

ANNEX II: TERMS OF REFERENCE

1. BACKGROUND INFORMATION 1

1.1. Partner country 1

1.2. Contracting authority 1

1.3. Country background 2

1.4. Current situation in the sector 3

1.5. Related programmes and other donor activities 7

2. OBJECTIVES & EXPECTED OUTPUTS..... 10

2.1. Overall objective..... 10

2.2 Specific objective(s) 10

2.3 Expected outputs to be achieved by the contractor..... 10

3. ASSUMPTIONS & RISKS 10

3.1. Assumptions underlying the project 10

3.2. Risks 11

4. SCOPE OF THE WORK..... 11

4.1. General..... 11

4.2. Specific work..... 12

4.3. Project management..... 15

5. LOGISTICS AND TIMING 16

5.1. Location..... 16

5.2. Start date & period of implementation 16

6. REQUIREMENTS 17

6.1. Personnel 17

6.2. Office accommodation 19

6.3. Facilities to be provided by the contractor 19

6.4. Equipment 20

6.5. Incidental expenditure 20

6.6 Lump sums 21

6.7. Expenditure verification 21

7. REPORTS 21

7.1. Reporting requirements 21

7.2. Submission & approval of reports 22

8. MONITORING AND EVALUATION..... 22

8.1. Definition of indicators..... 22

8.2. Special requirements..... 23

BACKGROUND INFORMATION

1.1. Partner country

Georgia

1.2. Contracting authority

The European Commission, represented by the Delegation of the European Union to Georgia.

1.3. Country background

Georgia is a country in the Southern Caucasus, located at the crossroads of Western Asia and Eastern Europe, it is bounded to the west by the Black Sea, to the north by Russia, to the south by Turkey and Armenia, and to the southeast by Azerbaijan. The capital and largest city is Tbilisi. Georgia covers a territory of 69,700 square kilometres and its population according to the statistics of 2021 is about 3.728 million¹. Most of the population live in central areas and only about 42.8% lives in rural areas. Georgia is an upper-middle-income country, with a GDP per capita in 2020 of 3742 euros, corresponding to 33% of the EU average in terms of purchasing power parity. Following a year of pandemic-related contraction by almost 7% in 2020, GDP strongly expanded by over 10 % in 2021.

Georgia is a parliamentary democracy. Recent national and local elections were considered to be well organized and competitive although there were allegations of intimidation, vote-buying, pressure on candidates and voters, and an unlevel playing field. Regarding the judiciary Georgia has carried out four waves of judicial reforms, but the current climate of political polarisation makes it difficult to obtain broad consensus on an assessment of the last waves of reform and on next steps to be undertaken. As to the independence of the judiciary a number of recommendations from the Venice Commission and ODIHR have not yet been fully implemented. Georgia has taken important steps to modernize its police force, to analyse and further develop relations between investigative services and prosecutors to enhance the quality of services. General reforms of public administration have also covered the justice sector. Introduction of the Juvenile Justice Code and respective reforms in the justice system is another success of the country along with significant achievements in the probation and also penitentiary systems.

Georgian authorities face global issues like organised crime, drug trafficking, and cyber crime and further efforts are needed to tackle these problems and ensure a solid track record of implementation. Georgia has adopted legislation protecting the fundamental rights of citizens but there is room for improvement in terms of implementation of legislation in practice to the benefit of all citizens, including vulnerable groups.

EU-Georgia relations

Since its independence, Georgia has clearly expressed its European aspirations. This European ambition is included in the Georgian Constitution, and is supported by the people of Georgia (83% of Georgians approve joining the EU²) and across the political spectrum. This has been a driver for a number of key reforms founded on European values and standards.

¹ Population and Demography, National Statistics Office of Georgia, available at: <https://www.geostat.ge/en/modules/categories/316/population-and-demography>.

² In a December 2022 poll, 81% of Georgians indicated support for European integration, see poll [here](#).

The **Association Agreement** between the European Union (EU) and Georgia was signed in June 2014 and entered into force in July 2016. The Association Council has the power to adopt recommendations for the purpose of attaining the objectives of this Agreement.

On 3 March 2022, Georgia presented its application for membership of the European Union. The application was tabled in the context of Russia's war of aggression against Ukraine. On 17 June the Commission published its opinion on Georgia's application.

On the basis of the Commission's Opinion, on 23 June 2022 the European Council decided to recognise Georgia's European perspective. The European Council also expressed readiness to grant candidate status once the 12 priorities specified in the Commission's Opinion have been addressed.

On 16 August 2022 the EU and Georgia (EU-Georgia Association Council) agreed to consolidate their partnership by agreeing on a set of priorities for the period 2021-2027. It comprises joint work towards attaining the aims of political association and economic integration as set out in the Association Agreement. The **EU-Georgia Association Agenda** aims to support the implementation of the Agreement, focusing cooperation on commonly identified shared interests. There is overlap between many of the 12 priorities specified in the Commission's Opinion and the priorities of the Association Agenda.

The present technical assistance project aims at supporting Georgia in implementing the objectives and priorities set out in the Association Agenda. Key priorities of the Association Agenda of relevance to this particular project are listed below (see section 1.4).

Gender equality

During the last several decades, Georgia's progress in achieving gender equality has been noteworthy – starting from the creation of a legislative framework from scratch to establishment of quite well functioning institutions and implementation mechanisms to ensure equal legal protection and inclusive participation of men and women in the country.

In 2022 the Georgian Government has adopted the National Action Plan on Combating Violence against Women and Domestic Violence and the 2022-2024 National Action Plan on Implementation of UN Security Council Resolutions on Women, Peace and Security. The latest GREVIO Baseline Evaluation Report published in November 2022 contains a number of recommendations to Georgian authorities, including recommendations related to investigation, prosecution, procedural law and protective measures and training of professionals in particular those in law-enforcement agencies, to ensure prompt responses and avoid intersectional discrimination of women belonging to national and/or ethnic minorities, women living in rural areas and LGBTI women. GREVIO also strongly encourages the Georgian authorities to take measures to harmonise the collection of data between law-enforcement agencies and the judiciary with the aim, inter alia, of assessing attrition rates, and to ensure that anonymised data are systematically made available to the public.

In line with the EU Gender action plan III and the Country Level Implementation Plan (CLIP) 2021-2025 for Georgia, the EU will continue supporting judicial reform, including better access to justice and implementation of gender-sensitive and victim centred criminal justice procedures for sexual and gender-based violence. In addition, further efforts will be made to support Georgian authorities in improvement and use of sex-disaggregated data for policy-making as currently in many fields such data is missing or is relatively outdated.

1.4. Current situation in the sector

In recent years, Georgia has undertaken many legislative and institutional reforms aimed at strengthening the rule of law, including the areas of the fight against corruption and organised crime. Overall, the constitutional and legal instruments are in place to ensure the respect of the rule of law at all levels. However, practical implementation and enforcement need to be further consolidated. Moreover, some recent amendments to the Law on Common Courts have not been assessed positively by the Venice Commission as the changes pose a risk to the independence of key judicial

institutions. Recent amendments to the Criminal Procedure Code related to covert surveillance were also criticised by the Venice Commission but nonetheless adopted by the Parliament.

According to the Victimization Survey 2020³, considering the victimisation rates for a selection of common types of crimes in other Western countries, Georgia has indisputably remained a low crime country in an international context. Similarly, Tbilisi remains one of the safest capital cities in the world. Fight against organized crime and corruption is a policy priority for the Prosecution Service, the Ministry of Internal Affairs and other competent authorities of Georgia, which acknowledges the need for continuing efforts to strengthen the effectiveness of combating those crimes.

In the field of criminal justice, further reforms are needed to enhance analytical and operational capabilities of the investigation and prosecution services. The separation of their mandates should be fully implemented while ensuring efficient mutual coordination. Management structures should be enhanced, and so should legal and other skills of individual investigators and prosecutors. This should include the introduction of full-fledged intelligence-led and possibly community-oriented policing. Standard operating procedures should be improved to allow for efficient, victim-centred and human rights based investigations.

[The EU-Georgia Association Agenda 2021-2027](#) lists a number of key priorities of action **in the field of accountable institutions, the rule of law and security**. Priorities include:

- Implementation of judiciary reforms;
- Continuing the reform of the Prosecutor’s Office and the criminal investigation services at the Ministry of Internal Affairs and other agencies aiming at further ensuring independence and professionalism of prosecutorial and criminal investigative work;
- Reform of the Criminal Code with the objective to modernise the law and ensure its compliance with the relevant EU and international standards;
- Guaranteeing procedural rights of offenders and victims in criminal proceedings and further enhance the application of principles of restorative justice both for adult and juvenile offenders;
- Use of administrative detention only in duly justified cases;
- Proper separation of functions between prosecutors and criminal investigators, and balanced cooperation mechanisms in legislation and practice;
- Ensuring public order and security while guaranteeing human rights protection;

The EU-Georgia Association Agenda also includes priorities in the field of **human rights and fundamental freedoms** such as

- Progress with the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence;
- Further improvement of the penitentiary healthcare system and prisoners’ access to health care services and strengthening rehabilitation programmes within the penitentiary system;
- Continued juvenile justice reform;
- Steps towards social and behavioural transformation on combatting violence against children;

The **National Strategy for the Protection of Human Rights in Georgia for 2022-2030** was approved by the Government of Georgia on 6 September 2022. It has been sent to Parliament for approval but yet to be approved. Parliament is supposed to supervise the implementation of the strategy. A number of action plans will be developed to ensure the implementation of the Strategy.

The National Strategy for the Protection of Human Rights sets *strengthening of justice, rule of law principles, institutional democracy and effective application of civil and political rights* as priority # 1. A number of goals for priority # 1 have been defined under headings such as “Protection of human rights in the administration of justice”, “Strengthening the mechanism of crime prevention,

³ <https://www.icvs-crime.eu/georgia>

improving the quality of investigation, and increasing the effectiveness of law enforcement agencies”, “Right to life”, “The rights of convicts and accused persons”, and “Prohibition of torture and other cruel, inhuman or degrading treatment or punishment”.

As priority # 3 the strategy mentions *reflecting constitutional guarantees of equality in government policy and implementing them in practice and enjoying human rights and freedoms without discrimination*. One of the goals for priority # 3 is “Rights of a child”.

Main stakeholders/beneficiaries

The Ministry of Justice

The Ministry of Justice is responsible for development and improvement of national legislation in accordance with international standards, promotion of democratic values and strengthening the rule of law, and serving the public interest.

The Ministry of Justice has a 10-year strategy of the Ministry of Justice which focuses on three major directions: High level protection of human rights; Ensuring legal security of the state; Further developed public service delivery.

In 2018 the Ministry of Corrections was merged into the Ministry of Justice which now includes the Special Penitentiary Service, the LEPL National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation and the LEPL Center for Vocational Training and Retraining of Convicts. The Special Penitentiary Service is a state sub-agency operating in the field of governance of the Ministry of Justice. It provides enforcement of detention and imprisonment through special and civilian units.

The Special Penitentiary Service is currently working on a new strategy and action plan aiming at further development of the penal system, inter alia by building new small-scale prisons, improvement of the working conditions for the staff, strengthening the rehabilitation-resocialization approach, improvement of out-of-cell activities for the inmates, digital university and sport management, etc.

The strategic directions of the LEPL National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation and the LEPL Center for Vocational Training and Retraining of Convicts are also integral parts of the 10-year strategy of the Ministry of Justice.

The Ministry of Justice has elaborated a draft State Strategy for 2023-2026 on the Protection of the Children Living and/or Working on the Street from all Forms of Violence, including Trafficking. The government is expected to adopt the strategy as well as an accompanying action plan at the beginning of the 2023.

The Ministry of Internal Affairs of Georgia

The Ministry of Internal Affairs of Georgia (MIA) is one of the largest and complex state agencies in Georgia, consisting of 40,000 employees. The competencies of the MIA include public order, traffic safety, crime investigation, crime prevention, state border protection, immigration and provision of services (such as permits and licenses). The structural subdivisions of the MIA include, inter alia: the Office of the Minister, General Inspection Department, Central Criminal Police Department, 11 Territorial Police Departments, Patrol Police Department, as well as Human Rights Protection and Investigation Quality Monitoring Department. Police capacity building and training is provided through the Academy of the Ministry of Internal Affairs (the MIA Academy), which is a

legal entity of public law – special professional police education institution, which implements special professional education of specialists for law enforcement system, retraining of police staff and requalifying of in-service personnel.

The MIA has no over-all strategy but has a number of specific strategies and actions plans covering intelligence-led policing, the fight against organised crime and community policing.

The MIA Central Criminal Police Department (CCPD) is responsible for fight against: organised crime, criminal authorities/criminal underworld, serious crimes and drug related crimes, human trafficking and irregular migration and cybercrime. CCPD is tasked to deepen collaboration with the law enforcement and security agencies of foreign states and various international organizations (through Police Attaché network).

The Interagency Coordinating Council for Combating Organised Crime (ICC) consists of the representatives from various governmental agencies and is chaired by the Deputy Minister of Internal Affairs. The Council has elaborated the new 2021-2024 Strategy for Combating Organized Crime and its 2021-2022 Action Plan, with the support of the EU funded project ‘Support the Fight against Organized Crime’. The strategy combines several major directions: 1. Combating “community of thieves in law”; 2. Fight against drug trafficking; 3. Fight against cybercrime. Under the ICC, two working groups have been set up - one devoted to Organized Crime and another one to Cybercrime. The Information-Analytical Department of MIA carries out the functions of the Secretariat of the Interagency Council.

As part of structural reforms, a Drug-Transit Unit was created at the Central Criminal Police Department in 2014. The unit is exclusively responsible for the detection of drug trafficking routes on the basis of intelligence-led analysis and for the seizures of trafficked drugs.

Fight against Cybercrime is another important area. In April 2020, a new Cybercrime Division was established as part of the Tbilisi Police Department. The Division is responsible for investigating cybercrime registered in the Tbilisi region, mostly classified as Internet fraud, phishing and carding. It is noteworthy that the regional police of the MIA is not responsible for handling cybercrime cases in their respective regions and the system is fully centralized in the capital of Georgia, Tbilisi.

MIA started implementation of Community Oriented Policing in the Tbilisi Police Department. Currently, all police districts of Tbilisi are involved in Community Oriented Policing. It is planned to gradually widen its operational scope and eventually encompass the major cities of the country. Primary functions of the community officers are prompt and effective response to incidents and handling challenges related to juveniles, domestic violence, neighbourhood disputes, illegal migration, and vulnerable groups. It facilitates building bridges between Police and society, and enables the community to become a fully-fledged partner in the prevention and fight against crime.

Intelligence - led policing (ILP) has been introduced in the system at the rudimentary level, i.a. to achieve the law enforcement benchmark of the Visa Liberalisation Action Plan (VLAP) for Georgia from 2014. The purpose of introducing ILP is to assist the MIA in defining relevant threats and risks in crime prevention and detection by analysing statistical data, crime mapping and reviewing open-source material to determine where to focus resources. The emphasis is on crime prevention policies and increased communication between central and regional levels of law enforcement, rather than intelligence gathering *per se*.

In 2018, a Systemic Reform of the Criminal Police of the MIA was launched. The Reform was preceded by the assessment conducted within MIA units, which identified major challenges and gaps in the criminal police system, including, insufficient specialization and ineffective separation of functions within criminal police units between investigative, operative and district directions, lack of orientation towards crime prevention and use of modern policing methods, etc. Further, the assessment demonstrated that the aforementioned issues affected the quality of police activities, especially the quality of investigation.

By the end of 2018, the Ministry developed a concept for the reform, which implied clear separation of investigative and prosecutorial powers at the level of the Criminal Procedure Code, while within the system, investigative, operative, and district directions were called for separation as well.

The reform concept was assessed by the Venice Commission in an opinion adopted at its 118th session on March 15-16, 2019. According to the evaluation of the Venice Commission, the primary objective of the reform is the establishment of an independent investigation. This is a legitimate objective and not contrary to international standards which leaves the Georgian legislator with a considerable margin of appreciation in these matters. However, the Venice Commission recommends careful preparation of the transfer of power from the prosecution to the investigators so that the criminal justice system does not lose its efficiency. The Commission also recommends re-balancing some aspects of the proposals in the Concept paper as well as an incremental introduction of the whole reform with transitional arrangements.

MIA has submitted a draft legislative package on the separation of powers between prosecutors and investigators based on the reform concept to the Parliament. At present, the Parliament is expected to initiate hearings on the legislative package in spring session 2023. The US, the Council of Europe, and the EU have recommended rebalancing the legislative package according to the 2019 opinion from the Venice Commission. A workshop on investigative reform was held in February 2023.

The Prosecution Service of Georgia

The Prosecution Service of Georgia (PSG) is an independent authority functioning based on the law and the Constitution of Georgia. The functions, objectives and activity principles of the PSG are defined by the Constitution of Georgia, Organic Law of Georgia on the Prosecution Service, the Criminal Procedure Code of Georgia and other legislative acts.

Pursuant to the Organic Law of Georgia on the Prosecution Service, the PSG:

- Conducts criminal prosecution;
- Provides procedural guidance over investigations for criminal prosecution;
- Carries out full investigations in the cases determined by the law;
- Oversees the part of criminal intelligence activities that fall under prosecutorial powers in accordance with the Law of Georgia on Operative Investigative Activities;
- Responds to the violations of the rights of imprisoned individuals and persons with restricted freedom and fulfils procedural duties in the bodies that enforce sentences or other measures of coercion imposed by courts;
- Supports the state prosecution in court;
- As an applicant, participates in the name of the State in civil proceedings on the confiscation of racketeering, illicit, or/and unjustified property of a racketeer, public official, member of the criminal underworld/thief-in-law organisation, human trafficker, drug trafficker, money launderer or/and terrorism financier, or their family member, close relative or an associated person;
- Conducts criminal intelligence activities;
- Coordinates the fight against crime and crime prevention.

The PSG has developed a strategy for the development of the PSG in 2022-2027.

The 2022-2027 PSG strategy consists of five strategic goals:

- Improving the quality of prosecutorial work;
- Making the fight against specific crimes more effective;
- Strengthening international cooperation;
- Enhancing organizational and institutional development;
- Increasing public confidence.

It is stated in the strategy that splitting investigative and prosecutorial authorities will contribute to the improvement of the prosecutorial activity. The PSG priorities under the strategy include strengthening of the effectiveness of fight money laundering, corruption, human trafficking, including child trafficking, cybercrime, environmental crime, crimes involving violation of work

safety norms, gender based violence against women, domestic violence and sex crimes, hate crimes, crimes against people with disabilities, sexual abuse and exploitation of children and crimes committed by minors. International cooperation will also be strengthened. The PSG organisational and institutional development will be enhanced, and an agency-wide gender policy will be improved.

1.5. Related programmes and other donor activities

EU support

In the past, the EU has provided support to a number of projects in the justice sector related to criminal justice reforms.

Within the framework of the programme EU4Security, Accountability and Fight against Crime in Georgia (SAFE) the project ENI/2020/412-396 “Improving Quality of Prosecution and Criminal Investigation in Georgia” (April 2020 – August 2021) aimed at the following results:

- Developed SMART Strategies and Action Plans and Monitoring Mechanisms
- Enhanced personnel management
- Separated functions of prosecutors and investigators
- Improved prosecutorial and investigative practices
- Operationalized investigation by State Inspectorate

This project built on the assistance delivered under the “Support to the Development of the Criminal Policy, Prosecution and Investigation in Georgia” which began its work in October 2016.

ENI/2020/414-320 “Enabling Prison System to Prevent Re-offending” (Sept 2020 – Aug 2021); aimed at the following results:

- Address risks and needs of high and medium risk inmates
- Improve management of prisons with high and medium risk inmates
- Prevent inter-prisoner intimidation and violence in all prisons

ENI/2018/398-323 – “Support to the fight against organised crime” (August 2018 – April 2022). Inter alia, the project conducted advanced trainings on Intelligence-led policing (ILP) and serious and organised crime threat assessment (SOCTA), produced comprehensive manuals and handbooks for trainers and teachers on Victims and Witness Protection and Sexual Harassment, and several trainings of trainers (ToT) and awareness raisings workshops for managers on human rights, gender, and sexual harassment. Comprehensive training programmes on community-oriented policing (special trainings, and awareness seminars and workshops for managers were conducted on subjects such as vulnerable communities, including women, juveniles and domestic violence).

Within the framework of the SAFE programme support is ongoing through the following projects:

- Bilateral project with the EMCDDA on strengthening capacities for collecting evidences on drug use and strengthening professional capacities for respective rehabilitation professionals (EUR 0.8 m shall end on 3 May 2023);
- Two grants projects with Civil Society organisations on crime prevention and drug use prevention (mostly provision of evidence based prevention, treatment and rehabilitation services, advocacy for more liberal drug policy); in total 14 local and European non-state organisations are involved in the implementation; total budget is EUR 2.5 m. Implementation shall end by end of 2024/first quarter of 2025.

SAFE focuses also on addressing cyber security related challenges. Since end of 2020 a twinning project on Strengthening Cybersecurity Capacities in Georgia is being implemented by Austrian and Lithuanian administrations in cooperation with the Georgian Digital Governance Agency and other relevant state administrations.

A number of regional programmes are also ongoing:

‘EU4Digital: Improving Cyber Resilience in the Eastern Partnership Countries’ (EU contribution EUR 7 m) contributing to improving the cyber-resilience and criminal justice response of the EaP countries and implemented through two projects.

‘Fighting Organised Crime in the EaP region’ (EUR 9 m) with components implemented by CEPOL, EUROPOL and UNICRI, with the CEPOL and EUROPOL components continuing until mid-2024.

Within the framework of the programme “EU 4 Human Rights”, EU funds a project with a component on juvenile justice implemented by UNICEF “Strengthening Systems and Services for Child Protection in Georgia” (2020 – 2023). The programme also includes a component implemented by OHCHR which will include training to investigators related to the investigative reform.

Currently, the EU also supports the joint EU - Council of Europe “Program for Good Governance II”, which includes the following national projects “Supporting the criminal justice reforms – tackling criminal aspects of the judicial reforms in Georgia” and “Enhancing the Accountability and the Efficiency of the Judicial System and the Professionalism of Lawyers in Georgia”. A new phase, PGG III, which will also support criminal justice reform starts in March 2023.

Council of Europe (not financed by EU)

The Council of Europe previously supported a project on human rights and health care support to the penitentiary system, which ended in November 2021.

Council of Europe now supports a project, which aims to enhance the mental health and protect the human rights of offenders by improving the access, quality of provision and organisation of mental healthcare services (i.e. psychiatric care and psychological assistance), substance-use related services and other relevant therapeutic and rehabilitation activities. This project runs until December 2023.

The Council of Europe also implements a “Human Rights Compliant Policing in Georgia (HRCPG)” project. It will support the development of policies and regulatory measures by the medium and high-level decision-makers at the Ministry of Internal Affairs (MIA) that will address the shortcomings identified by the European Court of Human Rights, the European Committee for the Prevention of Torture (CPT) and the Public Defender’s Office of Georgia (PDO) in policing. Capacity building initiatives for police services and national independent monitoring and investigation mechanisms will also focus on policing of democratic freedoms (e.g. public gatherings), principles of ethics, issues related to juveniles and other vulnerable groups, as well as a gender-sensitive approach to policing. The project runs until 30 June 2023.

UN WOMEN

UN Women works jointly with the Government and non-state partners towards the overarching goal of ending violence against women and girls in Georgia. To this end, UN Women provides technical support to the Government to ensure that national legislation and policies are in compliance with Georgia’s international human rights commitments and obligations.

UN Women works closely with key actors engaged in intersectoral coordination, referral and service provision to the survivors of domestic violence and sexual violence, including but not limited to the Public Defender’s Office, police, prosecutors, lawyers, judges and social workers. Technical support is rendered to national partners in the development and implementation of a socioeconomic rehabilitation programme for survivors of domestic violence, as well as a behavioural correction programme for perpetrators of domestic violence.

US support

The U.S. State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL) and the US Department of Justice (DoJ) assists the Government of Georgia (GOG) to strengthen the rule of law through practical skills training for law enforcement officers, prosecutors, defense

attorneys, and judges. DoJ is involved in policy dialogue with MIA, PSG and Parliament regarding investigative reform. INL also supports training for the penitentiary service and vocational training centre.

USAID also implements a programme supporting the development of the judiciary with a special focus on courts in the regions of Georgia.

The Netherlands provides support to Georgian NGOs providing analysis of the justice sector such as Social Justice Center, Court Watch and GYLA. The Netherlands funds Caucasus Open Space which has researched the needs of the High School of Justice as well as the training needs of judges with a view to provide capacity building. Funding for Rule of Law training for civil servants offered by the Netherlands Helsinki Committee and support to Sustainable Community-oriented Policing in Georgia implemented by Georgian Centre for Strategy and Development is also provided.

2. OBJECTIVES & EXPECTED OUTPUTS

2.1. Overall objective

The overall objective (Impact) to which this action contributes is:

To support Georgia in advancing reforms in the justice sector with a particular focus on the implementation of EU related commitments, notably the EU-Georgia Association Agreement/Association Agenda.

2.2 Specific objective(s)

The specific objective (Outcome) of this contract is as follows:

Capacities of key criminal justice sector institutions further strengthened for the implementation of EU related commitments.

2.3 Expected outputs to be achieved by the contractor

The expected outputs of this contract are as follows:

Output 1 – Criminal Justice sector interagency coordination mechanisms and practices are further strengthened, crime related data collection and analysis systems and evidence based policy development practises further enhanced.

Output 2 - Analytical and operational capabilities of the investigation and prosecution services are further enhanced and full-fledged intelligence-led and community-oriented policing is introduced.

Output 3 – Capacities increased for preventing and addressing crimes against vulnerable groups and children, gender based violence and domestic violence.

Output 4 - Support is provided for further development of use of non-custodial sanctions and measures, early release mechanism and restorative justice system at large

3. ASSUMPTIONS & RISKS

3.1. Assumptions underlying the project

- The Government of Georgia remains committed to the fundamental values of democracy, rule of law and human rights. Georgia continues to support and pursue actions for political, economic and trade integration with the EU, in accordance with commitments undertaken in the Association Agenda for 2022-27. Also, the Government pursues public administration reform in line with international and EU good practice.

- The EU and the Government maintain their high level of cooperation and continue to communicate and coordinate reform efforts.
- The beneficiary institutions are willing and able to implement and benefit from the proposed actions. The institutions' capacity in maintaining staff, planning and coordination is sufficient for a sustainable implementation of the actions.

3.2. Risks

- External political tensions, social or economic problems in Georgia or a further recession in the global economy divert the Government's attention and resources away from the reform agenda.
- Weakening of the Government's commitment to reforms related to EU-Georgia agreements.
- High turnover of staff in public institutions and associated loss of institutional memory.
- Limited capacity of Government to effectively perform functions of policy coordination, policy analysis and impact assessments, inter-ministerial coordination and public

4. SCOPE OF THE WORK

4.1. General

4.1.1. Project description

Previous EU funded programmes and projects on support to the justice sector, including judiciary, investigation and prosecution services, penitentiary and probation systems as well as the on-going project on public administration reform have provided extensive technical assistance to reforms of the justice sector in Georgia.

A number of strategies, such as strategies of the MIA on intelligence-led policing, on the Fight against Organised Crime and on community policing, the 2022-2027 Prosecutor's Office of Georgia Strategy, the 10-year Strategy of the Ministry of Justice, the upcoming strategy for the penitentiary service, the draft State Strategy for 2023-2026 on the Protection of the Children Living and/or Working on the Street have either been elaborated and approved or are in process.

A draft legislative package on investigative reform is about to be discussed in the Parliament, work on the criminal code is ongoing and other changes to the criminal procedure code, extending the ability of law enforcement agencies to undertake wiretapping, have recently been adopted. The EU-Georgia Association Agreement, the 2021-27 Association Agenda and the Commission's Opinion from June 2022 on Georgia's application for EU membership refer to some of these legislative changes and not least to the need to actually ensure the implementation of new legislation. The EU Commission's Staff Working Document on Georgia of 2023 refers to the need for further harmonisation of rules on minimum sentences on drug-related crimes. With Georgia having obtained the European perspective and aiming to obtain EU candidate status, the criteria that Georgia have to fulfil will become stricter.

Looking ahead, it will be key for Georgia to build an actual track record of implementation of reforms and to be able to document progress by means of reliable data and statistics. Georgia will be requested to demonstrate ownership and strengthen internal coordination to make the most of resources allocated by donors and prove its ability to live up to EU standards.

In practice this means that critical self-assessments and reflections on whether reforms have been successful and sustainable or not will be essential. The recommendations from previous projects will thus be heeded and any identified obstacles to reform will have to be analysed and discussed. Technical assistance and trainings will still be important elements of this project but post-course evaluations should be undertaken and any organisational or cultural barriers to ensure the actual

transfer of learning into new workplace procedures and routines will have to be identified and overcome. Otherwise, trainings will not have the intended impact on individuals, teams and organisations.

The project shall consist in relevant and robust technical assistance to the primary beneficiaries and other relevant institutions in their efforts to further advance reforms in the justice sector through strengthening their capacities, revision of policies, legislative framework and practices for the implementation of EU related commitments and overall improvement of the crime situation and access to justice in the country.

The project shall duly carry out all activities necessary to achieve the results and tasks listed in sections 2.3 and 4.2 in close coordination with the relevant beneficiaries, and with due consideration of the above mentioned national and sector strategies, EU-Georgia engagements/agreements, policy papers, European standards, including opinions from the Venice Commission, rulings from the ECtHR, and international and local monitoring reports. The project shall insist on a human rights based approach building on the results of previous EU-funded criminal justice and fighting organised crime projects and in close coordination with other on-going support funded by the EU or by other donors.

4.1.2. Geographical area to be covered

The project shall be implemented in Georgia. A limited number of study visits may be organized abroad.

4.1.3. Target groups

Direct beneficiaries and duty bearers targeted by the project are the following justice sector institutions:

- The Ministry of Justice (MoJ), including the LEPL National Agency for Crime Prevention, Execution of Non-custodial Sentences and Probation and the Special Penitentiary Service
- The Ministry of Internal Affairs (MIA)
- The Prosecution Service of Georgia (PSG)

Indirect beneficiaries:

- Other relevant criminal justice institutions.

4.2. Specific work

In consultation with beneficiaries, the Contractor is tasked to assist effectively, timely and efficiently in achieving the following results by the end of the project period:

Output 1 – Criminal Justice sector interagency coordination mechanisms and practices are further strengthened, crime related data collection and analysis systems and evidence based policy development further enhanced.

TASKS

- The coordination mechanisms for juvenile justice and inter-agency work with minors, both on central and local level are further strengthened;
- Further support is provided for the reform of sentencing policy and the legislative framework;
- Support provided to relevant coordination mechanisms: interagency Coordinating Council for Combating Organised Crime (ICC); Interagency Coordinating mechanism for Criminal Justice Reform; Interagency Coordinating Council on Trafficking and other mechanisms addressing crime prevention and overall justice sector reform;

- Enhance methodology for gender-disaggregated data collection and analysis of gender-based crimes, including femicide;
- Produce regular written updates on ongoing developments/state of play in the criminal justice sector in Georgia.

Output 2 - Analytical and operational capabilities of the investigation and prosecution services are further enhanced and full-fledged intelligence-led and community-oriented policing is introduced.

TASKS

- As a follow up to separation of the mandates between prosecutors and investigators, support for enhancement of management structures and individual legal and other skills of investigators and prosecutors is provided;
- Support in developing standard operating procedures for efficient, victim-centred and human rights based investigations and prosecution, considering gender equality and rights of a child;
- Provision of: expertise on application of special investigative techniques according to international standards; trainings on ethical standards, conflict of interests and data protection
- Transfer of previous training on intelligence-led policing into the daily workplace assessed and possible impediments to the integration and full use of crime analysts within investigative and decision-making processes identified;
- Based on post-course level evaluation, support organisational change management to institutionalize the implementation of intelligence-led policing;
- Enhance capacities for investigation and prosecution of drug related crime, cyber-crime, money laundering, corruption, human trafficking, terrorism financing with an accent on special investigative technics, parallel financial investigations, electronic evidence, evidentiary standards and international cooperation;
- Trainings provided to investigation and prosecution services on asset tracing, seizure, and confiscation, especially virtual assets; interrogation and questioning tools;
- Support MIA in drafting the next term Community Oriented Policing development strategy and respective action plan based on the best international innovative practices and by considering and analysing specifics of different regions of Georgia for the best applicable model of the community oriented policing for Georgia;
- Support MIA to cover all territorial units and advance its capacity for efficient implementation of community-oriented policing via trainings and best practice sharing;
- Support in developing of strategic HR Management, continuous professional development and motivation system in prosecution service.

Output 3 – Capacities increased for preventing and addressing crimes against vulnerable groups and children, gender based violence and domestic violence

TASKS

- Planning/implementation of response and preventive measures to offenses/crimes committed by/against minors is supported - in coordination with the Ministry of Justice based on Ministry of Justice 2023-26 strategy for the protection of children living and/or working on the streets from all kinds of violence, including trafficking;

- Prevention and response to crime committed on the basis of discrimination, intolerance is strengthened (including crimes against LGBTIQ+ community, persons with disabilities and media representatives);
- New and updated guidelines for prosecutors and other law-enforcers in the area of juvenile justice are implemented in practice in cooperation with other involved institutions;
- Support the PSG to develop and implement the system for monitoring the cases involving juvenile victims;
- Support the PSG to strengthen the effectiveness of fight against sex crimes, including sexual violence against children and child sexual exploitation;
- Support to undertaking quantitative and qualitative research on repeated crimes committed by diverted juveniles to assess impact of resocialization-rehabilitation programmes and improve/adjust programmes in close cooperation with the probation system/local multidisciplinary councils of minors;
- Support trainings for criminal justice sector practitioners on the following issues: mediation and intercultural communication; working with vulnerable groups - definition of vulnerability and mechanisms of response to crimes committed against representatives of vulnerable groups; gender-based violence and domestic violence; child abuse and sexual exploitation of children; online work with children, techniques of conducting various online games and other innovative techniques of communication with minors.

Output 4 - Support is provided for further development of use of non-custodial sanctions and measures, early release mechanism and restorative justice system at large

TASKS

- Support all relevant justice institutions in strengthening restorative justice and diversion and mediation systems, including by assistance in developing specific training modules and relevant instruments/tools for practitioners;
- Support in the development of a concept of a family-type institution for juvenile convicts and assistance in the process of implementing that concept, including but not limited to providing relevant operational procedures, training modules for staff, development tools and instrument for professionals;
- Update compilation of international legal acts on juvenile justice (ECHR decisions, guidelines and general comments from the UN Committee of the Rights of the Child, other international standards) to be used as a reference document with analysis of the decisions and standards for law-enforcers and other relevant practitioners of the justice sector;
- Support development of a policy and capacity building related to handling of juveniles on probation, and child referral centres for minors under the age of 14 involved in offensive behaviour;
- Support respective authorities in further development and wider application of the existing crime prevention and early release mechanisms, introduction of new alternative sanctions and measures at all stages of criminal proceeding;
- Support improvement of rehabilitation and resocialization programmes (especially addressing needs of offenders convicted for violent crimes), continued and effective implementation of risk and need assessment instruments, overarching strategy and preparation for release concept;

- Capacities of the penitentiary and probation management and personnel further enhanced for more efficient rehabilitation and resocialisation practices (including, for the dynamic security in the prison system) and early release mechanisms.

Training Activities

Training and capacity building are foreseen under each of the outputs of the project. The number of staff to be trained and a training plan shall be specified and planned during the inception phase; the project shall present an initial training plan to the Steering Committee at the end of the inception phase (containing indicative: number of participants, target group, partner in implementation, if any, main objective and main activities, number of training days, number of expert days and external inputs required).

The trainings shall be designed and implemented in coordination with the Training Centre of the MoJ, Center for Professional Development and Career Management of the Office of the Prosecutor General of Georgia and the MIA Academy and in line with their training programmes and methodologies. All efforts shall be made to ensure sustainability of the trainings; all training curricula shall be presented at the end of the trainings in English and Georgian languages and training of trainers shall be conducted; in some cases it might be useful to record trainings. Trainings shall be participatory, result oriented and evaluated at the end of each training. The Contractor shall seek to harmonise training activities with regard to the training courses provided under other projects funded by EU and other donors and where possible carry out joint training on the issues of common interest to various stakeholders.

The contractor shall ensure the capitalisation and sharing of knowledge related to the implementation of the project. It concerns observations of technical and pedagogical value, which are interesting for other professionals, and which do not infringe with the obligations of Article 14 of the general conditions of the contract. For sharing such information, the contractor shall use the capacity4dev.eu web platform.

4.3. Project management

4.3.1. Responsible body

The responsible body and contracting authority is the Delegation of the European Union to Georgia, 64b Ilia Chavchavadze Avenue, 0162 Tbilisi.

The Project Manager appointed by the EU Delegation ("EUD Project Manager") shall monitor all activities of the project in order to ensure that the project is implemented in line with the provisions of the contract. The Project Manager may issue instructions to the contractor in order to achieve compliance with the contract.

The major beneficiaries (and lead counterparts) are the Ministry of Justice, the Ministry of Internal Affairs, and the Prosecution Service of Georgia. Each institution will identify one person as the contact point to ensure full cooperation and information from all relevant institution staff as well as effective cooperation with other beneficiaries and stakeholders of the project.

4.3.2. Management structure

A **Project Steering Committee** (PSC) shall meet twice a year to decide the overall direction of the project, to monitor the indicators, supervise the implementation of the project's activities and review the activity reports. Additional meetings can be arranged at ad hoc request of the EU Delegation or any of the members. The PSC will be composed of representatives from the Ministry of Justice, the Ministry of Internal Affairs, the Prosecution Service of Georgia, the EU Delegation, and contractor/project team.

More specifically, the Project Steering Committee will:

- provide strategic guidance for the implementation
- assess project progress and comment and/or discuss the project progress reports
- discuss and resolve obstacles to project implementation;
- take decisions related to the timing, sequencing, cost or content of project activities;
- assess the performance of the Contractor.

The beneficiaries shall remain fully committed to achieving the project results and involved accordingly in the development and implementation of the project activities; their senior staff shall participate in the steering committees.

The project Team Leader will act as a secretary of the PSC (including circulation of agenda, keeping of minutes and organising the meetings) and will receive feedback from the members and consequently make respective amendments to its action plan if needed.

Project technical committees (PTC) will also be organised within each beneficiary institution in order to involve the key stakeholders in the planning and implementation of results which are directed at supporting them. These PTC will be held preferably every quarter, and will allow careful planning and monitoring of the interventions to be implemented in cooperation with key beneficiaries.

The Beneficiaries should also provide all possible assistance to solve unforeseen problems that the Contractor may face.

The Project will work on a day to day basis with a number of different departments/services within, for instance, the Prosecution Service, the MIA, the MoJ, other justice sector institutions and the Parliament.

The Project Team

The Contractor shall establish an appropriate team composed of senior advisors and all other long and short-term experts and support staff members in a way to reach the foreseen results at high level of performance as defined in these Terms of Reference.

The Contractor shall ensure holding of regular meetings, preparation and circulation of the agenda, writing and distribution of minutes (if necessary). Any written communication relating to this Contract between the Contracting Authority and the Contractor must be sent by post, e-mail or by hand. All written communications between the Contractor and the Contracting Authority and/or the Project Manager shall be English.

If relevant and efficient for achieving the results and to a limited extent, some specific activities can be sub-contracted to other entities upon agreement with the EU Project Manager.

4.3.3. Facilities to be provided by the contracting authority and/or other parties

The Ministry of Justice and the Ministry of Internal Affairs, will provide, free of charge, office facilities appropriate to the size and nature of the project. The main project office shall be preferably located at the Ministry of Justice of Georgia.

5. LOGISTICS AND TIMING

5.1. Location

The duty station is in Tbilisi, Georgia. Project activities can take place in the regions of the country requiring some in-country travel, and abroad in case of study tours.

5.2. Start date & period of implementation

The intended start date is no later than 30 October 2023 and the period of implementation of the contract will be 36 months from this date. Please see Articles 19.1 and 19.2 of the special conditions for the actual start date and period of implementation.

6. REQUIREMENTS

6.1. Personnel

Note that civil servants and other staff of the public administration, of the partner country or of international/regional organisations based in the country, shall only be approved to work as experts if well justified. The justification should be submitted with the tender and shall include information on the added value the expert will bring as well as proof that the expert is seconded or on personal leave.

6.1.1. Key experts

Key experts have a crucial role in implementing the contract. These terms of reference contain the required key experts' profiles. The tenderer shall submit CVs and statements of exclusivity and availability for the following key experts:

Key expert 1: Team leader (approx. 450 working days)

The Team Leader shall be responsible for achieving the results by providing and mobilising technical advice to the beneficiaries in all areas defined under the Terms of Reference and, in this respect, for strategic guidance of the project activities in line with the Contract.

The Team Leader shall also be primarily responsible for interaction with stakeholders at strategic planning level, overall design and implementation of the project activities, management of financial and human resources, all other principal managerial risks.

The team leader shall be able to effectively steer the policy dialogue on criminal justice matters, establish professional communication and partnership with the project beneficiaries and other stakeholders, as well as represent the project at all levels.

Qualifications and skills

- At least Master or equivalent university degree in law or criminology, or equivalent relevant professional experience of a minimum of 5 years, in addition to the general professional experience required;
- Fluent written and oral communication in English.

General professional experience (gained within last 15 years before the tender submission deadline)

- Minimum 8 years working experience on criminal justice reform;
- Asset: At least one year of cumulative working experience in Georgia and/or other Eastern Partnership and/or IPA II countries.

Specific professional experience (gained within last 15 years before the tender submission deadline):

- At least 5 years cumulative working experience with EU Member State criminal justice sector institutions at a Ministry of Justice and/or law enforcement and/or penitentiary/probation system and/or prosecutorial system;
- At least 2 years of international consultant experience working on aligning criminal justice systems with European standards
- Experience in working with principles related to gender equality and the rights-based approach
- At least 350 working days of experience as a team leader in at least one donor-funded project in the criminal justice sector.

- Asset: at least 3 years experience in delivering trainings on criminal justice matters.

Key expert 2: Deputy Team Leader/Law Enforcement and Prosecutorial Expert (minimum 400 working days)

The expert will ensure reporting on the outputs and tasks achieved in the areas related to investigation and prosecution, manage the staff and resources of the team and provide information and reports on team plans, activities and use of resources as required by the Team Leader.

Qualifications and skills

- At least Master degree in subject area related to the tender or equivalent relevant professional experience of a minimum of 5 years in addition to the general professional experience;
- Fluent written and oral communication in English;

General professional experience (gained within last 15 years before the tender submission deadline)

- Minimum 8 years working experience on criminal justice reform;
- Asset: At least one year of cumulative working experience in Georgia and/or other Eastern Partnership and/or IPA II countries

Specific professional experience (gained within last 15 years before the tender submission deadline)

- At least 4 years as a crime investigator in an EU member state;
- At least 3 years as an international consultant with focus on police reforms and/or prosecution system reform in Eastern Partnership and/or IPA II Countries;
- Asset: at least 1 year as a consultant in Georgia on police reforms and/or prosecution system reforms;
- Asset: at least 3 years' investigative experience with specialisation in cybercrime and/or electronic evidence.

All experts must be independent and free from conflicts of interest in the responsibilities they take on.

6.1.2. Non-key experts

The profiles of the non-key experts for this contract are as follows:

Several non-key experts are specifically needed (the list is non-exhaustive):

- expert on project coordination with experience in the Georgian Criminal Justice field.
- expert on gender equality with experience from implementing the requirements of the Istanbul Convention in the criminal justice sector
- criminal investigation expert with proven experience in delivering training on covert investigations, use of undercover officers and informant handling while considering human rights and risks to the life of officers, witnesses and victims
- expert on restorative justice, juvenile justice, child friendly justice, experienced in consulting reform process in the mentioned areas
- expert on alternative sanctions and measures, early release and rehabilitation and resocialisation of offenders and reforming prison system, including designing facilities (including family type facilities) for juvenile and youth offenders
- expert on designing and institutionalising training curricula for criminal justice system practitioners

- expert in delivering trainings on tolerance and non-discriminatory approaches in law-enforcement systems.

The number of working days for non-key experts must be minimum 2000 days.

CVs for non-key experts should not be submitted in the tender but the tenderer will have to demonstrate in their offer that they have access to experts with the required profiles.

The contractor must select and hire other experts as required according to the profiles identified in the organisation & methodology and these terms of reference. It must clearly indicate the experts' profiles so that the applicable daily fee rate in the budget breakdown is clear. All experts must be independent and free from conflicts of interest in the responsibilities they take on.

The selection procedures used by the contractor to select these other experts must be transparent, and must be based on pre-defined criteria, including professional qualifications, language skills and work experience. The findings of the selection panel must be recorded. The selected experts must be subject to approval by the contracting authority before the start of their implementation of tasks.

6.1.3. Support staff & backstopping

The contractor will provide support facilities to their team of experts (back-stopping) during the implementation of the contract.

Backstopping and support staff costs must be included in the fee rates.

The contractor will have to recruit for the entire duration of the contract a local assistant who is fluent both in Georgian and English and who will have as a role to support the implementation of the project activities. The Contractor shall bear the costs of the recruitment of this person, these costs shall be covered by the fee rates of the other experts.

6.2. Office accommodation

Office accommodation of a reasonable standard and of approximately 10 square metres for the project team working on the contract is to be provided by the Ministry of Justice and Ministry of Internal Affairs.

Alternatively, Office space for the project team shall be provided by the contractor and are to be covered by the fee rates.

6.3. Facilities to be provided by the contractor

The contractor must ensure that experts are adequately supported and equipped. In particular it must ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support their work under the contract and to ensure that its employees are paid regularly and in a timely fashion.

If the Contractor is a consortium, the arrangements should allow for the maximum flexibility in project implementation. Arrangements offering each consortium member a fixed percentage of the work to be undertaken under the contract should be avoided.

Equipment necessary to perform the services consisting of e.g., computers, software, printers, telephones, fax, copy machines, scanners; supplies (working accessories), utilities (water, electricity, internet and other charges), and documentation (printed manuals, reports and other supporting

documents), etc. shall be provided by the Contractor. The Contractor shall bear the running costs of all needed equipment and materials which shall be covered by the fee rates of the experts.

6.4. Equipment

No equipment is to be purchased on behalf of the contracting authority / partner country as part of this service contract or transferred to the contracting authority / partner country at the end of this contract. Any equipment related to this contract that is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

6.5. Incidental expenditure

The provision for incidental expenditure covers ancillary and exceptional eligible expenditure incurred under this contract. It cannot be used for costs that should be covered by the contractor as part of its fee rates, as defined above. Its use is governed by the provisions in the general conditions and the notes in Annex V to the contract. It covers:

- Travel costs and subsistence allowances for missions, outside the normal place of posting, undertaken as part of this contract. If applicable, indicate whether the provision includes costs for environmental measures, for example CO₂ offsetting;
- Costs for training, seminars, and workshops (e.g. rent of conference room, accommodation, food and refreshments, interpretation and translation, training materials, etc.);
- Study visit(s), exchanges and other approved international partnerships;;
- Surveys and studies;
- Publications, translations, visibility material, etc.

The provision for incidental expenditure for this contract is EUR 700 000. This amount must be included unchanged in the budget breakdown.

Per diem are daily subsistence allowances that may be reimbursed for missions foreseen in these terms of reference or approved by the Contracting Authority, carried out by the contractor's authorised experts outside the expert's normal place of posting. The per diem is a maximum fixed flat-rate covering daily subsistence costs. These include accommodation, meals, tips and local travel, including travel to and from the airport. Taxi fares are therefore covered by the per diem. Per diem are payable on the basis of the number of hours spent on the mission. Per diem may only be paid in full or in half (no other fractions are possible). A full per diem shall be paid for each 24-hour period spent on mission. Half of a per diem shall be paid in case of a period of at least 12 hours but less than 24 hours spent on mission. No per diem should be paid for missions of less than 12 hours. Travelling time is to be regarded as part of the mission. Any subsistence allowances to be paid for missions undertaken as part of this contract must not exceed the per diem rates published on the website - https://international-partnerships.ec.europa.eu/funding/guidelines/managing-project/diem-rates_en - in force at the time of contract signature.

The contracting authority reserves the right to reject payment of per diem for time spent travelling if the most direct route and the most economical fare criteria have not been applied.

Prior authorisation by the contracting authority for the use of the incidental expenditure is not needed with the exception of

- Study tours abroad
- Trainings/seminars/fora priced above 10,000 EUR.

6.6 Lump sums

No lump sums are foreseen in this contract.

6.7. Expenditure verification

The provision for expenditure verification covers the fees of the auditor in charge of verifying the expenditure of this contract in order for the contracting authority to check that the invoices submitted are due. The provision for expenditure verification for this contract is The provision for expenditure verification for this contract is **EUR 30,000**. This amount must be included unchanged in the budget breakdown.

This provision cannot be decreased but can be increased during execution of the contract.

7. REPORTS

7.1. Reporting requirements

Please see Article 26 of the general conditions.

Interim reports must be prepared every six months during the period of implementation of the tasks. The narrative report should be based on the monitoring and evaluation system set up in the contract, using the Logical framework matrix (annex b8g) if included in the contract. In the latter case, a narrative report must inform all the results as measured by the indicators defined in the logical framework. The narrative report must be provided along with the corresponding invoice, the financial report and an expenditure verification report defined in Article 28 of the general conditions. There must be a final report, a final invoice and the financial report accompanied by an expenditure verification report at the end of the period of implementation of the tasks. The draft final report must be submitted at least one month before the end of the period of implementation of the tasks. Note that these interim and final reports are additional to any required in Section 4.2 of these terms of reference.

Each report must consist of a narrative section and a financial section. The financial section must contain details of the time inputs of the experts, incidental expenditure and expenditure verification.

To summarise, in addition to any documents, reports and deliverable specified under the duties and responsibilities of each key expert above, the contractor shall provide the following reports:

Name of report	Content	Time of submission
Inception report	Analysis of existing situation and work plan for the project	No later than 3 months after the start of implementation
6-month progress report	Short description of progress against the achievement of the results as spelled out in the Logframe (attached to the contract, if any). The progress report (technical and financial) should include problems encountered; planned work for the next 6 months accompanied by an invoice and the expenditure verification report.	No later than 1 month after the end of each 6-month implementation period.
Draft final report	Short description of the achievement of the results as spelled out in the Logframe (attached to the contract, if any). The draft final report should include a description of the problems encountered and recommendations.	No later than 1 month before the end of the implementation period.

Final report	Short description of the achievement of the results as spelled out in the Logframe (attached to the contract, if any). The final report should include a description of the problems encountered and recommendations; a final invoice and the financial report accompanied by the expenditure verification report.	Within 1 month of receiving comments on the draft final report from the project manager identified in the contract.
--------------	---	---

7.2. Submission & approval of reports

The reports referred to above must be submitted to the project manager identified in the contract electronically (e-version of the reports) in common desktop publishing formats (MS Office or compatible formats). The reports must be written in English. The project manager is responsible for approving the reports.

The draft of each Report is to be submitted to all members of Project Steering Committee prior to the Project Steering Committee meeting. The members of Project Steering Committee can make comments on the draft reports within 15 calendar days from their submission. After comments of the parties are received, final reports and documents will be resubmitted to the Contracting Authority for approval. If no comments are received from the related parties within 15 calendar days after submission, the report shall be deemed as approved. Only for the Final Report the approval deadline will be 30 calendar days. The Minutes of the project meetings shall be kept by the Contractor. The Contractor shall make the minutes available for distribution within one working day after the respective meeting.

No report or document shall be distributed to third parties without prior approval by the Contracting Authority and Beneficiaries. The Consultant shall pay particular attention to the confidentiality of data. Reports made by the Consultant will make clear that any opinion expressed therein is the opinion of the Consultant and does not represent the opinion of the Contracting Authority or the Beneficiaries.

8. MONITORING AND EVALUATION

8.1 Definition of indicators

The project will be monitored and assessed according to standard EU procedures. Project monitoring and evaluation will be based on periodic assessment of progress on delivery of specified project activities and towards achievement of foreseen project results.

The tenderer should define suitable output, result and impact indicators as part of the technical offer when completing the logical framework matrix template (annex b8g) based on the Global Europe Results Framework⁴. The quality of the completed log-frame and related indicators will be evaluated and scored as part of the strategy part of the offer.

In the Inception Report, the Contractor shall present updated objectively quantifiable indicators.

⁴ Staff Working Document on Global Europe Results Framework <https://europa.eu/capacity4dev/sites/default/files/swd-gerf.pdf>

The final agreed indicators in the log-frame will serve as a basis for both regular internal Commission monitoring, as well as external monitoring, of the performance of the contract.

8.2 Special requirements

The contractor should report on the results at impact, outcome and output levels, linked to sources of verification presented in the logframe. Reporting will be carried out through Inception, Progress and Final Reports as laid down in the terms of reference / project description and general conditions and in the electronic monitoring system OPSYS.

All references provided for Key experts need to be accompanied by additional supporting document issued by the employer that will indicate inputs (number of working days). Contract or self-declaration will not be accepted as supporting document.

* * *