monitor <https://monitor.civicus.org/> and ProtectDefenders.eu <https://www.protectdefenders.eu/en/index.html>.

and severely restricted human rights, whether of civil and political or economic, social and cultural nature. Awarded projects shall be gender sensitive and take into consideration specific needs of women and particularly vulnerable groups in society.

## 2 RISKS AND ASSUMPTIONS

Risks	Risk level (High/Medium/ Low)	Mitigating measures
<p>Projects implemented under this Action take place in extremely difficult, dangerous and volatile contexts. They are confronted with various political and physical risks that must not be underestimated and can have implications for the EU institutions. In the past, several third parties involved in projects have been threatened, harassed and imprisoned.</p>	H	<p>This risk needs to be closely monitored and mitigated. Personal safety of beneficiaries and partners is to be carefully assessed for all supported projects.</p> <p>Special attention will be paid to the requirements for confidentiality and security. In particular, the names of the final beneficiaries of grants and direct support <b>will not be made public</b> unless requested otherwise by the beneficiary, and proper confidentiality measures will be taken. Management of most difficult projects is centralised at EU HQ level.</p>
<p>CSOs could be confronted with fragile, crisis and risk-prone situations</p>	M	<p>HQ to tailor assistance in a way that allows CSOs to contribute to the resolution of problem.</p>
<p>Politically sensitive projects in closed environments may make assessment of projects and associated risks difficult and challenging</p>	M	<p>The adopted EIDHR Facility working methodology outlines the need for soliciting the opinion and approval of concerned EEAS and DEVCO/NEAR services, as well as EUDs when applicable. A pragmatic way of consulting concerned EUDs is put in place on case-by-case basis, in order to address potential digital security concerns (consultation in person at HQ, encrypted emails, etc.).</p>
<p><b>Assumptions</b></p>		
<p>Despite the involving risks and the volatile, potentially deteriorating situations, in which CSOs and HRDs operate, interventions are fully supported and carried out by the beneficiaries.</p>		

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

#### **3.1 Lessons learnt**

Under the EIDHR Regulation (EC) No 1889/2006 for 2007-2013, the EU supported almost 200 specific projects aimed at defending human rights and their defenders where they are most at risk, worth EUR 135 000 000. Implemented by CSOs, these projects were selected both through global and local calls for proposals focusing on HRDs. Under the EIDHR Regulation (EU) No 235/2014, the number of projects aimed at support to human rights and their defenders most at risk has been further increasing.

In addition, since 2010 the Commission has gained experience in using the EIDHR in countries declared under crisis situation and where the exceptional direct award of project was authorised and justified. It included countries on most continents, such as countries of the Arab Spring, Myanmar, Mali, Syria or Libya. The facility has been designed on the basis of these lessons learnt and the necessity to provide more systematic support in these exceptional situations.

In the period 2014-2017, fifteen facility projects have been supported. Details of grants recipients and countries of operation are understandably highly confidential. Grants have focused on countries and regions in the Enlargement region, the Eastern and Southern Neighbourhood, Central Asia, Middle East, Sub-Saharan Africa, and Asia. Both country-specific and regional projects were supported and both international and local/diaspora NGOs benefited from support as lead applicants. Actions were supported on ad hoc, ongoing and needs basis.

Concerning the relevance and impact of the facility so far, the 2017 external EIDHR Mid-Term Evaluation concluded that "the mere fact that it is able to operate in countries where support has not been able to reach before is in itself evidence of effectiveness and impact."

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

EIDHR actions complement other tools, which are used to implement EU policies for democracy and human rights. These range from political dialogue to various geographical and thematic instruments. Under the EIDHR, and especially its Objective 1, the key target groups are CSOs and HRDs and priority is given to more sensitive issues targeted by them, in line with the instrument's added value of not relying on partner governments' consent. While focusing on organisational level, short- to mid-term support, the EIDHR Facility complements the individual short-term support provided to HRDs through small grants under Objective 1 of the EIDHR.

The additional added value of this facility is to even further focus on the less covered aspect of the EU human rights and democracy support, thus ensuring a maximum coverage by the EIDHR.

With regards to the current Multi-Annual Action Programme, this action is complementary to support provided to human rights defenders (Annex 1) and to support provided to local civil society through Country-Based Support Schemes (Annex 4).

An essential point is to ensure an extensive complementarity with the operations conducted under the Instrument contributing to Stability and Peace (IcSP). Synergies will also be ensured between the EIDHR and ECHO operations, as refugees and other beneficiaries of



humanitarian relief are often also victims of grave human rights violations that need to be documented, registered and treated, while respecting the different mandates of judicial/accountability mechanisms and humanitarian action. Should there be actions relating to international humanitarian law (IHL), close coordination will be ensured with ECHO in order to ensure complementarity and avoid overlap. The action is also complementary to the development and implementation of Civil Society Roadmaps and of Human Rights and Democracy Country Strategies at country level, established in coordination with EU Member States.

In addition, complementarity is sought in relation with other donors, depending on the geographical and political context in question. The EU Delegations will be closely affiliated and will act as the main guardian of donor in-country complementarity.

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

The current action focuses on support to CSOs and HRDs so that they can promote and protect human rights of all, including in contexts of shrinking democratic and civic space. In line with the 2030 Agenda and the motto of leaving no-one behind, particular attention will be given to advancing the rights of traditionally excluded and discriminated individuals and groups, e.g. indigenous peoples, representatives of minorities, children, persons with disabilities, the elderly, refugees, internally displaced persons and migrants, including migrant workers, human rights defenders and trade unionists promoting labour rights (as targets, not only stakeholders), and LGBTI persons. Efforts will be made to reach out to victims, and CSOs and HRDs outside capitals and in remote areas. As mentioned above, the Action is in line with a rights-based approach encompassing all human rights. It is also aligned with the priorities of the Gender Action Plan (GAP) II: gender will be duly mainstreamed in all actions.

In line with Digital for Development Staff Working Document<sup>4</sup> and the Consensus for Development, analysis and deployment of digital tools for the protection and promotion of human rights will be considered.

## **4 DESCRIPTION OF THE ACTION**

### **4.1 Objectives/results**

The overall objective of this Action is to promote and protect human rights by addressing some of the most difficult human rights situations in the world.

The specific objective is to provide direct support to civil society in the promotion of human rights and fundamental freedoms in some of the world's most difficult, dangerous and unpredictable political situations and/or where they are the most vulnerable and threatened.

---

<sup>4</sup> Commission Staff Working Document: Digital4Development: mainstreaming digital technologies and services into EU Development Policy; SWD(2017) 157 of 2.5.2017; [https://ec.europa.eu/europeaid/sites/devco/files/swd-digital4development\\_part1\\_v3.pdf](https://ec.europa.eu/europeaid/sites/devco/files/swd-digital4development_part1_v3.pdf)

As a result, independent civil society and HRDs are able to operate in some of the world's most difficult contexts, and are empowered to address particularly severe human rights challenges in a timely manner.

This programme is relevant for the Agenda 2030. It contributes primarily to the progressive achievement of SDG Goal 16: promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, but also promotes progress towards Goal SDG 5: achieve gender equality and empower all women and girls.

## **4.2 Main activities**

This Action will support activities funded through direct awards in the most difficult conditions or situations where the publication of a call for proposals would be inappropriate.

The European Commission can directly award grants to finance actions in the most difficult conditions or situations, referred to in Article 2(4) of the Regulation (EU) No 235/2014. Such grants will not exceed EUR 1,000,000 and their duration will be up to 18 months, with the possibility to extend by a further 12 months in the event of objective and unforeseen obstacles to their implementation.

The gravity of the situation and the effectiveness of the action will be the key considerations for assessing and prioritizing project proposals.

While all human rights issues are potentially eligible for support, the past experience shows that the EIDHR Facility has primarily supported independent civil society in the following areas: freedom of expression and opinion (including cultural expression) online and offline, access to information, freedom of assembly and association, freedom of (academic) thought, and access to independent and impartial justice and legal assistance.

The types of activities to be undertaken should be gender sensitive and could include (non-exhaustive list):

- Documentation, monitoring and reporting, including trial monitoring;
- Legal assistance;
- Developing and disseminating customised resources and tools;
- Customised capacity building, training, technical assistance, advice, including e.g. in digital and physical security and thematic and functional human rights matters;
- Support to peer-to-peer learning and exchanges;
- Advocacy, awareness raising and public campaigning;
- Organisation of thematic workshops;
- Re-granting.

## **4.3 Intervention logic**

The intervention logic for this Action Document is to respond to the need to ensure flexible, timely and confidential financing for situations which are out of ordinary. For this reason, it is important not to fix or prescribe thematic or geographic focus in advance. The intervention logic is built on the legal provisions given in the EIDHR and the Regulation laying down the common rules and procedures for the implementation of the Union's instruments for financing external action (CIR) to provide direct awards to CSOs through a negotiated procedure. Negotiation allows that concerns and timely adjustments of both sides can be addressed and

where input by concerned services at EEAS, DEVCO/NEAR and EU Delegations can be integrated thanks to internal consultation. This process has been described in the internal 2015 Working methodology for the EIDHR Facility, in order to ensure policy coherence and to limit risks.

In terms of scope of the projects to be financed under this Action Document, the intervention logic is primarily focused on support at local or national level. However, considering that some CSOs and HRDs cannot operate in-country, actions supporting diaspora groups and/or regional efforts to promote peer-to-peer exchanges are deemed necessary and useful.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country.

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 78 months from the date of adoption by the Commission of this Action Document.

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**

Both in indirect and direct management, the Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures affecting the respective countries of operation.<sup>5</sup>

#### **5.3.1.1 Grant: direct awards (direct management)**

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

The aim of the human rights crises facility aim is to finance actions in the most difficult conditions or situations referred to in Article 2(4) of the Regulation (EU) No 235/2014, where the publication of a call for proposals would be inappropriate, and, where appropriate, without the need for co-funding. This facility will operate in complementarity with other thematic and geographic instruments.

The facility will prioritize actions in countries where there is an objective difficulty in funding organizations working for human rights and their defenders, and where there is a proven situation of human rights crisis. The grants under this component shall not exceed EUR 1

---

<sup>5</sup> [https://eeas.europa.eu/sites/eeas/files/restrictive\\_measures-2017-04-26-clean.pdf](https://eeas.europa.eu/sites/eeas/files/restrictive_measures-2017-04-26-clean.pdf)

000 000 and shall have a duration of up to 18 months, which may be extended by a further 12 months in the case of objective and unforeseen obstacles to their implementation.

(b) Justification of a direct grant

As per Article 6(c)(ii) of CIR, under the responsibility of the authorising officer by delegation, the recourse to an award of a grant without a call for proposals is justified for EIDHR actions that aim to provide low-value grants to human rights defenders to finance urgent protection actions and to finance actions in the most difficult conditions or in situations referred to in Article 2(4) of Regulation (EU) No 235/2014 where the publication of a call for proposals would be inappropriate and, where appropriate, without the need for co-funding.

In addition, under the responsibility of the authorising officer by delegation, the recourse to a direct award without a call for proposals may be justified:

- (a) for the purposes of humanitarian aid and civil protection operations or for crisis management aid;
- (b) in other exceptional and duly substantiated emergencies;
- (c) to bodies with a de jure or de facto monopoly, duly substantiated in the award decision;
- (d) for actions with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative power, on condition that the actions concerned do not fall within the scope of a call for proposals.

(c) Eligibility conditions

The eligibility criteria for applicants will be the default scope defined in Article 11.2 of CIR.

(d) Essential selection and award criteria

The essential selection criteria are the 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.

(e) Maximum rate of co-financing

The maximum possible rate of co-financing for this grant is 95 %.

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.

(f) Indicative trimester to conclude the grant agreement

Grant agreements are foreseen to be concluded between the third trimester of 2018 until the third trimester of 2021.

#### **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.

## 5.5 Indicative budget

	<b>EU contribution (amount in EUR)</b>	<b>Indicative third party contribution, in currency identified</b>
5.3.1.1 – Direct grant (direct management)		EUR 552,632
<i>Direct grants under the Human Rights Crises Facility</i>		
<i>On 2018 EU Budget</i>	3,500,000	
<i>On 2019 EU Budget</i>	3,500,000	
<i>On 2020 EU Budget</i>	3,500,000	
<b>Totals</b>	<b>10,500,000</b>	<b>11,052,632</b>

## 5.6 Organisational set-up and responsibilities

The activities will be directly managed by the European Commission Headquarters. The European Commission's relevant services have set up an inter-service working methodology and operationalisation of the EIDHR Human Rights Crises Facility 2014-20, adopted in 2015<sup>6</sup>. It outlines the purpose, legal basis and working conditions for internal consultation, as well as the importance of addressing communication and confidentiality concerns.

## 5.7 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of projects resulting from the EIDHR Facility 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 progress reports (not less than annual) and final reports. This monitoring and reporting shall be gender sensitive and take into consideration gender mainstreaming. 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, disaggregated by sex, using as reference the logframe matrix (for project modality) or the list of result indicators (for budget support). 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 final report, narrative and financial, will cover the entire period of the action implementation.

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).

<sup>6</sup> Working Methodology for the New Human Rights Crises Facility under the European Instrument for Democracy and Human Rights 2014-2020, 2015, Ares(2015)2465677.

## 5.8 Evaluation

Having regard to the importance of the action, final evaluations will be carried out for this action or its components via independent consultants contracted by the Commission or via implementing partners.

Final evaluations will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that actions targeting Objective 1 of EIDHR are on the increase at the HQ and EU delegation levels. Any evaluation undertaken shall be gender sensitive and take into consideration gender mainstreaming.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

## 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.

The financing of the audit shall be covered by another measure constituting a financing decision.

## 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.

**However, the visibility requirements of some of the projects financed under this Action Document will be removed or limited due to the total or partial confidentiality of the Action, and the beneficiaries may not be requested to submit a communication plan. The beneficiaries will comply with the rules on visibility to the best possible extent.**

## APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY) <sup>7</sup>

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, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	OO: To promote and protect human rights by addressing some of the most difficult human rights situations in the world.	Civil society and HRD engagement on human rights in some of the most difficult human rights situations in the world, disaggregated by sex.  Recognition by international, regional and national human rights mechanisms of the operating environment of civil society and HRDs and their contributions.	Baseline studies per country/context concerned (reference year tbc as per contract start date).  UN, regional and national baselines on civil society operating space in concerned target countries/regions. (reference year tbc as per contract start date).	To be drawn from partners' strategy.	Civil society and HRD reports (e.g. CIVICUS Monitor, Freedom of the World -report, World Press Freedom, ProtectDefenders.eu).  Reports by UN Special Rapporteurs, resolutions adopted by UNGA and UNHRC, UPR reports, UN Treaty Body reports, reports adopted by regional and national human rights mechanisms, SDG implementation reports.  Media reports.	

<sup>7</sup> Mark indicators aligned with the relevant programming document mark with '\*' and indicators aligned to the EU Results Framework with '\*\*'.

<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><b>Specific objective(s): Outcome(s)</b></p>	<p>SO: To provide direct support to civil society in the promotion of human rights in some of the world's most difficult, dangerous and unpredictable political situations and/or where they are the most vulnerable and threatened.</p> <p>Intermediary OC: Independent civil society and HRDs are able to operate in some of the world's most difficult contexts, and are empowered to address particularly severe human rights challenges in a timely manner.</p>	<p>Number and nature of actions financed through a direct award and negotiated procedure targeting some of the world's most difficult situations, paying particular attention to gender sensitivity.</p> <p>Number of CSOs and HRDs empowered to operate in such situations, disaggregated by sex.</p>	<p>Existing data on the operating space for civil society and HRDs around the world (2017 or later).</p>	<p>Approximately 4-6 actions per annual allocation (in total 12-18 actions pending requested EU contribution per action)</p>	<p>Project partners' annual interim and final reports.</p>	<p>Despite the involving risks and the volatile, potentially deteriorating situations, civil society and HRDs continue engaging on human rights.</p> <p>Consulted services are supportive of direct awards to civil society and HRDs following consultation.</p> <p>Civil society and HRDs are willing to carry out activities and adapt to circumstances, despite potential evolving situation.</p>
<p><b>Outputs</b></p>	<p>Non-exhaustive and indicative list of outputs to be adapted case-by-case:</p> <ul style="list-style-type: none"> <li>• Documentation, monitoring and reporting, including trial monitoring undertaken;</li> <li>• Legal assistance provided;</li> </ul>	<p>Number and nature of activities successfully and effectively undertaken, contributing to CSOs' and HRDs' enhanced and improved skills, use of</p>	<p>Idem as above.</p>	<p>To be determined at the level of each project / action.</p>	<p>Idem as above.</p>	<p>Project partners are able to undertake activities in-country or</p>



	<ul style="list-style-type: none"> <li>• Customised resources and tools developed and disseminated;</li> <li>• Customised capacity building, training, technical assistance, advice, including e.g. in digital and physical security and thematic and functional human rights matters developed and held;</li> <li>• Support to peer-to-peer learning and exchanges put in place;</li> <li>• Advocacy, awareness raising and public campaigning undertaken;</li> <li>• Organisation of thematic workshops;</li> <li>• Re-granting effectively realised.</li> </ul>	<p>tools, and adoption of mitigating methods to respond to various threats and circumstances.</p> <p>Design and implementation of gender sensitive activities.</p> <p>Participation in activities to be disaggregated by sex and any other category of relevance in particular geographic or thematic context.</p>				<p>outside, and to adapt to evolving situations, throughout the project cycle.</p>
--	--	--	--	--	--	--