

ANNEX 5

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 the 7th World Congress against the death penalty - Supporting the international momentum in favour of abolishing the death penalty

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: 5.4.1.

1. Title/basic act/ CRIS number	The 7 th World Congress against the death penalty - Supporting the international momentum in favour of abolishing the death penalty CRIS number: EIDHR/2018/041-030 financed under European Instrument for Democracy and Human Rights			
2. Zone benefiting from the action/location	Global reach, with particular emphasis on sub-Saharan Africa The action itself will take place in Belgium			
3. Programming document	Multiannual Indicative Programme (2018-2020) for the Instrument for Democracy and Human Rights Worldwide - Commission Implementing Decision C(2018)6409			
4. Sector of concentration/ thematic area	Human Rights and Democracy	cy DEV. Aid: YES		
5. Amounts concerned	Total estimated cost of the congress: 1 500 000 EUR The EU contribution is for an amount of EUR 750,000 from the general budget of the European Union for 2018.			
6. Aid modality(ies) and implementation	Project Modality Direct management –grants – direct award to Ensemble Contre la Peine de Mort			

modality(ies)						
7 a) DAC code(s)	15160 - Human Rights					
b) Main Delivery Channel	Non-governmental Organisations (NGOs) and Civil Society - 2000					
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significan t objective	Main objective		
	Participation development/good governance			\boxtimes		
	Aid to environment	\boxtimes				
	Gender equality (including Women In Development)	\boxtimes				
	Trade Development	\boxtimes				
	Reproductive, Maternal, New born and child healthImage: Convention markersImage: Convention markersRIO Convention markersNot targetedSignificant objectiveMark					
	KIO Convention markers	targeted	0	objective		
	Biological diversity		0			
		targeted	0			
	Biological diversity	targeted	0			
	Biological diversity Combat desertification	targeted	0			
9. Global Public Goods and Challenges (GPGC) thematic flagships	Biological diversity Combat desertification Climate change mitigation Climate change adaptation N/A	targeted ⊠ ⊠	0			
Goods and Challenges (GPGC)	Biological diversity Combat desertification Climate change mitigation Climate change adaptation N/A	targeted	f the followin	objective		

SUMMARY

This action aims at supporting the organisation of the 7th World Congress Against the Death Penalty which is to take place in Belgium (Brussels) in February 2019. The Congress represents a unique opportunity to highlight the international dimension of the fight against death penalty and brings together all abolitionist actors, including the most isolated ones, and relevant stakeholders to achieve the universal abolition of the death penalty, which stands as a key priority of the European Union's human rights external policy.

The Congress is a high-level event gathering around 1500 participants from over 90 countries, including heads of states, Ministers, judges, parliamentarians, but also representatives of civil society organisations from all over the world active on death penalty.

After the success of previous editions, the 7th congress will further foster cooperation among all relevant stakeholders, encourage States to make concrete commitments towards abolition and raise awareness among the general public on the reality of death penalty.

This action contributes to the implementation of the objective 2 of the EIDHR Regulation No. 235/2014 and is in line with the EU policy framework on the death penalty.

1 CONTEXT

1.1 Sector/Country/Regional context/Thematic area

With 143 countries and territories having abolished the death penalty in law or in practice and a number of countries practicing fewer executions, abolition appears to be a universal trend. However, progress towards abolition is not straightforward and certain regions of the world continue to use the death penalty in a substantial manner. Even in states that have abolished the death penalty in law, pro-death penalty movements continue to question abolition and setbacks are not to be excluded. At the most recent vote for a universal moratorium on executions in the United Nations General Assembly in December 2016, the abolitionist bloc remained stable with 117 states in favour of abolition, but 31 abstentions and 40 votes against the moratorium were registered. In this context, the fight for worldwide abolition remains one of the key priorities of the EU's Human Rights external policy.

1.1.1 Public Policy Assessment and EU Policy Framework

The EU is the leading institutional actor in the fight against the death penalty worldwide. It has a strong and principled position against the death penalty, which establishes global abolition of capital punishment as a key objective. The EU opposes the death penalty in all cases and under all circumstances. Where the death penalty still exists, the EU calls for its use to be progressively restricted and insists that it be carried out according to minimum standards based on international human rights obligations.

In the EU Strategic Framework on Human Rights and Democracy (adopted in June 2012), the abolition of death penalty features prominently under human rights priorities. This has been further consolidated under the EU Action Plan on Human Rights and Democracy 2015-2019 under action 13 "Combatting torture, ill-treatment and the death penalty", which outlines specific actions to undertake, such as addressing the death penalty (abolition, moratorium and minimum standards) in a comprehensive manner through political and human rights dialogues and support to partner countries, independent national prevention mechanisms and civil society and mainstreaming safeguards against the death penalty, torture and ill-treatment in EU activities, including in counter-terrorism and in crisis management.

The Foreign Affairs Council of 22 April 2013 approved the revised and updated text of the EU Guidelines on Death Penalty, the first ever Human Rights text of its kind adopted in 1998 and subsequently revised twice (2001 and 2008). These guidelines provide a basis for the EU's action in this field.

The Regulation (EU) No. 235/2014 of the European Parliament and of the Council on establishing a financing instrument for the promotion of democracy and human rights worldwide for 2014-2020, confirms the high priority accorded by the European Union to the fight against death penalty, as it includes, under its objective 2, actions aiming at the "abolition of the death penalty and the establishment of moratoria with a view to its abolition and, where the death penalty still exists, advocacy for its abolition and the observance of

international minimum standards". This commitment is further detailed under objective 2 of the EIDHR Multi-Indicative Programme 2018-2020.

This action is relevant for the Agenda 2030. It contributes primarily to the progressive achievement 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".

1.1.2 Stakeholder analysis

This action will be implemented by Ensemble contre la Peine de Mort (ECPM), a French NGO committed to fight against the death penalty around the world. In 2002, ECPM conceived and organised the 1st World Congress against the Death Penalty, followed by five subsequent editions. It also initiated the World Coalition against the Death penalty, a platform of more than 150 members (NGOs, bar associations, local authorities and unions) and held its Executive Secretariat until 2011. The World Coalition will be a close partner of ECPM in the implementation of this action.

The European Commission will support the organisation of the Congress, together with other donors, including Belgium, Switzerland and Norway.

A Core Group made up of diplomatic representatives of states from all continents (Norway, Belgium, France, Benin, Rwanda, Australia, Mongolia, Switzerland, Spain, Monaco, Mexico and Argentina) will support the congress in terms of political mobilisation and leverage, using their diplomatic power and network to guarantee the high-level political representation, in particular from non-abolitionist states.

The abolitionist civil society has always played a key role in the organisation and the success of the congress. This edition will place a greater emphasis on the involvement of civil society organisations from key countries outside the EU, with a specific focus on abolitionist countries, sub-Saharan African countries and countries where a change could be realistically expected.

This 7th Congress will target the participation of high level representatives of executive and legislative authorities from all over the world (both abolitionist and retentionist states), such as heads of states, Ministers of Justice and Ministers of Foreign Affairs, but also parliamentarians, judges and prosecutors. It will also target representatives of regional and international organisations including the UN High Commissioner for Human Rights, the African Union, the Arab League, and the Inter-American Commission.

This edition will particularly mobilise national human rights institutions and their regional and international networks, regional and national coalitions against the death penalty and parliamentarians, including networks of parliamentarians against the death penalty. It will also reach out to young people and private companies, both identified as new allies in the fight against death penalty.

The final beneficiaries of the action are the citizens living in retentionist countries where the death penalty is still being applied, and in particular prisoners on death row, their families, and families of victims.

1.1.3 Priority areas for support

The following priority areas have been identified:

- Youth and educational activities will be a particular highlight of this congress. As future decision-makers, the young generations are important actors of change on human rights issues. Their inclusion in the abolitionist cause serves to fuel the debate within societies and enhance the extent of the movement. Through the involvement of young people within the abolitionist movement, the project will finance the participation of youth leaders in the World Congress. It will also contribute to raising awareness on death penalty and build a responsible citizenship, through events in Belgian schools, the organization of a drawing competition, exchanges of views between students from abolitionist and retentionist countries, and cultural events during the Congress.

- **Private companies and businesses** are increasingly supporting the fight against the death penalty. This edition of the congress will reach out to private sector actors to further involve them in the cause and explore new paths for collaboration towards the abolition of the death penalty.

- Special regard will be paid to the most **socio-economically deprived groups** in the population. As highlighted by the last World Day Against the Death Penalty whose theme was "Death Penalty and Poverty", these people suffer the blow of double socio-economic and judicial discrimination, as they lack the financial resources and other necessary means to afford a strong defence. They face consequently a greater risk of being sentenced to death and executed, which demonstrates that the death penalty contravenes not only the right to life but also a set of human rights aimed at ensuring the equality of all before the courts.

Risks	Risk	Mitigating measures
	level	
	(High/	
	Medium	
	/Low)	
Risk of participants from non-EU countries not being able to obtain visas to attend the congress	М	Belgium has committed to facilitate the process of visa issuance by its authorities
Change of leadership/ governments in some countries resulting in the non-priorisation of death penalty and lack of interest in the congress	М	Diversification of partnerships and targeted countries
Weak mobilisation and interest from high-level political and legislative authorities and from new allies	М	 Support of the core group to mobilise states Support of the parliamentarians' network Organisation of preparatory field missions by ECPM

2 **RISKS AND ASSUMPTIONS**

	- Focus on the prestigious reputation of the congress			
М	 ECPM currently looking for additional partnerships and sources of funding Cutting some activities/expenses if no other solution is found. 			
Assumptions				
	M n Belgiur			

- Security conditions remain stable in Belgium (no terrorist attacks)

- Freedom of speech and action remains ensured for civil society organisations of target countries

- A good level of cooperation between political and civil society stakeholders is maintained

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

The first edition of the World Congress Against the Death Penalty was organised in Strasbourg in 2001 with the support of the Council of Europe. Five editions followed (Montreal, 2004, Paris 2007, Geneva 2010, Madrid 2013, Oslo 2016) and gathered an average 1,500 participants from all over the world.

The World Congress has made the fight against death penalty more visible, raising awareness among the general public on the issue and contributing in putting it higher on the international, regional and national agendas. It created a momentum towards abolition of the death penalty by encouraging states to make commitments and fostering a strong mobilization of a wide range of actors, such as political actors, civil society, legal professionals, and international organisations on the issue. It also represented an opportunity for abolitionist actors, in particular civil society organisations from all over the world, to network, debate, elaborate common strategies and exchange best practices.

An independent impact evaluation was carried out in 2016 at the request of Ensemble Contre la Peine de Mort and the overall result was very positive, highlighting the catalyst and trigger roles played by the congresses in the fight against death penalty.

3.2 Complementarity, synergy and donor coordination

This action is complementary to the support given by the European Commission to ECPM for the organisation of the regional congress in April 2018 in Ivory Coast. The two events are closely linked, both organised by ECPM and strong synergies exist between them. Indeed, the 2018 regional congress will be an opportunity to mobilise political actors and the civil society of sub-Saharan Africa in view of the world congress, to prepare the debates, identify challenges, and promote dialogue between local and regional stakeholders.

The action should also build on ongoing and past projects in relation to the fight against death penalty funded under the EIDHR and the service for Foreign Policy Instruments (FPI) and ensure that the organisations involved in implementation are part of the Congress.

In addition, collaboration with the International Commission against the Death Penalty (ICDP), well established during the past World Congresses, will continue during this action, including through participation of key ICDP figures, cooperation in the political mobilisation for the Congress and in the academic programme. The ECPM's Core Group for political mobilisation includes founding members of the ICDP's Support Group, such as Belgium, France, Norway, Switzerland and Spain.

Coordination with other donors to the Congress (including Belgium, Switzerland and Norway) will be ensured during the implementation of this grant.

3.3 Cross-cutting issues

The organisation of the congress will be conceived and implemented following a rights-based approach with due regard to the working principles of applying all rights, participation and access to the decision making process, non-discrimination and equal access, accountability and access to the rule of law, and transparency and access to information. This means that special attention will be paid to vulnerable and discriminated groups during the whole process, and in particular in the elaboration of the programmes and the selection of participants. This is all the more important as the death penalty is used disproportionately against the poor, minorities and members of racial, ethnic and religious communities.

4 **DESCRIPTION OF THE ACTION**

4.1 Objectives/results

The **overall objective** of this action is to support and achieve the universal abolition of the death penalty.

The **specific objectives** are:

- 1. Encourage States to make concrete commitments and take action towards abolition.
- 2. Accelerate abolitionist initiatives and concerted actions by other key actors including parliamentarians, lawyers, judges, NHRIs, civil society.
- 3. Encourage new allies to join the fight against the death penalty.

This Action is relevant for the Agenda 2030. It contributes primarily to the progressive achievement 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".

The **outputs for this action** are:

1. The capacities, knowledge and network of political actors with regards to death penalty are strengthened.

2. Civil society organisations are informed and mobilised to take national and coordinated international action.

3. Citizens and the general public around the world are informed and engaged in the fight against the death penalty.

4. New allies have joined the fight against the death penalty.

4.2 Main activities

Coordination and mobilisation of key associates for the success of the congress

ECPM will ensure the coordination of the Core Group that it has set up for political mobilisation and leverage to ensure high-level representation at the congress.

ECPM will also carry out mobilisation campaigns targeting specifically parliamentarians and NHRIs to strengthen their involvement and visibility in the congress and more generally in the fight against the death penalty.

New allies will also be sought in order to reach a wider audience and further raise awareness.

Mobilisation of civil society around the congress

In the preparation phase of the congress, ECPM will mobilise as many civil society organisations as possible and lead together with the World Coalition against the death penalty a participative process to define a global strategy towards abolition of the death penalty, the agenda and programme of the congress, as well as to exchange best practices.

Awareness-raising of citizens and media campaigning

ECPM will elaborate a communication strategy and launch an international communication campaign to increase the awareness of citizens on the death penalty.

ECPM will also carry out educational activities in Belgian schools and cultural events in Brussels addressed to the general public.

Logistical organisation of the congress

ECPM will be in charge of the organisational and logistical aspects of the congress, such as travel arrangements for sponsored participants, venue renting, catering, interpretation services, and promotional material.

4.3 Intervention logic

The intervention logic relies on the importance of adopting a global approach on the fight against the death penalty. The EU supports country-specific and regional projects on the issue, but the international dimension of the fight against death penalty should not be forgotten to achieve the final objective of the universal abolition of capital punishment.

In that perspective, the Congress will bring together abolitionist actors from all over the world and represents a unique opportunity for them to create synergies, strengthen their capacities and network to subsequently take action and push for abolition at the national, regional and international levels.

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 22 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 operation¹.

5.3.1.1 Grant: direct award: Supporting the organisation of the 7th World Congress against Death Penalty (direct management)

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

The objective of this grant is to achieve the universal abolition of the death penalty.

(b) Justification of a direct grant

Under the responsibility of the Commission's authorising officer responsible, the recourse to a direct award without a call for proposals is justified because the beneficiary is a body with a de jure or de facto monopoly.

The organisation Ensemble Contre la Peine de Mort (ECPM) is in such a de facto monopoly position, as it created the world congress in 2001 and has organised successfully all six editions since then. ECPM has consequently built a technical expertise and knowledge in relation to this event, as well as a significant network.

(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 80%.

If full funding is essential for the action to be carried out, the maximum possible rate of cofinancing 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

Second trimester of 2018.

g) Exception to the non-retroactivity of eligible costs

The Commission authorises the eligibility of costs as 1st August 2018 in order to allow for sufficient preparation time for the World Congress which will take place in February 2019.

¹ https://eeas.europa.eu/sites/eeas/files/restrictive_measures-2017-04-26-clean.pdf

5.4 Indicative budget

	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Direct grant to Ensemble Contre la Peine de Mort	750,000	750,000
(direct management)		

5.5 Organisational set-up and responsibilities

The procurement and management of this direct grant resulting from this decision will be carried out by the European Commission.

5.6 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this end, the implementing partner, Ensemble Contre la Peine de Mort, 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. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logical framework 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).

5.7 Evaluation

Having regard to the nature of the action, only internal final evaluation will be carried out for this action or its components by the implementing partner.

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the importance the action has for policy dialogue in one of the main priorities of the EU human rights policy.

The Commission may, during implementation, decide to undertake a formal evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

The evaluation report shall be shared with the key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluation and, where appropriate, jointly decide on the follow-up actions to be taken and any adjustments necessary.

5.8 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.

5.9 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 5.6 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.

APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	Support and achieve the universal abolition of capital punishment	 Number of votes in favour of UN General Assembly moratorium resolution Number of states that have ratified the Second protocol to the International Covenant on Civil and Political Rights Number of abolitionist / retentionist countries Number of executions / death 	 1) 117 (2016 vote) 2) 85 states (2017) 3) 143 abolitionist countries, 55 retentionist (2017) 	 1) > 117 (2018 vote) 2) > 85 states (2019) 3) >143 abolitionist, < 55 retentionist (2019) 4) <1,032 executions , < 3,117 death sentences (2010) 	 1) UN website (HR Council and HR Committee) 2) UN Treaty Collection Database 3) World Coalition database, ECPM interactive map 	
Overall		4) Number of executions / death sentences	4) >1,032 reported executions , 3,117 death sentences (2016)	sentences (2019)	4) Amnesty International annual report on the death penalty	
Specific objective(s): Outcome(s)	1) Encourage States to make concrete commitments and take action towards abolition;	1.1. Number of executives from non-abolitionist countries attending the World Congress1.2. Number of declarations	1.1) 6 countries (2016)1.2) 3 declarations(2016: Malaysia, DRC,	1.1) > 10 countries (2019) 1.2) >2 new	1.1.1) Official list of participants to the congress1.2) Narrative report and	There is no political crisis In Belgium such as blockage by the Flemish or Walloon
sctive(s):	2) Accelerate abolitionist initiatives and concerted	committing states (retentionist/ in moratorium)	CAR) 2.1) NA (2017)	declarations (2019)	minutes	government or corruption scandal
Specific obje	actions by key actors;	2.1 Number of abolitionist initiatives taken by key actors2.2 Number of new parliamentary network functioning in the target countries	2.2) NA (2017)	2.1) > 10 initiatives from key actors 2.2) >1 new network (2019)	2.1.1) Press review 2.1.2) narrative report2.2. Narrative report and minutes of meetings	Mobilisation and interest from high- level political and legislative authorities and from new allies is strong
•1		2.3 Number of joint declarations issued from key actors	2.3) 2 (1 from MP's network, one from NHRIs network)	2.3) > 2 (2019)		Public debate remains positive and
	3) Encourage new allies to join the fight against the death penalty;	3.1. Number of new allies involved in the debates	3.1) NA (2017)	3.1) 5 new allies (2019)	3.1) Narrative report, minutes	popular support for the death penalty does not increase

Outputs	 The capacities, knowledge and network of governmental actors with regards to death penalty are strengthened. Civil society organisations are informed and mobilised to take national and coordinated 	 1.1) Number of parliamentarians, NHRIs, political delegations attending the congress 2.1) Number of CSOs mobilised in the congress 	1.1) NA (2017) 2.1) NA (2017)	1.1) At least 80 delegations, 150 parliamentarians and 15 NHRIs 2.1) 800 CSOs	1.1) Official attendance list2.1) Official attendance
	international action.3) Citizens and the general public around the world are informed and engaged in the fight against the death penalty.	3.1) Number of visitors to relevant website & subscribers abolition email	3.1) NA (2017)	mobilised 3.1) 2.000 visitors	list 3.1) website of the congress
		3.2) Number of articles and references on the death penalty published in national and international press	3.2) Approx. 700 articles & press releases (2017)	3.2) 1) 1,200 articles, 300,000 references (2019)	
	4) New allies have joined the fight against the death penalty.	4.1) Number of new allies	4.1) NA (2017)	4.1) 5 new allies	4.1) Official attendance list