



## THE UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE

### GUIDELINES FOR THE USE OF APPLICANTS AND GRANTEES<sup>1</sup> (Applicable for projects implemented from January 1st to December 31st, 2023)

<b>I.</b>	<b>INTRODUCTION .....</b>	<b>3</b>
<b>II.</b>	<b>ADMISSIBILITY OF PROJECTS.....</b>	<b>3</b>
A.	APPLICANTS AND GRANTEES .....	3
B.	DEFINITION OF TORTURE AND BENEFICIARIES .....	4
C.	NON-DISCRIMINATION PRINCIPLE.....	5
D.	VICTIM-CENTRED APPROACH AND GENDER PERSPECTIVE .....	5
E.	PRINCIPLE OF CO-FUNDING .....	6
F.	PROHIBITION OF SUB-GRANTING .....	6
G.	PRINCIPLE OF NON-COMPLIANCE.....	6
H.	TYPES OF GRANTS.....	6
a)	<i>Direct assistance (annual) grants.....</i>	<i>6</i>
b)	<i>Capacity building (annual) grants.....</i>	<i>8</i>
c)	<i>Emergency grants .....</i>	<i>8</i>
I.	PERIOD TO BE COVERED BY GRANTS .....	9
<b>III.</b>	<b>PROCESS TO SUBMIT PROJECT APPLICATIONS .....</b>	<b>10</b>
A.	WHEN AND HOW TO APPLY .....	10
a)	<i>Annual grants (direct assistance and capacity building).....</i>	<i>10</i>
b)	<i>Emergency grants .....</i>	<i>10</i>
B.	OHCHR E-GRANTS ONLINE SYSTEM .....	10
C.	INFORMATION AND DOCUMENTS TO BE PROVIDED BY ORGANIZATIONS .....	11
a)	<i>Banking information .....</i>	<i>11</i>
b)	<i>Financial questionnaire .....</i>	<i>11</i>
c)	<i>Budget proposal.....</i>	<i>12</i>
d)	<i>Information about beneficiaries (applicable only to direct assistance and emergency grants)12</i>	
e)	<i>Additional documents (applicable only to first-time and returning applicant organizations) ..13</i>	
<b>IV.</b>	<b>ON-SITE VISITS TO APPLICANT ORGANIZATIONS.....</b>	<b>14</b>
<b>V.</b>	<b>FINANCIAL AND ADMINISTRATIVE OBLIGATIONS OF ORGANIZATIONS RELATED TO THE USE OF THE GRANT .....</b>	<b>14</b>
A.	BUDGET REVISION .....	15
B.	PAYMENT AND USE OF THE GRANT .....	15

<sup>1</sup>Version amended by the Board of Trustees at its 55<sup>th</sup> and 56<sup>th</sup> sessions (March and October 2022).



C.	PENDING INSTALLMENTS (APPLICABLE ONLY TO ANNUAL GRANTS) .....	16
D.	WITHHOLDING OF PAYMENTS.....	16
E.	INTERNAL CONTROL SYSTEMS OF ORGANIZATIONS.....	16
F.	HUMAN RESOURCES.....	17
a)	<i>Staff and assimilated categories</i> .....	17
b)	<i>Volunteers and assimilated categories</i> .....	17
G.	COMMUNICATION WITH THE SECRETARIAT OF THE FUND .....	17
<b>VI.</b>	<b>REPORTING ON THE USE OF GRANTS .....</b>	<b>18</b>
A.	PROGRESS REPORTS .....	18
B.	FINAL REPORTS .....	19
C.	GENERAL REPORTING OBLIGATIONS .....	19
a)	<i>Narrative information</i> .....	19
b)	<i>Financial information</i> .....	20
c)	<i>Records of expenses</i> .....	20
d)	<i>Audit reports</i> .....	21
<b>VII.</b>	<b>MISMANAGEMENT, FRAUD AND MISUSE OF FUNDS OF THE GRANT .....</b>	<b>22</b>
<b>VIII.</b>	<b>ENSURING PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE, AND FROM CHILD SAFEGUARDING VIOLATIONS.....</b>	<b>22</b>
<b>IX.</b>	<b>REFUND OF GRANTS .....</b>	<b>24</b>
<b>X.</b>	<b>RESTRICTIVE AND RETALIATORY MEASURES.....</b>	<b>24</b>
<b>XI.</b>	<b>HEARING OF REPRESENTATIVES OF APPLICANT ORGANIZATIONS .....</b>	<b>25</b>
<b>XII.</b>	<b>USE OF THE FUND'S LOGO AND TITLE .....</b>	<b>25</b>



## I. INTRODUCTION

1. The United Nations Voluntary Fund for Victims of Torture (hereafter the Fund) was created in 1981 by the United Nations General Assembly. Its mandate is to receive “voluntary contributions for distribution, through established channels of assistance, as humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of torture and to relatives of such victims.”<sup>2</sup> The Fund fulfils its mandate by awarding grants for civil society organizations worldwide to implement projects aimed at providing services to victims of torture<sup>3</sup> and their relatives. The Fund receives voluntary contributions from States and private entities.
2. The Fund is managed by the United Nations High Commissioner for Human Rights on behalf of the Secretary-General and operates in conformity with the United Nations Financial Rules and Regulations. The Fund’s Secretariat is comprised of staff members, fellows and interns of the Office of the United Nations High Commissioner for Human Rights (OHCHR), based in Geneva, Switzerland.
3. A Board of Trustees (hereafter the Board), composed of independent experts representing the five geographical regions, advises the High Commissioner on the administration of the Fund, including recommendations on grant allocation.

## II. ADMISSIBILITY OF PROJECTS

### A. APPLICANTS AND GRANTEES

4. Only applications by civil society organizations and other channels of assistance (for example, hospitals and professional associations) (hereafter organizations) are admissible. Applications by governmental, parliamentary or administrative entities, political parties or national liberation movements are inadmissible.
5. Projects aiming to establish a new organization are inadmissible. Organizations should be in operation for at least one year before submitting an application to the Fund.
6. For the purpose of the present Guidelines, the Fund distinguishes between the following categories of applicant organizations:
  - a) **First-time applicants:** organizations which have never applied to the Fund;
  - b) **Returning applicants:** organizations which applied to the Fund, divided into two sub-categories:
    - i) organizations which have never received a grant;
    - ii) organizations which have received a grant from the Fund in the past but not in the previous year(s);

---

<sup>2</sup> General Assembly Resolution 36/151

<sup>3</sup> The Fund follows the approach of the UN Committee against Torture General Comment no. 3 on Implementation of article 14 by States parties (CAT/C/CG/3), “the term “survivors” may, in some cases, be preferred by persons who have suffered harm. The Committee uses the legal term “victims” without prejudice to other terms which may be preferable in specific contexts”.



- c) **On-going applicants:** organizations which are currently receiving a grant (direct assistance, capacity building or emergency) from the Fund, divided in two sub-categories:
- i) organizations submitting a continuation of a funded project proposal in the same country of implementation;
  - ii) organizations submitting a different project or a different type of grant proposal (direct assistance, capacity building or emergency) in the same country of implementation, or a project in a different country of implementation.
7. The present Guidelines are applicable to all categories of applicant organizations, unless otherwise specified.
8. By applying for a grant and by receiving a grant from the Fund, organizations agree to abide by Guidelines as at the time of application. They further agree to follow the United Nations financial and administrative obligations related to the use of the grant.

#### B. DEFINITION OF TORTURE AND BENEFICIARIES

9. For the purpose of the present Guidelines, the definition of torture is provided in article 1 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, where torture is defined as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity.”<sup>4</sup>
10. Beneficiaries of projects must be exclusively victims of torture and/or their relatives. Any assistance provided with the Fund’s grants should be linked to the consequences of torture.
11. For the purpose of the present Guidelines, the definition of victims is provided in the United Nations Committee against Torture General Comment No. 3 (2012) on the implementation of Article 14 of the United Nations Convention against Torture. Victims of torture are defined as “persons who have individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that constitute violations of the Convention. A person should be considered a victim regardless of whether the perpetrator of the violation is identified, apprehended, prosecuted or convicted, and regardless of any familial or other relationship between the perpetrator and the victim. The term “victim” also includes affected immediate family or dependents of the victim as well as persons who have suffered harm in intervening to assist victims or to prevent victimization.”

---

<sup>4</sup> Please refer to the guidance contained in the [Interpretation of Torture in the Light of the Practice and Jurisprudence of International Bodies](#).

12. The term beneficiaries is at times used to refer to victims of torture and their relatives in the present Guidelines.

### C. NON-DISCRIMINATION PRINCIPLE

13. Organizations applying to the Fund must provide documentary evidence (for example, legal statutes or by-laws of the organization) that assistance is provided to beneficiaries without any kind of distinction, such as race, colour, sex, gender, sexual orientation, transgender identity, language, religion, political or other opinion, national, social or ethnic origin, property, birth, disability or other status. A project assisting a particular group may be admissible, provided the Fund's Board deems the justification satisfactory.

### D. VICTIM-CENTRED APPROACH AND GENDER PERSPECTIVE

14. Projects should demonstrate a clear victim-centred focus and gender-sensitive approach.
15. A victim-centred approach systematically ensures that beneficiaries occupy a central place in the design and delivery of assistance from the outset of a procedure to its conclusion. Organizations should demonstrate how individual victims are being informed and consulted about available services and associated risks and benefits of the assistance enabling them to make fully informed decisions. The organizations should also explain how victims are involved in in-take process, execution of assistance plans, discharge and follow-up. Organizations should aim to provide, or coordinate the provision of, holistic assistance (medical, psychological, legal and social, etc.) while assessing victims' needs.
16. Professionals involved in the project should be guided by trauma informed practices, based on understanding, recognizing, and responding to the effects of all types of trauma to prevent possible risks of re-traumatization by victims and vicarious traumatization by staff and volunteers.
17. Organizations should also explain how they assess and address risks and the effects of torture experienced by different beneficiaries (such as women, men, girls and boys, Lesbian, Gay, Bisexual, Transgender, and Intersex people (LGBTI), migrants, indigenous peoples, national, ethnic, religious and linguistic minorities, persons with disabilities, etc.). They should further clarify how they make a realistic assessment and manage victims' expectations as to what engagement with the legal system may involve, if and where applicable, and whether psychological and/or medical support is offered during the process.
18. A gender perspective should be integrated in all stages of the project. The project should take into account the different impact that acts of torture, in particular sexual and gender based violence, may have on all genders but particularly affecting women, girls and LGBTI people. They should propose adequate measures ensuring confidentiality to provide gender-sensitive assistance to victims. A gender perspective should also be reflected in the management of the project, including the composition of staff and volunteers involved in implementation.



## E. PRINCIPLE OF CO-FUNDING

19. The amount requested to the Fund for annual grants must not exceed two thirds of the total budget of the project. Exceptions to this rule will be considered, provided that the Fund's Board deems the justification satisfactory.

## F. PROHIBITION OF SUB-GRANTING

20. The Fund provides direct support to organizations; it does not subsidize projects through intermediary organization. This rule helps to prevent fees retention on the funds channelled and allows the Fund to monitor its use directly. The organization receiving the grant must implement the project directly; it may not provide sub-grants to one or more recipients to carry out the project activities. Payments to consultants, contractors or providers of services that routinely support the organization in the implementation of the project are not considered sub-grants.

## G. PRINCIPLE OF NON-COMPLIANCE

21. Any application from an organization that has not complied with the present Guidelines for the use of previous grants (such as overdue reports or audits, unsatisfactory reports) will be considered inadmissible. No application will be accepted from such an organization in the following three years, and a refund of the previous grant may be requested under certain circumstances (see Refund of grants section, paragraphs 156-157).

## H. TYPES OF GRANTS

22. The Fund awards three types of grants to civil society organizations:
  - (i) **Direct assistance (annual) grants:** applications received through an open call for applications open every year from 15 January to 1 March (see paragraphs 26-34);
  - (ii) **Capacity building (annual) grants:** applications received through an open call for applications open year from 15 January to 1 March (see paragraphs 35-38);
  - (iii) **Emergency grants:** applications received throughout the year under exceptional circumstances (see paragraphs 39-45).
23. The present Guidelines are applicable to all types of grants, unless otherwise specified.
24. Organizations may apply for more than one type of grant and must submit a separate application for each. For guidelines on financial threshold for each type of grant, please see section on Budget proposal (paragraphs 70-72).
25. The applications for all grants are reviewed on a competitive basis, taking into account the merit of the application, geographic distribution of resources; the needs addressed; priorities set by the Board, and satisfactory compliance with the Fund's Guidelines. The awarding of grants is subject to the availability of funds.

### a) **Direct assistance (annual) grants**



26. The Fund may award annual direct assistance grants to projects providing medical, psychological, social, economic, legal, humanitarian, educational or other forms of direct assistance to torture survivors and their family members (in accordance with paragraphs 9-11 above). These projects should address only the direct consequences of torture. The organisations that may not provide all aspects of the assistance may arrange to refer victims of torture to other organisations for appropriate support.
27. In order to be admissible, organizations must submit ten case studies with the direct assistance project application (see Information about beneficiaries section, paragraphs 78-85).
28. Direct assistance projects may include a skills-building and/or institutional development component. This may cover in-house training for staff and volunteers directly involved in project implementation, in order to develop their professional skills to assist torture survivors and/or to improve self-care, prevention and protection from vicarious trauma. It can also encompass institutional policies and internal procedures/protocols such as safeguards against sexual exploitation and abuse, and protection from restrictive and retaliation measures (see Restrictive and retaliatory measures section, paragraphs 158-160). Eligible expenses may include the salary of external expert(s) and course fees and related materials. Expenses related to training of external professionals are ineligible. The portion of the direct assistance grant assigned to institutional development component should not exceed 15 % of the budget requested to the Fund.
29. Direct assistance rendered to survivors in the form of socio-economic support should be in kind and only in exceptional cases in cash. In cases where assistance may be provided in cash grants (for example, for transportation), efficient monitoring mechanisms should be in place to ensure that the money reaches the beneficiary and is used for the intended purpose. Organizations should provide information in writing on these monitoring mechanisms (see Internal control systems of organizations section, paragraphs 105-107).
30. Funding of activities related to the intake process of the beneficiaries and/or to inform beneficiaries of the services provided by the organizations in the context of the project, such as hotline maintenance, leaflets and webpages, is acceptable within reason. Expenses related to the production and distribution of information about the United Nations Convention against Torture and its Optional Protocol, with a view to ensuring access to justice and rehabilitative services to torture survivors, are also acceptable.
31. Activities such as studies, research, lobbying, advocacy and publication of newsletters, are ineligible for funding from the Fund. Activities aiming primarily to prevent torture are also ineligible.
32. The Fund does not provide financial compensation to torture survivors. The Fund will not support litigation seeking capital punishment of perpetrators of torture.
33. Organizations can only submit one application for direct assistance per country under the same call for applications.
34. Applications for projects to provide direct assistance to torture survivors should provide



information on whether access to aid is available through a State-sponsored or other mechanisms.

### **b) Capacity building (annual) grants**

35. The Fund may award annual capacity building grants to projects aiming to strengthen the development and/or capacity of individuals, organizations or specialized networks (for example hospitals, professional associations, rehabilitation centres, etc.) in order to ensure specialized provision of direct assistance to torture survivors and their family members. The proposed activities may take the form, for example, of training, workshops, seminars and conferences, peer-to-peer training or staff exchange.
36. The applicant organization should explain the existing gap in specialized services for torture survivors and demonstrate how the project proposes to fill that gap. It should further explain the expected benefit(s) in direct assistance to torture survivors and how the specialized assistance will be delivered after the completion of the capacity building project.
37. In addition to the above and in order to be admissible, organizations shall submit the following:
  - a. CVs of staff involved in the project
  - b. CVs of trainers
  - c. Training programme
  - d. Provisional list of participants
  - e. Proof of other funding sources
38. Only one capacity building application per organization and per year will be accepted.

### **c) Emergency grants**

39. Under exceptional circumstances, the Fund may award emergency grants at any time of the year for projects to provide direct assistance to torture survivors that meet all the following emergency criteria:
  - (i) a sudden change in circumstances (for example, a human rights or humanitarian crisis);
  - (ii) that has caused an extraordinary increase in the number and/or needs of torture survivors and;
  - (iii) requires an immediate response.
40. On-going applicants subjected to restrictive or retaliatory measures, including reprisals for collaborating with the United Nations, as a result of their project implementation may also qualify for an emergency grant if additional measures are required to continue to deliver assistance to torture survivors under such circumstances.
41. On an exceptional basis, an individual torture survivor in urgent need of assistance may be eligible for an emergency grant. The application has to be submitted by an organization, as defined in paragraph 1 of the Guidelines, on behalf of and with the consent of the survivor.



42. The Fund may launch a special call to address exceptional circumstances that require an emergency response.
43. Emergency grants do not respond to existing or ongoing patterns of torture or cash flow difficulties that organizations may be experiencing.
44. First-time, returning and on-going applicant organizations are eligible to apply for emergency grants (see paragraph 6 above). Organizations interested in applying must first justify the emergency rationale in writing to the Fund's Secretariat and, following screening for eligibility, may be invited to submit a formal emergency grant application.
45. In order to be admissible, organizations must submit five case studies with the emergency grant application (see Information about beneficiaries section, paragraphs 80-85).

#### I. PERIOD TO BE COVERED BY GRANTS

46. Direct assistance and capacity building grants (annual grants) cover project implementation for a given 12-month calendar year (1 January to 31 December) (see paragraphs 26-38).
47. Organizations must apply every year for an annual grant. Annual grants are not renewed automatically; they are subjected to competitive review and the availability of funds (see paragraph 25). As part of this process, on-going applicants must have complied with the Fund's Guidelines for the use of all previous grants, including the submission of satisfactory narrative and financial reports (and audit report if applicable) within the established deadlines. Should an organization fail to comply with the above, no application will be accepted from this organization for the following three years (see paragraph 21).
48. As a general rule, direct assistance grants in the same country of implementation can be awarded on a yearly basis for a maximum of ten consecutive years, subject to a satisfactory evaluation of the project and availability of funds. After ten years, applicant organizations can continue receiving direct assistance grants if projects supported provide essential services to victims of torture in areas in which no other organization offers similar services. In order to prevent dependency on the Fund, the amount of the grant awarded after ten consecutive years of funding will gradually be decreased.
49. On-going applicants whose direct assistance grant has been discontinued are ineligible to apply for another direct assistance grant in the same country of implementation for the following three years.<sup>5</sup>
50. Capacity building grants in the same country of implementation can be awarded on a yearly basis for a maximum of three consecutive years.
51. Emergency grant applicants can be submitted and awarded at any time during the year. They can cover a maximum period of 12 months and cannot be renewed or prolonged.
52. Organizations must use all awarded grants within the given implementation period.

---

<sup>5</sup> Grantees are strongly encouraged to diversify their sources of funding during this three-year period.

Unspent amounts or carry-overs must be refunded by the organization (see Refund of grants section, paragraphs 156-157). Under exceptional and unforeseen circumstances, non-cost extensions may be granted by the Secretariat.

### III. PROCESS TO SUBMIT PROJECT APPLICATIONS

#### A. WHEN AND HOW TO APPLY

##### a) Annual grants (direct assistance and capacity building)

53. The Fund accepts applications for direct assistance and capacity building grants through an annual call for applications open every year from **15 JANUARY to 1 MARCH**. Awarded grants will be used between 1 January and 31 December of the following year.
54. The Fund's Board may set priorities in the annual call for applications, which focus on i) specific geographic regions, taking into consideration existing patterns of torture, gaps in assistance to survivors and high needs, and/or ii) thematic areas.
55. In regions considered by the Fund's Board as priority, as indicated in each annual call for applications (based on criteria related to existing patterns of torture and gaps in assistance to survivors), the amount requested should not exceed two thirds of the total budget of the project
56. In order to be admissible, all applications must be submitted to the Fund using the OHCHR e-grants online system by **1 MARCH**. The applicant organization is solely responsible for submitting the application within the deadline. Any application submitted after the deadline is inadmissible.

##### b) Emergency grants

57. At any time during the year, organizations may be invited by the Fund's Secretariat to submit an application for an emergency grant through the OHCHR e-grants online system if they provide a satisfactory justification of the emergency rationale (see Emergency grants section, paragraphs 39-45).

#### B. OHCHR E-GRANTS ONLINE SYSTEM

58. By applying for a grant, organizations abide by the present Guidelines. Applications should be submitted through the OHCHR e-grants online system in either English, French or Spanish.
59. A Users' Manual to assist organizations to access and use the OHCHR e-grants online system and to draft the project applications, including budget proposals, is available in English, French and Spanish on the Fund's website.
60. Organizations wishing to apply to the Fund for the first time must submit a request to register through the OHCHR e-grants online system (during business days only) before they can submit an online application. First-time applicants will receive an automatic notification by e-mail of the approval of their registration as well as the link valid for limited time that allows them to create a password to access the online account.



61. Any application that does not provide the required information in all fields of the project application template, or in any other manner does not comply with the present Guidelines, will be considered inadmissible.

### C. INFORMATION AND DOCUMENTS TO BE PROVIDED BY ORGANIZATIONS

62. Information and documentation provided by organizations for the purpose of the grant are for the exclusive use of the Fund and will be treated as confidential.

#### **a) Banking information**

63. Applicant organizations must ensure that all contact information (mailing address, contact persons and contact numbers) and banking information is accurate, since it is essential for communication with the Fund's Secretariat and for the payment of grants. Organizations are responsible for promptly updating information in the online system and for informing the Secretariat about any changes as soon as they occur. Failure to do so may lead to the cancellation of a grant.
64. Applicant organizations must provide all banking details (including IBAN and SWIFT if applicable) using the UN banking information form, available in the OHCHR e-grants online system. Organizations are advised to request their bank to complete the form.
65. Grants are paid in United States dollars (US\$) through bank-to-bank transfer; the organization's bank account must be able to receive foreign payments in that currency. The name of the beneficiary of the bank account must be the same name as the applicant organization. Applications submitted with a bank account in the name of a private individual are inadmissible.
66. Organizations that have received grants in the past must inform the Fund's Secretariat of any change in their banking information by submitting an updated UN banking information form. Failure to provide updated banking information may jeopardize the payment of the grant. The Fund will not cover any banking fees originated from delays in or rejection of payments caused by outdated or incorrect banking information.
67. The Fund accepts applications from organizations that have one bank account for all projects with the condition that they have a clear and detailed system to identify expenditure. The Fund however recommends that organizations have a separate bank account for its grant.

#### **b) Financial questionnaire**

68. The Fund's Secretariat may request applicant organizations to complete a questionnaire about its financial structure in order to assess the internal financial control systems in place. Organizations may be asked to provide a copy of their latest general ledger and their latest audited financial statements. Should the information provided be found to be inaccurate or unsatisfactory, the application will be considered inadmissible.
69. The internal financial control system of the organization will also be verified during monitoring visits (see On-site visits to applicant organizations, paragraphs 87-92).

### **c) Budget proposal**

70. As a general rule, direct assistance grants range between US\$ 30,000 and US\$ 100,000. Only “on-going applicant” organizations submitting a continuation of a funded project proposal in the same country of implementation may be awarded a grant of more than US\$50,000. Direct assistance grants for “first-time” or “returning” categories of applicant organizations cannot exceed US\$50,000 (see paragraph 6 above for a definition of these categories).
71. Capacity building grants cannot exceed US\$50,000 for all categories of applicant organizations. Eligible expenses may include: salaries of staff involved in capacity building, venue rental, interpretation, travel, accommodation, etc. Ineligible expenses include: fees or daily allowances of external trainers.
72. Emergency grants cannot exceed US\$100,000.
73. In order to be admissible, organizations must submit budget proposals based on realistic costs and salaries. Project applications with over-budgeting will be considered inadmissible.
74. Funding requested from the Fund may cover different types of expenditures clearly linked to the provision of direct assistance to torture survivors. Administrative costs may include only direct costs (those readily and directly attributable to project operations, where a direct link between the cost and the project can be identified). Administrative costs should be limited to the strict minimum and may not exceed 13% of the total cost of the budget requested to the Fund. Indirect costs (those that cannot be traced specifically to the direct assistance), should not be included. Salaries of professional staff providing direct assistance to victims are not considered administrative costs and can be requested under other types of expenses.
75. The proposed budget must reflect the total cost of the project and not only the amount requested to the Fund. It should indicate in detail the items and sub-items of expenditure to be covered with the grant requested from the Fund. Organizations should explain and provide additional information about each individual budget line, type of expense and calculation behind the cost per unit indicated.
76. Applicant organizations must indicate other confirmed and/or pledged sources of project funding. Where possible, organizations should provide proof (for example, copies of applications, pledges, agreements, bank statements of recent contributions). Secured sources of funding must be distinguished from those merely envisaged. Organizations should also indicate the form of the contribution (cash or in-kind). For in-kind contribution, organizations should provide an explanation about its calculation and supporting documents.
77. In order to verify organizations’ compliance with the co-funding principle, the Fund’s Secretariat may contact other donors to confirm the authenticity of the information provided by applicant organizations without prior consultation.

### **d) Information about beneficiaries (applicable only to direct assistance and emergency grants)**

78. Applicant organizations should provide detailed and comprehensive information about how they identify project beneficiaries and how they ensure their involvement in project design and implementation. In particular, organizations should explain how their project beneficiaries fall within the definition of victim of torture (see Beneficiaries, definition of torture and victims of torture section, paragraphs 9-11) and describe their in-take and discharge procedures.
79. Applicant organizations must also provide detailed and comprehensive information about the type of direct assistance services they provide to project beneficiaries, that address the effects of torture. They should also explain how they monitor project implementation and evaluate results, in particular the positive impact of services on torture survivors.
80. In order to be admissible, direct assistance and emergency grant applications must include case studies, drafted according to the template provided in the OHCHR e-grants online system. The information included therein will remain confidential and serve only for the Fund's internal use. The purpose of these case studies is to assess, through examples of individual cases, whether the project beneficiaries and the services provided by the organization fall within the mandate of the Fund.
81. The names of beneficiaries may be anonymized and replaced by the internal registration number used by the organization. Organizations should request the free and informed consent of beneficiaries prior to the transfer of any personal data to the Fund.
82. The case studies must follow the template provided in the online application and include the following information:
  - a. Facts of the case (circumstances of the act(s) of torture: what happened, when and where; intentional infliction of severe mental and physical suffering; who was the perpetrator; what was the purpose)
  - b. When and how the beneficiary was referred to the organization
  - c. Assistance provided to beneficiaries under the project (including nature, duration and frequency of services)
  - d. Results expected or obtained
83. Two case studies should also provide a breakdown of expenses.
84. Direct assistance applications must include ten case studies.
85. Emergency grant applications must include at least five case studies: for on-going and returning applicant organizations, these case studies should be different from those previously submitted and reflect the emergency context.
  - e) Additional documents (applicable only to first-time and returning applicant organizations)**
86. In addition to the information and documents indicated below, all first-time and returning applicant organizations submitting an application to the Fund must attach:
  - a. Background information about the organization



- b. Copy of the statutes of the organization
- c. Copy of the legal registration of the organization (if available)
- d. Organizational structure (organogram) indicating positions and names of staff involved in project implementation
- e. Minimum of two reference letters (from donors and organizations/experts in the field of assistance to torture survivors)
- f. Banking information

#### **IV. ON-SITE VISITS TO APPLICANT ORGANIZATIONS**

87. Members of the Fund's Board and/or UN staff shall conduct on-site visits to applicant organizations for the purpose of project evaluation and/or verification of project implementation. The visits allow for greater understanding about the work of the organization, in particular their project operations and grant's management systems.
88. In principle, visits will be conducted to all (i) first-time applicants (ii) returning applicants and (iii) on-going applicants presenting a different project or a different type of annual grant in the same country of implementation or a project in a different country of implementation, that submitted admissible project applications. On-going applicants submitting a continuation of a funded project proposal in the same country of implementation are also subjected to visits on a regular basis.
89. As a general rule, the Fund's Secretariat will inform organizations of the visit in advance. Exceptionally unannounced visits may take place. On-site visits generally last one day. Applicant organizations have the obligation of facilitating the visit, including arranging meetings with project staff, volunteers and beneficiaries, and providing access to administrative and financial files.
90. Occasionally, non-UN staff (for example, auditor, translator, doctor, etc.) may also accompany a visit. All members of the visiting delegation are bound by UN rules of non-disclosure of information and organizations are expected to fully cooperate with them.
91. A confidential report about the visit will be drafted for internal purposes. Should the result of the on-site visit be unsatisfactory (including inter alia due to limited access to files, staff and/or beneficiaries), the Fund may decide not to award a new grant, cancel a pending grant or request a refund of a disbursed grant.
92. The Fund's Secretariat may exchange information about applicant organizations with representatives of other UN agencies, funds or programmes, in particular those based in the same country of project implementation.

#### **V. FINANCIAL AND ADMINISTRATIVE OBLIGATIONS OF ORGANIZATIONS RELATED TO THE USE OF THE GRANT**

93. The Fund's Secretariat informs all applicant organizations about the final decision concerning their grant application (for annual grants, before the end of the calendar year that the application was submitted). Organizations awarded a grant are notified about the approval by e-mail, followed by the letter of notification. Upon receipt of the

decision, the awarded organization agrees to comply strictly with the present Guidelines, the UN Financial Rules and Regulations, and administrative obligations related to the use of the grant. By submitting a revised budget (see paragraphs 94-96 below), the organization agrees to comply with any additional conditions outlined in the letter of notification.

#### A. BUDGET REVISION

94. Organizations must submit a revised budget adjusted to the awarded amount through the OHCHR e-grants online system by the deadline indicated in the e-mail or the letter of notification. Revised budgets must be submitted for all grants, even if amount awarded matches the exact amount requested in the project application.
95. Grants will not be released until a satisfactory revised budget is submitted and approved by the Fund's Secretariat. Failure to do so will lead to the cancellation of the grant.
96. Revisions should be made only to the amounts of the existing budget lines of the project application. Organizations cannot add a new budget line unless otherwise authorized by the Fund's Secretariat. An organization wishing to add a new budget line (for example, for an audit report) must submit the request to the Fund's Secretariat by e-mail with a justification and detailed breakdown of the expense.

#### B. PAYMENT AND USE OF THE GRANT

97. The Financial Services of the United Nations processes the payments of grants at the request of the Fund's Secretariat. The disbursement of annual grants usually occurs during the first three months of the year of the grant's implementation. Any inaccurate or incomplete financial and banking information provided by the organization will result in the delay of payment (see Contact details and banking information section, paragraphs 63-67).
98. As soon as the grant is received in their bank account, organizations must return the acknowledgment of receipt form, duly completed, signed and dated, to the Fund's Secretariat. The form is available on the Fund's webpage and can be requested to the Fund's Secretariat. For annual grants, the deadline to submit the acknowledgment of receipt is **15 MARCH**, unless otherwise indicated in the letter of notification or in the case of non-receipt of payment by that date.
99. The grant must be used in conformity with the project application and the revised budget submitted in OHCHR e-grants online system. Organizations requiring minor budget adjustments have discretion to redeploy funds within existing budget lines with a tolerance rate of 10% of overspending or underspending per each budget line, excluding salary costs, without prior approval from the Fund's Secretariat. The Secretariat will not be liable for any expenditure incurred in excess of the awarded grant. Changes in salary costs resulting from currency exchange rate fluctuations do not require seeking prior authorization from the Secretariat, provided that they are within the 10% tolerance rate. For any other changes in the existing budget lines or the creation of new budget lines, organizations must seek authorization from the Fund's Secretariat, prior to incurring the unforeseen expenditure. Under exceptional and unforeseen circumstances, organizations may be granted additional discretion to redeploy funds within existing



budget lines for up to 20% per budget line, excluding salary costs, upon an express written communication from the Secretariat to this effect. No budget redeployment shall result in administrative costs exceeding 13% of the awarded grant. Any expenditure not included in the revised budget or falling outside the above-mentioned scenarios shall be refunded.

100. All savings on currency exchange rates and interest earned must be reinvested into the project during the ongoing implementation period, in accordance with the approved revised budget and, when applicable, with funds redeployment authorizations received from the Secretariat under the procedure established in paragraph 99.

C. PENDING INSTALLMENTS (applicable only to annual grants)

101. A grant for which certain conditions determined by the Fund's Board (usually complementary information) must be fulfilled before it can be paid is a "pending grant". These grants will be disbursed in two instalments. The second instalment will be paid only upon receipt of a satisfactory progress report about the use of the first instalment, submitted by **15 JULY**.
102. A pending instalment may be cancelled if conditions are not satisfactorily met within the given deadline. The amount of the second instalment may be adjusted and reduced by the Fund's Secretariat on the basis of the progress report about the use of the first instalment. Organizations should never pre-pay budgeted expenditures or assume that a pending instalment will be paid.
103. A second instalment not paid by **1 OCTOBER** will be automatically cancelled.

D. WITHHOLDING OF PAYMENTS

104. Should information concerning over-budgeting, mismanagement or any other misuse emerge after a grant was approved, the Fund's Secretariat can decide, if needed upon consultation with the Chairperson of the Fund's Board, to withhold the payment of a grant or to request a project leader not to spend a grant already paid until the situation is clarified.

E. INTERNAL CONTROL SYSTEMS OF ORGANIZATIONS

105. Organizations must establish and maintain internal control mechanisms to ensure sound management of administrative and financial resources. Among others, they must ensure the existence of and respect for policies and procedures concerning accounting, supply chain matters, handling of cash and cheques, authorization of fund movements and recording of transfers affecting the Fund's grant. Written records and documentation of transactions related to cash and bank accounts must be kept and made available to the Fund's Secretariat at any time upon request. Changes in bank signatories and other changes in the status of the organizations' officials with signing authority must be reported to the Fund's Secretariat immediately.
106. Regarding the provision of cash assistance, which shall remain limited and exceptional (see paragraph 29 above), the organization shall provide the Fund with its written policy and criteria regarding the allocation and monitoring of cash assistance. This includes:





minimum and maximum amounts that may be allocated; purposes for which cash may be awarded; system in place for the disbursement of monies and; monitoring mechanisms to ensure the effective use of the grants awarded. Precise and separate records of such payments with the relevant supporting documents must be kept by the organization and be made available to the Fund's Secretariat at any time, upon request.

107. Organizations must use guidelines and procedures to ensure a competitive process in the procurement of goods. Organizations must have guidelines and procedures regarding the purchase, prescription, issuance and storing of medicines and medical supplies financed by the Fund, enabling their tracking from the supplier to the final beneficiary. Such policies must be submitted upon request to the Fund's Secretariat, as well as supporting documents regarding certain purchases.

## F. HUMAN RESOURCES

### a) **Staff and assimilated categories**

108. Staff, consultants, collaborators and other assimilated categories, must be recruited on a competitive basis bearing in mind gender balance and following open, transparent and non-discriminatory procedures. Relevant and supporting documents may be requested by the Fund's Secretariat. Staff and assimilated categories, regularly remunerated under the project, and with the Fund's grant, must have written contracts.
109. Adequate records of staff attendance and assignments must be maintained. Any change in the key information on human resources affecting the use of the grant must be communicated immediately to the Fund's Secretariat in writing.
110. Should the staff involved in the project and persons in charge of key functions regarding the financial management of the organization change during the period of implementation of the project, the Fund's Secretariat must be immediately informed of the changes in writing.

### b) **Volunteers and assimilated categories**

111. Volunteers, interns, fellows and other assimilated categories must be recruited following open, transparent and non-discriminatory procedures. Relevant and supporting documents may be requested by the Fund's Secretariat. Organizations that are using volunteers shall have clear and consistent policies and procedures for the use of and payments made to volunteers or assimilated categories.
112. Organizations that are providing any form of payment to volunteers or similar categories of persons must keep records, including names, contact details, assignments undertaken, attendance, date, nature and amount of payments.

## G. COMMUNICATION WITH THE SECRETARIAT OF THE FUND

113. The Secretariat of the Fund must be informed immediately of changes of contact person or the person in charge of the project and their new contact details, in order to ensure that communication is maintained.



114. Organizations are responsible for ensuring regular and smooth communication with the Fund's Secretariat by sending information and/or queries to the general e-mail address: [ohchr-unvft@un.org](mailto:ohchr-unvft@un.org).
115. The size limit of an e-mail attachment (in PDF, Word, and JPG formats) sent to the Fund's Secretariat is 20MB. The Secretariat cannot read the documents in .rar format.

## VI. REPORTING ON THE USE OF GRANTS

116. All organizations receiving a grant have reporting obligations. Organizations submitting reports are solely responsible for ensuring that the reports are submitted within the deadline.
117. All reports about the use of grants must be submitted through the OHCHR e-grants online system. Organizations should refer to the Users' Manual available on the Fund's webpage.
118. By submitting a report on the OHCHR e-grants online system, project leaders certify that all the information provided therein is true, complete and accurate. Failure to comply with this obligation could result in the refund of the grant.
119. The Fund will consider unsatisfactory any report not submitted within the established deadline using the OHCHR e-grants online system; that does not provide the required information in all fields of the reporting template indicating precisely how the grant was used to assist torture survivors or; that does not comply with the present Guidelines in any other manner.
120. Should a report be considered unsatisfactory, the organization will have to submit another report by the new deadline provided by the Fund's Secretariat. Failure to do so may lead to a request to refund the grant.
121. Failure to submit a satisfactory report within the established deadline will lead to the inadmissibility of a new project application for the following three consecutive years (see Admissibility of projects section, paragraphs 4-8).
122. The Fund keeps records of organizations which have not complied with its reporting requirements, in particular those requested to refund a grant, and reserves the right to share this information with other donors and/or partners (see Refund of grants section, paragraphs 156-157).

### A. PROGRESS REPORTS

123. Some organizations receiving an annual grant have to submit a progress report by **15 JULY** reflecting the first six months of project implementation. The following categories of organizations have to submit a progress report: (i) first-time; (ii) returning and; (iii) on-going presenting a different project or a different type of annual grant in the same country of implementation, or a project in a different country of implementation (see paragraph 6).
124. Organizations receiving an emergency grant exceeding the period of six months also



have to submit a progress report reflecting the first six months of project implementation.

125. Organizations should download the progress report template from the OHCHR e-grants online system and submit it through the online system. Organizations are expected to provide financial and narrative information about the progress on the use of the grant.

#### B. FINAL REPORTS

126. All organizations receiving an annual grant must provide a final financial and narrative report on the use of the grant for the calendar year 1 January to 31 December. Organizations must draft and submit the final report through the OHCHR e-grants online system by **1 MARCH** every year, unless otherwise authorized by the Fund's Secretariat.
127. All organizations receiving an emergency grant must provide a final financial and narrative report on the use of the grant within two months of the end of the project implementation period. Organizations must draft and submit the final report through the OHCHR e-grants online system.

#### C. GENERAL REPORTING OBLIGATIONS

##### a) **Narrative information**

128. Organizations must provide comprehensive information about the outcome of project implementation including: information about beneficiaries, in-take and discharge policy, type of assistance provided and monitoring process. Emphasis should be placed on the impact that the project has had on the lives of torture survivors and their families.
129. Direct assistance grants reports must include ten case studies (the template should be downloaded from the OHCHR e-grants online system): five of these should concern ongoing cases (assisted by the organization within the last 24 months) and the other five newly registered cases (to be assisted with the grant from the Fund). For on-going and returning applicant organizations, the case studies should be different from those previously submitted (see Information about beneficiaries section, paragraphs 78-85). Emergency grants reports must include ten case studies that concern cases assisted by the organizations within the emergency context (the template should be downloaded from the OHCHR e-grants online system).
130. The final reports on the use of capacity building grants should include the following:
  - a. Programme (including dates and venues)
  - b. List of trainers (with short description of relevant expertise)
  - c. List of participants (including names, organizations, position and contact details)
  - d. Evaluation by participants
  - e. Any materials produced (for example, handouts, presentations, training manuals)
131. Reports on capacity building grants should describe the results achieved with respect to the objectives set out in the application (benefits of the training in terms of direct



assistance to torture survivors) and follow-up plans. The Fund's Secretariat reserves its right to contact participants to ask for feedback.

### **b) Financial information**

132. The financial report must be presented in US dollars (US\$) showing the currency exchange transactions in accordance with generally accepted accounting principles. The financial report must be accompanied by a fund statement - all the financial information assimilated to the grant, both inflows (receipts, transfers in) and outflows (transfers out and expenses), as well as cash in hand, bank balance, accounts receivable - as of the date of the financial report showing all fund movements between the Fund's grant and other funding sources.
133. In cases where awards are received from national or international courts as a result of successful litigation, legal fees paid by the Fund do not need to be reimbursed, in accordance with the conditions for grant allocation. The Fund encourages organizations to use such awards for continued assistance to beneficiaries and to keep the Fund's Secretariat informed about how they intend to use these awards.

### **c) Records of expenses**

134. Organizations are required to maintain separate records of expenses documenting how on-going and past grants are used, including:
1. Financial records (all receipts/ invoices, including three suppliers' quotations for any purchase exceeding US\$2,500)
  2. Beneficiaries' files with information about the specific assistance provided in the context of project expenses. Individual files must include direct or indirect records (i.e. reference to coded receipts/documents kept elsewhere) on the following:
    - a. Personal details of beneficiaries (name and surname, date of birth, photocopy of ID, contact details);
    - b. Personal history of beneficiaries (including details of the torture suffered)
    - c. Medical records, as relevant (diagnosis, list, dates and minutes of sessions with staff, receipts of medicines provided or prescribed, prescriptions, copies of laboratory reports, etc.);
    - d. Legal records, as relevant (complaints lodged to tribunals, powers of attorney, receipts of honoraria/legal fees for external or internal lawyers, receipts for expenses related to the case such as documents translation, forensic or ballistic expertise, etc.);
    - e. Social assistance records, as relevant (receipts of travel grants/transport tickets for beneficiaries, copies of receipts for any purchase made on behalf and for the beneficiaries, telephone cards, clothes, food, rental payment, etc.);
    - g. Any other relevant information.
  3. Records on the management of administrative and other resources.
135. With due regard to any domestic legal restrictions, this information must be available at



the organizations premises for a period of five years after receipt of the grant for inspection by the Fund's delegation conducting the on-site visit. Organizations shall provide full access to their financial records at any time for a period of five years following the receipt of the grant.

#### **d) Audit reports**

136. All grants of US\$50,000 and above must be audited by a certified external auditor on the use of the annual grant paid by the Fund for the calendar year 1 January to 31 December. All first-time and returning organizations are also subject to an obligatory audit.
137. Organizations whose annual grants are below US\$50,000 may be randomly selected to be audited on the use of the annual grant paid by the Fund, following notification by the Fund's Secretariat. All grantee organizations shall be audited at least once every three years. The Fund reserves the right to request an audit report retroactively on any on-going or past grant (see Records of expenses section, paragraphs 134-135).
138. The audit report must be performed by an independent qualified auditor, in line with the International Standards on Auditing or Generally Accepted Auditing Standards. The audit report must be presented in USD and specifically issued for the project supported by the Fund, for the approved period of project implementation (rather than for overall financial statements of the organization). The audit report must be dated and signed by the auditor and include an opinion showing that the grant was received and that it was used for the purpose approved by the Fund. The audit report should contain at least the following elements: title indicating the auditor's independence (ex. "Independent Auditor's Report"); addressee; introductory paragraph; management's responsibility for the financial statements; auditor's responsibility; auditor's opinion on compliance with the terms of the Fund's grant; a full breakdown of expenses against the approved project budget; description of the information presented in the financial statement; description of the financial reporting framework under which the financial statements have been prepared and; any other reporting responsibilities. Where applicable, the audit report is to be accompanied by a management letter issued by the auditor. For annual grants, the audit report and the management letter must be submitted to the Fund's Secretariat by **1 AUGUST** of the following year. For emergency grants, if and where applicable, the audit report and the management letter must be submitted to the Fund's Secretariat by the date specified in the letter of notification.
139. Audits must cover the implementation period of the annual grant, namely the calendar year 1 January to 31 December, and not the fiscal year of organizations, which differs from country to country. Audits are not performed by the Fund. It is the responsibility of the organization to hire directly an external auditor.
140. The Fund reserves the right to select or oversee the selection of the external auditor. The costs relating to the audit may be covered by the grant up to 8% of the total amount awarded, and in line with paragraph 74 section III 'Process to submit project applications' above. If the audit report is not drafted in one of the official languages of the United Nations, an English translation must be provided.

## **VII. MISMANAGEMENT, FRAUD AND MISUSE OF FUNDS OF THE GRANT**

141. In cases where the Fund receives credible information or otherwise learns about possible fraud or mismanagement in an organization it supports, it reserves the right to ask the organization for clarification, contact other donors, and request a retroactive audit report (see Audit reports section, paragraph 136-140).
142. The submission of false information in the documentation requested, especially the finance questionnaire, will be treated as a case of mismanagement or fraud. Failure to provide satisfactory supporting documents for the financial management of the grant(s) when requested may also be considered mismanagement or fraud.
143. In circumstances related to possible misuse of funding by the grantee, the Fund's Board may decide to request the United Nations Office of Internal Oversight Services, OHCHR Finance and Budget Section or other auditors to audit the concerned organization, including its financial and administrative data.
144. Organizations implementing a grant from the Fund shall not engage in any activity that is incompatible with the aims and objectives of the United Nations and with the Fund's mandate to ensure the protection of their beneficiaries, staff and other persons of concern. They shall prevent, oppose and combat all exploitative, abusive or other illegal practices (such as child labour, trafficking in human beings for labour exploitation, etc.). Organizations must have contractual policies in place to prevent and protect from such practices.
145. Any organization supported by the Fund further guarantees that its staff has not received and will not receive any direct or indirect benefit arising from the grant.
146. The non-compliance with these provisions by an organization supported by the Fund is a breach of the essential terms of the grant. Where it is established that the organization mismanaged, embezzled or misused the grant, the Fund's Board reserves the right to take any appropriate measures in the circumstances, including estimating the amount mismanaged, misused or embezzled and requesting a refund, and/or using relevant legal procedures.
147. No further application shall be accepted from the organization during the five years following the refund or satisfactory settlement of the matter. The Fund's Secretariat will also undertake necessary steps to verify that previous malpractices, including inadequate internal controls and issues related to governance, have been resolved.

## **VIII. ENSURING PROTECTION FROM SEXUAL EXPLOITATION AND ABUSE, AND FROM CHILD SAFEGUARDING VIOLATIONS**

148. The Fund adheres to the United Nations policies and protocols on Safeguards against Sexual Exploitation and Abuse and the organizations that it supports are expected to have internal policies and practices to prevent such practices.
149. The Fund is also governed by the United Nations' zero tolerance policy on prohibited



conduct. This policy requires that organizations cooperating with the United Nations adhere to the zero tolerance policy on prohibited conduct<sup>6</sup> and commit to taking adequate action if faced with allegations of prohibited conduct. The United Nations requires an effective response to any report of possible misconduct, from receiving a complaint to ensuring that appropriate disciplinary action is taken.<sup>7</sup>

150. In particular, the Fund adheres to the zero tolerance policy towards sexual exploitation and abuse (SEA), defined as follows:

a) Sexual exploitation is any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

b) Sexual abuse means actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive condition.

151. The Fund does not cooperate with entities that fail to address SEA through appropriate preventive measures, investigation and corrective action. Such failures shall constitute grounds for the termination of the grant awarded by the Fund.<sup>8</sup>

152. United Nations staff are required to report allegations of SEA to the Secretary-General. It is the responsibility of the organizations supported by the Fund to report promptly allegations of SEA to the Fund's Secretariat, as part of their reporting obligations, and to investigate those allegations.

153. The Fund's Secretariat reserves the right to refer any SEA allegation involving an organization receiving a grant and its associated staff to the responsible United Nations institutions for investigation, notwithstanding any related investigations undertaken by the organization or national authorities. Where the United Nations does not conduct the investigation directly, the Fund reserves the right to seek further clarification and relevant information and to obtain the results of any investigations undertaken, in order to determine whether the organization has taken appropriate investigative and corrective actions including guarantees of non-repetition.

154. In the event of credible SEA allegations made against an employee(s) or associated staff and volunteers of the organization supported by the Fund and a failure of the organization to take adequate measures to prevent, investigate or correct SEA, including taking measures to avoid the repetition of these acts,<sup>9</sup> the Fund reserves the right to request a full or partial refund of any grant awarded to the organization. The Fund will

<sup>6</sup> Prohibited conduct is the collective term for discrimination, harassment (including sexual harassment) and abuse of authority: <https://hr.un.org/page/what-is-prohibited-conduct>

<sup>7</sup> Secretary-General's bulletins ST/SGB/2019/8 and ST/SGB/2003/13.

<sup>8</sup> For details on the entities cooperating with United Nations, please refer to the United Nations Protocol on Allegations of Sexual Exploitation and Abuse Involving Implementing Partners

<sup>9</sup> As a minimum, the organizations supported by the Fund that are facing credible SEA allegations should take the following steps:

- a) Ensure that appropriate actions are taken regarding staff of the organization involved in perpetrating SEA, including termination of the staff contract and/or referral for criminal accountability, if appropriate;
- b) Withhold further cash and/or supply transfers to the organization, if appropriate;
- c) Share information on the allegation with relevant authorities as appropriate, upon a protection risk assessment and in line with informed consent;
- d) Immediate referral of the victim to safe and confidential victim assistance, including legal assistance, where available, based on their needs and consent.



also identify a number of conditions and corrective measures that need to be taken by the organization for any future grant applications to be considered in line with the UN policies and protocols on Safeguards against Sexual Exploitation and Abuse, notwithstanding the reparations and remedies resulting from judicial or non-judicial procedures undertaken by national authorities.

155. The Fund further adheres to the zero tolerance policy towards child safeguarding violations, which is defined as conduct by the employee(s) or associated staff and volunteers of the organization supported by the Fund that actually or likely causes significant harm to a child,<sup>10</sup> including any kind of physical, emotional or sexual abuse, neglect or exploitation. The above-mentioned paragraphs 148-154 concerning the preventive as well response measures apply to any allegations of child safeguards violations.

## IX. REFUND OF GRANTS

156. In addition to the cases of mismanagement, fraud or misuse of funding indicated above, the Fund's Secretariat or Board may request organizations for a total or partial refund of a grant when:

- a. Organization did not fully implement the project
- b. Organization spent the grant on expenditures other than those declared in the approved revised budget
- c. Organization failed to comply with its reporting obligations
- d. Organization subject to an on-site visit receiving a negative evaluation
- e. Any other reason that may justify such refund according to the Fund's Guidelines and/or which contravenes the aims and objectives of the United Nations

157. If the organization does not refund the grant within the time limit indicated by the Fund's Secretariat, no new application from the organization concerned will be accepted.

## X. RESTRICTIVE AND RETALIATORY MEASURES

158. The Fund is able to fulfil its mandate to channel direct assistance to torture survivors when there is a safe and enabling environment for civil society organizations to operate. Restrictive or retaliatory measures (including reprisals due to collaboration with the United Nations<sup>11</sup>) may limit or even prevent grantees to deliver assistance to torture

---

<sup>10</sup> For the purposes of the present Guidelines, a child means every human being below the age of eighteen years. Sexual activity with any person less than 18 years of age, regardless of any laws relating to consent or age of majority, shall constitute the sexual exploitation and abuse of such person. Mistaken belief in the age of a child shall not constitute a defence under these Guidelines.

<sup>11</sup> Based on Human Rights Council resolutions 12/2, 24/24 and 36/21, acts of intimidation and reprisal are defined as: All acts of intimidation or reprisal against those who:

- (a) Seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms in the field of human rights, or who have provided testimony or information to them;
- (b) Avail or have availed themselves of procedures established under the auspices of the United Nations for the





survivors.

159. To fulfil its mandate, the Fund has set a priority to address restrictive and/or retaliatory measures, including reprisals, against organizations, their officials and/or beneficiaries, which prevent them from receiving and/or fully providing assistance to torture survivors. Organizations can submit allegations of intimidation and reprisals as a consequence of project implementation supported by the Fund. The organization may provide consent to inform the Fund's Board focal point and relevant United Nations human rights mechanisms as appropriate, on retaliatory measures including reprisals. Organizations requiring additional support to continue to ensure service-delivery to torture survivors in such contexts may exceptionally submit an emergency grant application (see Emergency grants section, paragraphs 39-45).
160. Applications for direct assistance may include a skills-building and/or institutional development budget lines to address this issue (see paragraph 28). This may include, for example, self-care measures (such as prevention from burnout, vicarious trauma, etc.) and personal and digital security policies, protocols and/or related activities (including secured case filing and data collection systems, data protection policies, and security cameras).

## **XI. HEARING OF REPRESENTATIVES OF APPLICANT ORGANIZATIONS**

161. At its annual sessions, the Fund's Board may hear representatives of applicant organizations. Requests for hearings should be addressed to the Fund's Secretariat. Travel costs arising from such visits may not be charged to the Fund.
162. The Fund's Board may request representatives of applicant organizations to present the activities of their project in person. In these cases, travel expenses will be borne by the Fund.

## **XII. USE OF THE FUND'S LOGO AND TITLE**

163. As a rule, the Fund's logo or title should not be mentioned in any publication or material produced by grantees.
164. Should organizations wish to mention the Fund's support or use the Fund's logo during the period of project implementation, they shall contact the Fund's Secretariat for written permission and instructions on how to proceed.
165. Organizations supported by the Fund must not use the United Nations or the Office of

---

protection of human rights and fundamental freedoms, and all those who have provided legal or other assistance to them for this purpose;

(c) Submit or have submitted communications under procedures established by human rights instruments, and all those who have provided legal or other assistance to them for this purpose;

(d) Are relatives of victims of human rights violations or of those who have provided legal or other assistance to victims.



the United Nations High Commissioner for Human Rights logo for any purpose.

\*\*\*\*\*