

**Guidelines for Applications to the Special Fund of the Optional  
Protocol to the UN Convention against Torture for 2015  
(version of 18 August 2014)**

**The call for applications for 2015 is open from 18 August to 17 October 2014\***

**I. ABOUT THE OPCAT SPECIAL FUND**

1. The Special Fund (hereinafter: “the Fund”) was established pursuant to article 26 of the Optional Protocol to the UN Convention against Torture. The purpose of the Fund is to help finance the implementation of the recommendations made by the Subcommittee for the Prevention of Torture (SPT) after a visit to a State party to the Optional Protocol, as well as education programmes of National Preventive Mechanisms (NPMs). The Fund receives voluntary contributions from governments, intergovernmental and non-governmental organizations and other private or public entities.
2. The Fund is managed by the United Nations Office of the High Commissioner for Human Rights (the “Fund Manager”), in conformity with the United Nations Financial Rules and Regulations and the relevant policies and procedures promulgated by the Secretary-General. The Fund is administered, on an interim basis, by the Grants Committee of the Office of the High Commissioner for Human Rights (OHCHR).

**II. ADMISSIBILITY OF PROJECTS**

3. As a rule, applications may be submitted by:
  - States parties having been visited by the SPT in the context of a regular visit following which the State party has agreed to the publication of the SPT visit report, and NPMs of these State parties;
  - States parties or NPMs which, having been visited by the SPT in the context of an NPM Advisory Visit, have agreed to the publication of the subsequent SPT report addressed to them.
4. Applications may be submitted by national human rights institutions that are compliant with the Paris Principles and by non-governmental organizations if the proposed projects are implemented in cooperation with the entity responsible for implementing the recommendations made by the Subcommittee on Prevention of Torture, be it the State party or NPM.
5. Applications should relate to recommendations contained in public SPT visit reports and focus on implementation of the country-specific thematic priorities as set out in the annex to these Guidelines.
6. Applicants may request grants of up to US\$ 35,000 for project applications implemented between 1 January 2015 and 31 December 2015. Only one application per applicant may be considered admissible. All previous grants received by the same applicant should be closed at the deadline established for the 2015 Call for Application. As a transitional process, returning applicants who benefited from a grant under the 2014 Call for Applications and whose project implementation is scheduled to end in the course of 2015 can only submit proposals for the period following the date of termination of their current project and 31 December 2015.

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\* A full list of eligible countries for the 2015 Call for Applications is provided in the annex to these Guidelines (as at 18 August 2014).

7. Within the criteria highlighted above, all applications will be given fair and equitable consideration regardless of the geographic location of the applicant or the location of the proposed activities.

### **III. TYPE OF PROJECT**

8. Projects should aim to contribute to the implementation of country-specific thematic priorities identified in the context of the yearly call for applications, in consultation with the Subcommittee on Prevention of Torture (see annex for a list of these thematic priorities). In addition, projects proposed that aim to address other specific recommendations contained in the visit reports and describing a pressing and compelling need can be considered.
9. Applicants are encouraged to submit sustainable projects that have a multiplier effect, a potential for replication, or lay foundations for change. In addition to assistance for the establishment and consolidation of national preventive mechanisms, financial support may be provided for trainings on torture prevention of the judiciary and for personnel of detention centres and other relevant institutions. The Fund also provides assistance for the design of training materials and tools, such as registers, manuals and handbooks for use by custodial institutions and the judiciary.
10. Applications should demonstrate a coherent set of activities with defined operational objectives, target groups, planned outcomes and detailed related costs per activity.
11. Projects should ideally be funded from multiple sources.

### **IV. HOW TO APPLY**

12. All applications must be submitted anytime between **18 August to 17 October 2014** in English, French or Spanish, using the templates available on the website of the OPCAT Special Fund.
13. Applications which do not contain the following documents will not be considered admissible:
  - 2015 application form
  - 2015 budget form
  - Banking information form
14. Applicants may submit a letter of reference to support their application.
15. All fields in the application documents must be completed in order for the project to be considered for funding, and attachments (CVs, letters of reference etc.) should be listed at the end of the form.
16. The documents should be sent in a scanned form (PDF) bearing the signature and/or seal of the applicant institution/organization. It should be accompanied by the original document in its .txt/.doc/.docx and .xsl/other format (for translation purposes).
17. All applications should be sent by email to [opcatfund@ohchr.org](mailto:opcatfund@ohchr.org) and received by **17 October 2014**. No applications will be accepted after the deadline.
18. State institutions applying for a grant are requested to inform their respective Permanent Mission in Geneva of their application.

## V. ELIGIBLE COSTS

19. Only eligible costs can be taken into account. These costs must:
  - Be necessary and relevant to the implementation of the activities of the project;
  - Represent expenditures to be incurred by the applicant during the implementation period;
  - Be recorded in the applicants' accounts or tax documents, be identifiable and verifiable and be backed by original supporting documents;
  - Correspond to local market rates.
20. Eligible costs may include:
  - The cost of staff assigned to the project. CVs of staff to be paid under the Fund's grant should be attached to the application as well as detailed terms of references of the staff involved in the project. Salaries can be only covered if the tasks to be performed are essential to the implementation of the project's activities;
  - Procurement of materials and equipment strictly essential for the achievement of the objectives of the project;
  - The cost of consumables and supplies;
  - The cost of travel and accommodation for trainers and participants to trainings;
  - Any other relevant cost deemed essential for the achievement of the objectives of the project.
21. The following costs are not eligible:
  - Indirect costs (overheads) as a lump sum;
  - Debts and provisions for losses;
  - Interest owed;
  - Items already financed in another framework, project, or by another donor;
  - Currency exchange losses;
  - Contingency reserve.
22. The proposed costs must be realistic. Any excessive, unrealistic or unjustified estimation will exclude the project from financing.
23. First time grantees and those seeking grants of more than US\$25,000 should include in their budget a line for an independent audit of the financial accounts related to the use of the grant. The audit on the use of the grant must be carried out by a certified external auditor. The costs relating to the audit may be covered by the grant, but should not exceed eight percent of the project budget. The Secretariat reserves the right to select or oversee the selection of the external auditor. If the audit report is not drafted in one of the official languages of the United Nations, an English translation should be provided.
24. The Fund Manager may randomly select grantees for an independent audit regardless of the number of the grants received by the grantee from the Fund in the past.
25. For grants below US\$ 25,000 a financial report certified by the responsible person of the organization should be provided. The financial reports on the use of the grant are presented in the same format as the grant budget and include the certification by an authorized official that "Funds were used for the purpose for which they were approved."
26. An estimate of all activity costs, including audit costs, needs to be provided using the 2015 budget template. The Fund Manager reserves the right to fund part or the totality of the requested grant. Information on other sources of funding should be provided if projects are to be financed from multiple sources.

## **VI. SELECTION PROCESS**

27. The applications will be evaluated by the Fund Manager through its Grants Committee.
28. For assessing the capacity of first-time applicants to implement projects, field visits to the projects may be conducted by the Fund Secretariat or by UN field presences.
29. The Fund Secretariat or the relevant OHCHR field presence may also undertake evaluation visits to ongoing projects.
30. The OHCHR Grants Committee will review admissible applications and will make final recommendations on the awarding of grants.

## **VII. PAYMENT OF THE GRANT**

31. Selected applicants (“grantees”) will be offered a contract (Grant Agreement) to be signed with the Fund Manager (OHCHR). This will contain conditions on the use of the grant and reporting requirements will be specified, including the requirement to submit to the Fund Manager a final report of activities and a final statement of expenditures at latest two months after the completion of activities, and audit report if this required. For projects of an implementation period of 12 months, mid-term reporting is required.
32. Grant payments can only be made by bank transfer to an authorised bank account in the name of grantee’s institution/organization, which is responsible for the management of the expenditures. Please note that grants are paid in US dollars by bank-to-bank transfer, the organization’s bank account should therefore be able to receive foreign payments in this currency. For this reason, information about the organization’s bank account to which payment of the grant will be made should be provided at the time of application, and non-inclusion of this information on the appropriate form provided will lead to automatic rejection of the project.
33. As customary for OHCHR grants, 80% of the grant will be paid upon signature of the Grant Agreement and the remaining 20% upon receipt of satisfactory final narrative and financial reports.
34. Any questions regarding the application process may be sent to the Fund Manager at [opcatfund@ohchr.org](mailto:opcatfund@ohchr.org).

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## Annex – List of Eligible Countries and Thematic Priorities

### I. ELIGIBLE COUNTRIES (AS AT 18 AUGUST 2014)\*

*State parties having published their reports following a regular SPT visit:*

- Argentina
- Benin
- Brazil
- Honduras
- Kyrgyzstan
- Maldives
- Mali
- Mexico
- Paraguay
- Sweden

*NPMs having published their reports following an SPT advisory visit:*

- Honduras
- Senegal

*State parties and NPMs having published their reports following an SPT advisory visit:*

- Germany
- Republic of Moldova

### II. THEMATIC PRIORITIES

For 2015, the following thematic priorities have been identified by the SPT for each eligible country. In addition to these specific priorities, projects addressing any other specific recommendation contained in the SPT visit report that the applicant considers to address a pressing and compelling need could also be considered. The Fund Manager reserves the right to decide, whether in its view, such a pressing and compelling need has been demonstrated.

#### Argentina

- Strengthening of and support to the federal and state-level NPMs, particularly through training of NPM members;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment in prisons, particularly through training and the development of manuals and handbooks for prison officials to strengthen their knowledge about, and respect for, the rights of the detainees and encourage a civilian governance of prisons;
- Training programmes to strengthen understanding by the judiciary, prosecutors and lawyers of the absolute prohibition of torture and other cruel, inhumane and degrading treatment or punishment under international law.

#### Benin

- Implementing safeguards against torture and cruel, inhuman and degrading treatment in police custody, including training and the development of manuals and handbooks for law enforcement personnel to strengthen their knowledge about and respect for the rights of the detainees;

\* Only applications received in relation to SPT visit reports made public two months before the issuance of the Call for Applications can be received.

- Developing nationwide standardized and unified police records;
- Reduction of overcrowding in places of detention through the processing of cases of remand detainees and the development of a computer-based program, allowing the monitoring of progress of legal proceedings for pre-trial detainees and the date of release of sentenced detainees;
- Integration of educational activities for detainees into the management of prisons, in particular for women and children;
- Building on work accomplished by past projects, notification of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages, to be handed out to persons deprived of their liberty, and posters to be put up in places of detention.

### **Brazil**

- Strengthening of and support to National Preventive Mechanisms;
- Notification of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages, to be handed out to persons deprived of their liberty, and posters to be put up in places of detention;
- Developing standardized and unified police records;
- Training programs for detention personnel;
- Promoting detainees' right to legal counsel from the very outset of deprivation of liberty and during all stages of criminal proceedings;
- Provision of socio-education programs to juveniles in detention, to assist in their reintegration into society.

### **Germany**

- Strengthening of and support to the National Preventive Mechanism, particularly through joint training of members and staff;
- Strengthening of and support to the National Preventive Mechanism to (a) make its mandate and work better known to the general public, (b) ensure that the National Preventive Mechanism is recognized as a key component in the country's system for prevention of torture and ill-treatment, (c) contribute to making the work of the National Preventive Mechanism more visible by, for example, public awareness campaigns and other promotional activities including producing and distributing materials on the mandate and activities of the National Preventive Mechanism, in various languages, to the detention personnel and detainees and to civil society, including associations of former service users, lawyers and the judiciary;
- Strengthening of, and support to, the National Preventive Mechanism to set up procedures for regular follow up to its recommendations, with the relevant authorities and, insofar as possible, in conjunction with other relevant stakeholders.

### **Honduras**

- Strengthening of and support to the National Preventive Mechanism;
- Notification of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages, to be handed out to persons deprived of their liberty, and posters to be put up in places of detention;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment in police custody, including the development of standardized and unified police records;

- Tackling impunity, including legislative reform and the strengthening of the capacity and independence of investigative organs and the effective use of the Istanbul Protocol;
- Implementation of the new law on the penitentiary system.

### Kyrgyzstan

- Strengthening of the National Preventive Mechanism through the provision of training, and other capacity building activities;
- Strengthening of the Specialized Prosecutors' Unit responsible for the investigation of torture complaints, including the establishment of clear procedures as to how to investigate torture complaints in line with the Istanbul Protocol and the establishment of independent review and oversight mechanisms;
- Notification of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages (notably Kyrgyz, Russian and Uzbek), to be handed out to persons deprived of their liberty, and posters to be put up in places of detention;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment in police custody, including enactment of the draft law on the Bar Association, and the enactment of an effective and independent public defense system to ensure that all detainees are provided with access to independent legal counsel from the very outset of their deprivation of liberty.

### Maldives

- Notifications of fundamental rights to detainees in a language which they can understand;
- Safeguards against torture and cruel, inhuman and degrading treatment in police custody, including training to law enforcement personnel and the development of a nationwide complaints register;
- Developing standardized and unified police records;
- Structuring medical routine examination, including the proper recording and assessment of injuries and the provision of training on the use of the Istanbul Protocol.
- Ensuring that disciplinary measures conform to international human rights standards.

### Mali

- The establishment of safeguards against torture and cruel, inhuman and degrading treatment in detention, including training to prison wardens on the [Standard Minimum Rules for the Treatment of Prisoners](#), and strengthening the judiciary and prosecutors understanding of the absolute prohibition of torture and other cruel, inhumane and degrading treatment or punishment under international law.
- Strengthening of, and support to, the National Preventive Mechanism;
- Notification of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages, to be handed out to persons deprived of their liberty, and posters to be put up in places of detention;
- Reduction of overcrowding in places of detention through the processing of cases of remand detainees, including through *inter alia*, the use of pre-trial detention only in cases of the most serious offences and crimes, the systematic use in other cases non-custodial measures (e.g. implementation of the [Tokyo Rules](#)), and the development of a standardized, centralized, and digitalized nation-wide custody register allowing for the monitoring of progress of legal proceedings for pre-trial detainees and the date of release of sentenced detainees;

- Producing a protocol to be used by all doctors in places of detention for the medical examination of all detainees upon their arrival to institutions;
- Promoting detainees' right to legal counsel from the very outset of deprivation of liberty and during all stages of criminal proceedings, including strengthening the public defender; ensuring juveniles have their parent or guardian present during any legal proceedings unless exclusion is necessary in the interest of the juvenile.

## Mexico

- Notification of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages, to be handed out to persons deprived of their liberty, and posters to be put up in places of detention;
- Tackling impunity, including the strengthening of the capacity and independence of investigative organs and the effective use of the Istanbul Protocol; producing a protocol to be used by all doctors in places of detention for the medical examination of all detainees upon their arrival to the institution; and strengthening the preventive role of the Public Defence through the establishment of a register of all allegations of ill-treatment identified by public defenders and the follow up given to these;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment or punishment in police custody, including the abolishment of the practice of *arraigo*: producing programs for human rights trainings for various groups of staff in charge of persons deprived of their liberty and the judiciary; designing a plan for the coordination of human rights training, i.e., designing a timetable at State or national level and ensuring sustainability by integrating it in the annual work plan and staff management plans of law enforcement personnel;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment by providing training programs to strengthen the judiciary's understanding of the absolute prohibition of torture and ill-treatment under international law.
- Implementing safeguards against torture and cruel, inhuman and degrading treatment or punishment of vulnerable groups, in particular women (i.e. the [Bangkok Rules](#));
- Promoting detainees' right to legal counsel from the very outset of deprivation of liberty and during all stages of criminal proceedings;
- Strengthening the preventive role and mandate of the Ombudsman (*Comisiones Estatales de Derechos Humanos*);
- Strengthening and supporting judges responsible for the enforcement of sentences (as well as the execution of preventive detention).

## Paraguay

- Strengthening of and support to the National Preventive Mechanism;
- Notifications of fundamental rights to detainees in a language which they can understand, including producing written material, easily comprehensible and in all relevant languages, to be handed out to persons deprived of their liberty, and posters to be put up in places of detention;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment in police custody, including avoiding prolonged periods of police custody;
- Promoting detainees' right to legal counsel from the very outset of deprivation of liberty and during all stages of criminal proceedings, including strengthening the public defender;
- Tackling impunity, including the strengthening of prosecutors' capacity to investigate torture cases and the provision of training on the Istanbul Protocol.
- Provision of socio-education programs to juveniles in detention, to assist in their reintegration into society.



## **Republic of Moldova**

- Strengthening of and support to the National Preventive Mechanism, particularly through training of National Preventive Mechanism members, and the provision of operational guidelines and handbooks to members and staff, with a view to ensuring consistency of working methods and transferal of knowledge among all members of the National Preventive Mechanism;
- Establishment of criteria for the selection of facilities to be visited to ensure all places of detention, including psychiatric institutions, are visited regularly. These criteria should be based on the type and size of the institutions and the severity of the human rights issues of which the mechanism is aware, while not excluding any type of institution or any geographic area from the scope of its work;
- Reinforcement of the follow up given to National Preventive Mechanism visits, including strengthening protection of persons who provide information to the Subcommittee against sanctions or reprisals, and the timely preparation of a publicly-available report of every visit conducted by the National Preventive Mechanism which include practicable recommendations aimed at improving prevention of torture, and the establishment of a methodology for follow up to recommendations.

## **Senegal**

- Strengthening of the National Preventive Mechanism through the provision of training on torture prevention and monitoring principles, including on the conduct of visits to places of detention;
- Establishment of a strategy and workplan for the work of the National Preventive Mechanism. This should provide guidelines for action and cooperation that will permit the most rational use of resources possible and avoid any overlap with the work of other actors such as the National Human Rights Commission and civil society organizations;
- Establishment of a methodology to ensure all places of detention are visited, including, but not limited to, police and gendarmerie stations, and health institutions.

## **Sweden**

- Strengthening of and support to the National Preventive Mechanism;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment in police custody, including access to interpretation of fundamental rights;
- Regulating restrictions to remand detainees according to international human rights standards;
- Structuring medical routine examination, including screening of suicidal risk.

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