

Legal Assistance to persons in need of international protection found in detention

CALL FOR EXPRESSION OF INTEREST (CEI) ISSUED BY UNHCR GREECE FOR 2015 PROJECTS

The purpose of this Call for Expression of Interest is to solicit interest from existing or prospective partners that wish to participate in a UNHCR operation and contribute complementary resources (human resources, knowledge, funds, in-kind contributions, supplies, and/or equipment) to achieving common objectives as agreed in a Project Partnership Agreement in 2015.

The envisaged implementation period for the project will be 12 months, from 1 January to 31 December 2015, with possibility to extend until 31 December 2016.

An indicative resource range is provided as a guide considering projects are small scale interventions, to facilitate scoping by interested NGOs. Cost effective submissions for less than the range indicated will be favorably considered as outlined in the selection criteria where interested NGOs are encouraged to contribute their own resources. The final project scope is subject to the availability of funds and outcome of the evaluation process.

UNHCR reserves the right to accept a proposal in whole or in part. Conclusion of a Project Partnership Agreement with UNHCR is subject to availability of funds. Selection of a partner through this Call for Expression of Interest does not constitute an obligation for UNHCR to conclude a Project Partnership Agreement with the selected partner.

NGO applicants are encouraged to demonstrate creativity on how to approach and deliver interventions required to achieve the objectives under the project proposed, networking with others for maximum impact.

Interested NGOs should complete one (1) Concept Note per Project, and submit a complete set of documents by **Tuesday, 21 October 2014, 23:59 hours (GR time)**. The Concept Note format should be downloaded from the UNHCR Greece Website, and details of further requirements are listed below.

CALL FOR EXPRESSION OF INTEREST No. GRC/CEI/01/2014	
Project title and Identification: <i>“Legal Assistance to persons in need of international protection found in detention”</i> Identification #: GRC/CEI/01/2014	Project Location: Athens, and other locations throughout Greece
Brief Background of the Project	
<p>Under International Law, individuals have the right to seek asylum, and if they do so, to be treated humanely and with dignity. As seeking asylum is not an unlawful act, detaining asylum-seekers for the sole reasons of having entered the country using irregular means is counter to International Law.</p> <p>In a recent analysis¹, UNHCR notes that detention, rather than being an exceptional measure for many governments, constitutes a common practice aimed at discouraging illegal entry or stay in the country. In the present operational context, and in view of the increased mixed migratory flows entering Greece in recent years, amongst whom are persons fleeing zones of conflict, the increasing use of detention as a deterrence measure to discourage irregular migration, is of great concern to UNHCR. According to Greek law, detention should only be used as a last resort after all possibilities of enforcing other, less restrictive measures, have been exhausted. Detention should be imposed on an individualized basis adequately justified, and should be inextricably linked with its intended purpose (i.e. removal of the foreigner from the country) and imposed for the necessary period which enables the fulfilment of such purpose. For persons seeking international protection, detention, according to the law, is required to be an exceptional measure. Applications for international protection by people under detention must be processed within the shortest possible time.</p> <p>In practice, however, detention is implemented for prolonged periods that may exceed 18 months. As currently observed in the “pre-removal” centres throughout the country, detainees include persons with nationalities whose deportation/removal from the country is not feasible, including those for whom UNHCR has issued a non-return advisory, unaccompanied minors who are registered as adults, persons with severe health problems, as well as persons who might have the right of family reunification in other countries of the EU.</p> <p>In addition to its negative impact on asylum-seekers’ physical and mental health, UNHCR draws attention to the fact that detention, particularly where it is for extended or indeterminate periods and/or in poor conditions, can prejudicially affect the ability of people who are later granted protection to integrate successfully and swiftly in their host countries². Moreover, detention of</p>	

¹ UN High Commissioner for Refugees (UNHCR), *Beyond Detention: A Global Strategy to support governments to end the detention of asylum-seeker and refugees, 2014-2018*, 2014, available at: <http://www.refworld.org/docid/536b564d4.html>, p. 5

² UN High Commissioner for Refugees (UNHCR), UNHCR Comments on the European Commission's amended recast proposal for a Directive of the European Parliament and the Council laying down standards for the reception of asylum-seekers, July 2012, (COM (2011) 320 final, 1 June 2011), available at: <http://www.refworld.org/docid/500560852.html>, p. 6

children is particularly serious due to the devastating effect it may have on their physical, emotional and psychological development, even if they are not separated from their families. Children, should in principle, not be detained at all.

Although, the legal representation is provided for by the Greek law, asylum seekers and persons in need of international protection face difficulties in accessing the legal and judicial procedures due to several deficiencies, such as language barriers, and lack of information. While detention orders can be challenged before Administrative Courts, the enjoyment of this right is severely hampered by the lack of free legal aid and lack of provision of legal information on the respective rights.

UNHCR's priority is to address protection challenges, including those related to children in detention, to focus on prevention and response to the arbitrary detention of persons of concern. Therefore, UNHCR is seeking to collaborate with a strong local partner and is inviting NGOs in Greece, with experience in implementing projects meant to create favourable protection environment by ensuring that persons in detention have access to asylum procedures, or that they are not otherwise unlawfully detained, **to design a concept note for the provision of legal assistance to persons in need of international protection found in detention/ pre-removal facilities, and to undertake targeted interventions aiming at minimizing the risk of detention for persons in need of international protection.**

Policies and Guidelines

It is expected that the partner organization will adhere to UNHCR policies and agreement terms, including the Project Partnership Agreement, Code of Ethics, procedures and guidelines.

The project will commence on 1 January 2015 and will end on 31 December 2015, with a possibility of extension until 31 December 2016.

The scope of project implementation is subject to availability of funds. Cost-effective submissions that use innovative means and where partners also contribute their own resources will be favourably considered.

Objective, Expected Outcome and Main Activities

Objective:

The project aims to ensure that:

Risks related to detention are reduced & freedom of movement is increased

Outcome(s)

- 1) At least 750 individuals in need of international protection will receive legal assistance, aiming for their release from detention, and processing of their protection needs.
- 2) Undertake interventions for Individuals in need for International Protection to promote alternatives to detention and address arbitrary detention.

Main Activities

- Establish a framework of cooperation with the authorities to ensure unhindered access to places of detention/ pre-removal centres;
- Set a schedule for and carry-out identification visits to detention/ pre-removal centres;
- Gather information on potential refugees and asylum seekers in detention centres, including on their protection profiles;
- Disseminate information about asylum procedures in such centres and ensure access to such procedures through timely interventions to the authorities;
- Provide targeted legal assistance to persons in need of international protection found in detention, and follow up on progress of cases undertaken;
- Strengthen partnerships and complementarity of activities with other actors and bodies who provide support/services for persons of concern in detention with the aim to comprehensively respond to their needs;
- Undertake cases relating to systemic deficiencies regarding detention, aiming to inform jurisprudence;
- Identify and promote family reunification solutions for persons found in detention, especially children, including through referring such cases to other Organizations providing relevant services;
- Establish a sound project management methodology to follow up on project activities and reporting formats, and identify risks as early as possible during implementation;

Important Note

When submitting the concept note, prospective partners should take into consideration language communication needs required, as well as operational requirements to achieve the project objectives (eg. working on site/ travel requirements, communication requirements).

Intended Population of Concern:

- Asylum-seekers and third country nationals in need of international protection, including individuals with vulnerable profiles.
- Children found in detention

Project Period [estimated start and end dates of project]:

1 January 2015 – 31 December 2015, with the option of extension up to 31 December 2016.

Submission Deadline: 21 October 2014, 23:59 hours (GR time)		Date Decision Results to be Communicated to Applicants: 4 November 2014
Selection Criteria: All bids will be evaluated using the same criteria outlined and weighted below. Fulfillment of the criteria is an indicator for evaluation, and not a formal requirement.		
<i>Relevant Criteria</i>	Criteria Description	Assigned Weighting
C1	Project Goal and Envisaged Outcomes: The concept note submitted is coherent, and replies well, why and how the proposed project will achieve its expected outcome, fully taking into consideration the call for proposals.	20%
C2	Sector expertise and local experience & presence: the required specific skills, sector specialists, knowledge and human resources are available and committed to the project. The organization has a solid experience in the field and is knowledgeable of the operational context and risks, and of its own capacity and strengths. In specific: <ul style="list-style-type: none"> • Long-standing local presence and experience in providing legal assistance to persons of concern to UNHCR (refugees/ asylum-seekers, children etc); • Familiar with the Greek legal and policy frameworks and practices regarding detention; • Demonstrated added value/ unique advantage of organization; • Avail of access, or may gain access to places of detention/ pre-removal centres etc; • Avail of an existing pool of qualified workforce in refugee law with demonstrated experience in providing legal assistance to PoC; • Experience of working directly with asylum-seekers and refugees in Greece; • Strong human resources management systems, ensuring quality and diversity of the recruitment and treatment of employees in accordance with the Greek labour law, and international standards; established Code of Conduct, and evaluation policies for employees; 	20%
C3	Project management: ability to deliver project objectives, accountability mechanisms and sound financial management, taking into account the audit results of the previous UNHCR-funded projects, past performance and the external audit of partners' financial statements, where applicable. <ul style="list-style-type: none"> • Sound financial controls and accountability systems; • Cost effective management of project and its administration; • Ability to produce a project budget; • Familiarity with risk management mechanisms. 	20%
C4	Cost effectiveness: level of direct costs and administrative costs imposed on the Project in relation to project deliverables.	20%
C5	Contribution of resources: evidenced and documented contribution of	10%

	resources to the Project in cash or in-kind (e.g. human resources, supplies and/or equipment) by the partner that are presently available (or potentially mobilized by the partner) in order to supplement UNHCR resources.	
C6	Experience working with UNHCR: global and/or local partnerships including knowledge of UNHCR policies, practices and programmes, including an understanding of and ability to work within UNHCR's funding limitations and associated inherent risks. Partners that have three consecutive qualified audit opinions for UNHCR-funded projects may not be considered.	10%

Other Important Information

Eligibility

UNHCR will only enter into a project agreement with NGOs registered in Greece, as non-profit entities.

Required Documentation

Applicants are requested to submit the following documentation via e-mail to: greatipmc@unhcr.org latest **by Tuesday, 21 October 2014, 23:59 hours (GR time)**, with the following subject line: "Concept Note-Project Identification/Name of your NGO," eg: "Concept Note-GRC/CEI/01/2014-*name of your NGO*".

NB: e-mail attachments **should not exceed 5MB in size**. In case needed, you may break your submission into successive e-mails, indicating this in the subject line as follows:
e-mail 1: "Concept Note-GRC/CEI/01/2014-*name of your NGO- Part 1*"
e-mail 2: "Concept Note-GRC/CEI/01/2014-*name of your NGO- Part 2,*" etc.

1. **Concept Note**, on the format available on the website, **in English**. The standard format allows all submissions to be reviewed equally. The concept note should be concise, contain clear information directly linked to the specific Expression of Interest your NGO is responding to, and it should not exceed ten (10) pages. Each interested applicant may only submit one (1) Concept Note per project. Only submissions that use the Concept Note format provided will be reviewed. If the Concept Note format is not used, your submission will be disqualified;
2. **Budget Proposal**, submitted in excel format, **in English**, including staffing costs. Any overhead costs, i.e. administrative costs indirectly linked to the project (e.g. contribution to the NGO's Office operational costs) should be clearly indicated under separate heading, reasonable and justifiable. Please note that the detailed project and its budget will be fully elaborated after the partner is selected;
3. **Staffing Table**, for proposed project functions, including reference to staff qualifications and expertise; Staffing Table should be submitted **in English**.
4. **Partner Declaration form**, on the format available on the website. The purpose of this declaration is to determine whether a prospective partner is committed to UNHCR's core values and its commitment to persons of concern;
5. Copies of your **NGO Registration documents, including the Statute of your NGO** - to be submitted in Greek (and English if available);
6. **Organizational Chart** - can be submitted in Greek (and English if available);
7. **Financial management documents** (i.e. recent Audit Report, or recent Financial Statement (for past financial year) - can be submitted in Greek (and English if available);
8. Evidence of **past experience and on-going programs** (ie. List of projects implemented during last financial year), **in English**.

Deadline: Tuesday, 21 October 2014, 23:59 hours (GR time). Late or incomplete submissions will be disqualified.

Requests for Clarifications

Please submit your queries on indicated template provided by e-mail to greatipmc@unhcr.org, by indicating on the subject line: Query – Project Identification (eg. “Query-GRC/CEI/01/2014”).

Deadline for the submission of queries is 06/10/2014.

UNHCR will collect all queries and publish replies to all questions on its website on 09/10/2014 to ensure all interested parties have access to the same information. Queries over the phone, or to individual UNHCR staff members, will not be accepted.

Issuing UNHCR Office

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Full name and title, Head of Office

Giorgos Tzarbopoulos, Head of Office

Date

23/09/2014



