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This action is funded by the Union

ANNEX 3

of the Commission Implementing Decision on the Annual Action Programme 2016 in favour of the Republic of South Africa to be financed from the general budget of the Union

Action Document for Enhancing CSO Participation in Legislature Oversight and Participation Processes

INFORMATION FOR POTENTIAL GRANT APPLICANTS

WORK PROGRAMME FOR GRANTS

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following sections concerning calls for proposals: 5.4.1.

1. Title/basic act/ CRIS number	Enhancing CSO Participation in Legislature's oversight and Participation Processes CRIS number: DCI-AFS/039-664 financed under Development Cooperation Instrument	
2. Zone benefiting from the action/location	South Africa The action shall be carried out at the following location: South Africa	
3. Programming document	EU-South Africa Multi-Annual Indicative Programme (MIP) 2014-2020	
4. Sector of concentration/ thematic area	Sector 3: Building a capable and developmental State	DEV. Aid: YES ¹
5. Amounts concerned	Total estimated cost: EUR 2 487 500 Total amount of EU budget contribution: EUR 2 000 000 This action is co-financed by potential grant beneficiaries for an indicative amount of EUR 487 500	
6. Aid modality(ies) and implementation modality(ies)	Project Modality Direct management, grants – call for proposals and procurement of services	

¹ Official Development Aid is administered with the promotion of the economic development and welfare of developing countries as its main objective.

7 a) DAC code(s)	151 – Government and civil society 15152 – Legislatures and political parties, 100%			
b) Main Delivery Channel	20000 – NGOs and Civil Society (donor and developing country)			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	X
	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	X	<input type="checkbox"/>
	Trade Development	X	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
9. Global Public Goods and Challenges (GPGC) thematic flagship	Not relevant			
10. Sustainable Development Goals (SDGs)	Main SDG Goal is Goal 13 Secondary SDG Goals are Goals 5 and 17			

SUMMARY

The project aims at contributing to the successful implementation of the EU-South Africa Multi-annual Indicative Programme (MIP) 2014-2020, with particular focus on the following Specific Objectives (SO) identified in the MIP: SO 1 for "Building a capable and developmental State" sector area, that is: "Systems of oversight strengthened", with notably the accompanying Result R1.1: *"Capacities and role of the legislative sector to scrutinise and oversee executive action are enhanced"*; and SO 4 "An active citizenry (women and men) in policy design, implementation, and monitoring and evaluation is promoted" with notably Result 4.4: *"CSO-led initiatives to promote citizen engagement with the three spheres of government and the three branches (executive, legislative and justice) are implemented"*.

It builds on the MIP provisions for measures in favour of civil society that would support the three sectors of cooperation and address issues of democracy, human rights, and other elements of good governance (especially gender related issues). The support to civil society in these sectors aims at promoting synergies and constructive relations with the national and local authorities (provinces and municipalities) to address poverty, inequality, and inclusive and sustainable development.

With the overall objective to contribute to improving a capable and accountable developmental state through strengthening the oversight system in South Africa, the project will result in improved access to information to citizens on oversight and participation, and enhanced Civil Society Organisations (CSOs) capacities and engagement in oversight, participation and accountability of provincial legislatures and parliament.

The project will be implemented through a call for proposals and complement another programme in support to the South African Legislative Sector.

1 CONTEXT

1.1 Sector/Country/Regional context/Thematic area

South Africa is classified as an upper middle-income country with a gross national income (GNI) per capita of USD 6 800 (2014). Gross domestic product (GDP) growth rates have been relatively low (2-3%) over the last years and insufficient to reduce the unemployment rate, which currently stands at

24.9% (2014). More than half the population is below 25 years, and youth unemployment rate stands at 51.3% (2014). South Africa is among the most unequal countries in the world, with a Gini coefficient of 0.64 (2014).

South Africa ranks relatively high on international indices of democratic development: 37 on the Economist Intelligence Unit (EIU)'s Democracy Index (2015); 71 on Democracy Ranking (2015); and 26 on the Bertelsmann Stiftung Transformation Index (2016). On some indices, there has been a small decline in South Africa's rankings in recent years, attributed variously to the handling of a number of corruption scandals, the emergence of some serious social and labour unrest, and questions regarding the conditions for media independence.

South Africa is a democratic republic, with three spheres of government (national, provincial, and local), operating in a parliamentary system. At national level, executive powers are vested in the President, who is elected by the National Assembly. Legislative powers are vested in the two houses of Parliament: the National Assembly and the National Council of Provinces. At provincial level, executive powers are vested in the Provincial Premier, who is elected by the Provincial Legislatures. Legislative powers are vested in the Provincial Legislatures. Overall, the Constitution provides a clear leadership role to the Parliament, but at the same time an important role for the Provincial Legislatures, both in terms of legislation and, particularly, oversight.

1.1.1 Public Policy Assessment and EU Policy Framework

An empowered civil society is a crucial component of any democratic system and an asset in itself. This is at the core of the 2012 Commission communication², which argues for increased civil society participation in policy making and for civil society organizations (CSOs) to play a strong role in promoting domestic transparency and accountability. The important role of civil society in promoting accountability is further supported by the 2013 Commission communication on local authorities³.

² "The roots of democracy and sustainable development: EU's engagement with civil society in external relations". COM (2012) 492 final of 12/09/2012 and Council conclusions, 3191st FOREIGN AFFAIRS Development Council meeting of 15/10/2012

³ "Empowering local authorities in partner countries for enhanced governance and more effective development Outcomes." COM (2013) 280 final of 15/05/2013

The EU's roadmap for engagement with civil society in South Africa (2014) has defined a number of priorities, namely a "transparent, communicative and sustainable vibrant civil society able to play its roles; an effective contribution to building a capable, and accountable developmental State and to economic policy making and inclusive growth; and a civil society voice in policy areas and processes of EU-SA Strategic Partnership".

The EU-SA MIP for 2014-2020 makes provision for measures in favour of civil society that would: (i) support the three chosen sectors mentioned above; (ii) address issues of democracy, human rights, and other elements of good governance (especially gender related issues). The support to civil society in the three sectors will enhance citizens' engagement in policy design, implementation, monitoring and evaluation, but also promote interactions with oversight bodies such as the national and provincial legislative bodies and, most relevant, (Constitution) Chapter 9 institutions such as the Human Rights Commission, and the Commission on Gender Equality.

The South African constitutional democracy is not only representative but also participatory. The Constitution obliges both national and provincial legislatures to ensure public involvement in legislative and other processes, e.g. deliberation and decision-making in an open and transparent manner. This is supported by a number of Constitutional Court judgements.

The South African Legislative Sector (SALS) has developed a public participation (PP) framework (2013) which foresees a number of PP mechanisms such as Taking Parliament and legislatures to the People (including pre-hearings, public hearings and post-hearings), petitions, sector parliaments, committees, as well as involving civil society in oversight and law-making. In 2011, the Sector Oversight Model (SOM) for the Legislative Sector was launched, which provides guidelines for legislature oversight in terms of approach, operational tools and mechanisms. The purpose of this model is to set a standard for the practice and conduct of oversight in the South African Legislative Sector.

South Africa has a rich legacy of activism and involvement to bring about change in society. Active involvement did not end after the end of apartheid. In recent years, the notion of active citizenship has become very prominent, emphasising the need for citizens, and society at large to participate in the governance of its society. The motivation for an active citizenry is based on the understanding that the developmental challenges facing South Africa cannot be addressed by the Government alone. This is emphasized in the Government's National Development Plan (NDP) 2030 which identifies six interlinked priorities: (1) uniting South Africans around a common programme; (2) citizens active in their own development; (3) faster and more inclusive economic growth; (4) building capabilities; and (5) a capable and development state; and (6) leadership and responsibility throughout society. Under priority (5), the NDP notes that "parliamentary accountability is weak, with Parliament failing to fulfil its most basic oversight role". Its chapter 13 articulates mechanisms for South Africa's quest in developing a capable developmental state to foster sustainable socio-economic transformation within the parameters of a robust constitutional democracy.

In terms of 2015 Open Budget Index (OBI) assessment South Africa achieves the 3rd position, after New Zealand and Sweden. It concludes that the Government of South Africa provides the public with extensive budget information (86/100); provides with adequate opportunities to engage in the budget process (65/100) and calls for the executive, the Parliament and the supreme audit institution to consider how to deepen citizen engagement on the public finances; considers budget oversight by the legislature (85/100) and by Audit (100/100) as adequate. It mentions that the quality of the Citizens Budget could be enhanced by including information on the budget process, revenue collection, and priority spending, and by producing Citizens Budgets at each stage of the budget process.

1.1.2 Stakeholder analysis

- The final beneficiaries of the Programme will be the women and men living in South Africa who will benefit from a reduction in poverty and improved service delivery.
- The direct beneficiaries of the programme are CSOs, such as associations, Non-Governmental Organisations (NGOs), media, trade and labour associations, faith-based organisations, community-based organizations and citizen groups which are involved in legislature and parliament's oversight and participation, as well as organisations whose impact of their actions would benefit from a closer involvement in legislature and parliament work.
- The members of the South African Legislative Sector (SALS), elected and staff members will be target groups as they will benefit from information produced by and from interactions with CSOs to perform their tasks.
- Chapter 9 institutions such as the South Africa Human Rights Commission or the Commission for Gender Equality and Chapter 10 institutions such as the office of the Auditor General will be target groups as they will benefit from enhanced communication and use of their work and reports in the legislature and parliament framework.

1.1.3 Priority areas for support/problem analysis

In order to address the developmental challenges in South Africa, while sustaining and deepening democracy and a democratic culture, various forms of citizen engagement are required. Civil society organisations have undertaken many initiatives to give effect to the notion of active citizenship. These initiatives and projects have ranged from working in informal settlements, to rural communities, to encouraging dialogues between citizens and Government, to enhance governance at local level, to ensure monitoring of service delivery, and to improve planning and delivery of services. Opportunities and means of engagement should continuously evolve, and be responsive to the needs of Government and civil society. It should create points of entry for marginalised communities, groups and individuals to engage with their leaders, and governance structures at local, provincial and national level, to enable constructive engagement and involvement. Both Government and civil society recognise the need for this engagement, the need for a responsive government, and the importance of an engaged and active citizenry.

Various legislated opportunities exist to enhance citizen engagement in the activities of legislatures, e.g. the Money Bills Amendment Procedure and Related Matters Act (Act 9 of 2009) in relation to assessment of the performance of national departments; the Standing Rules of Parliament which obliges the Committee on Appropriations to hold public hearings in respect of appropriation bills. Apart from this provision, the portfolio committees are entitled to consider any other information presented to or requested by it. Public involvement in the Portfolio Committees' assessment of the budget can ensure a real sense of participatory democracy, benefiting from the substance of the issue (allocation of public funds and the monitoring of their utilization) that has a direct impact on the public, contributing to the portfolio committees to open themselves up to a much broader range of issues and to be provided with a 'view from below', i.e. a kind of alternative or shadow report complementing information provided by Departments.

More broadly, a number of issues characterize CSOs challenges in terms of engagement with the provincial legislatures and parliament (referred as '*legislatures*'), as illustrated as follows:

- There is a limited pool of organisations who regularly engage with legislatures. Both legislatures and CSOs have a role to play to expand this range and strengthen the capacity of local groups to participate. In particular, knowledge of parliament's oversight cycle and key decision-making processes is limited.
- The question of 'representivity' of CSOs is often raised, requiring attention to legitimacy of the information and of the perspectives brought by CSOs.

- Coalitions and networks, based on strong internal communication, can not only improve the quality of information and the range of perspectives that can be shared on issues with Members, they also facilitate sustained presence provided that adequate funding is put in place.
- Trust in the relationship between CSOs with Members and Chairpersons impacts on the quality of the engagement. CSOs need therefore to be credible organizations, to provide information of quality and be ready to engage on their own accountability. The use of academic expertise is often positively recognized by Members, and plays an important contribution to trust-building, in particular for contacts with committees.
- CSOs strategies of engagement with legislature should be more aware of the political context, in an environment of technical expertise and sharing of experiences will be limited by political dimensions and implications of information provided.
- CSOs influence on legislatures requires going beyond interactions in formal spaces of engagement. But, at the same time, advocacy activities within formal participation mechanisms are enhanced by public awareness/education campaigns and citizen support.
- Access to committees is often constrained by approaches from individual members or chairpersons, suggesting the promotion of engagement through a multi-committee approach.
- CSOs involvement in supporting legislatures in their oversight role is also promoting accountability on legislature's involvement in oversight role.

From these challenges and opportunities, main priorities areas of the project are:

- ***Deepen effective public participation and access to information***

As mentioned above, promoting public participation in legislatures, according to the Constitutional mandate, is not only important to promote a people-centred democracy, but also critical because it strengthens the functioning of the legislatures. Effective public participation can improve the capacity of legislatures to fulfil their role to build "a capable, accountable and responsive State that works effectively for its citizens". A number of Constitutional Court judgements have affirmed the importance of this obligation when they ruled that legislation developed without enough meaningful public participation opportunities could be declared invalid. As a result of the Constitution and court decisions, South Africa's legislatures offer a range of opportunities for public contribution, where access to information is key to public participation and needs to be supported.

- ***Build CSOs capacities to engage in the Parliamentary oversight cycle***

Citizen and civil society participation is generally strong in South Africa. However, there is a declining number of CSOs working in the space of promoting democracy, generally linked to declining funding. This has resulted in a gap in terms of overall parliamentary monitoring and engagement. The CSOs that do engage with legislatures are primarily focused on national parliament, with very limited engagement at provincial level. There is a clear need to enable more CSOs to engage at provincial level, and also to gain expertise in budgeting processes and oversight. Engagement with legislatures must also be expanded beyond formal CSOs, to include grassroots organisations or groups, and other groups who have limited capacity, knowledge and resources to engage in oversight and public participation processes.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
Insufficient coordination and readiness to share experiences among CSOs	M	Networking sessions and opportunities to report and share on their activities will be organised on a regular basis, including with Parliament and Legislature when relevant.
Insufficient capacities to engage on budget processes	L	Synergies and joint collaboration strategies, including through trainings, will be encouraged to enhance such capacities between different types of CSOs.
Limited will from legislatures to interact with CSOs in oversight and participation processes	M	Attention and support will be provided to promote and implement constructive relationships.
Limited access to information	M	South African Legislative Sector is engaged in assessing, reviewing and implementing a number of its framework and model (Public Participation, Oversight) which includes provisions on information.
Assumptions		
The assumption is that legislatures will remain committed to engaging in an open and transparent way with civil society organisations in their public participation and oversight mandates, in respect of the Constitution's provisions, relevant jurisprudence and South African Legislative Sector's ambitions.		

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

The European Union has supported democratic development in general and the South African legislative sector specifically since the end of the apartheid system. The EU can add value to this area through the lessons learnt from the previous support programmes to the South African Legislatures, as well as through the implementation of grant projects in previous programmes such as the "Access to Justice and Promotion of Constitutional Rights" (AJPCR) programme, and European Instrument for Democracy and Human Rights (EIDHR). Programmes in the governance sector have benefitted from support to both Government and civil society. This practice has been implemented in a range of sectors including health, education and justice. In the governance sector, this is particularly beneficial, as it supports both the supply and demand side of democracy and accountability. Previous support to the legislative sector has demonstrated the need to also support civil society to ensure CSOs are capable, and make use of opportunities available for engagement. In the AJPCR Programme, CSOs, through the grants component, actively sought opportunities to engage with legislatures - with limited resources. In addition, CSOs have also made use in the past of the EIDHR Country-Based Support Schemes (CBSS) to engage with legislatures through the promotion of human rights.

The AJPCR final evaluation confirmed the valuable contribution of the CSO Component, which provided an innovative financing model for CSOs working in the justice sector. The continuation of an independent source of funding to CSOs in the sector, to collaborate with, and challenge Government where necessary, particularly in such a contested area as access to Constitutionally guaranteed socio-economic rights in South Africa, was recommended. These findings and recommendations are also relevant outside the justice sector and for democracy and good governance generally. Continued funding for activities such as lobbying, advocacy, networking, debate, discussion, dialogue, litigation, research and capacity building, is critically needed. This approach supports the EU engagement with CSOs, articulated in the *"Roots of Democracy and Sustainable Development: Europe's Engagement with Civil Society in External Relations"* Communication. Previous, limited support for engagements between CSOs and legislatures⁴ confirmed the need, interest and value of support for CSOs to engage with legislatures at national and provincial levels.

3.2 Complementarity, synergy and donor coordination

The design of this action has taken place in parallel with the design of a support to the South African Legislative Sector (SALS), Enhancing Legislature Oversight Programme, which will notably support the assessment, implementation and review of SALS Public Participation Framework and the Sector Oversight Model, as well as institutional and individual capacities development to increase legislature oversight, while strengthening the legislative sector coordination and international engagement. This action therefore comes in complementarity and strong synergy with the other one.

EU Donor coordination takes place through the monthly EU Development counsellor's meetings, and through a broader donor working group on governance chaired by Germany. Linked to the EU roadmap for engagement with civil society in South Africa, the EU Delegation calls for meetings where support to civil society is discussed, be it with EU Member States, non-EU Member States and private partners (such as foundations). These different platforms could serve as opportunities to share on the implementation of this project, looking at complementarities and synergies with similar actions funded by other institutional or private partners.

3.3 Cross-cutting issues

Gender equality and women's empowerment (GEWE)

Gender equality is enshrined in Constitution, which states that "[t]he Republic of South Africa is one,

sovereign, democratic state founded on the following values: [...] (b) Non-racialism and non-sexism"

(section 1) and that "*the state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth*" (section 9). Parliament has continued to play an important role in advancing gender equality and promoting women's empowerment. The SALS has adopted a Strategic Framework for Gender

Mainstreaming in the Legislative Sector, which calls for a "*sector-wide programme that is institutionalized with vigour and starts to permeate all facets of parliamentary life*".

⁴ Lessons from South African Civil Society Engagement with National Parliament in 2011; Civil society conference on South Africa's legislatures, People's power conference, August 2012.

Inclusivity, rights of persons with disabilities and rights of vulnerable groups

The South African Constitution protects persons with disabilities and other vulnerable groups and guarantees them substantive equality. Since the end of apartheid the legislatures have passed legislation to put the constitutional dispositions into practice, such as the Promotion of Equity and Prevention of Unfair Discrimination Act (2000), and have taken steps as a key institutional sector to give voice and consideration to the needs of persons with disabilities and vulnerable groups. In 2007, the SALS Strategic Framework dealing with Disability matters⁵ was adopted, which contains a wide range of actions and engagements to ensure both the participation of persons with disability in legislative work, as well as substantive cross-cutting policy focus. For example, the Public Participation Framework (2013) enabled the creation of "Sectoral Parliaments" including for Persons with Disabilities, and the Sector Oversight Model also underlines the importance of assuring inclusivity as both a transversal and specific aspect of oversight⁶.

Special attention will be given, among others, to GEWE, inclusivity, as well as to environment and climate change and to HIV and AIDS, not only in terms of interactions of CSOs in SALS mechanism, but also in terms of CSOs' engagement in legislature's oversight and participation processes at national and provincial levels.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results

This project is relevant for the United Nations 2030 Agenda for Sustainable Development. It contributes primarily to the progressive achievement of SDG Goal 16 "*Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels*", but also promotes progress towards Goal 5 "*Achieve gender equality and empower all women and girls*" and Goal 17 "*Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development*". This does not imply a commitment by the country benefiting from this programme.

The project aims at contributing to the successful implementation of the EU-South Africa MIP 2014-2020, with particular focus on the following Specific Objectives (SO) identified in the MIP: SO 1) for "Building a capable and developmental State" sector area, that is: "Systems of oversight strengthened, with notably the accompanying Result R1.1: *Capacities and role of the legislative sector to scrutinise and oversee executive action are enhanced*"; and SO 4 "An active citizenry (women and men) in policy design, implementation, and monitoring and evaluation is promoted" with notably Result 4.4: "*CSO-led initiatives to promote citizen engagement with the three spheres of government and the three branches (executive, legislative and justice) are implemented*".

The overall objective of the project is to contribute to improving a capable and accountable developmental state through strengthening the oversight system in South Africa.

The specific objective of the project is to enhance the capacities and involvement of civil society organisations in legislature's oversight and participation processes.

The majority of the CSOs working in the parliamentary monitoring arena concentrate their attention on the national level. There is a need to build capacities of CSOs promoting democracy at provincial level as well as amongst broader group of CSOs who do not know how to engage with the

⁵ <http://www.sals.gov.za/research/disability.pdf>

⁶ http://www.sals.gov.za/research/oversight_model.pdf, page 25.

parliamentary monitoring - and budgeting - cycle. Furthermore, public participation is often limited by a number of factors reflecting the power imbalance of the society, including geographical factors, gender, literacy, language, status, organisation, political difference and funding. CSOs should also be supported to build partnerships and empower the most vulnerable groups and grass roots organisations which do not have the skills or information to contribute to parliamentary consultations and public participation processes in legislatures.

The expected results are:

- Improved access to information to citizens on the legislature oversight and participation process;
- Strengthened capacities of CSOs at provincial level to engage with provincial legislatures;
- Enhanced participation of CSOs in oversight and accountability mandate of the Legislature.

4.2 Main activities

A Call for Proposals will be launched, with the objective of enhancing the capacities and involvement of civil society organisations in legislature's oversight and participation processes. The aim will be to improve the opportunities, the knowledge, the capacities, the scope and level of CSO participation in the oversight and public participation processes of national and specifically, provincial legislatures. Activities will be decided by CSOs in response to the objectives and three result areas above, but potential activities of CSOs may include, among others, capacity building; lobbying; advocacy/awareness-raising/campaigns; use of Information and communications technology (ICTs); budget monitoring and training (including gender-sensitive budget analysis), establishing or strengthening networks initiatives; debates/discussions/dialogues; operational research actions, participation in public hearings, preparation of public petitions, participation in sectoral parliaments.

4.3 Intervention logic

The intervention is about reinforcing oversight and public participation in legislatures, while promoting further accountability of legislatures and information to citizens, in particular on budget processes.

Focus will not only be on capacities and engagement of CSOs in legislatures to enhance access to information and knowledge by Members and staff of legislatures, but also on expanding information and knowledge of legislative and budgetary processes beyond specialised CSOs, reaching citizens as much as possible. Better informed Members and staff of legislatures, as well as citizens and citizen organisations are more likely to perform better in the execution of their duties and to be more demanding in terms of transparency and accountability in the execution of public finance and policies.

The main impact is expected to be at the level of the legislative sector itself, but certainly more at the provincial level, where legislatures are generally institutionally weaker, having nonetheless an important mandate in terms of public service delivery.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to this decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

5.3 Implementation of the budget support component

Not applicable

5.4 Implementation modalities

5.4.1 Grants: call for proposals 'Enhancing involvement in legislature's oversight and participation processes' (direct management)

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

The objective of the support to Civil Society Organisations through grants is to better capacitate and support civil society to engage with legislatures, and to make optimal use of the processes and mechanisms such as the Sector Oversight Model and Public Participation model, designed and adopted by the SALS. Greater participation by CSOs, particularly at provincial level, and by a broader range of CSOs, will give better effect to the constitutionally enshrined provisions for public participation and will enhance oversight in the legislatures through better communication, knowledge-sharing and enhanced accountability.

(b) Eligibility conditions

Civil society organisations can be defined as all non-state, not for profit structures that are non-partisan and non-violent, through which people organise to pursue shared objectives and ideals, whether political, cultural, social or economic. Operating from the local to the national level, they comprise urban and rural and formal and informal organisations. It is through CSOs that citizens can engage in policy dialogue, collectively voice their opinions and rights and hold authorities and other stakeholders accountable.

To be eligible for a grant, the applicant must:

- (i) be a legal person **and**
- (ii) be non-profit-making **and**
- (iii) be a specific type of organisations such as: non-governmental organisations, citizens' groups, organisations representing economic and social interests, community organisations, advocacy organisations, women's and youth organisations, research and scientific organisations, education institutions, independent foundations, **and**
- (iv) be registered in South Africa **and**
- (v) 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.

Subject to information to be published in the call for proposals, the indicative amount of the EU contribution per grant is EUR 350,000 - 550,000 and the grants may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 48 months.

(c) Essential selection and award criteria

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

(d) Maximum rate of co-financing

The maximum possible rate of co-financing for grants under this call is 80%.

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

(e) Indicative timing to launch the call

First trimester of 2017

5.4.2 Procurement (direct management)

Subject in generic terms, if possible	Type (works, supplies, services)	Indicative number of contracts	Indicative trimester of launch of the procedure
Publication of the Call for Proposals in the local media	Services	1	1 st trimester 2017
Recruitment of Assessors for the Call for proposals	Services	1	1 st trimester 2017
Trainings, including info session, logframe and financial management, capacity building	Services	1	2 nd trimester 2017

5.5 Scope of geographical eligibility for procurement and grants

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

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.6 Indicative budget

	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
5.4.1. – Enhancing involvement in legislature's oversight and participation processes - Call for proposals 'Enhancing involvement in legislature's oversight and participation processes' (direct management)	1 950 000	EUR 487 500
5.4.2. – Procurement (direct management)	50 000	N.A.
5.9 – Evaluation, 5.10 – Audit	will be covered by another decision	N.A.
5.11 – Communication and visibility (<i>under 5.4.1</i>)	N.A.	N.A.
Contingencies	0	N.A.
Totals	2 000 000	EUR 487 500

5.7 Organisational set-up and responsibilities

The Delegation's activities will include preparation and implementation of the call for proposal (including publication of guidelines for the applicants, recruitment of assessor(s), provision of trainings, and monitoring of the grants).

Representatives of the National Treasury (such as the National Authorising Officer) and of the South African Legislative Sector (SALS) will be involved, if interested and available, in the preparation of the guidelines and, as observers, in the evaluation process of the call.

For purposes of accountability, visibility and networking, grant beneficiaries will be invited on a regular basis to come to Pretoria (and/or Cape Town) to report on their projects and activities. Representatives of the National Treasury and of the SALS will be invited to join.

In the context of other engagements between the EU delegation and the SALS, notably linked to the "Enhancing Legislature Oversight Programme", opportunities for reporting on the implementation of this project will be assessed.

5.8 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of projects resulting from a call for proposals will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partners shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

5.9 Evaluation

Having regard to the nature of the action, a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that it is an innovative action and complementarity with the programme 'Enhancing Legislature Oversight Programme' will need to be assessed.

The Commission shall inform the implementing partner at least 1 month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.10 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit shall be covered by another measure constituting a financing decision.

5.11 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY) ⁷

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. When it is not possible to determine the outputs of an action at formulation stage, intermediary outcomes should be presented and the outputs defined during inception of the overall programme and its components. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes. Note also that indicators should be disaggregated by sex whenever relevant.

	Results chain	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective: Impact	To contribute to improving a capable and accountable developmental state through strengthening the oversight system in South Africa	Level of implementation of the National Development Plan and medium term strategic framework outcomes.	'Parliamentary accountability is weak, with Parliament failing to fulfil its most basic oversight role.' (NDP 2030, p. 55)	Oversight strengthened to enable a capable developmental state	Analytical reports on NDP and MTSF implementation	Effective parliamentary oversight will enhance NDP implementation outcomes as per NDP assumption
Specific objective(s): Outcome(s)	Enhanced capacities and involvement of civil society organisations into provincial legislature and Parliament's oversight and participation processes.	Number of information-sharing and dialogue platforms between CSOs and legislatures (at national and provincial level) and between CSOs and government organised per year* Number of CSOs based in provinces benefiting, as Beneficiary or Co-Beneficiary, from the Call for Proposals	0 0	Cumulated number from targets of grant projects 10	Annual Grant beneficiaries' reports Annual Provincial and National Legislatures reports EU internal reports Monitoring reports	Subject to the quality of project proposals submitted to the Call, the selection results and quality of implementation.

⁷ Mark indicators aligned with the relevant programming document mark with '*' and indicators aligned to the EU Results Framework with '**'.

Outputs	<i>Improved access to information to citizen on the legislature oversight and participation process</i>	Citizen knowledge of public participation improved	Baseline to be established per grant contract	Cumulated number from targets of grant projects	Grant beneficiaries reports	Legislatures will remain committed to engaging in an open and transparent way with civil society organisations in their public participation and oversight mandates, in respect of the Constitution's provisions, relevant jurisprudence and South African Legislative Sector's ambitions.
		Number of people (disaggregated by gender) benefiting from training on oversight and participation	0	Cumulated number from targets of grant projects	Provincial legislatures and Parliament annual reports	
	<i>Strengthened capacities of CSOs at provincial level to engage with provincial legislatures</i>	Number of organisations trained on budget reviews (including on gender-sensitive budgeting) within the legislature cycle	0	Cumulated number from grant projects targets and achievements	EU internal reports	
	<i>Enhanced participation of CSOs in oversight and accountability mandate of the Legislature</i>	Number of CSOs' engagements with provincial legislature and Parliament, in particular on issues related to gender equality and inclusivity	0	Cumulated number from grant projects targets and achievements	Monitoring reports	
		Number of initiatives part of public participation processes, in particular on issues related to gender equality and inclusivity submissions submitted to committee	0	Cumulated number from grant projects targets and achievements		
		Number of oversight visits and meetings with Members of legislatures, chairpersons and staff involving CSOs	0	Cumulated number from grant projects targets and achievements		
Outputs O	Call for proposals	Grant contracts signed before the end of December 2017	0	All available resources are committed on time		

