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**THIS ACTION IS FUNDED BY THE EUROPEAN UNION**

**ANNEX 2**

to the Commission Implementing Decision on the financing of the Annual Action Plan 2023 in favour of the Republic of Guinea-Bissau

**Action Document for “Strengthening the security and justice sectors to ensure quality service delivery in Guinea-Bissau”**

**ANNUAL PLAN**

This document constitutes the annual work programme within the meaning of Article 110(2) of the Financial Regulation, within the meaning of Article 23 of the NDICI-Global Europe Regulation.

## 1 SYNOPSIS

### 1.1 Action Summary Table

<b>1. Title CRIS/OPSYS business reference Basic Act</b>	Strengthening the security and justice sectors to ensure quality service delivery in Guinea-Bissau OPSYS number: ACT-62049 Financed under the Neighbourhood, Development and International Cooperation Instrument (NDICI-Global Europe)
<b>2. Team Europe Initiative</b>	No
<b>3. Zone benefiting from the action</b>	The action shall be carried out in Guinea-Bissau
<b>4. Programming document</b>	Multiannual Indicative Programme (MIP) 2021-2027 for the Republic of Guinea-Bissau <sup>1</sup>
<b>5. Link with relevant MIP(s) objectives / expected results</b>	MIP Specific Objectives (SO): SO 3.1 To reinforce national security forces to become effective and accountable in the fight against all forms of land and sea-based organised crime, in order to ensure democratic governance and respect for rule of law; SO 3.2 To promote access to quality services of justice and protection of human rights.  Expected Results (R): R.3.1.1 Appropriate legal and budgetary frameworks enable effective and accountable public security services; R.3.1.2 Judicial Police’s operational, management and accountability capacities are strengthened with a special focus on fighting against illicit trafficking and all forms of organised crime; R.3.1.3 The security and law enforcement forces are effectively covering the national territory for ensuring public order and social peace; R.3.2.1 The National Justice Administration is improved as a reliable and inclusive public service, able to respect and promote human rights and granting equal access to all citizens; R.3.2.2: Mechanisms and bodies are in place to effectively protect and support victims of harmful practices, gender-based violence and other human rights violations.

<sup>1</sup> [https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9363-guinea-bissau-annex\\_en.pdf](https://international-partnerships.ec.europa.eu/system/files/2022-01/mip-2021-c2021-9363-guinea-bissau-annex_en.pdf)

PRIORITY AREAS AND SECTOR INFORMATION				
<b>6. Priority Area(s), sectors</b>	Priority area 3: Stability and good governance through institutional reforms DAC 151 – Government & Civil Society-general: Facilitate the access to justice and the full protection of Human Rights DAC 152 – Conflict, Peace and Security: Contribute to the fight against trafficking, organised crime and corruption			
<b>7. Sustainable Development Goals (SDGs)</b>	Main SDG: 16 - Peace, justice, and strong accountable institutions Other significant SDGs: <ul style="list-style-type: none"> <li>• SDG 5: Gender Equality</li> <li>• SDG 10: Reduced inequalities</li> <li>• SDG 17: Partnerships for the Goals</li> </ul>			
<b>8 a) DAC code(s)</b>	15130: Legal and judicial development – 35% 15160: Human Rights – 15% 15180: Ending violence against women and girls – 20% 15210: Security system management and reform – 30%			
<b>8 b) Main Delivery Channel</b>	Non-Governmental Organisations (NGOs) And Civil Society – 20000 International Organisations – 41100 Member State agencies – 11000			
<b>9. Targets</b>	<input type="checkbox"/> Migration <input type="checkbox"/> Climate <input checked="" type="checkbox"/> Social inclusion and Human Development <input checked="" type="checkbox"/> Gender <input type="checkbox"/> Biodiversity <input type="checkbox"/> Education <input checked="" type="checkbox"/> Human Rights, Democracy and Governance			
<b>10. Markers (from DAC form)</b>	<b>General policy objective @</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Aid to environment @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality and women's and girl's empowerment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Reproductive, maternal, new-born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Disaster risk reduction @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inclusion of persons with disabilities @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Nutrition @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Biological diversity @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation @	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Internal markers and Tags</b>	<b>Policy objectives</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Principal objective</b>
	Digitalisation @	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	digital connectivity digital governance digital entrepreneurship digital skills/literacy digital services	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
	Connectivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	digital connectivity energy transport health education and research	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
	Migration	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reduction of Inequalities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Covid-19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>BUDGET INFORMATION</b>			
<b>12. Amounts concerned</b>	Budget line: 14.020120  Total estimated cost: EUR 14 000 000  Total amount of EU budget contribution EUR 14 000 000			
<b>MANAGEMENT AND IMPLEMENTATION</b>				
<b>13. Type of financing</b>	<b>Indirect management</b> with the entities to be selected in accordance with the criteria set out in section 4.4.2.  <b>Direct management</b> through: Grants			

## 1.2 Summary of the Action

Notwithstanding its democratic and constitutional framework, Guinea-Bissau has been marked by recurrent political and institutional instability for decades. This situation has been posing serious challenges to justice, security, human rights and the rule of law in the country. Despite recent improvements in governance global indexes<sup>2</sup>, Guinea-Bissau is still one of the most fragile countries in the globe with widespread inequalities, crime and impunity, lack of accountability - especially for those involved in criminal activities. The country is also characterised by insufficient State presence in the entire territory, corruption, abuse of power by public workers (at all levels), weak institutional and technical capacities and structural shortages in the functioning of the justice and security sectors and their agencies. Altogether, this contributes to the population's lack of confidence in the State and discontent with the quality of public services.

Therefore, the Action aims to strengthen the rule of law and the justice and security systems to contribute to ensuring respect for human rights and fundamental freedoms in Guinea-Bissau. It aims to improve Guinea-

<sup>2</sup> [https://assets.iiaonline/2022/2022\\_Country\\_Scorecards.pdf](https://assets.iiaonline/2022/2022_Country_Scorecards.pdf)

Bissau's internal security governance through more effective, accountable, and human rights compliant police services; and enhance effective and inclusive access to justice, notably towards equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups. The Outputs under Outcome 1 will be related to reviewing and developing strategies, policies and plans on the modernisation of the internal security sector and fight against crime and Prevention/Countering Violent Extremism, to strengthening capacities of internal security institutions focusing on internal governance, and to improving trust and partnerships between police forces and the population. Under Outcome 2, the emphasis will be on institutionally and operationally enhancing justice institutions, on improving justice services, especially for women and girls living in remote areas, and lastly on enhancing justice and police services and social support to victims of sexual and gender-based violence (SGBV) and human trafficking.

The Action will be implemented through three different and interlinked components – justice (EUR 6 000 000), security (EUR 5 000 000) and human rights (EUR 3 000 000). The first aims to guarantee equitable access to justice and high-quality services for vulnerable groups, based on synergies between customary and formal systems and by supporting institutionalisation and application of alternative dispute resolution (ADR) mechanisms with a human rights-based approach, and gender perspective. It will also contribute to fighting impunity and corruption by improving the governance of judicial institutions.

The second component will focus on strengthening legal and policy frameworks, institutional capacities and internal governance of key institutions to allow for the proper execution of mandates and delivery of quality public services to the population. The third component will work to create crime and Prevention/Countering Violent Extremism state resilience and community resilience. It will also support both public authorities and communities to forge police-public partnerships to address the root causes of migration, crime, violent extremism and radicalisation. And provide inputs to the legal revisions, Also, it will sensitize, train and monitor justice, police and social services to victims of sexual and gender-based violence (SGBV) and trafficking in human beings and provide social support to these vulnerable groups.

## 2 RATIONALE

### 2.1 Context

Guinea-Bissau is a small country located on the west coast of Africa, covering 36,125 km<sup>2</sup> and with an estimated population of 2,026,778. It borders Senegal to the north and Guinea-Conakry to the south. The country is ranked in the Human Development Index at number 177<sup>th</sup> (out of 191 countries), 192<sup>nd</sup> in the Worldwide Governance Indicators (out of 209), and 161<sup>st</sup> with regards to corruption perception level (out of 180 countries) – being considered one of the most corrupt countries in the world. Also, the private sector is stagnated and embedded in political interests which made the country rate 174<sup>th</sup> (out of 190) in the World Bank's Doing Business index. In Guinea-Bissau, poverty and inequality remain widespread, with increasing rural-urban disparities and with human development indicators that remain amongst the lowest in the world.<sup>3</sup> According to the World Bank, in 2018 the poverty rate at national poverty lines was 47.7%.<sup>4</sup> In 2021, the Human Development Index (HDI) was 0.483, decreasing to 0.306 when adjusting for Inequality (Inequality-adjusted Human Development Index).<sup>5</sup> The Gini Index in 2018 was 34.8. Following the latest available data from the World Bank (2018) almost 59% of the population pertaining to the poorest 40 per cent lives in rural areas<sup>67</sup>.

The overall situation in Guinea-Bissau continues to be fragile, with a weak rule of law, which “allows” for the influence of the political, defence and security sectors' forces in the economic powers, persistent socio-economic vulnerability and climate change related issues. It also faces challenges linked to transnational organised crime in a context of porous borders with Senegal and Guinea-Conakry and especially in the remote islands of the Bijagós' Archipelago.

<sup>3</sup> World Bank (2023) In Guinea-Bissau, Economic Growth Depends on Strengthening Gender Equality and Education. Available at: <https://www.worldbank.org/en/country/guineabissau/publication/in-guinea-bissau-economic-growth-depends-on-strengthening-gender-equality-and-education>.

<sup>4</sup> World Bank (2018) Guinea-Bissau Country Profile. Poverty and Inequality Platform. Available at: <https://pip.worldbank.org/country-profiles/GNB>.

<sup>5</sup> UNDP (2021) Inequality-adjusted Human Development Index (IHDI) database. Available at: <https://hdr.undp.org/inequality-adjusted-human-development-index#/indicies/IHDI>.

<sup>6</sup> World Bank (2018) Guinea-Bissau Country Profile. Poverty and Inequality Platform. Available at: <https://pip.worldbank.org/country-profiles/GNB>.

<sup>7</sup> World Bank (2018) Guinea-Bissau Country Profile. Poverty and Inequality Platform. Available at: <https://pip.worldbank.org/country-profiles/GNB>.

Despite the Presidential elections in 2019, The political scene in Guinea-Bissau remains fragmented. The current President has been deploying an impressive diplomatic outreach seeking new political and economic alliances. In July 2022, he was appointed chairman of ECOWAS and since then has played an active role in the management of regional issues. However, the situation in the country is still volatile and political polarisation remains strong. In 2022, ECOWAS deployed a stabilization force as a result of the coup attempt on 1<sup>st</sup> February 2022 whose circumstances remain unclear. In May 2022, the President dissolved the Parliament and called for legislative elections by the end of the year – which ended-up taking place only on 4 June 2023. These recent elections gave full majority to the opposition PAIGC party, creating further tension, uncertainty and potential instability due to future institutional relations between the Government and the President.

Despite this scenario, Guinea-Bissau is a party to the main conventions on criminality, namely the 1988 Vienna Convention on drug trafficking and psychotropic substances, the 2003 Mérida Convention on corruption, the 2000 Palermo Convention on transnational organized crime, and many other conventions from the Community Law, namely the Community of West African States (ECOWAS), the West African Economic Monetary Union (UEMOA), Organization for the Harmonization of Business Law in Africa (OHADA).

Considering this bleak context, both the National Development Plan – NDP (2020-2023) and the EU Multiannual Indicative Programme 2021-2027 for Guinea-Bissau (MIP) aim at providing answers to the above-mentioned problems. The NDP, namely its objective 1 “Consolidate the democratic rule of law, reform and modernise public institutions” intends to provide support to Government’s efforts in the fight against crime, the reinforcement of the presence and authority of the state throughout the national territory, as well as the improvement of access to justice at regional and sectoral level, towards more solid transparency and accountability. This approach is consistent with the main sectoral strategies in the areas of security (Restructuring and modernisation of the Defence and Security Sector, National Integrated Plan to Combat Drug Trafficking and Organised Crime), and justice (National Justice Modernisation and Reform Programme and Centres of Access to Justice and gender equality). The Republic of Guinea-Bissau - EU MIP 2021-2027 a strategic priority focusing precisely on this area “Stability and good governance through institutional reform”.

In terms of human rights and specifically women and girls’ rights, although Guinea-Bissau has demonstrated commitment to promoting women’s empowerment with a number of recent legislation, gender inequality persists at all levels of society, including the executive, legislative and judicial spheres. As an illustrative example, poverty rate amongst women is one of the highest in the world despite country’s rich agriculture and fisheries resources. While 80% of women work, the majority of them work in insecure, poorly paid jobs with few opportunities for advancements<sup>8</sup>. Thus, and given that gender-based violence remains an issue affecting many women and children in the country, the topic has become a key priority for the EU. In fact, 8% of women aged 20-24 were married before the age of 15 while 18% before the age of 18, resulting in a total early marriage rate of 26%<sup>9</sup>. In this context, the EU’s Gender Action Plan III (2021-2025)<sup>10</sup> and respective Country Level Implementation Plan for Guinea-Bissau (CLIP) aim at promoting and fostering gender equality and women’s empowerment (GEWE) considering the challenges at national level. A human rights-based approach, ensuring ownership and accountability of authorities, encouraging a broader change in culture working with authorities but as well with Civil society organisations (CSOs), communities and its religious leaders is to be adopted. With regards to disability, a database of persons with disabilities in Guinea-Bissau has been announced, which is expected to contribute to redefining measures and policies for social inclusion. According to the data made public, there are 11,584 people with disabilities in all regions of the country. Oio is the region with the highest number of cases with 2,172 (19%), and Bolama-Bijagós is the region that represents the smallest number of persons with disabilities, with a total of 490 (4%)<sup>11</sup>.

CSOs in Guinea-Bissau play a fundamental role for the provision of key services to the population especially in remote areas and for vulnerable groups – due to State weaknesses. Moreover, it acts as an important actor to influence and monitor public policies and public service delivery. Both the MIP 2021-2027 and the current EU Roadmap for engaging with civil society in Guinea-Bissau (2021-2025) recognise the importance of civil society

<sup>8</sup> Gender Action Plan III 2021-2025 - Country Level Implementation Plan (CLIP) Guinea-Bissau.

<sup>9</sup> Idem, (CLIP Guinea-Bissau).

<sup>10</sup> Joint Communication to the European Parliament and the Council EU Gender Action Plan (GAP) III – An ambitious agenda for gender equality and women’s empowerment in EU External Action - {SWD(2020) 284 final}. The EU Gender Action Plan (GAP III) was adopted by 24 Member States through the Presidency Council Conclusion on 16 December 2020.

<sup>11</sup> <https://www.undp.org/guinea-bissau/news/launch-database-persons-disabilities-guinea-bissau>.

for Guinea-Bissau's development. Moreover, it acknowledges that CSO participation is crucial to foster equality and social cohesion, but also to act as supervisory entities, hold decision-makers accountable, and promote democratic values, the rule of law and fundamental rights. In this line and regarding gender equality, the Guinea-Bissau CLIP also stresses the importance of engaging with CSOs in the wider sense, including youth organisations and traditional religious leaders committing to ensure that, for example, gender equality is mainstreamed in all programmes and discussions. The Action will count with the involvement of CSOs under output 1.3 to facilitate the relationship between police forces and communities to strengthen trust and partnership amongst them and under output 2.3 to support the State in the provision of justice and social services to victims of sexual and gender-based violence and trafficking in human beings.

The EU supported the justice and security sectors in the past and has developed a strategic partnership with Guinea-Bissau in the governance area through regional and thematic programmes on organised crime, access to justice for the most vulnerable, human rights, digitalisation of the public administration and Ianda Guiné Djuntu on civil society. The Action is in line with the renewed EU-Africa partnership, which promotes enhanced cooperation for peace and security. It also contributes to the Global Gateway, by promoting a safer environment for investment. Moreover, it will also contribute to the implementation of the EU Gender Action Plan III, notably its key thematic priorities "Freedom from all forms of gender-based violence".

## 2.2 Problem Analysis

### Short problem analysis:

The Diagnosis on the Justice state and challenges in Guinea-Bissau (2022)<sup>12</sup> identifies some major issues in the sector. In particular, the main challenges at institutional level are the existence of an outdated normative framework, inherited from the colonial period, the lack of monitoring mechanisms of all actors and the outlined policies and the persistent challenges in the separation of powers and the subsequent interference risk. In terms of service provision, the study mentions the chronic insufficiency of infrastructures to support the judicial system in particular in the rural areas, with a limited access of the population to infrastructures and services of justice, and the almost non-existent penitentiary system. Moreover, judicial operators show weak capacity to understand the real problems of justice; there is widespread endemic and systemic corruption in the country; lack of knowledgeable human resources, as well as reliable databases, which could facilitate the management of processes, directly influencing their fluidity and speed, contributing to the increase in impunity. Also, even if the country's legal framework has experienced significant improvements - mainly through laws criminalizing Female Genital Mutilation (2011) or Domestic Violence (2014) - these laws are waiting for application. Indeed, there is a lack of resources for dissemination and a poorly operational justice system. Moreover, the meshing between customary law and modern state laws, and the lack of access to justice, constitute serious barriers for the realization of women's rights.

Since the State and its institutions are not fully present across the country, the population must resort to other actors to solve conflicts and quarrels. In this sense, the customary authorities, such as traditional and religious leaders, still play a crucial role in the delivery of justice in Guinea-Bissau. However, the application of this customary law leads sometimes to discrimination (particularly towards women and children) and, in some cases, is in contradiction with international human rights standards and national law.

The Bissau-Guinean State with the support of the UNDP has therefore proceeded with the creation of the Centres of Access to Justice (CAJ) to ensure that the population could more easily resort to the state authorities and the national law to resolve their issues. The CAJ offers legal aid and promote conflict resolution through mediation and counselling. In partnership with CSOs and development partners, it has designed and held awareness raising campaigns on human rights, access to justice and dispute resolution across the country to draw people to use their legal aid services. More recently the CAJ has also been trained to offer alternative dispute resolution (ADR) mechanisms to the population – being the most common negotiation, mediation, conciliation, arbitration, and private judging. Nevertheless, these are still not fully in place and still require sensitization and training for its application.

<sup>12</sup> Relatório Diagnóstico da Justiça – DJ2021: Diagnóstico sobre o Estado e desafios da Justiça na Guiné-Bissau; UNDP e Ministério da Justiça e Direitos Humanos.

However, despite playing an important role in ensuring access to justice especially of vulnerable groups, the CAJ still faces several challenges. At the time being there are seven CAJ in the country – two in Bissau and one in each of the five administrative regions. Each centre is composed of solely three technicians that still lack expertise in many areas of their intervention, such as sexual and gender-based violence (SGBV), human trafficking, violent extremism and radicalization that can lead to terrorism, etc. Moreover, they lack the means and tools to be able to fully meet the needs of the population as well as to execute their mandate. Furthermore, the CAJ still faces distrust and lack of recognition from the Bar Association and even the Prosecutor's Office. After roughly a decade of its creation, the CAJ was never able to fully progress into a Public Defendership as initially expected. After UNDP's timely phasing out of its support – which still keeps in some dimensions - the State agreed to support salaries of the staff and basic office consumables. National institutions operating in the framework of the justice system remain fragile with serious problems with regards to their mandates (some outdated, and others not fully understood), institutional capacity, and availability of means to deliver their mandates in an effective manner. This ultimately creates mistrust and animosity between these actors as these believe they must struggle and fight for the survival of their entities and themselves – both financially and in terms of power/recognition. Thus, all justice actors key to ensure proper access to justice to the population – especially to the most vulnerable groups - must be supported to guarantee that conflicts are solved in an effective and sustainable manner.

The scenario is not different in the security sector, since specific national security laws have been largely absent. These include the status of the Public Order Police officer (POP) and the National Guard (NG); the disciplinary regulation of these forces (although the national guard has military nature, the disciplinary regime of the military does not apply to it); the Regulation of POP's responsibility areas in case of assignments simultaneously covered by the NG - due to the coexistence of parallel institutions. The only legislation in force for these forces is their organic laws, creating sensitive grey areas and being difficult to interpret. Currently there are about 7,400 officers, between agents of POP and NG, although no concrete figures exist. Most of these security forces do not have periodic recruitment and their officers do not receive any kind of training - including induction when first recruited and refreshments. Furthermore, there is also lack of qualified and specialised personnel in the different areas of intervention of these forces. And the officers face precarious working conditions. Also, there is a deficient distribution of security forces and services throughout the national territory, with the largest numbers concentrated in Bissau. The institutions show significant needs in terms of institutional strengthening and capacity building. Besides, there is significant animosity between and within corporations resulting at times in double-structure/different structures within each corporation - which end-up influencing the hierarchy of command in line with personal-political-partisan interests. On top of it, there are also high levels of corruption and abuse of power in these forces, as well as no inspection bodies or legal frameworks and procedures to guide operations, to ensure its transparency, accountability, responsiveness, efficiency and effectiveness and compliance with the rule of law.

Also, the Security Intelligence Service focuses on conducting basic intelligence work but is a highly politicised service. The National Office of Interpol has limited intervention and no executive powers, merely providing services to facilitate interconnection between jurisdictions in case of need; also, the National Office of Interpol has no action on the ground. Overall, the only entity with effective capacity and competence to execute their mandate is the Judicial Police, which counts with highly trained staff, working mechanisms and databases.

To help overcoming some of the above challenges, some coordination mechanisms were established between police and judicial entities. At police level there are the Coordinating Council, which is chaired by the Judicial Police, through the Organic Law of Criminal Investigation (Law no. 8/2011, of 4 May) and the National Security Council, enshrined in the Organic Law on Security Intelligence Services (Law no. 7/2010, of 2 February). At judicial level there is the Judicial Coordination Council, through Law no. 4/2009, of 9 November. However, none of these coordination mechanisms functions fully and/or effectively.

This landscape is particularly worrying given Guinea-Bissau's utmost need to prevent and counter organized crime (mainly drug trafficking and human trafficking), environmental crimes (especially illegal logging and illegal fishing), and more recently violent extremism. Although the first two are widely known and reported, the third is still not corroborated by concrete information and documentation. However, according to information provided by different stakeholders on the ground this threat is present in the country – especially in remote areas – being related to migration (especially national youth that returned from times abroad; these pieces of information are important and will have to be better investigated to better understand the phenomenon and its magnitude), the porousness of borders and movements of jihadists in the Sahel countries, etc. Moreover, there are concerns about the increase in Salafist Quranic schools and new mosques with “unvetted” imams nationwide, as well as of online recruitment of



youth to religious radicalism. Notwithstanding the urgent need to act, Guinea-Bissau remains widely unprepared to fight and overcome these challenges.

With regards to Human Rights, the continued power struggle between the executive and legislature in Guinea-Bissau has prevented the successive governments to strengthen institutions, address social and economic challenges, and implement measures to safeguard and strengthen the protection and promotion of human rights.

Although the country has demonstrated commitment to promoting gender equality and women empowerment with a number of recent legislation and made considerable progress in some areas, namely the adoption of a gender parity law in May 2019 (which was never fully enforced), many challenges prevail. In fact, although the legal framework has improved, these laws are pending application due to the lack of resources for dissemination and a poorly operational justice system. Judicial institutions continue to be weak and incapable of ensuring accountability for human rights violations. Furthermore, due to the weak presence of the State in all territory, customary laws of the different ethnic groups, still regulate the daily lives of men and women. And these remain discriminatory of women and children and further prevent the realization of women's rights and child rights.

Organized crime, corruption, and more recently episodes of violent extremism and radicalization that can lead to terrorism have been further impacting the human rights situation in Guinea-Bissau. The situation is particularly bleak in what concerns sexual and gender-based violence (SGBV) and human trafficking. In what concerns SGBV, the meshing between customary law and modern state laws, and the lack of access to justice, constitute serious barriers for the realization of women's rights. The COVID-19 pandemic has further aggravated gender inequalities in all sectors. Between advances and setbacks, poverty, food insecurity, the lack of basic social services, discrimination and violence against women are gaining ground, within a framework of almost no administrative services and of weak institutional capacities to respond to the demands of the people and in particular of women in the economic and social sectors. Likewise, Guinea-Bissau continues to suffer from high rates of child marriage (there are indications that the pandemic also worsened the situation). The same applies to female genital mutilation, despite a prohibitive 2011 law having been passed, which prevalence rate remains high according to civil society organizations (CSOs) and national authorities. With regards to human trafficking, Guinea-Bissau is a major centre of recruitment for child trafficking in the West African Region (WAR). This includes: 1) young religious students known as *talibés* that are forced to begging both in Guinea-Bissau and WAR; and 2) young children, mostly girls, exploited into forced labour and sexual activities – including sex tourism programs operated in the Bijagós islands.

Guinea-Bissau still faces deficiencies in terms of human-rights related knowledge, mechanisms and tools to uphold principles and ensure the rights of the population as a whole and vulnerable ones in special. With regards to national human rights bodies, the National Commission for Human Rights closely depends on the Government as it is under the tutelage of the Ministry of Justice and Human Rights, which does not respect the assumptions of the Paris principle on the integrity and neutrality of these entities. There are other official or semi-official entities that work directly on human rights such as the Committee for the Abandonment of Harmful Practices (CNAPN), Institute of Women and Children (IMC), and CAJ. In view of the institutional fragility in these state bodies, civil society in Guinea-Bissau has been playing for decades a key role in promoting and supporting the population with regards to the enjoyment of their human rights through the provision of basic services: education, health, social protection, justice, etc. Some of these such as the Guinean League of Human Rights have been publishing periodic reports on the human rights situation in the country, but without a focus on SGBV and human trafficking. However, other CSOs such as Manitesse, FEC, AMIC, IMVF, Guinean League of Human Rights, Voz di Paz, etc. as well as UNICEF, UNFPA and IOM, have significantly contributed to the prevention and criminalization of these crimes through awareness raising and dissemination of information on SGBV and human trafficking. Apart from international CSOs and a limited number of national ones, most CSOs still do not possess adequate capacity and know-how in the area of advocacy, mediation, and counselling. They lack not only knowledge of the topics, but also communication techniques to achieve long-lasting results. Moreover, the lack of funding is a continuous concern of these organizations, which have to fight for their own survival, which at times prevents them from fully cooperating and partnering with others. Also, some of these organizations limit themselves by doing what is politically correct, following Government guidelines and evading the reality of the facts, often implementing their activities in an environment of distrust and competition.

Identification of main stakeholders and corresponding institutional and/or organisational issues (mandates, potential roles, and capacities) to be covered by the action:

- **Ministry of Justice and Human Rights (MJHR):** is mandated to design policies in the justice sector, through the creation of formal and non-formal conflict resolution mechanisms, to remove barriers for



vulnerable groups, and to contribute to the improvement of judicial institutions. It has been supported by UNDP for nearly a decade through the justice reform programme which including actions on infrastructural development, legal frameworks revision, capacity building of justice officials, etc. However, the budget allocated to the justice sector is insufficient to meet all demands, namely to create legislative dynamics, to equip the main judicial infrastructures, to train justice agents, to create an integrated database management mechanism, and to share intervention areas with other key ministries. The judicial system remains staffed with insufficiency human resources, both in number and qualification. There are courts that do not have prosecutors and courts where the number of magistrates is insufficient with difficulties in the composition of panels.

- **Centres of Access to Justice (CAJ):** it is under the umbrella of the MJHR and is one of the key entities in the access to justice, especially in the areas of consultation and mediation. There are seven CAJ in the country and each has three access to justice officers. This staff arrangement is insufficient given the demands at hand. Thus, it hampers the population's effective and equitable access to justice and the law. Moreover, these officers still lack expertise in some subject matters (for instance SGBV and human trafficking). CAJ still faces weak institutional capacity and issues with internal governance and ownership of actions. Likewise, there are still challenges in terms of coordination with the Bar Association, the Public Ministry, the Guinean League of Human Rights, the IMC, the courts etc.
- **National Judicial Training Centre (CENFOJ):** was created to prepare public prosecutors and judicial magistrates not only to enter their careers, and also to enable continued education/training in different areas. It also trains bailiffs and lawyers. Nevertheless, it does not have offices/infrastructure for training activities, it lacks its own teaching staff or the capacity to produce/reproduce its manuals and judgments from different courts and jurisdictions. It counts mainly with the partnerships with UNDP and with the Centre for Judicial Studies of Portugal (CEJ) to operate.
- **Bar Association:** funded in 1991, it still has insufficient members to cover the entire national territory – members being mainly operating in the capital. It has a partnership with UNDP to facilitate access to justice with CAJ nationwide. It has an important partnership with the Portuguese, Angolan and Brazilian Bar Associations in the field of training. The Bar still needs specific training in the area of SGBV, violence against persons with disabilities, human trafficking, organized crime and terrorism, etc. There is still the need to foster trust and communication between the Bar and CAJ to allow for a greater number of people in need to access justice at nationwide.
- **Public Prosecutor's Office (PPO):** is the holder of the criminal proceedings. It currently has 103 magistrates to cover all courts in the country - out of which only 19 are women. This insufficient number of magistrates, still lack specialized training in several subjects such as human rights violations, including SGBV and discrimination of persons with disabilities, organized crime and violent extremism and radicalization that can lead to terrorism. The country has no official shelter for victims of SGBV (only those created and managed by CSOs – which are limited in number and capacities). There is no institutional partnership with the CAJ, and there is still animosity between both entities – with CAJ still not being fully recognized by the PPO.
- **National Human Rights Commission:** it is under the organic dependence of the Ministry of Justice and Human Rights and its mandate is the protection, promotion of observance and defence of human rights. It also functions as an advisory body for monitoring of public policies in this domain. Its creation did not respect the Paris principles, which might compromise its independence in assessments conducted with regards to respect for human rights. It is expected to be more independent, to ensure greater clarity and credibility of its actions and reports in relation to the various dimensions of human rights, related to SGBV. Although it has its own office, it does not have a shelter for individuals whose human rights have been violated – especially vulnerable groups. It has official partnerships with entities such as the CAJ, AMIC, etc. but these still need to be strengthened to ensure concrete and sustainable results.
- **Parliament/National Assembly:** plays a relevant role not only in representing the electorate and overseeing the Government via hearings and inquiries, but also in making laws including in the sectors of justice, security, and human rights - with a focus on SGBV. There is a specialized commission for women's and children's affairs, which has established fruitful partnerships with UNFPA and UNICEF. Other key partners are UN agencies (UNDP and UNODC) and ECOWAS.

- **Ministry of Interior** is the State body in charge of dealing with internal security affairs. It has several departments that work on prevention and repression issues related to justice, security and human rights including SGBV. It oversees POP and National Guard and has criminal investigation departments even though the agents assigned to these departments and officers on the ground lacking specific training. There are no reliable databases regarding criminality in general and no normative framework to regulate the dynamics of the Ministry. It presents weaknesses in terms of management and coordination of internal security activities, ensuring adequate training for its officers, guaranteeing an equitable distribution of officers according to population density areas and needs, creating adequate internal coordination mechanisms with other security forces and services. It also lacks clear policies, an appropriate regulatory framework in line with the rule of law principles and means to ensuring greater accountability in the exercise of its functions. There is an urgent need to clarify mandates to avoid duplication of functions between security forces, such as POP and NG in relation to the National Traffic Brigade and the POP's National Traffic Group.
- **Public Order Police:** it is a security force, whose functions are to defend democratic legality, guarantee internal security and the rights of citizens. The single legal instrument that exists to regulate its action is the organic law approved in 2010. It lacks important instruments such as the Agent's Statute, disciplinary regulations, code of ethics and deontology and many others. Agents need induction courses and specific training (human rights in general, human trafficking, domestic violence, SGBV, violent extremism and radicalization that can lead to terrorism, etc.), while the institutions require coordination mechanisms, improvement of the regulatory framework, institutional reinforcement.
- **National Guard:** finds its institutional position in the set of military forces and security forces and services, being the only security force with a military nature and organization, characterizing itself as a Military Security Force. It has a broader mandate than the judicial and public order polices, being made up of specialized brigades. Like the POP, it relies solely on the Organic Law for its internal organization, reducing its institutional strength. It has criminal police authority that requires training in the fields of justice, (for instance on case management), human rights (treatment of detainees, SGBV, human trafficking), internal security with regards to violent extremism and radicalization that can lead to terrorism, etc. It has territorial commands throughout the country though its officers have limited training and capacity. It suffers from inadequate internal governance and shows severe institutional weaknesses.
- **Judiciary Police:** is a criminal police body that deals with complex criminality and is under tutelage of the Ministry of Justice and Human Rights. It is one of the highest performing law enforcement bodies in Guinea-Bissau although it is only present in Bissau. There is still limited communication and coordination with other forces, namely POP and NG. It has a brigade exclusively dedicated to gender issues and domestic violence. However, it still lacks training related to SGBV, human trafficking, and violent extremism and radicalization that can lead to terrorism. Alike POP and NG – though not at the same level – it still requires institutional strengthening to ensure internal governance.
- **Ministry of Women, Family and Social Cohesion:** is the institution responsible for formulating, proposing, coordinating, and executing Government's policy with a view to promoting integration and social cohesion, protecting women and families and reducing poverty. The IMC as well as the CNAPN are under its umbrella. Notwithstanding its crucial role, the Ministry and its bodies suffer from widespread lack of capacities, specialized skills and budget to execute their mandates – largely relying on the support provided by non-state actors and development partners. It also lacks ownership of actions and capacity effectively to work in partnership/synergy with other relevant state institutions.
- **Civil society organizations (CSOs):** a mapping of CSOs in Guinea-Bissau conducted by the EU in 2018 revealed that CSOs tend to position themselves more as service providers than as autonomous political actors and drivers of social transformation, which is understandable in the light of the current fragility or weak presence of the State across the national territory. CSOs still face difficulties both in terms of capacity for action and internal governance.

### 3 DESCRIPTION OF THE ACTION

#### 3.1 Objectives and Expected Outputs

The Overall Objective of this Action is to **promote and protect the rule of law and human rights for all.**

The Outcomes / Specific(s) Objective(s) of this Action are to:

1. More effective, accountable and human rights compliant police services;
2. More equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups.

The Outputs to be delivered by this action contributing to the corresponding Specific Objectives are:

- 1.1 Contributing to Outcome 1: Enhanced capacity of Government actors, CSOs and media for developing national strategies, policies and plans on the modernisation of the internal security sector and the fight against crime and Prevention/Countering Violent Extremism;
- 1.2 Contributing to Outcome 1: Improved internal governance mechanisms of internal security institutions;
- 1.3 Contributing to Outcome 1: Enhanced access to cooperation and partnership opportunities between the police forces and the population;
- 2.1 Contributing to Outcome 2: Enhanced institutional and operational capacities of justice institutions;
- 2.2 Contributing to Outcome 2: Improved mechanisms for the provision of inclusive and effective justice services, especially for vulnerable people, including women and girls and people living in remote areas;
- 2.3 Contributing to Outcome 2: Increased availability of survivor-centred support services to prevent and respond to sexual and gender-based violence and trafficking in human beings.

#### 3.2 Indicative Activities

**Activities related to Output 1.1 (National strategies, policies and plans on the modernisation of the internal security sector and fight against crime and the Prevention/Countering Violent Extremism) are reviewed and developed)**

- A 1.1.1 – Compilation and analysis of existing legislation, strategies, policies and plans

Specialised expertise (technical assistance) to collect, compile and review legislation, strategies, policies and plans on the modernization of the internal security sector and fight against crime and counter violent extremism and terrorism, involving the Parliament, the Ministry of Justice and Human Rights and the Ministry of Interior.

A 1.1.2 – Workshops to discuss the situation of current police service delivery, needs, expectations and strategies to ensure its quality and the public satisfaction

Linked with A 1.1.1, to discuss legal frameworks, specific mandates, models and needs to also inform legal revisions, the updated and drafting of strategies, policies and plans with a human rights-based approach. The workshops will be conducted at local, regional and national level and with the participation of different stakeholders (including communities, CSOs, and media). Gender equality, human rights, and disability approaches will be mainstreamed in all workshops. The results of these discussions will also inform A 2.1.1.

A 1.1.3 – Drafting and/or updating of missing key legislation, strategies, policies and plans and/or support discussions of key legislation submitted to the National Parliaments

Following the implementation of A 1.1.1 and A 1.1.2, technical assistance to support the revision of key documentation (in line with international frameworks) on the subject matters, and to advocate and support its presentation, technical discussions, and legal amendments until its approvals. Articulation with the legal department of the Parliament and the relevant line Ministries will ensure a holistic and robust revision and foster communication between them while capacitating them. A human rights approach shall guide these revisions.

**Activities related to Output 1.2 (Capacities of internal security institutions are strengthened with focus on internal governance to allow for the effective execution of their mandates)**

A 1.2.1 – Assessment of the status of internal governance of target entities

Technical assistance to assess the status of internal frameworks (including Codes of Conduct for Public Officers and Asset Declarations), organization, guidelines, standard operating procedures, systems, training materials and training methodologies, management (human resources, financial, technical), to specifically identify the needs of each target entity.

A 1.2.2 – Development of key instruments to ensure internal governance and institutional strengthening of entities

Technical assistance to operationalize and implement strategic documents developed under A 1.1.3. This will also strengthen internal departments (such as human resources, inspection, and audit) and will develop necessary simplified key procedures, manuals, guides, tools, and systems to operationalize and implement strategic documents identified under A 1.2.1.

A 1.2.3 – Training and/or twinning and/or experience exchange for technical personnel of key entities

With a view to enable the implementation of instruments developed under A 1.2.2, a specific training curriculum will be developed, and continuous training sessions will be delivered – including through twinning and exchange - using mixed approaches for each security force, with an emphasis on human rights and conflict sensitivity. Trainings will focus both on institutional strengthening and on new and emerging crimes - such as illicit trafficking of all natures, namely organized crime, Prevention/Countering Violent Extremism and others identified in the learning needs assessment under A 1.2.1.

A 1.2.4 – Acquisition of key selected equipment and training provision in their use

Identification of needed basic equipment (computers, printers, servers, etc.) to strengthen institutional management capacities to contribute to good internal governance. Procurement of such equipment and on-the-job training for all target entities, including to facilitate both information exchange through databases and digital reporting and operational actions within and between forces.

**Activities related to Output 1.3 (Trust and partnerships between the police forces and the population is improved)**

Activity 1.3.1 - Sensitization and training on security and human rights to strengthen community resilience against organised crime, violent extremism and terrorism.

Capacitation of target public entities, civil society organizations, media, religious leaders and communities on the nexus between security and human rights and its role in Prevention/Countering Violent Extremism and fight against organised crime, on accountability of security services and on the how to best collaborate with those services following a human rights approach, while upholding basic human rights with a focus on women and girls' rights, as well as on rights of persons with disabilities.

Activity 1.3.2 – Workshops on transparency and quality of security services delivery

With the aim of strengthening communication and building trust between law enforcement agencies and the population, discussions between police forces, communities and civil society organizations will focus on internal security, public complaints handling system and how to ensure oversight of the sector, notably through local communication, outreach and networking support. The conversations will at all times take into account a gender equality, human rights, and disability perspective.

Activity 1.3.3 – Implementation of Police-Public Partnerships

Support to inclusive community-oriented policing as a crime reduction mechanism with communities - based on the Proximity Police Model in Gabu, Bissau and Buba and the Model Police Station - to more effectively and efficiently identify, prevent and solve problems of crime, the fear of crime, violent extremism and radicalization, issues of physical safety and security, social disorder in Tabancas. Specific support will also be provided to the rescuing and reintegration of victims of trafficking in human beings. This will include sensitizations and training of security institutions (POP and NG) and CSOs on community policing approaches and its relevance to the context.

## **Activities related to Output 2.1 (Justice institutions are institutionally and operationally enhanced)**

### Activity 2.1.1 – Technical assistance to the justice reform process

Technical assistance to support the modernization of the legal framework towards international standards – with a focus on fundamental and human rights and environmental crimes. This also includes discussions and revision of the CAJ's legal framework and statutes as well as its key role in delivery access to justice in the country. Promotion of continued strategic dialogue amongst different justice chain actors to increase trust and cooperation as well as to negotiate concerted positions and agreements on how to best move forward.

### Activity 2.1.2 – Needs-based assessment, training delivery and on-the-job support

Assessment of specific needs with regards to the improvement of justice in general and of the population's access to justice in particular, and subsequent development of tools and training materials to improve internal governance, as well as the quality and transparency of justice services – including through the digitalization of systems and databases and divulgence of laws and public reports – in line with human rights principles. Specific training (including on ethics and deontology) and continuous on-the-job support will be provided to target justice institutions for its institutional strengthening, cooperation with other relevant entities at national and international levels.

## **Activities related to Output 2.2 (Provision of inclusive and effective justice services is improved, especially for vulnerable people, including women and girls and people living in remote areas)**

### Activity 2.2.1 – Support the strengthening of core justice services

Technical assistance to the Ministry of Justice and Human Rights for the effective and quality provision of justice services to the population nationwide and especially in remote areas through the CAJ, mobile justice and adapted mechanisms, legal and paralegal services in detention centres). These services ought to be simplified and free for vulnerable groups. Legal and technical safeguards should be put in place to ensure the quality of the services.

### Activity 2.2.2 – Improve the functioning of the informal justice system

Support discussions towards the approval and regulation of the mediation law, as well as the effective institutionalization and operationalization of other alternative dispute resolution mechanisms in the informal justice systems, taking into account the role played by traditional leaders at local levels and that customary laws are at times in violation of human rights – especially those of vulnerable people, women, children and people with disabilities.

### Activity 2.2.3 – Monitor the provision of inclusive and effective justice services

An M&E framework is designed to monitoring and evaluate changes in justice services provision, especially for the most vulnerable population.

## **Activities related to Output 2.3 (Justice services and social support to victims of sexual and gender-based violence and trafficking in human beings are enhanced)**

### Activity 2.3.1 – Assessment and update of existing legal frameworks, plans, studies, methodologies and tools on sexual and gender-based violence and trafficking in human beings

CSOs in partnership with the Ministry of Justice and Human Rights and the Ministry of Women, Family and Social Cohesion will collect existing scattered information on these topics and work on its updating, adaptation or development to be effectively adopted and mainstreamed within other sectors of intervention (security, health, social protection, agriculture, etc.). This activity should be implemented in synergy with other ongoing Actions to ensure a holistic and wider diversified approach on gender, human rights, or disability.

### Activity 2.3.2 – Sensitization, training and monitoring of justice services to victims of human rights violations with a focus on gender-based violence and trafficking in human beings

Following up on A 2.3.1, CSOs will organize continuous public education and awareness campaigns, including on culture change, accountability at local government level, ethics, and campaigns specifically targeting women and youth. Deliver continuous training on women's rights to both communities and officials working in different

sectors of intervention (security, health, social protection, agriculture, etc.) – with special emphasis on service providers.

#### Activity 2.3.3 – Contribute to improving and expanding victims’ protection and follow-up mechanisms

CSOs will support the delivery of justice services (formal and informal) to vulnerable groups in particular – directly working with the CAJ, Bar Association, traditional leaders, communities, etc. This support will also include the provision of temporary shelter to victims and its security protection, as well as for their reintegration in communities and families. Moreover, CSOs together with justice and security actors will jointly monitor and evaluate with a learning approach the quality and satisfaction level of the population with these services.

### 3.3 Mainstreaming

#### **Environmental Protection & Climate Change**

**Outcomes of the EIA (Environmental Impact Assessment) screening:** the EIA screening classified the action as Category C (no need for further assessment). **Outcome of the CRA (Climate Risk Assessment) screening:** the CRA screening concluded that this action is no or low risk (no need for further assessment).

#### **Gender equality and empowerment of women and girls**

As per the OECD Gender DAC codes identified in section 1.1, this Action is labelled as G1. This implies that a gender perspective is applied throughout all components of the Action: an assessment of specific gender dimensions and women’s needs (for gender equality and women’s empowerment) shall be drafted with a focus on access to justice, internal security and human rights to inform and guide the planning, implementation, monitoring, and reporting of the Action and the specific interventions under its umbrella. This assessment will make use of the Gender Profile of Guinea-Bissau and will develop the analysis in a holistic manner in line with the topic covered by each component. It shall also include both specific and cross-cutting strategies and actions to answer to identified needs. The third component of the Action, which will be implemented through a Call for Proposals will focus precisely on supporting the provision of justice and police services to victims of sexual and gender-based violence and of trafficking in human beings. Moreover, civil society (especially CSOs and Women’s Rights Organisations) will also contribute to jointly monitoring with beneficiaries the quality of services delivered by public authorities with the support of the lead implementing partners/PMUs of the other 2 components. The goal behind it is to provide specific feedback and constructive recommendations that can inform the planning and implementation of activities with a view to ensure high quality results.

#### **Human Rights**

The protection of human rights, fundamental freedoms and the respect for the rule of law in Guinea-Bissau is challenged by the absence of the state in several areas of the country – especially outside Bissau -, recurrent political instability and limited democratic space, crime, as well as widespread corruption, tribal/ethnic divides, outdated customary laws and principles which portray the men as the centre/head of families and communities. Moreover, the high illiteracy rates and lack of linguistic harmonization, makes it difficult to convey some complex messages to these groups in a successful manner. As a matter of example, the rate of illiteracy among women is around 84% in the countryside. This adds extra layers of complexity for vulnerable and marginalized groups (such as women, girls, youth, persons with disabilities) to have access to public services, including justice, security, education, health, employment, and being integrated in society in general.

That said, human rights are at the core of the Action, since it aims at: 1) improving the national internal security governance to ensure that police services are more effective, accountable and human rights compliant; 2) enhancing effective and inclusive access to justice (both a basic human right and a way to protect other universally recognized human rights), notably towards equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups; and 3) enhancing justice and police services to victims of sexual and gender-based violence and trafficking in human beings.

#### **Disability**

As per OECD Disability DAC codes identified in section 1.1, this action is labelled as D1. Although this action does not have a specific objective to disability, reasonable accommodation will be ensured to allow participation of persons with disabilities in each activity - in line with the UN Convention on the Rights of Persons with Disabilities. Also, the action will be implemented following an inclusive approach, integrating the needs of

different categories of people, including the most vulnerable. In particular, regarding the second objective of this action, the needs of people with disabilities will be considered when enhancing effective and inclusive access to justice. Within the logframe, disaggregation by disability status is also taken into account.

### **Reduction of inequalities**

As per the Inequality Marker, this action has been labelled as an I-1. Inequalities between men and women, rural and urban, young and old, rich and poor keep increasing in Guinea-Bissau. These substantial disparities have been further deepened by the COVID-19 pandemic and more recently by the dire outcomes of the cashew nut harvest campaign. Altogether this will increase the already substantial fringes of the population that live under the poverty line - disadvantaged individuals, households or groups - and will “open doors” to exploitation and rights being violated. Thus, poverty is persistently high, with an estimated 70% of the population (50% women) living below the poverty line, and a Human Development Index ranking Guinea Bissau 175 out of 189 countries. The Action plays a decisive role in promoting human rights to overcome inequalities through supporting sensitization actions and strengthening the population’s access to justice – especially those with vulnerabilities through the provision of pro-bono legal advice, mediation services, legal representation and defence. It also promotes the reduction of inequalities by supporting mobile justice initiatives, such as the UNDP’s concept of “justice caravan”/justice proximity services to more isolated regions, which will bring numerous benefits to access to justice. Taking legal services and resources on the road, will help overcoming the geographical divides that prevent marginalized communities from accessing the justice system to solve their daily lives’ conflicts.

The role played by civil society organizations in the third component of the Action will also help simplifying and conveying crucial legal and practical information to the population during advocacy sessions, as well as ensuring the satisfaction level of beneficiaries with the services provided, which will help overcoming structural inequalities in Guinea-Bissau.

### **Democracy**

This Action will strengthen the justice and security systems through contributing to the clarification/simplification/ revision of roles, functions, responsibilities, procedures and reporting – making them more transparent. It will also strengthen national institutions and CSOs to demand accountability and transparency from national authorities to ensure good quality of public services provided. Through contributing to the improvement of internal governance, institutional capacities, as well as the effectiveness and coordination of the judicial and security institutions at national level, this Action will play a key role in the strengthening of Democracy, Rule of Law and Good Governance of the beneficiary countries.

### **Conflict sensitivity, peace and resilience**

The Action contributes to conflict sensitivity, peace and resilience. It is mindful that conflicts are widespread in the country (over property/land, cattle, violence in general and against women and girls in particular), as well as effects of organized crime. Furthermore, it has been conveyed through interviews with national stakeholders that there have been signs of radicalization and extremism in the country. Despite the lack of factual evidence, perceptions have shown that that phenomenon is not only present in Bissau, but mainly in isolated communities with youths that are returning from trips abroad mainly in Islamic countries in Northern Africa and the Middle East. Reportedly, this has been creating unease and threats to peace and security in Guinea-Bissau. Moreover, for the time being Guinea-Bissau does not seem to have legal frameworks, strategies or plans to work on the prevention of violent extremism and countering terrorism, institutional capacity to develop appropriate tools to tackle it (mapping for entities supporting foreign trips, data on individuals that go abroad and return, and monitoring their reintegration in communities, for this sensitive information, high data protection standards will have to be ensured), or even effective presence at country level or strong communication and partnership with other forces to gather the intelligence. The Action will precisely provide answers to the needs of adopting a tailor-made human rights-based approach with cultural, religious and gender sensitivity nuances to effectively work on these topics.

### **Disaster Risk Reduction**

This action does not have a direct link to disaster risk but can contribute to raising awareness among civil protection agents that are under the Ministry of the Interior whose security forces and services function as complementary elements to the entire protection system.

### **Other considerations if relevant**

N/A



### 3.4 Risks and Lessons Learnt

Category	Risks	Likelihood (High/ Medium/ Low)	Impact (High/ Medium/ Low)	Mitigating measures
External environment	Risk 1 - Recurrent political instability	<b>Medium</b>	<b>High</b>	Regular dialogue with relevant government counterparts, local authorities and CSOs and coordination with development partners, including through thematic platforms on security and justice.
External environment	Risk 2 – The outcome of recent elections can dictate significant political changes which might hamper gains and lead to disengaging on commitments and efforts	<b>Medium</b>	<b>Medium</b>	Carefully plan the timing of activities to ensure that new decision-makers and technical staff are duly involved and inducted to understand and perform their roles and functions.  Plan and deliver joint trainings, including practical work, to foster understanding, communication, trust and partnership.
External environment	Risk 3 – Mutual distrust between civil society, citizens and public authorities	<b>Medium</b>	<b>Medium</b>	Promote mutual understanding and opportunities to jointly partake in actions and events.  Promote concrete opportunities for effective collaboration and partnerships to carry out joint work and decisions.
External environment	Risk 4 - The fragmentation, distrust and lack of coordination among different national entities	<b>High</b>	<b>High</b>	A robust coordination structure composed of representatives of different agencies will meet regularly to plan and monitor actions to better guide the implementation. Moreover, will be a key tool to enhance knowledge and communication as well as political buy-in and ownership.
People and organisations	Risk 5 - Limited technical capacity of human resources and financial capacity of the beneficiaries to allocate the necessary means to sustain the attained results and effects in the long term.	<b>High</b>	<b>High</b>	Focus on institutional and legal reforms; capacity-building; digitalisation and technological support to ensure sustainability of the results and enhance resilience. Furthermore, the Annual Work Plans will enable flexibility and alignment with the national priorities and political situations.
People and organisations	Risk 6 - High turnover of human resources into the concerned national and local institutions	<b>Medium</b>	<b>Medium</b>	Technical assistance ensuring capacity building of the pivotal players (Ministry of Interior and Justice, police forces, CAJ).

People and the organisation	Risk 7 – Competition for funding and animosity among key civil society organizations, platforms and networks	<b>Medium</b>	<b>Medium</b>	Promote structured dialogue with and within civil society, both at national and provincial levels, as well as promote opportunities/define criteria for them to work in a joint and complementary manner.
Planning, processes and systems	Risk 8 - Overlapping donor's interventions	<b>Medium</b>	<b>Low</b>	Strong coordination between partners and with the government, both in the design and the implementation phases of the Action.
Communication and information	Risk 9 - Citizens and some civil society actors remain uninformed of their rights, how to access it, and their roles in a participatory and representative democracy	<b>Medium</b>	<b>Medium</b>	Provide public education and awareness raising actions, and support strategic communication of CSOs and other partners, using simplified methodologies (adapted to the beneficiaries' capacities, including in local languages) based on the contexts and needs.  Ensure that gender and human rights perspective are mainstreamed in all the actions.
Equality	A gender-blind, neutral, or negative context and problem analysis could reinforce existing gender inequalities and non-realization of human rights in the sector, and hinder the efficiency and sustainability of the action	<b>Medium</b>	<b>Medium</b>	Knowledge and tools of gender mainstreaming are available.  Gender-sensitive monitoring, use of sex-disaggregated data, and gender-sensitive indicators. Gender  Gender mainstreaming is applied in all phases of the support services.

#### **Lessons Learnt:**

Experience from previous Actions focusing on justice, security and human rights, namely some implemented by Maniteze and FEC, IMVF and the Guinean League of Human Rights, Voz di Paz, UNDP, UNODC, UNIOGBIS, etc. show that:

- CSOs' role in the provision of service delivery to the population – especially to vulnerable groups in remote areas - is fundamental due to the weaknesses of the Bissau-Guinean State and its limited presence outside the capital;
- Proper service delivery to the population requires tangible and consistent actions at grassroot level and needs to be ensured by actors with expertise in the subject and proven management capacities (which is often not found in local organisations);
- CSOs have acquainted important know-how both theoretical and practical in terms of human rights, access to justice and social protection during the past decades; and their support and cooperation with public authorities has been crucial for the capacitation of public servants on the subject and for the provision of public services;

- the COVID-19 pandemic has further hampered the already fragile situation of women and girls and other vulnerable groups in the country and increased the need to strengthen the coverage and quality of all service delivered nationwide and in remote areas in particular;
- access to justice is still a difficulty to most of the population and especially to those illiterate and vulnerable that lack the knowledge and means to reach/use these services, unless support is provided;
- the roles played by traditional and religious leaders in conflict resolution and mediation at grassroots level are entrenched in national culture, also due to the absence of other “means” to solve quarrels, leading often to the non-observation of human rights of women and girls, youth and people with disabilities. Their role in terms of influencing social norm change is critical;
- the usage and institutionalization of ADR mechanisms in the justice system revealed to be key for guaranteeing that the population has access to a human-rights compliant justice;
- justice and police institutions lack logistical devices to properly develop their work;
- the population recognizes and welcomes the role played by CSO in communities and is generally open and trustful of their work; public servants within the justice and social protection sectors also value the support provided by CSOs;
- public institutions and their staff require training and on-the-job-training, as well as close support and monitoring to ensure that the knowledge and tools received are duly applied and integrated in their work;
- justice and security institutions lack means to properly train their human resources (induction, refreshments, etc.) to ensure that these are knowledgeable of their functions and how to deliver them with high-quality;
- there is a lack of institutional ownership and sustainable vision of actions, mainly caused by insufficient funds and human resources - both in number and capacity – which could hamper the achievement of results if not promoted;
- key entities/institutions often show insufficient interest to communicate and collaborate with one another – at high, medium at low levels – due to fears of loss of influence and control, unless partnership is promoted through concrete activities and joint approaches;
- widespread corruption and abuse of power make it easy to distrust partners, reducing effective opportunities to full collaboration, requiring continuous policy and institutional dialogue at different levels;
- separation of powers and sectoral governance is not effective which allows for political intrusion in security and legal spheres thus hampering the work conducted over the past decades if not strategically addressed.

### 3.5 The Intervention Logic

The underlying intervention logic for this action was built taking into account the current context, the findings from Ianda Guiné and the Gender Profile of Guinea-Bissau while also capitalizing on lessons learned from previous and currently ongoing Actions. It addresses the need for strengthening trust, dialogue, and cooperation among actors operating within the security and justice sectors, as well as improving their respective institutional capacities and internal governance to enable them to execute their mandates and perform their specific functions. Moreover, and because the Government is not able to provide security, justice, human rights, and a gender-sensitive services to all segments of society, the Action will support the provision of key public services within the focus sectors.

The two Outcomes are interlinked on what concerns the improvement of the Guinea-Bissau’s internal security governance and the effective and inclusive access to justice converging into the Overall Objective of contributing to ensuring respect for human rights in Guinea-Bissau by strengthening the rule of law and the justice and security systems. The two main components on security and justice culminate into a third one related to human rights since it envisions the provision of human rights compliant police services and the provision of quality justice services to the overall and especially vulnerable population (focusing on women and girls, and victims of trafficking in human beings), including in the regions outside Bissau. The results obtained within each of the three components will be capitalised and disseminated to retro-feed the dialogue at all levels (namely sectoral, hierarchical, and geographical), following a circular sequence (dialogue ↔ methodologies/tools ↔ capacities ↔ performance)

within and among components. This will create an enabling environment for the collaboration of involved entities to guarantee diversified participation, including from different lenses and angles of influence, on inclusive policy-making and its implementation. Through institutional reform, the Action addresses stability and good governance in line with the MIP and areas of EU engagement in Guinea-Bissau (i.e. security, justice, human rights, gender equality and women empowerment, digitalisation, youth).

Therefore, the underlying intervention logic for this Action is that:

IF National strategies, policies and plans on the modernisation of the internal security sector and fight against crime and PCVERLT are reviewed and developed (Output 1.1);

and IF Capacities of internal security institutions are strengthened with focus on internal governance to allow for the effective execution of their mandates (Output 1.2);

and IF Trust and partnerships between the police forces and the population is improved (Output 1.3);

AND assuming that Bissau-Guinean institutions are committed to proceed with the revision of legal and strategic frameworks; National authorities in general, and security sector hierarchies in particular, are committed not only with the revision of legal and strategic frameworks, but also with their regulation and effective implementation; Security sector hierarchies (ministry, heads of directorates and departments, etc.) are interested in strengthening the internal governance of their entities to facilitate the execution of their mandates and ensure transparency and accountability; Officers from the different law enforcement agencies are committed to improving their skills and cooperate with one another to deliver quality services to the population at national level; Enabling space for civil society participation and cooperation to strengthen expertise of law enforcement agencies on subject matters related to human rights and fundamental freedoms; Willingness of CSOs, communities and security forces to communicate and cooperate on a regular basis for the promotion of security at grassroot levels (assumptions);

THEN Guinea-Bissau's internal security governance will be more effective, accountable, human rights, and gender equality compliant police services will be improved (Outcome 1).

ALSO,

IF Justice institutions are institutionally and operationally enhanced (Output 2.1);

and IF Provision of inclusive and effective justice services is improved, especially for women and girls and people living in remote areas (Output 2.2);

and IF Justice services and social support to victims of sexual and gender-based violence and trafficking in human beings are enhanced (Output 2.3);

AND that National authorities are available and committed to reform the justice system with regards to access to justice; willing to re-think the current justice model and specific available modalities to ensure effective access to justice to the population – especially to the most vulnerable; Justice sector hierarchies (ministry, heads of directorates and departments, etc.) are interested and committed to strengthen the internal governance of justice entities, namely through strengthening tools and mechanisms to support their accountability, transparency, responsiveness, efficiency and effectiveness and compliance with the rule of law; Willingness and availability of CSOs, justice and security authorities to effectively operate in remote areas; Formal justice sector's availability to recognize the importance and full institutionalization of alternative dispute resolution mechanisms (upholding human rights principles) to facilitate the delivery of justice to vulnerable groups – especially victims of sexual and gender-based violence and trafficking in human beings; Availability to strengthen cooperation and synergies between the justice and security sectors, as well as with CSOs to support communities; Justice sectors' recognition of the role played by CSOs with regards to supporting vulnerable groups and supporting national authorities on service delivery; Justice sector's understanding of the prime know-how of CSOs on human rights and its status/challenges nationwide; willingness to engage in an effective partnership to ensure support of victims of human rights violations (assumptions);

THEN effective and inclusive access to justice will be enhanced, notably towards equitable provision of quality justice services, including in the regions outside Bissau and for women and girls, and vulnerable groups (Outcome 2).

IF Guinea-Bissau's internal security governance is improved to provide more effective, accountable and human rights compliant police services (Outcome 1) and IF Effective and inclusive access to justice is enhanced, notably towards equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups (Outcome 2); AND National authorities understand the importance of security and justice sectors reform for peace and development; Political and technical willingness to reform the security and justice sectors with a gender equality and human rights-based approach; Openness of security and justice institutions to improve service delivery (assumption); THEN the rule of law and the justice and security systems will be strengthened to ensure respect for human rights and fundamental freedoms in Guinea-Bissau - Impact); BECAUSE an effective separation of powers, strong justice and security systems that uphold the rule of law and human rights will enable Guinea-Bissau to overcome its fragilities and internal and external threats to the State and its people (political meddling, corruption and abuse of power).

### 3.6 Logical Framework Matrix

At action level, the indicative logframe should have a maximum of 10 expected results (Impact/Outcome(s)/Output(s)).

It constitutes the basis for the monitoring, reporting and evaluation of the intervention.

On the basis of this logframe matrix, a more detailed logframe (or several) may be developed at contracting stage. In case baselines and targets are not available for the action, they should be informed for each indicator at signature of the contract(s) linked to this AD, or in the first progress report at the latest. New columns may be added to set intermediary targets (milestones) for the Output and Outcome indicators whenever it is relevant.

- At inception, the first progress report should include the complete logframe (e.g. including baselines/targets).
- Progress reports should provide an updated logframe with current values for each indicator.
- The final report should enclose the logframe with baseline and final values for each indicator.

The indicative logical framework matrix may evolve during the lifetime of the action depending on the different implementation modalities of this action.

The activities, the expected Outputs and related indicators, targets and baselines included in the logframe matrix may be updated during the implementation of the action, no amendment being required to the Financing Decision.

Results	Results chain (a): Main expected results (maximum 10)	Indicators (a): (at least one indicator per expected result)	Baselines (values and years)	Targets (values and years)	Sources of data	Assumptions
Impact	To promote and protect the rule of law and human rights for all	1 - Ibrahim Index of African Governance (IIAG): Security and Rule of Law 2 - Ibrahim Index of African Governance (IIAG): Participation, Rights and Inclusion 3 - The Global Peace Index (GERF 1.19) **	1 – 49,2/100 (2021) 2 – 48,7/100 (2021) 3 - 2,156/ 5 (2022)	1 - tbd (2027) 2 – tbd (2027) 3 - tbd (2027)	1 - Ibrahim Index of African Governance (IIAG) 2 - Ibrahim Index of African Governance (IIAG) 3 - The Global Peace Index (www.visionofhumanity.org)	<i>Not applicable</i>
Outcome 1	More effective, accountable and human rights compliant police services	1.1 - Status of institutional provisions ensuring the independence of the system of command and control for the different police forces influenced by the intervention 1.2 Number of victims of trafficking in human beings rescued *, disaggregated by sex and disability status and form of exploitation (SDG 16.2.2 and GAP III indicator*) 1.3- Number of cases of SGBV reported to the police, per year, disaggregated at least by sex (GAP III indicator)	1.1 - tbd through a baseline study 1.2 – 0 (2023) 1.3 tbd through a baseline survey	1.1 – tbd (2027) 1.2 - tbd (2027) 1.3 – tbd (2027)	1.1 – Baseline and endline studies conducted and budgeted by the EU-funded intervention 1.2 – Progress Reports 1.3 – Police reports	National authorities understand the importance of security and justice sectors reform for peace and development.  Political and technical willingness to reform the security and justice sectors with a rights-based approach.
Outcome 2	More equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups	2.1 - Number of people directly benefiting from legal aid interventions supported by the EU (GERF 2.25), disaggregated by sex and disability status ** 2.2 - Number of Government policies developed or revised with civil society organisation participation through EU support (GERF 2.29) **	2.1 – 0 (2023) 2.2 – 0 (2023) 2.3 – 0 (2023) 2.4 -0 (2023) 2.5 -0 (2023)	2.1 – tbd (2027) 2.2– tbd (2027) 2.3– tbd (2027) 2.4– tbd (2027) 2.5– tbd (2027)	2.1 – Database of beneficiaries/participants 2.2 – Progress Reports 2.3 – Progress Reports 2.4 – Progress Reports 2.5 – Progress Reports	Openness of security and justice institutions to improve service delivery.



		<p>2.3 Number of people benefitting from EU-funded interventions to counter sexual and gender-based violence (GERF 2.37, and GAP III indicator) **</p> <p>2.4- Number of legislative actions taken in Guinea-Bissau to ensure survivors gender-based violence can access justice (GAP III indicator)</p> <p>2.5 % of referred cases of gender-based and sexual violence against women and children that are investigated and sentenced (FPI RF) GAP III indicator.) **</p>				
<b>Output 1.1 relating to Outcome 1</b>	<p>1.1 Enhanced capacity of Government actors, CSOs and media for developing national strategies, policies and plans on the modernization of the internal security sector and the fight against crime and Prevention/Countering Violent Extremism.</p>	<p>1.1.1 - Number of state institutions and non-state actors supported by the EU on security, border management, countering violent extremism, conflict prevention, protection of civilian population and human rights (GERF 2.23) **</p> <p>1.1.2 – Number of laws/regulations on relevant security actors' structures and processes drafted-revised with support of the EU-funded intervention</p> <p>1.1.3 - Status of the development/updating of mechanism for the protection of victims and witnesses of crime with support of the EU-funded intervention</p>	<p>1.1.1 – 0 (2023)</p> <p>1.1.2 – 0 (2023)</p> <p>1.1.3 - 0 (2023)</p>	<p>1.1.1 – tbd (2027)</p> <p>1.1.2 – tbd (2027)</p> <p>1.1.3 – tbd (2027)</p>	<p>1.1.1 – Progress reports</p> <p>1.1.2 – Progress reports and justice institution reports</p> <p>1.1.3 - Progress reports and justice institution reports</p>	<p>Bissau-Guinean institutions are committed to proceed with the revision of legal and strategic frameworks.</p>
<b>Output 1.2 relating to Outcome 1</b>	<p>1.2 Improved internal governance mechanisms of internal security institutions.</p>	<p>1.2.1 - Number of officials and staff whose awareness of the importance of separation of powers and good practices in this</p>	<p>1.2.1 – 0 (2023)</p>	<p>1.2.1 – tbd (2027)</p>	<p>1.2.1 - Progress reports</p>	<p>National authorities in general, and security sector hierarchies in particular, are committed not only with the</p>

		<p>field is increased (disaggregated by sex, disability status and hierarchy)</p> <p>1.2.2 – Number of code of conduct for different security sector actors developed/updated with support of the EU-funded intervention</p> <p>1.2.3 - Number of human resources and management staff in the security sector trained by the EU-funded intervention with increased knowledge of standards/processes relating to management, recruitment, training, promotion, inspection, audit (disaggregated by sex, and disability status)</p> <p>1.2.4 - Number of security actors trained by the EU-funded intervention with improved competencies, as well as skills and/or knowledge of their duties and response protocols (disaggregated by sex) (OPSYS core indicator)</p>	<p>1.2.2 - 0 (2023)</p> <p>1.2.3 - 0 (2023)</p> <p>1.2.4 – 0 (2023)</p>	<p>1.2.2 – tbd (2027)</p> <p>1.2.3 – tbd (2027)</p> <p>1.2.4 – tbd (2027)</p>	<p>1.2.2 – Progress reports</p> <p>1.2.3 – Pre- and post-training test reports</p> <p>1.2.4 - Pre- and post-training test reports</p>	<p>revision of legal and strategic frameworks, but also with their regulation and effective implementation.</p> <p>Security sector hierarchies (ministry, heads of directorates and departments, etc.) are interested in strengthening the internal governance of their entities to facilitate the execution of their mandates and ensure transparency and accountability.</p> <p>Officers from the different law enforcement agencies are committed to improving their skills and cooperate with one another to deliver quality services to the population at national level.</p>
<b>Output 1.3 relating to Outcome 1</b>	1.3 Enhanced access to cooperation and trust partnerships' opportunities between the police forces and the population.	<p>1.3.1 - Percentage of citizens who believe security sector institutions serve their interests (disaggregated by sex, religion, ethnicity, income – or proxy such as neighbourhood of residence)</p> <p>1.3.2 - Number of victims of human rights violations directly benefiting from assistance funded by the EU, disaggregated at least by sex and disability status (GERF 2.30) **</p>	<p>1.3.1 - tbd through a baseline study</p> <p>1.3.2 - 0 (2023)</p>	<p>1.3.1 – tbd (2027)</p> <p>1.3.2 – tbd (2027)</p>	<p>1.3.1 – Baseline and endline surveys conducted and budgeted by the EU-funded intervention</p> <p>1.3.2 – Database of beneficiaries/participants</p>	<p>Enabling space for civil society participation and cooperation to strengthen expertise of law enforcement agencies on subject matters related to human rights and fundamental freedoms.</p> <p>Willingness of CSOs, communities and security forces to communicate and cooperate on a regular basis for the promotion of security at grassroot levels.</p>

<b>Output 2.1 relating to Outcome 1</b>	2.1 Enhanced institutional and operational capacities of justice institutions.	<p>2.1.1 - Number of legal initiatives on fundamental and human rights, including environmental, under revision by the competent authorities with the support of the EU-funded intervention*</p> <p>2.1.2 - Number of professionals from the justice sector (judges, prosecutors, lawyers etc.) trained by the EU-funded intervention with increased knowledge and/or skills in ethics and deontology (disaggregated by sex and professional category)</p>	<p>2.1.1 – 0 (2021)</p> <p>2.1.2 – 0 (2023)</p>	<p>2.1.1 - 5 (2027)</p> <p>2.1.2 – tbd (2027)</p>	<p>2.1.1 - Progress reports</p> <p>2.1.2 – Pre- and post-training test reports</p> <p>2.1.3 – Progress reports</p>	<p>National authorities are available and committed to reform the justice system with regards to access to justice; willing to re-think the current justice model and specific available modalities to ensure effective access to justice to the population – especially to the most vulnerable.</p> <p>Justice sector hierarchies (ministry, heads of directorates and departments, etc.) are interested and committed to strengthen the internal governance of justice entities, namely through strengthening tools and mechanisms to support their accountability, transparency, responsiveness, efficiency and effectiveness and compliance with the rule of law.</p>
<b>Output 2.2 relating to Outcome 2</b>	2.2 Improved mechanisms for the provision of inclusive and effective justice, especially for vulnerable people including women and girls and people living in remote areas	<p>2.2.1 - Number of administrative sectors with free and quality services for access to Justice (formal and customary)*</p> <p>2.2.2 - Number of cases referred to/processed through alternative dispute resolution provided by the EU funded intervention</p> <p>2.2.3 - Number of people who were able to access justice thanks to EU support (disaggregated by sex, income level, age, disability status, as well as type of support provided)</p>	<p>2.2.1 - 6 Justice Centres (CAJ): Bafata, Mansoa, Buba, Canchungo, Bissau (Praça &amp; Bairro Militar) in 2027</p> <p>2.2.2 – tbd (2023)</p> <p>2.2.3 - 0 (2023)</p>	<p>2.2.1 - 38 (One per administrative sector) in 2027</p> <p>2.2.2 – tbd (2027)</p> <p>2.2.3 - tbd (2027)</p>	<p>2.2.1 – Ministry of Justice and Human Rights’ internal reports and statistics</p> <p>2.2.2 – Progress Reports</p> <p>2.2.3 – Progress Reports</p>	<p>Willingness and availability of CSOs, justice and security authorities to effectively operate in remote areas.</p> <p>Justice sector’s availability to recognize the importance and full institutionalization of alternative dispute resolution mechanisms (upholding human rights principles) to facilitate the delivery of justice to vulnerable groups – especially victims of sexual and gender-based violence and trafficking in human beings.</p>

<p><b>Output 2.3</b> <b>relating to</b> <b>Outcome 2</b></p>	<p>2.3 Increased availability of survivor-centred support services to prevent and respond to sexual and gender-based violence and trafficking in human beings.</p>	<p>2.3.1 Average score of experts and citizens perception on the protection of the rights of defendants and victims *(disaggregated at least by sex, income level, and disability status)</p> <p>2.3.2 Number of administrative regions where the mechanism of protection for victims is in place and effective *</p> <p>2.3.3 Number of people reached through public campaigns to inform the public of their rights and on legal aid [who can demonstrate increased knowledge of the relevant legal aid topics (disaggregated by income level, sex and disability status)]</p> <p>2.3.4 Number of cases of human rights abuses, including gender based and sexual violence, brought to court</p> <p>2.3.5 Number of adequate, easily accessible and protected shelters for victims of gender-based violence available (GAP III indicator)</p> <p>2.3.6 Extent to which all relevant state actors- such as police, justice sector, social services and health care actors- coordinate to end gender-based violence (GAP III indicator)</p>	<p>2.3.1 - tbd through a baseline study</p> <p>2.3.2 - 5 (2020)</p> <p>2.3.3 – 0 (2023)</p> <p>2.3.4 – 0 (2023)</p>	<p>2.3.1 - tbd through a baseline study</p> <p>2.3.2 – 9 (one per administrative region) in 2027</p> <p>2.3.3 – tbd (2027)</p> <p>2.3.4 – tbd (2027)</p>	<p>2.3.1 - Surveys</p> <p>2.3.2 - Ministry of Justice and Human Rights’ internal reports and statistics</p> <p>2.3.3 – Progress Reports</p> <p>2.3.4 - Ministry of Justice and Human Rights’ internal reports and statistics</p>	<p>Justice sectors’ recognition of the role played by CSOs with regards to supporting vulnerable groups and supporting national authorities on service delivery.</p> <p>Justice sector’s understanding of the prime know-how of CSOs on human rights and its status/challenges nationwide; willingness to engage in an effective partnership to ensure support of victims of human rights violations.</p>
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## 4 IMPLEMENTATION ARRANGEMENTS

### 4.1 Financing Agreement

In order to implement this action, it is envisaged to conclude a financing agreement with the partner country.

### 4.2 Indicative Implementation Period

The indicative operational implementation period of this action, during which the activities described in section 3 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of entry into force of the financing agreement.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Financing Decision and the relevant contracts and agreements.

### 4.3 Implementation of the Budget Support Component

N.A.

### 4.4 Implementation Modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures.

#### 4.4.1 Direct Management (Grants)

##### **Grants: (direct management)**

##### **(a) Purpose of the grant(s)**

The grant(s) will contribute to achieving the Action's outcome 2 "More equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups". More specifically, the grant(s) will address output 2.3 'justice services to victims of sexual and gender-based violence and trafficking in human beings is enhanced.'

##### **(b) Type of applicants targeted**

The type of applicants targeted for funding are legal entities, non-profit making international and national Non-Governmental Organisations (NGOs) or assimilated Civil Society Organisations, or respective networks, platforms or federations.

Other essential characteristics and eligibility of the potential applicants shall be specified in the guidelines for applicants of the call for proposals.

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The part of the action under the budgetary envelope reserved for grants may, partially or totally and including where an entity is designated for receiving a grant without a call for proposals, be implemented in indirect management with an entity, which will be selected by the Commission's services using the criteria defined in section 4.4.2.

#### 4.4.2 Indirect Management with an entrusted entity

##### *4.4.2.1 Outcome 1 – More effective, accountable and human rights compliant police services*

A part of this action (component under the outcome 1 'Improve Guinea-Bissau's internal security governance for more effective, accountable and human rights compliant police services') may be implemented in indirect

management with an entrusted entity (either an EU Member State organisation or a UN agency), which will be selected by the Commission's services using the following criteria:

- Specific mandate and recognition to work on the security sector enhancing institutional capacity and accountability.
- Expertise in providing technical assistance to national security and law enforcement institutions.
- Proven track record in working on national internal security and contributing to the clarification of their mandates as well as their internal governance.
- Significant experience in designing and conducting training and other institutional and individual capacity building (such as experience exchange) for officers at all levels of these forces (high, medium, low).
- Experience in overseeing and supporting public education, public awareness, and advocacy campaigns to foster recognition and trust between security forces and the population.
- Significant experience in and understanding of the Bissau-Guinean context.

The implementation by this entity entails the implementation of all activities and delivery of all outputs under Outcome 1 – outputs 1.1, 1.2. and 1.3.

#### *4.4.2.2 Outcome 2 – More equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups*

A part of this Action may be implemented in indirect management with the United Nations Development Programme - UNDP. This implementation entails the component under the outcome 2, in particular outputs 2.1 and 2.2. The envisaged entity has been selected using the following criteria:

- Specific and consolidated experience on democratic governance building, rule of law, and inclusive institutions.
- Among the major development partners working on the subject matters in Guinea-Bissau.
- Extensive experience in implementing justice actions in Guinea-Bissau, notably on institutional reforms.
- Supported the Centres of Access to Justice (CAJ) in Guinea-Bissau, which are key to bridge the gap between justice and the overall population.
- Pool of national and international experts on the justice sector and specifically in terms of access to justice.
- Highly regarded development partner of Guinea-Bissau and trusted partner of the justice sector national authorities.

If negotiations with the above-mentioned entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section 4.4.3.

#### 4.4.3 Changes from indirect to direct management mode (and vice versa) due to exceptional circumstances (one alternative second option)

If negotiations with the entrusted entities for indirect management described in section 4.4.2 fail for circumstances beyond the Commission's control, the Commission's services may use direct management as follows:

- **Procurement (direct management)**

Technical assistance will be used to achieve the outputs related to the outcome 1 (Improved Guinea-Bissau's internal security governance for more effective, accountable and human rights compliant police services).

- **Grants (direct management)**

(a) Purpose:

The grant will be used to achieve the outputs 2.1 and 2.2 related to the outcome 2 (More equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups).

(b) Type of applicants targeted:

The circle of potential applicants for funding are legal entities including the following: civil society organisations and non-governmental organisations.

If the implementation modality in direct management, identified under 4.4.1 to address output 2.3, fails for circumstances beyond the Commission's control, the Commission's services may use indirect management as follows:

- **Contribution agreement with an entrusted entity (indirect management)**

The contribution agreement will be used to achieve the output 2.3 related to outcome 2 (More equitable provision of quality justice services, including in the regions outside Bissau and for women and vulnerable groups).

Entrusted entities should meet the following criteria: i) being a solid development partner in the justice and human rights area in Guinea-Bissau, ii) having a consolidated experience in governance and rule of law, at both institutional and operational levels including in support to CAJ, and iii) being able to ensure the availability of confirmed experts on access to justice for the most vulnerable people.

#### 4.5 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, subject to the following provisions:

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of services in the markets of the countries or territories concerned, or in other duly substantiated cases where application of the eligibility rules would make the realisation of this action impossible or exceedingly difficult (Article 28(10) NDICI-Global Europe Regulation).

#### 4.6 Indicative Budget

<b>Indicative Budget components</b>	<b>EU contribution (amount in EUR)</b>
<b>Implementation modalities</b> – cf. section 4.4	
<b>Outcome 1</b> “Effective police services”, composed of Outputs 1.1, 1.2 and 1.3	
Indirect management with an entrusted entity - cf. section 4.4.2	4 850 000
<b>Outcome 2</b> “Quality justice services”, composed of Outputs 2.1, 2.2 and 2.3	
Indirect management with an entrusted entity (outputs 2.1 and 2.2) - cf. section 4.4.2	5 850 000
Grants (output 2.3) – total envelope under section 4.4.1	3 000 000
<b>Evaluation</b> – cf. section 5.2	300 000
<b>Audit</b> – cf. section 5.3	
<b>Totals</b>	14 000 000

#### 4.7 Organisational Set-up and Responsibilities

A Project Steering Committee (PSC) will be established at action level to oversee the implementation and the strategic decision of all components. It will be composed by representatives of the European Union Delegation, the Government of Guinea-Bissau (relevant stakeholders identified under section 2.2), and the



implementing entities leading the implementation of each component. Other development partners and civil society organisations supporting and implementing interventions in the framework of human rights (representing rights holders, such as youth, women, persons with disabilities and other marginalised groups justice), and security sectors could be invited as observers to ensure complementarity of interventions. This PSC will meet at least once a year.

Moreover, a Technical Working Group (TWG) – composed by the 3 Team Leaders/ Programme Managers of each intervention, the EU Delegation and other relevant technical partners working in these topics – will be established. This TWC will be conveyed on a quarterly basis to help ensuring adequate communication, mainstreaming, complementarities, synergies, as well as follow-up and monitoring of the whole action.

On another hand, dedicated Project Management Units (PMU) based in Bissau will be established for each component to provide specialised technical assistance for planning and implementation. These units will have proven experience in administering, managing and monitoring the implementation. Its staff should include a Team Leader/Programme manager supported by a dedicated team including an accountant and a Knowledge Management, Monitoring and Evaluation expert. The PMU should be supported by an intermittent team of experts in the relevant specific domains of the intervention that will be mobilised as needed. Moreover, each PMU will directly work with key focal points from each target national entities. They will be working hand in hand including in the identification and implementation of the annual action plans.

Also, a complementary CSO consortium will be selected under the Call for Proposals. It will accompany and support specific aspects of the implementation of its intervention, such as promoting coordination, complementarity and synergies between all partners within the consortium, as well as ensuring synergies with the remaining two interventions under this Action and with other development partners' initiatives. The lead partner will be in charge of also providing on-demand capacity building to partner CSOs, notably on contract management procedures and strategic communication; ensuring mainstreaming of key cross-cutting issues (such as gender, disability, human rights-based approach, conflict sensitivity); monitoring, evaluation and knowledge management.

As part of its prerogative of budget implementation and to safeguard the financial interests of the Union, the Commission may participate in the above governance structures set up for governing the implementation of the action and may sign or enter into joint declarations or statements, for the purpose of enhancing the visibility of the EU and its contribution to this action and ensuring effective coordination.

## 5 PERFORMANCE MEASUREMENT

### 5.1 Monitoring and Reporting

The day-to-day technical and financial monitoring of the implementation of this Action will be a continuous process, and part of the implementing partners' 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 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).

Roles and responsibilities for data collection, analysis and monitoring:

The implementing partners in charge of each of the three different components of the action (justice, security and human rights) will have specific responsibilities with regards to monitoring, evaluation, knowledge management and reporting. It is expected that the implementing teams for each component will count with a dedicated Knowledge Management, Monitoring and Evaluation (KME) officer, which in articulation with her/his Team Leader/Action Coordinator will advise the planning, management and conduct the monitoring and reporting. Each component is expected to have its own logical framework (logframe), aligned with the global logframe of the action, and an internal monitoring system. The monitoring system will assess gender

equality and disability results and will be designed and implemented adopting a human-rights based approach according to working principles such as applying all human rights for all, meaningful and inclusive participation and access to decision-making, non-discrimination and equality, accountability and rule of law for all and transparency and access to information supported by disaggregated data, focusing on key target groups, with specific procedures and tools to guide and support data collection. The respective logframes and monitoring systems shall be used as management tools not only to monitor the implementation, but also to support its planning and management with a learning view.

The systems will be fed by data coming from the implementation of the different actions – collected on a regular basis by the KME officer and other relevant partners - as well as through specific monitoring activities aimed at collecting baseline and current values for indicators, to be funded under the regular budget of the action (through specific budget lines identified for this purpose). Common indicators, including from the European Union Roadmap for engagement with Civil Society in the Guinea-Bissau and Gender Action Plan III/CLIP, shall be used as much as possible to allow for a comprehensive yet specific reporting. Furthermore, whenever applicable, the internal monitoring systems and tools must contain indicators disaggregated by gender, disability status, age groups, and geography. Special attention should be paid to consulting women and youth as well as persons with disabilities, with a view to breaking gender and youth inequalities and strengthening the role of women and girls as drivers of change. In order to monitor development and equal access, data/indicators will be disaggregated even further when applicable. Monitoring and reporting shall assess how the Action under each component is being implemented both at regional and central levels and its performance/contribution for the achievement of results.

## 5.2 Evaluation

Having regard to the importance of the Action, mid-term and final evaluations will be carried out for this Action or its components by independent consultants contracted by the Commission. The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to determining the degree to which the Action is on track (and where adaptation may be required) and whether or not activities need to be redesigned or budget reallocated to ensure that outputs and outcomes will be met. The final evaluations will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the need to verify to which degree the action may continue to be supported under any potential further phase.

The Commission shall inform the implementing partner at least two (2) months in advance of the dates envisaged for the evaluation missions. The implementing partners 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.

All evaluations shall assess to what extent the action is taking into account the human rights-based approach as well as how it contributes to gender equality and women's empowerment and disability inclusion. Expertise on human rights, disability and gender equality will be ensured in the evaluation teams.

The evaluation reports may be shared with the partners and other key stakeholders following the best practice of evaluation dissemination<sup>13</sup>. The implementing partners and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, apply the necessary adjustments.

Evaluation services may be contracted under a framework contract.

## 5.3 Audit and Verifications

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 audit or verification assignments for one or several contracts or agreements.

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<sup>13</sup> See best [practice of evaluation dissemination](#).

## 6 STRATEGIC COMMUNICATION AND PUBLIC DIPLOMACY

The 2021-2027 programming cycle will adopt a new approach to pooling, programming and deploying strategic communication and public diplomacy resources.

In line with the 2022 “Communicating and Raising EU Visibility: Guidance for External Actions”, it will remain a contractual obligation for all entities implementing EU-funded external actions to inform the relevant audiences of the Union’s support for their work by displaying the EU emblem and a short funding statement as appropriate on all communication materials related to the actions concerned. This obligation will continue to apply equally, regardless of whether the actions concerned are implemented by the Commission, partner countries, service providers, grant beneficiaries or entrusted or delegated entities such as UN agencies, international financial institutions and agencies of EU member states.

However, action documents for specific sector programmes are in principle no longer required to include a provision for communication and visibility actions promoting the programmes concerned. These resources will instead be consolidated in Cooperation Facilities established by support measure action documents, allowing Delegations to plan and execute multiannual strategic communication and public diplomacy actions with sufficient critical mass to be effective on a national scale.

## Appendix 1 REPORTING IN OPSYS

A Primary Intervention (project/programme) is a coherent set of activities and results structured in a logical framework aiming at delivering development change or progress. Identifying the level of the primary intervention will allow for:

Articulating Actions or Contracts according to an expected chain of results and therefore allowing them to ensure efficient monitoring and reporting of performance;

Differentiating these Actions or Contracts from those that do not produce direct reportable development results, defined as support entities (i.e. audits, evaluations);

Having a complete and exhaustive mapping of all results-bearing Actions and Contracts.

Primary Interventions are identified during the design of each action by the responsible service (Delegation or Headquarters operational Unit).

The level of the Primary Intervention chosen can be modified (directly in OPSYS) and the modification does not constitute an amendment of the action document.

The intervention level for the present Action identifies as:

<b>Contract level</b>		
<input checked="" type="checkbox"/>	Single Contract 1	Contract 1 on Security (indirect management): awarded to an entrusted entity
<input checked="" type="checkbox"/>	Single Contract 2	Contract 2 on Justice (indirect management): awarded to an entrusted entity
<input checked="" type="checkbox"/>	Single Contract 3	Grant (direct management): one contract awarded to a consortium of organisations via a Call for Proposals