

ANNEX 04

of the Commission Implementing Decision on the Special Measure 2014 in favour of Georgia and the Republic of Moldova

Action Document for "Human Rights for All in Georgia"

1. IDENTIFICATION

Title/Number	Human Rights for All in Georgia CRIS Number: ENI/2014/037-382		
Total cost	Total estimated cost: EUR 10.8 million Total amount of EU budget contribution: EUR 10 million (allocated through the multi-country umbrella programme) This action is co-financed in joint co-financing by UNDP for an amount of EUR 200 000 Estimated co-financing by grant beneficiaries: EUR 600 000		
Aid method / Management mode and type of financing	Project Approach <ul style="list-style-type: none">- Direct management: grants (call for proposals and direct award) and procurement of services- Indirect management with the United Nations Development Programme (UNDP)		
DAC-code	15160 15150	Sector	Human Rights Democratic participation and civil society

2. RATIONALE AND COUNTRY CONTEXT

2.1. Summary of the action and its objectives

The EU intends to support the implementation of the Georgian National Human Rights Strategy and Action Plan (NHR SAP) in areas selected in line with the priorities of the Association Agreement (AA) initialled during the Vilnius Summit in November 2013, the Association Agenda, as well as the Visa Liberalisation Action Plan, particularly its Block 4 dealing with fundamental rights. This support will assist Georgia in its political approximation to the EU and cement the promotion and implementation of common values like human rights.

The Action complements the current Georgia-EU policy dialogue. The overall objective is to strengthen human-rights protection in areas prioritised by EU-Georgia agreements, including the rights of minorities and vulnerable groups, internal and external oversight of law enforcement, protection of privacy, labour rights, freedom of expression and information. The specific objectives of the Action are (1) to improve protection against discrimination of various minorities and vulnerable groups, and (2) to support the implementation of the National Human Rights Strategy and Action Plan and its monitoring.

The Action aims at strengthening the capacities of State institutions like the NHR SAP Inter-Agency Council, the Personal Data Protection Inspector, the prospective institutional mechanism foreseen in the draft Anti-Discrimination Law,

government institutions on labour and child care, the Ombudsman and the Parliamentary Committees of Human Rights and Legal Issues. Civil society organisations (CSOs) will also benefit greatly from the Programme as they will contribute to the implementation of the National Human Rights Strategy as service providers and will be closely involved in monitoring.

Finally, synergies with the EU Justice Sector Policy Support Programme, which is part of the 2014 Annual Action Programme in favour of Georgia, are ensured, as both interventions strongly complement and reinforce each other.

Funding for this Action is granted to Georgia through the 'more for more' mechanism of the European Neighbourhood Instrument (multi-country umbrella programme).

2.2. Context

2.2.1. *Country context*

2.2.1.1. Economic, social situation and poverty analysis

Georgia is a small developing economy with a gross national income (GNI) per capita of USD 3 491 in 2012. Over the past 10 years, Georgia undertook significant economic, social and governance reforms resulting in sound fiscal and monetary policies. Despite shocks caused by the 2008 conflict with Russia and the Financial Crisis, Georgia was capable to recuperate macroeconomic stability and recover progressively. GDP growth has slowed down to 3.2% in 2013 (against originally projected 6%) but is estimated at 5% in 2014 to the forecast of the Ministry of Finance. Current account deficit remains high (11.7% of GDP in 2012), and its medium-term outlook may represent a challenge to fiscal stability. Poverty and unemployment (at about 22% and 15%, respectively) remain high, and there is an evident urban-rural gap. While agriculture is the primary source of employment in rural areas, it accounts for only 8% of the Gross Domestic Product (GDP). The average level of expenditures of one-fourth of the Georgian population - about 1 million people - is estimated to be equivalent to less than 60% of the (median) subsistence level. The Government's Programme reaffirms stability-oriented macroeconomic policy as a dominant medium-term objective. Improvement of the rule of law and the administration of justice are key preconditions for further increase in foreign and domestic investments and improvement of the economic situation.

2.2.1.2. National development policy

Georgia's relevant policy framework remains oriented strictly towards closer EU links and eventual integration, confirmed by the recently initialled Association Agreement and the Government Programme established in 2012. The main objective of the Government of Georgia is the development of strong, effective and democratic institutions. To achieve this, the Government undertakes to implement constitutional reforms, upgrade legislation, guarantee balanced operation of government institutions, establish efficient self-governance, undertake reforms of the justice sector, and strengthen the rule of law and the protection of human rights. Crime prevention, fight against corruption and other crimes and elimination of poverty are also on the top of the Government agenda. The Georgian authorities and IMF agreed in 2013 on a number of initiatives to strengthen the structural revenue, improve tax and customs administration, and implement various planned structural reforms while abstaining from unaffordable long-term commitments. These undertakings confirm the genuine nature and credibility of the Government's political, economic and social policies, which are intended to ensure a fair balance between growth and sustainability, development and responsibility, while seeking closer relationship with EU.

2.2.2. *Sector context: policies and challenges*

The Rose Revolution of 2003 signalled the Georgian aspirations to democracy and market economy. Important policy, legislative and institutional changes to improve the rule of law and administration were undertaken. However, progress was coupled with shortcomings, especially in the aftermath of the 2008 Financial Crisis and the war with Russia, and serious breaches of human rights¹. At the same time, it is notable that, following the Parliamentary elections in October 2012 and the Presidential election in October 2013, a peaceful transfer of power took place for the first time in Georgia's modern history.

A series of reforms in the area of human rights was introduced, such as halving the prison population, adopting laws for a more independent judiciary, abolishing the Department of Constitutional Security within the Ministry of Interior (MOI), approving an ILO-compliant Labour Code, and creating an independent Personal Data Protection Inspector (PDPI) and Legal Aid Service (LAS). Consultations with CSOs became more participatory and their recommendations better reflected in policies. Reforms were supported by the EU, in particular through EU Special Adviser on Constitutional and Legal Reform and Human Rights, Thomas Hammarberg and his report, issued in September 2013 "Georgia in Transition: Report on the human rights dimension: background, steps taken and remaining challenges".

The Hammarberg Report, as well as Parliamentary and special reports by the Ombudsman and other international organisations, served as baselines for the ***National Human Rights Strategy and Action Plan (NHR SAP)*** prepared by a dedicated *Inter-Agency Council*, and approved by the Government of Georgia in March 2014, following consultations with the civil society and international stakeholders, including the United Nations and the EU. The strategy, which covers the period 2014-2020, is to be adopted by Government and ratified by Parliament, in order to strengthen its binding nature as a national policy and serves as the main document to define the core human rights priorities and strategic directions of the government. In addition, a detailed 2-year Action Plan is also to be adopted by the Government.

The NHR SAP builds on some previous relevant strategies, while expanding into some new fields. It defines 20 priority areas focusing on personal freedoms and physical inviolability, as well as political and socio-economic rights.

Other sector-relevant strategic reform policies are defined in the *Criminal Justice Reform Strategy and Action Plan*, the *Strategy on Fight against Ill-treatment*, the *Juvenile Justice Renewed Strategy* (in elaboration), and in other sectorial (i.e. the *Civic Integration Strategy* - mainly dealing with minorities - or the *Policy to Combat Domestic Violence*) or institutional policies (i.e. Public Defender (Ombudsman, PDO) Institutional Reform Plan and 2013 Directions), the *Visa Liberalisation Action Plan*, notably its block 4 dedicated to fundamental rights).

NHR SAP does not replace any of the above policy documents, but rather works as an 'umbrella' emphasizing key areas of intervention relevant from the human-rights perspective in the context of other existing sectorial or sub-sectorial policy and legislative instruments, and/or developing areas where policy frameworks are weaker. Hence, apart from its content, NHR SAP adds a valuable '*monitoring*' element to the whole national policy framework.

Challenges in the sector remain in particular for the handling of over 20 000 complaints filed at the Office of the Prosecutor General (PO) by citizens and inmates

¹ Airing videos of prison torture in 2012 which contributed to the change of ruling forces.

after the 2012 elections, ineffective investigations into torture, ill-treatment and various forms of abuse, unlawful and excessively long detention, insufficient response of the State to increased incidents against religious minorities and societal violence against lesbian, gay, bisexual, and transgender group (LGBT).

The Hammarberg Report and other relevant capacity assessment exercises note the need for *comprehensive capacity building* in the following areas: (a) institutional strengthening of key human rights stakeholders from the *executive branch* – notably NHRSA Secretariat, Personal Data Protection Inspector, institutional mechanisms which are about to be introduced in anti-discrimination and labour rights protection; (b) *oversight of law enforcement agencies*, striking a balance between crime detection and prevention and the protection of fundamental rights; in this respect, capacities of the Prosecution Office (PO), Ministry of Interior (MOI) and other law enforcement agencies should be strengthened, *inter alia* by EU Programme for Justice Sector Reform, designed simultaneously with this Action and that is part of the 2014 Annual Action Programme in favour of Georgia; (c) role of *Parliament*, particularly its committees dealing with legal affairs and human rights, should be strengthened; (d) *civil society*'s involvement in the sector reform and monitoring should be further promoted; and (e) *PDO*, which is currently undergoing leadership and staff changes, needs to be further supported to ensure business continuity in the performance as national watchdog.

2.3. Lessons learnt

Lessons learned from previous or ongoing projects are reflected in this intervention, including ROM (result-oriented monitoring) reports of different areas (e.g. support to Public Defender, criminal justice, minorities, support to trade unions, governance) or EU thematic evaluations (e.g. budget support; justice and security sector reform; EIDHR). Some conclusions to work in sensitive areas like those addressed by the present intervention are the need to (i) strive for consensus in a participatory way – thus the importance of the inclusive preparation of the NHRSA and its adoption by Government and Parliament; (ii) work with various branches of power, not only the executive; (iii) involve oversight bodies and CSOs, the latter both as service providers and watchdogs; and (iv) partner with international organisations that have the added value of being standard-setting bodies for international/European commitments that Georgia has undertaken but are at the same time aware of the local context/sensitivities that need to be considered to advance human rights in a non-confrontational way.

2.4. Complementary actions

This Action builds on EU support to previous human rights-related policies, more particularly on the previous and current Sector Policy Support Programmes in criminal justice, alongside other EU-financed interventions. The Action will be considered a top-up to the Criminal Justice Programme. One of the main complementary EU actions will also be the planned intervention on justice (designed simultaneously). Other EU interventions have also synergies like EIDHR or capacity building projects (eg. Support to Institutional Reform Plans of the Parliament or the Public Defender). The intervention will also have synergies with other EU actions like the Public Administration Reform programme planned for 2015, the project on legislative development, impact assessment and EU-law approximation system (currently being launched), and other activities undertaken to support the EU-Georgia visa dialogue (anti-discrimination, privacy and other fundamental rights) or DCFTA. Planned and current interventions by other donors are also considered (EU Member States, USAID, but also UN agencies –which have been deeply involved in the drafting of the NHRSA- and the Council of Europe).

2.5. Donor coordination

Donor coordination is provided by the sector policy-setting and monitoring bodies, including the Inter-Agency Council (which incorporates CSOs with consultative status), the Prime Minister Office and the Ministry of Justice. In addition, a dedicated donor coordination unit has been set up in 2014 at the State Chancellery for all sectors. The unit developed special software and methodologies for following donor inputs. The Chancellery will also host the NHRSAP Secretariat, which will be placed directly under the Prime Minister.

Along with the development of the National Human Rights Action Plan, it is planned to establish a coordination mechanism for the plan's implementation that will be responsible for not only the completion of the plan, but its periodic updating as well.

3. DETAILED DESCRIPTION

3.1. Objectives

The overall objective of this Action is to strengthen human-rights protection in areas prioritised by EU-Georgia agreements, including the rights of minorities and vulnerable groups, internal and external oversight of law enforcement, protection of privacy, labour rights, freedom of expression and information.

The benchmarks for the achievement of the objective are to be found in relevant international standards (such as United Nations, Council of Europe), European best practices, and EU-Georgia agreements, including the ENP Action Plan, the Association Agreement with its encompassing Agenda, the Visa Liberalisation Action Plan, and the Eastern Partnership Road Map and its bilateral dimension, which include indicators for Georgia.

The specific objectives of this Action have been defined as follows:

1. Enhanced assistance and protection of various minorities and vulnerable groups², including victims of domestic violence and children in poverty.
2. Support the implementation and monitoring of the National Human Rights Strategy and Action Plan in selected areas prioritised by the EU-Georgia agreements.

3.2. Expected results and main activities

Linked to Specific Objective 1:

Result 1: Improved access of minorities and vulnerable groups to non-governmental services of protection against discrimination and direct assistance to victims of domestic violence and children in poverty.

- 1.1. Provision of free legal aid and other services (e.g. medical or psycho-rehabilitation) for discriminated groups; capacity building of groups vulnerable of discrimination (particularly ethnic, religious and/or LGBT); documentation/survey/awareness- related activities on groups vulnerable of discrimination.
- 1.2. Direct protection and assistance of victims of domestic and sexual violence or abuse, including women and children (e.g. shelter, legal/socio/medical rehabilitation)
- 1.3. Improvement of child care and protection system of children in poverty (e.g. shelter, legal/socio/medical services for children living and working on the

² These are among the society sectors that are expected to be harder hit by the new environment of increased competition accompanying the Association Agreement in the short-term (a.o. those with only primary education; impoverished minorities, women and children; or elderly).

streets, children in institutions or under foster care; (family) support services for poor children with disabilities, including early intervention and day-care programmes)

Linked to Specific Objective 2:

Result 2.1: Enhanced capacity for more effective government institutions and mechanisms in areas prioritised by the EU-Georgia agreements.

- 2.1.1 Strengthening of the inter-agency coordination body/mechanism regarding policy-making, implementation and monitoring of NHRSAF.
- 2.1.2 Strengthening of capacities of the Personal Data Protection Inspector
- 2.1.3 Operational institutional mechanism foreseen in the anti-discrimination law to promote protection of minorities (including LGBT rights)
- 2.1.4 Establishment and effective functioning of labour administration and industrial relations institutions and procedures
- 2.1.5 Development of capacities of other governmental stakeholders regarding the advancement of child care and protection systems of poorest children
- 2.1.6 Greater public awareness of the NHRSAF implementation and promotion of a culture of human-rights in Georgia in general and Georgia-EU common values in particular

Result 2.2. Support the implementation and monitoring of NHRSAF through enhanced accountability of law enforcement agencies, as well as enhanced independence and effectiveness of the Public Defender's Office and the relevant Parliamentary Committees

- 2.2.1 Strengthening of effective and accountable investigation mechanisms on violations from law-enforcement officers (mainly but not only on ill-treatment)
- 2.2.2 Strengthening of capacities of the PDO human-rights watchdog role in relevant policy development, implementation, monitoring, research and analysis
- 2.2.3 Strengthened capacities of the Parliamentary committees on human rights and legal affairs

Result 2.3: Strengthened public oversight of human-rights protection via support to watchdog CSOs and the media:

- 2.3.1 Enhanced capacities of CSOs to provide inputs for the NHRSAF implementation and its monitoring
- 2.3.2 Support to watchdog CSOs and media to conduct awareness raising and/or shadow reports in the context of the NHRSAF implementation and monitoring

Results 2.1, 2.2, and 2.3 are designed to group main agencies from the executive (2.1), the legislative (2.2) and CSOs/media (2.3). It has to be stressed that inclusive processes and involvement of CSOs and/or Non-State Actors (e.g. social partners, universities, media) will be strongly promoted throughout the programme, in particular when strengthening institutions/bodies/mechanisms contemplated under result 2.1 and 2.2.

3.3. Risks and assumptions

3.3.1. Assumptions

- (1) Georgia remains on path of manifest and real commitment to cooperate with and, eventually, integrate into EU.
- (2) Drastic reshuffling of the current political forces and their current positions (favourable to EU integration) is avoided.
- (3) Continuing support of EU and other donors, including by way of sector budget support and Project-approach modalities, extending support to all branches of power (Parliament, executive, judiciary) and non-State actors.
- (4) Close dialogue between EU and the Government on common values and specific policies to work out a clear, foreseeable, ambitious, realistic and measurable Programme design. Culture of consensus and tolerance is fostered the Government, by promoting CSO engagement as service providers and watchdogs, alongside greater attention to awareness-raising, especially with regard to extremely sensitive issues, such as LGBT rights.
- (5) Formal or informal veto right of any stakeholder is avoided on either 'what' is to be achieved or 'how', to preserve the current leadership of the Inter-Agency Council and the executive-led coordination mechanism in the reform process.

3.3.2. Risks

- (1) *Political instability* - mitigated by the overwhelming political consensus as to the general objectives of the human-rights protection, as a *core precondition* for Georgia's economic and social development and pathway towards closer EU integration.
- (2) *Lack of common policy priorities* within the 'human-rights sector' *where there may be reluctance of certain institutional stakeholders (most notably, those outside the executive branch) to comply with the scope and extent of the reforms* - mitigated by the developing sector coordination mechanism, which involves actors in various branches of power and CSOs.
- (4) *Increased crime-rates* jeopardise the Government's more tolerant approach to the criminal justice and penitentiary sub-sectors.
- (5) *Polarisation within the society and deterioration of human rights protection*, especially the hostility of traditional layers of the society with regard to gender equality and LGBT rights- mitigated by fostering the culture of consensus and tolerance by the Government and promoting CSO engagement as service providers and watchdogs, alongside greater attention of EU in fostering awareness-raising (especially with regard to extremely sensitive issues such as LGBT rights).

3.4. Crosscutting Issues

Cross-cutting issues will be considered for democracy, good governance and human rights (promoting participatory approaches, building capacities of different branches in power and oversight institutions, improving management of public resources, directly supporting the implementation of the NHR SAP, involving NGOs and media as service providers and watchdogs), gender equality (supporting the implementation of the planned Anti-Discrimination law and the institutional mechanism; and implementation of the NHR Gender Action Plan that has been endorsed by over 40 NGOs). The rights of the child will be considered, particularly those victims of domestic violence or under foster care.

3.5. Stakeholders

In the areas addressed, the groups most prone to violations of human rights come from ethnic or religious minorities, which make up 16% and 13% of the population, respectively. Other vulnerable groups are LGBT and disadvantaged groups that may be harder hit in the short-term by the more competitive environment to be introduced following the signature of the AA/DCFTA, including victims of domestic violence and children in poverty. CSO representing those minorities and vulnerable groups, which were extensively consulted in the

context of the analysis and recommendations included in the Hammarberg report, will benefit from call for proposals in this Action (33% of the Action's budget).

Other stakeholders are social dialogue partners (labour rights) and the population at large (privacy rights, freedom of information, democratic oversight of law enforcement).

Stakeholders will also come from the executive branch ensuring domestic ownership of the process, such as the NHRSAP Inter-Agency Council (in charge of both the implementation and internal monitoring of the NHRSAP); the Personal Data Protector Inspector (enforcing privacy rights, still weak to counteract potential illegal surveillance); labour institutions not yet in place (particularly regarding mediation and inspection); law enforcement agencies whose external oversight needs to be strengthened (particularly to combat and prevent ill-treatment and impunity).

The Parliament (mainly the legal and the human rights committees) and the Public Defender (Ombudsman) will play a key role in monitoring the implementation of the NHRSAP in the areas selected and in awareness raising. The whole institutional framework and organisational capacity need to be strengthened. CSO are proposed to play a role as service providers and watchdogs. Media should also be considered, particularly regarding awareness raising and external oversight.

4. IMPLEMENTATION ISSUES

4.1. Financing agreement

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012, through an addendum to the ongoing Criminal Justice financing agreement (ENPI/2011/022-562).

4.2. Indicative operational implementation period

The indicative operational implementation period of this action, during which the activities described in sections 3.2. and 4.3. will be carried out, is 48 months from the date of entry into force of the financing agreement, subject to modifications to be agreed by the responsible authorising officer in the relevant agreements. The European Parliament and the relevant Committee shall be informed of the extension of the operational implementation period within one month of that extension being granted.

4.3. Implementation components and modules

The proposed interventions will include:

4.3.1. Grants: call for proposal for NGOs and media (direct management)

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

There will be 2 objectives:

- Improved access of minorities and vulnerable groups to non-governmental services of protection against discrimination and direct assistance to victims of domestic violence and children in poverty.
- Strengthened public oversight of human-rights protection via support to watchdog CSOs and the media

The type of actions eligible for financing are linked to Expected Results 1.1. and 2.3.

- (b) Eligibility conditions

Participation will be open to NGOs or media working in any or all of the objectives of the call for proposal and having at least 3 years of experience in the provision of relevant services (result 1.1) and/or as media/watchdog organisation (result 2.3).

(c) Essential selection and award criteria

The essential selection criteria are 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.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for grants under this call is 90% of the eligible costs of the action.

The maximum possible rate of co-financing may be up to 100% in accordance with Article 192 of Regulation (EU, Euratom) No 966/2012 if full funding is essential for the action to be carried out. The essentiality of full funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative trimester to launch the call

Fourth quarter of 2014

4.3.2. Grant: direct award (direct management) to the Public Defender's Office (PDO) of Georgia

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

The grant will have as objective the strengthening of capacities of the PDO human-rights watchdog role in relevant policy development, implementation, monitoring, research and analysis. This is linked to Expected Result 2.

(b) Justification of a direct grant

Under the responsibility of the authorising officer by delegation, the grant may be awarded without a call for proposals to the Public Defender's Office.

Under the responsibility of the authorising officer by delegation, the recourse to an award of a grant without a call for proposals is justified because the beneficiary, the Public Defender's Office, is in a legal and factual monopoly situation as constitutional-mandated watchdog of human rights institution

(c) Eligibility conditions

Not applicable.

(d) Essential selection and award criteria

The essential selection criteria are 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 90% of the eligible costs of the action.

The maximum possible rate of co-financing may be up to 100% in accordance with Article 192 of Regulation (EU, Euratom) No 966/2012 if full funding is essential for the action to be carried out. The essentiality of full funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

(f) Indicative trimester to contact the potential direct grant beneficiary

Third quarter of 2014.

4.3.3. Procurement (direct management)

Subject	Type	Indicative number of contracts	Indicative trimester of launch of the procedure
Technical Assistance	Services	up to 2	3 rd quarter of 2014
Visibility, monitoring and evaluation	Services	up to 3	3 rd quarter of 2014 for visibility During 2015-2016 for evaluation

4.3.4. Indirect management with an international organisation

A part of this action with the objective of Support the implementation and monitoring of the National Human Rights Strategy and Action Plan in selected areas prioritised by the EU-Georgia agreements may be implemented in indirect management with the UNDP in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012.

This implementation is justified because of UNDP ability to provide capacity building of state institutions, their management capacity in Georgia to date, strongest administration/coordination capacity to ensure engagement of relevant UN agencies that are standard setting bodies re human rights areas covered by this action and will also have a role in implementation, UNDP's ability to deploy high-level and technical experts, and positive record of work with the EU in areas relevant for the present intervention. UNDP has good track record working with the EU in the areas of promotion of democracy and media, and confidence-building. UNDP and other UN agencies have been deeply involved and assisting in the preparation of the NHRSA.

UNDP would cover most of Specific Objective 2 and implement the above-mentioned results and activities: result 2.1. and its related activities (with the possible exception of result 2.1.3 if the related mechanism is eventually embedded in the Public Defender's Office). UNDP would also cover activities 2.2.1. and 2.2.3.

UNDP will also ensure engagement as needed of different UN agencies on selected areas of this Action: ILO for implementation of activity 2.1.4; UNICEF for implementation of activity 2.1.5. Other UN agencies may also be involved according to needs.

The tasks entrusted to UNDP are to implement actions linked to above-mentioned result, to monitor implementation, to propose and introduce corrective measures and deploy needed technical assistance expertise. For part of these tasks UNDP will conclude and manage contracts.

UNDP is currently undergoing the ex ante assessment in accordance with Article 61(1) of Regulation (EU, Euratom) No 966/2012. In anticipation of the results of this review, the responsible authorising officer deems that, based on a preliminary evaluation and on the long-standing and problem-free cooperation with this entity, it can be entrusted with budget-implementation tasks under indirect management.

The change of management mode from indirect to direct management, whether partially or entirely, is not considered a substantial change.

4.4. Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act shall apply.

The responsible authorising officer may extend the geographical eligibility in accordance with Article 9(3) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

4.5. Indicative budget

Module	Amount in EUR million	Third party contribution (indicative, where known)
4.3.1. – Call for proposals for NGOs and media (direct management)	3.5	0.4
4.3.2. – Direct grant to the Public Defender's Office of Georgia (direct management)	1.5	0.2
4.3.3. – Procurement (direct management)	0.7	N.A.
4.3.4. – Indirect management with UNDP	4.0	0.2
4.7. – Evaluation and audit	0.1	N.A.
4.8. – Communication and visibility	0.2	N.A.
Totals	10.0	0.8

In case of a different attribution of institutional responsibilities for human rights protection, reallocations between modules 4.3.4 and 4.3.2. may be needed.

4.6. Performance monitoring

The NHRSA Inter-Agency Council, co-chaired by the Deputy Minister of Justice and Prime Minister's Advisor on Human Rights and Gender and its planned secretariat, is the main government stakeholder of this Action and will coordinate other actions from the Government's perspective. The Council met regularly, and involved inclusive representation from various branches of power and non-State actors. Following the formalisation of NHRSA, a renewed Council will monitor its implementation, with the support at the operational level of the Prime Minister Office and the Ministry of Justice.

The oversight of this Action will be entrusted to a Steering Committee (SC) with key stakeholders involved in the implementation of the Action. The SC will meet three times the first year of implementation and twice a year the subsequent years to monitor and coordinate Action implementation. The responsibilities, functions and working modalities and composition of the SC will be agreed between the EU and the NHRSA Inter-Agency Council.

4.7. Evaluation and audit

Prior to the completion of the Action, the European Commission will appoint consultants to carry out a specific independent final evaluation for all additional Human Rights activities under the Criminal Justice Programme (representing an overall amount of EUR 16 million).

4.8. 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 before the start of implementation and supported with the budget indicated in section 4.5 above.

The measures shall be implemented either (a) by the Commission, and/or (b) by the partner country, contractors, grant beneficiaries and entrusted entities. Appropriate contractual obligations shall be included in, respectively, financing agreements, 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.

Furthermore, as part of the Financing Agreement, the Government undertakes to ensure that the visibility of the EU contribution to the Action is given appropriate coverage in the various publicity media. The Action will endeavour to further enhance the positive image of EU in the context of its dialogue with Georgia. At appropriate milestones during the Programme duration and after appropriate events, press releases will be issued, in co-operation with the EU Delegation.

Public diplomacy and awareness-raising actions are also crucial to advance human rights in the prioritised areas. The intervention activities and public diplomacy actions will feed into the communication campaign on AA/ DCFTA.