



UNDP/UN Women/UNICEF Joint Programme: Promoting the Rule of Law in the State of Palestine

## **PRE-QUALIFICATION PROCESS FOR ROSTER OF CIVIL SOCIETY ORGANISATIONS IN THE FIELD OF RULE OF LAW, JUSTICE AND SECURITY**

**APRIL 2018**

### **Geographical COVERAGE:**

**The WEST BANK (INCLUDING EAST JERUSALEM)  
and the GAZA STRIP**

## **1. Introduction**

The Joint UNDP/UN Women/UNICEF Programme is soliciting expressions of interest from experienced civil society organisations (CSOs) in the field of rule of law, human rights, gender equality and justice for children for the implementation of a multi-year programme titled *Sawasya II: Promoting the Rule of law in (2018-2023)*. Pre-qualified organisations - only those who meet all pre-qualification criteria - will be part of the roster and thus become eligible to be considered for a partnership arrangement for the implementation of specific outputs during the programme implementation cycle. However, admission to the Civil Society Roster does not guarantee that a partnership with *Sawasya II* will be established.

This document provides guidance for CSOs interested in the Civil Society Roster for *Sawasya II*. More specifically, the document outlines the selection process through which the roster will be established; provides a working definition of ‘civil society organisation’ for the purposes of this roster; outlines core principles and strategic directions of roster and related operational modalities.

## **2. Presentation of the SAWASYA II Programme**

*Sawasya II* represents the primary programmatic vehicle of the United Nations for advancing the rule of law, gender justice and human rights in the State of Palestine for the period 2018-2023. Bringing together the main UN entities (UNDP, UN Women and UNICEF) mandated and invested in these areas in an integrated programme framework (three years, with provision for a further two optional years), *Sawasya II* seeks to elevate the statebuilding enterprise for a progressively functioning and increasingly inclusive rule of law system that respects, protects and fulfils human rights and gender equality and promote peace and security. This overarching objective of *Sawasya II* has UN Sustainable Development Goals (SDGs) 5 and 16 at its core: focussed on the promotion of peaceful and inclusive societies for sustainable development, provision of access to justice for all, and the realisation of effective, accountable and inclusive institutions at all levels (SDG 16), and on achieving gender equality and empowerment for women and girls (SDG 5). *Sawasya II* is fully aligned with the National Policy Agenda (2017-2022) and relevant sector and cross-sector strategies of the Palestinian Government, and is designed to contribute to key priorities of the forthcoming five-year United Nations Development Assistance Framework for the State of Palestine, which was launched in 2018. *Sawasya II* has secured commitment from the Palestinian government at the highest level, and aims to reinforce broader national and international political and technical efforts aimed at supporting the realisation of a well-functioning Palestinian State, based on principles of good governance and the rule of law.

*Sawasya II* builds on the considerable accumulated experience and expertise of the involved UN entities, at both global and local levels, including that of the *Sawasya I* joint programme of UNDP and UN Women, as well as the experience of UNICEF, and aims to leverage partnerships with other key bilateral and multilateral development partners, including the Office of the United Nations Special Coordinator for the Middle East Peace Process, the Office of the Middle East Quartet, the European Union (via both the Office of the EU Representative and the EUPOL COPPS), and lead bilateral donors in the justice and security sectors. *Sawasya II* builds on established partnerships with government and civil society at all levels, and capitalises on the extensive reach of the involved UN entities across the West Bank, including East Jerusalem, and the Gaza Strip. Following extensive consultations with an array of national and international partners, the programme will work towards the following four priority outcomes:

- **OUTCOME 1:** Rule of law institutions are strengthened and reunified by legal, regulatory and policy frameworks in line with international standards
- **OUTCOME 2:** Service provision by rule of law institutions is effective, accountable and inclusive
- **OUTCOME 3:** All Palestinians, especially children and vulnerable groups, have access to justice, security and protection without discrimination

- **OUTCOME 4:** Women's access to justice and security are improved through gender-responsive service delivery and empowerment of women

The establishment of strong, sustainable and enabling partnerships with CSOs is critical to the realisation of these four outcomes and to the overall success of the programme. *Sawasya II* recognises that CSOs have an important role to play in strengthening the rule of law and ensuring access to justice and security: *inter alia*, by providing legal aid and assistance to vulnerable groups; increasing legal literacy among rights-holders and duty-bearers; and by striving to hold duty-bearers in the Palestinian institutions to account through research, reporting, litigation and advocacy initiatives.

### **3. Strategic directions of partnerships with CSOs**

Building on the knowledge generated during its previous phase, internal discussions amongst the three agencies, and consultations with broader stakeholders, *Sawasya II* will focus on the following strategic areas of support to civil society, as outlined under the programme's outcomes.

- Under outcome 1 “**Rule of law institutions are strengthened and reunified by legal, regulatory and policy frameworks in line with international standards**” and outcome 2 “**Service provision by rule of law institutions is effective, accountable and inclusive**”, the programme will support civil society to strengthen accountability and performance of Palestinian rule of law institutions in delivering services to the public, and enhancing public trust in those institutions.
- Under outcome 3 “**All Palestinians have access to justice, security and protection without discrimination**” and outcome 4 “**Women's access to justice and security improved through gender-responsive service delivery and empowerment of service users**”, the programme will support civil society efforts to protect and promote human rights of Palestinians and ensure access to justice for vulnerable populations with a particular focus on juveniles and women, including through legal representation, legal consultation and awareness raising activities.

In the framework of these four outcomes, the programme will support CSOs in the following thematic areas:

#### **i. Accountability and civilian oversight:**

*Sawasya II* will strengthen the role of civil society in playing an oversight and monitoring role on justice and security institutions through research, reporting, litigation and advocacy initiatives, with the ultimate aim of advancing the rule of law, strengthening civilian oversight, accountability and performance of Palestinian rule of law institutions in delivering services to the public, enhancing public trust in those institutions, fair trial and respect of human rights and international standards.

#### **ii. Human Rights (HR) protection and advocacy:**

*Sawasya II* will strengthen CSOs role in monitoring and documenting HR violations, preparing shadow reports and monitor the Government of Palestine's compliance with the HR treaties. This will include support to advocacy campaigns to highlight, challenge and ultimately change discriminatory laws, policies, and gender stereotypes and norms. Advocacy on national priorities that tackle the legal problems affected the Palestinian population in Gaza and West Bank will also be encouraged and supported by the programme.

**iii. Legal Aid to indigent people, vulnerable groups and in marginalized areas:**

*Sawasya II* will continue providing and expand the delivery of critical legal aid and psychosocial assistance to vulnerable Palestinians, in particular in East Jerusalem, Gaza and Area C, with specific focus on women and juveniles, including those in conflict with law and indigent people in the criminal justice. In the West Bank and Gaza, the support to legal aid activities will be provided with a view to ensuring their long-term sustainability and their complementarity with existing state legal aid services to contribute in building a Palestinian owned legal aid scheme that is sustainable. Focus will be on legal aid provision to vulnerable group, including women and juveniles. Where relevant, legal aid assistance will be accompanied by support to psychosocial assistance. The programme will ensure that only indigent people and vulnerable groups are being serviced and that quality assurance systems are in place to ensure the best possible service is provided to the beneficiaries. The programme will also support public awareness campaigns on the rights of the most vulnerable with the wider society and national duty bearers.

**iv. Support the Palestinian Reconciliation Process**

*Sawasya II* intends to continue to work on issues related to the harmonization of West Bank and Gaza legislation and the treatment of decisions taken by de facto authorities in Gaza since 2017. Contingent on positive developments at the political front, the programme also intends to support reunification of Gaza and the West Bank justice and security institutions and the reestablishment of justice institutions in Gaza through training, logistical support and sensitization to bring the population back to the formal justice system. Moreover, the programme will further explore issues related to transitional justice initiatives on truth, accountability, reparation and guarantees of non-repetition with the aim of ensuring the involvement of populations including families of victims of 2007 fighting and civil society organisations, especially youth organisations and women's groups, in the reconciliation process and achieving accountability for human rights violations committed since 2007. This includes supporting civil society organisations in advancing an agenda in which lawyers, the judiciary, prosecution, police and other service providers in Gaza are respectful of the rights and needs of the population, in accordance with international standards.

**4. Definition of 'Civil Society Organisation'**

For the purposes of this Civil Society Initiative, CSOs are defined as non-public, non-state actors including, *inter alia*:

- Non-governmental organisations (NGOs) including officially established NGOs networks
- Community-based organisations (CBOs)
- Non-profitable companies
- Labour, trade and professional unions and associations
- Universities and academic institutions

**5. Principles of Partnership**

A partnership, as defined by *Sawasya II*, refers to a collaborative relationship between *Sawasya* and another organisation that is characterised by:

- An expectation of mutual benefits
- A commitment to outcomes, outputs and indicators which have been determined in the *Sawasya II* programme document.
- A clear definition of the partners' roles and contributions
- The existence of a framework to discuss and review progress towards the shared outcomes

The establishment and management of partnerships with *Sawasya II* in the framework of the programme will be guided by a shared commitment to the following key principles:

- *Transparency*, with a clear commitment to work in ways that maximise accountability to each other for the commitments undertaken together.
- *Accountability*, within the partnership itself and in relation to all relevant human development stakeholders, most importantly the poor and disadvantaged.
- *Participation, inclusion and respect for diversity*.
- *Empowerment* of the disempowered, in the framework of the rights-based approach to development.
- Supporting *national ownership* and inclusive Palestinian-led processes.
- A commitment to *strengthening local capacities*, as a unifying theme of support.
- *Partnership*, in which NGOs/CSOs will come into a full partnership with *Sawasya II*.

## **6. Instructions to Applicants**

SAWASYA II will carry out a selection process consisting of multiple stages to identify the most relevant CSOs for partnership under this initiative. This process of applying to join the roster is referred to as the ‘Pre-Qualification Process’.

The purpose of the pre-qualification process is two-fold:

- To determine whether interested CSOs meet *Sawasya II mandatory criteria* for partnership under this Programme (see further section 6)
- To *assess the capacity levels* of interested CSOs in order to determine appropriate levels of financial and capacity building support (see further section 6)

CSOs will be assessed based on the documents and information they provide during this process. The applications of interested organisations may be further verified through visits, reference checks and interviews with staff, board members and/or beneficiaries.

All CSOs that meet *Sawasya II* mandatory criteria for partnership under this programme are eligible to be included in the civil society roster.

Admission to the civil society roster is a prerequisite to entering into a partnership with *Sawasya II* under this programme. However, **admission to the Civil Society Roster does not guarantee that a partnership with *Sawasya II* will be established**. A partnership between *Sawasya II* and a CSO admitted to the roster will only be established on the basis of a subsequent project proposal assessed by *Sawasya II* to be consistent with one or more of the four above mentioned outcomes and the strategic directions stated in *Sawasya II* CSO Strategy.

### **i. Eligibility**

The pre-qualification process is open to national civil society organisations. National organisations need to submit proper registration documents from the Government of Palestinian or the Government of Israel.

### **ii. Cost of Preparing Application**

Each applicant will bear all costs and expenses associated with the preparation and submission of the pre-qualification package, including the provision of any supplemental information that may be requested.

### iii. Submission of Application

A **soft copy** of the pre-qualification application, which contains all mandatory and optional documents, shall be submitted to email [sawasya.papp@undp.org](mailto:sawasya.papp@undp.org)<sup>1</sup> indicating ‘Application for Pre-Qualification Process: *Sawasya II* joint programme’ in the subject heading of your email **no later than 15:00 hours, Monday 14 May 2018**. Once received through email, **an e-mail of confirmation of receipt** will be sent to the applicant by Sawasya team.

### iv. Language of Application

The application and other Sawasya templates shall be filled in **English**, while the supporting documents could be according to what is available within the organisation.

### v. Information sessions

Sawasya programme will conduct two information sessions in West Bank and Gaza as follows:

Gaza information Session: **Thursday 26 April 2018**.

West Bank Information Session: **Wednesday 2<sup>nd</sup> May 2018**

To confirm your participation in any of the sessions **kindly send email to the following email address:** [sawasya.papp@undp.org](mailto:sawasya.papp@undp.org). Venue and time will be communicated later by email to organizations who confirmed their attendance. Information about these two sessions will also be provided through the Facebook page of the Sawasya programme: <https://www.facebook.com/SawasyaPal>.

### vi. Data Verification

Sawasya II reserves the right to check other sources available to verify information submitted as part of the pre-qualification process. If an applicant deliberately makes misrepresentation or an omission of a fact when submitting information to *Sawasya II*, such misrepresentation or omission may be a sufficient ground for denying pre-qualification to that applicant.

### vii. Confidentiality of Information

All information provided will be kept confidential to the extent permitted by rules and regulations of UNDP/UN Women/UNICEF, although part of the contents may be disclosed to third parties for the purpose of verification or investigation of substantial allegations.

## 7. Mandatory and Non-Mandatory Assessment Criteria

### Mandatory Criteria

In order to be eligible to join the Civil Society Roster, an applicant **must**:

- Be a non-public non-state actor whose aims are neither to generate profits<sup>2</sup> nor seek governing power (as described in section 4 above)

---

<sup>1</sup> Please send in separate emails in case the documents exceed 10MB.

<sup>2</sup> Organisations that generate income for the purpose of funding their charitable work are eligible to join the civil society roster. Organisations whose *primary objective* is to generate profits are not eligible to join the roster

## ***Sawasya II: Promoting the Rule of law Palestine (2018-2023)- Pre-Qualification Process***

- Be registered as a not-for-profit Palestinian and/or Israeli organisation (company) and/or a non-governmental organisation in accordance with the national legislation of the location of the head office of the organisation.
- Be committed to core human development principles including transparency, accountability, participation, inclusion, empowerment, capacity development and national ownership
- Have the mandate/ability to make a significant contribution to supporting the rule of law and access to justice through, *inter alia*, legal aid service provision; strengthening accountability and civilian oversight; human rights protection and advocacy; improving gender justice and justice for children.

These mandatory criteria are *essential* for consideration for being a member in the roster. Any organisation that does not meet any of the above requirements will be automatically excluded from admission to the civil society roster.

### **Capacity Assessment Criteria and Future Plans**

CSOs that meet the mandatory criteria will be assessed to determine their organisational capacities on the basis of the following:

- Project management capacity
- Personnel capacities
- Financial and administration capacity
- Organisational structure and governance
- Infrastructure and equipment capacities
- Constituency
- Experience of working in partnership
- Three-year activity framework

### **8. Documents to be submitted**

***PLEASE NOTE: Applications failing to submit all mandatory documents will not be considered. If any of the requested mandatory documents is not available, please provide a clear justification in your cover letter.***

#### **Mandatory**

- Cover letter
- Registration certificate with government and/or umbrella CSO
- Proof of document showing an officially registered organisation's name and name(s) of registered officer(s) and certifying officer(s)
- CSO profile/mission statement/statutes/rules and regulations
- CSO organisational chart and list of board members
- CVs of staff empowered to make key corporate decisions and leading the areas of project management, finance, procurement and human resources.
- Samples of project proposal(s)
- End of projects evaluation report(s)
- Audited annual financial statements for the last two years
- List of partner organisations

## ***Sawasya II: Promoting the Rule of law Palestine (2018-2023)- Pre-Qualification Process***

- List of core and non-core funding sources and amounts received from each donor for the last 2 years (including name, nationality of the source)
- Written rules and regulations for human resources, procurement and finance
- Annual narrative report for the last two years
- Financial statement for the last two years and estimated budget for 2018 and 2019
- An annual activity framework for 2018-19(in accordance with the provided template)
- Letters of reference (from local/international partner organisations) regarding:
  - Delivery compared to original planning
  - Expenditure compared to budget
  - Timeliness of implementation
  - Timeliness and quality of reports
  - Quality of Results

### **Optional**

- Policy documents/tools/training materials
- Partnership agreements with other CSOs
- Governing board meeting report(s)
- Article(s)/media coverage of past/current project activities
- Website/blog/web forum
- Code of conduct, if available
- Periodic newsletter/publications
- CVs of key positions in the CSO/NGO that are empowered to make key corporate decisions and lead the areas of project management, finance, procurement, and human resources.

*PLEASE NOTE: This advertisement and any subsequent acceptance to the roster do not entail any commitment on the part of Sawasya II programme. The programme reserves the right to accept or reject any or all submissions without incurring any obligation to inform the affected applicant(s) of such decision.*