

WORK PROGRAMME FOR GRANTS
of the European Commission
for China – Strengthening Rule of Law and Good Governance

1. Basic act and/or Financing source

Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014.

2. Objectives of the programme, priorities for 2014-2015 and expected results

The **global objective** of this Call for Proposals is to contribute to the development and the consolidation of the rule of law and good governance in China.

The **specific objectives** of this Call for Proposals are:

- Support Access to justice in China and the strengthening of due legal process;
- Support diversity in public discourse and the promotion and protection of rights of persons belonging to vulnerable groups.

To achieve these objectives, the project proposals have to address at least one of the priorities below:

Priority A - Access to justice. In support to China's recent emphasis on strengthening the rule of law and social justice and on universally establishing legal advice systems, actions under this priority will focus on supporting access to justice, due process in judicial proceedings and the rights of parties to a case by enhancing capacity of civil society actors.

Actions will provide capacity building for grassroots legal providers, support the increased use of transparency legislation and produce practical 'best practice manuals' for the legal community. The action should focus on the most vulnerable groups, such as those in remote and rural part of the country where access to legal services is more limited.

Priority B - Procedural safeguards in pre-trial detention. The Criminal Procedure Law (CPL) was amended in 2012 to exclude confessions extorted by illegal means and a number of procedural safeguards have been defined.

Actions under this priority will be aimed at supporting the effective implementation and monitoring of such safeguards in line with provisions in the CPL. Actions may also focus on related relevant activities which might help the defendant protect its procedural rights.

Priority C - Support to capital punishment reforms. The amended CPL also introduced notable protections for the death penalty including expanded access to legal aid, recorded interrogations, longer trials, mandatory appellate hearings, and more rigorous death penalty review.

Actions under this priority will be aimed at strengthening legal protections in the application of capital punishment. Actions may also focus on influencing public discourse on capital punishment through awareness raising activities.

Priority D – Promotion and protection of the rights of women and combating discrimination based on gender and sexual orientation.

China is a state party to the UN Convention on the Elimination of all forms of Discrimination against Women (CEDAW). Actions under this priority will be aimed at advancing the elimination of all forms of discrimination against women, in line with the priorities outlined in the concluding observations of the 2014 CEDAW review of China. Such priorities include the combating all forms of violence against women and girls, in particular domestic and sexual violence and trafficking in women and girls, taking measures to reduce the number of women in detention including through targeted prevention programmes aimed at addressing the causes of women's criminality, amongst others.

Actions may also be aimed at promoting diversity in public discourse and combating discrimination against lesbian, gay, bisexual, trans and intersex persons (LGBTI) particularly in employment and education as well as in accessing health care services.

Priority E – Supporting children's access to education and promoting tolerance towards cultural diversity.

Actions under this priority will be aimed at promoting tolerance and capacity to develop mutual understanding in a diverse society *inter alia* in schools.

Actions may also focus on supporting children in remote and rural areas to access education, including expansion and development and distribution of culturally appropriate teaching and learning materials.

Expected results include: increased respect for legal protections, increased access to the legal system, increased professionalism and efficiency of legal aid providers, strengthened rule of law and transparency, strengthened civil society, increased protection of women and children, enhanced respect for diversity in public discourse and reduced discrimination in society.

3. Eligibility conditions

The main features of the eligibility conditions are as follows:

(1) Eligibility of Applicants (i.e. applicant and co-applicant/s): In order to be eligible for a grant, the Applicants must:

- be a legal person **and**
- be non-profit-making **and**
- belong to one of the following categories¹ **and**

(a) civil society organisations, including non-governmental non-profit organisations and independent political foundations, community-based organisations and private-sector non-profit agencies, institutions and organisations and networks thereof at local, national, regional and international level;

(b) public-sector non profit-agencies, institutions and organisations and networks at local, national, regional and international level;

¹ Article 11.2 of Regulation (EU) No. 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down the common implementing rules and procedures for the implementation of the Union's instruments for financing external action.

(c) international (inter-governmental) organisations as defined by Article 43 of the Rules of application of the EU Financial Regulation²;

(d) entities without legal personality and, in exceptional and duly justified cases, other bodies or actors not identified in this paragraph, when this is necessary to achieve the objectives of the Programme. The entities listed under bullet point (d) are only eligible in the case of co-applicants.

- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

Please note that participation in the award of procurement contracts or grants, as well as the recruitment of experts, *shall be open without limitations under this Programme*.³

(2) The applicant may act individually or with co-applicant(s) as follows:

- Applicants established⁴ in China (including all parts of China)⁵ may act individually or with co-applicant(s).
- Applicants that are not established in China (including all parts of China) must act together with at least one co-applicant established in China (including all parts of China)⁶.

4. Selection and award criteria

The evaluation will be carried out in accordance with the procedures set out in the Practical Guide.

5. Maximum rate of European Union financing

The maximum percentage of total eligible costs of the action is: 95% of the total eligible costs of the action.

The balance (i.e. the difference between the total cost of the action and the amount requested from the Contracting Authority) must be financed from sources other than the European Union Budget or the European Development Fund⁷.

6. Indicative time-schedule of calls for proposals

² International organisations are international public-sector organisations set up by intergovernmental agreements as well as specialised agencies set up by them; the International Committee of the Red Cross (ICRC) and the International Federation of National Red Cross and Red Crescent Societies are also recognised as international organisations.

³ In line with Article 11.1 of Regulation No. 236/2014 mentioned above.

⁴ To be determined on the basis of the organisation's statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located in the country concerned. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a 'Memorandum of Understanding' has been concluded.

⁵ This includes Mainland China, Hong Kong, Macau and Taiwan.

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⁷ Where a grant is financed by the European Development Fund, any mention of European Union financing must be understood as referring to European Development Fund financing.

27 April - 1 May 2015

7. Indicative amount of calls for proposals

EUR 2 million.