

Guidelines for Applications to the Special Fund of the Optional
Protocol to the UN Convention against Torture
(as at 30 August 2013)

I. The OPCAT Special Fund

The Special Fund was established pursuant to article 26 of the Optional Protocol to the UN Convention against Torture. The overall purpose of the Fund is to help finance the implementation of the recommendations made by the Sub-Committee on Prevention of Torture (SPT) after its visits to State parties 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.

The Fund is managed by the Office of the United Nations 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.

II. ADMISSIBILITY OF PROJECTS

Applications may be submitted by:

- State institutions of those States parties visited by the SPT and who have agreed to the publication of the SPT report.
- National preventive mechanisms of these States parties.

Applications may also be submitted by National Human Rights Institutions (NHRI) compliant with the Paris Principles and by non-governmental organizations (NGO), if the proposed projects are to be implemented in cooperation with eligible States parties and/or NPMs.

Only applications relating to recommendations contained in those SPT visit reports that have been published in accordance with OPCAT, Article 16(2), and hence are no longer confidential, will be considered. Therefore, the Call for Applications 2014 is presently limited to projects to be implemented in the following countries:

- Benin
- Brazil
- Honduras
- Maldives
- Mexico
- Paraguay
- Sweden

Only applications relating to recommendations contained in published SPT visit reports, and focussing on the specific thematic priorities by country, as outlined in the present Guidelines (Section III), will be considered.

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

Applicants may request grants of up to US\$ 35,000 for projects of a maximum duration of 12 months, to be implemented between 1 January 2014 and 31 December 2014. Only one application per applicant can be considered admissible. All previous grants should be closed at the deadline established for the 2014 Call for Applications. As a transitional process, returning applicants who benefited from a grant under the 2013 Call for Applications and whose project implementation is scheduled to end in the course of 2014 can only submit proposals for the period following the date of termination of their current project and 31 December 2014.

All applications must be submitted in English, French or Spanish, using the 2014 application form and 2014 budget form available on the website of the OPCAT Special Fund. The application form should be sent in a scanned form (Pdf) bearing the signature and/or seal of the applicant institution/organization.

All applications should be sent by email to the address opcatfund@ohchr.org and received by 30 October 2013 at 24:00 EST. No applications will be accepted after the deadline.

III. THEMATIC PRIORITIES

For 2014, 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 Special Fund reserves the right to decide whether, in its view, such a pressing and compelling need has been shown.

Benin

- 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 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;
- 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 programme, 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.

Brazil

- Strengthening of and support to NPMs;
- 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 standardised and unified police records;
- Training programmes for detention personnel;
- Promoting detainees' right to legal counsel.

Honduras

- Strengthening of and support to the NPM;
- 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 standardised 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.

Maldives

- 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 training to law enforcement personnel and the development of a nationwide complaints register;
- Developing standardised and unified police records;
- Structuring medical routine examination, including the development for standard forms and training to medical personal on the use of these forms, and the importance to maintain medical confidentiality.
- Ensuring that disciplinary measures conform to international human rights standards.

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;
- Implementing safeguards against torture and cruel, inhuman and degrading treatment in police custody, including the abolishment of the practice of *arraigo*; producing programmes for human rights trainings for various groups of staff in charge of persons deprived of their liberty; designing a plan for the coordination of Human Rights training, i.e., designing a schedule at State or national level and ensuring sustainability by integrating it in the annual work plan and staff management plans of law enforcement personnel;
- Strengthening the preventive role and mandate of the Ombudsman (“Comisiones Estatales de Derechos Humanos”).
- Strengthening and supporting sentence enforcement courts (“juzgados de ejecución de la pena”).

Paraguay

- Strengthening of and support to the NPM;
- 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 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.

Sweden

- Strengthening of and support to the NPM;
- 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.

IV. INFORMATION TO BE PROVIDED IN THE APPLICATION

The application should be prepared using the 2014 application form and the 2014 budget form available on the website. All fields 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.

Applicants may submit a letter of reference to support their application.

State institutions applying for a grant are requested to inform their respective Permanent Mission in Geneva of their application.

Applications should demonstrate a coherent set of activities with defined operational objectives, target groups, planned outcomes and detailed related costs per activity.

The Fund seeks to identify good practices and sustainable projects. The Fund encourages projects to be financed from multiple sources.

Eligible costs

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.

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 well as a description of the responsibilities in the implementation of the project. Salaries can be only covered if the tasks to be performed are directly related 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.

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.

The proposed costs must be realistic. Any excessive, unrealistic or unjustified estimation will exclude the project from financing.

First time grantees should include in their budget a line for an independent audit of the financial accounts related to the use of the grant. The Fund Manager may randomly select grantees for an independent audit regardless the number of the grants received in the past.

An estimate of all activity costs, including audit costs, needs to be provided using the 2014 budget form. The Fund Manager reserves to 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.

V. SELECTION PROCESS

The applications will be evaluated and considered for funding by the Fund Manager and the OHCHR Grants Committee.

An extensive evaluation of the quality of applications, including the budget, will be carried out by the Fund's Secretariat in accordance with the evaluation criteria.

The Secretariat of the Fund or the OHCHR field presence may undertake evaluation visits to applicants and grantees.

The OHCHR Grants Committee will review admissible applications and will making final recommendations on the awarding of grants.

Once the 2014 applications will have been reviewed and the grants awarded, the list of selected projects will be published on the OPCAT Special Fund webpage.

Grantees will be offered a contract (Grant Agreement) to be signed with OHCHR in which the 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. For projects of an implementation period of 12 months, mid-term reporting is required.

Grant payments will be made by bank transfer to an authorized bank account in the name of grantee's institution/organization, which is responsible for the management of the expenditures. 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.

Any questions regarding the application process may be sent to the Fund Manager at opcatfund@ohchr.org. The Fund will not respond to individual enquiries regarding the evaluation and selection of specific projects.