



Utrikesdepartementet

Bidrag till International Center for Transitional Justice 2010

3 bilagor

Ärendet

International Center for Transitional Justice (ICTJ), har till Regeringskansliet (Utrikesdepartementet) inkommit med en ansökan om ett bidrag om 8 500 000 kronor till organisationens verksamhet 2010. Regeringskansliet (Utrikesdepartementet) har bidragit med obundet verksamhetsstöd till ICTJ sedan 2002. För 2009 beviljades organisationen ett obundet verksamhetsstöd om 7 000 000 kronor (UF2009/40986/SP). För 2008 beviljades organisationen utöver ett obundet verksamhetsstöd även ett separat stöd om 8 000 000 kronor till ett projekt i Zimbabwe, av vilket 3 000 000 kronor utbetalades under 2009.

ICTJ är en internationell icke-statlig organisation som bistår postkonfliktländer i att upprätta mekanismer för att utkräva rättvisa för brott och överträdelser av mänskliga rättigheter som har begåtts under konflikten. Organisationen leds sedan nyligen av David Tolbert, som bland annat har verkat som assisterade generalsekreterare för FN:s tribunal i Libanon. Tolbert efterträdde Juan Méndez, som verkat som FN:s generalsekreterares särskilda representant för förebyggande av folkmord.

ICTJ har en omfattande fältverksamhet i bland annat Colombia, Liberia, DR Kongo och Afghanistan. ICTJ samarbetar ofta med FN, andra internationella organisationer samt lokala organisationer. Organisationen genomför även seminarier och workshops för praktiker och akademiker inom *transitional justice*, samt publicerar instruktionsguider och annat faktamaterial i ämnet. Organisationen får anses vara världsledande inom området *transitional justice*.

Under 2009 bedrev ICTJ verksamhet i bland annat Kenya, Afghanistan och Sudan. I Kenya har verksamheten bl.a. bestått i att söka främja civilsamfundets involvering i arbetet vid formuleringen av tilläggen till landets *Truth, Justice and Reconciliation Commission*. I Afghanistan har ICTJ bl.a. bistått landets oberoende MR-kommission med att förbättra regeringens implementering av dess handlingsplan för fred, rättvisa och försoning. I Sudan har ICTJ bistått såväl FN och AU:s fredsmedlare som parterna i konflikten med teknisk expertis, i syfte att höja deras kapacitet. Inom ICTJ:s tematiska verksamhet rörande gender har kvinnliga ledare i Zimbabwe, DRC, Kenya och Sudan utbildats för att lyfta fram ansatser som inkluderar genderperspektivet inom området för *transitional justice* i deras respektive länder.

Under 2010 avser ICTJ att fortsätta insatser i sina tematiska och geografiska program. Inom området för straffrätt avser ICTJ att advocera för vidare adoptering av Romstadgan till internationella brottmålsdomstolen, samt att stärka nationellt straffrättsförfarande för internationella brott. Vidare avser organisationen att advocera för ett effektivt genomförande av sanningskommissionerna i Kenya och på Salomonöarna. Man har även för avsikt att verka för att öka förståelsen för mekanismer rörande MR-brott i ett genderperspektiv, samt att integrera genderhänsyn i framtida program. Avslutningsvis kommer ICTJ att arbeta med att integrera *transitional justice*-perspektiv inom ramen för FN:s fredsbyggande kommission.

ICTJ planerar fortsatt landverksamhet i bland annat DR Kongo, Liberia, Sudan, Marocko, Israel/oPt, Afghanistan, Burma, Indonesien, Colombia och Peru. Insatserna förväntas att koncentreras runt kapacitetsbyggande, fortbildning av civilsamfundet inom fältet för *transitional justice*, förhöjd medvetenhet om detsamma på nationell policynivå, dokumentation av MR-brott, samt publicering av forsknings- och utbildningsmaterial relaterade till *transitional justice* på landnivå.

Utrikesdepartementet finner det mot bakgrund av organisationens världsledande ställning inom sitt fält väl motiverat att bevilja organisationen stöd.

Konteringssträng i Utrikesdepartementets redovisning: kostnadsställe 42353, finansiering7130206, verksamhet1140202, motpart 8888.

Regeringskansliets beslut

Regeringskansliet (Utrikesdepartementet) beslutar att lämna ett bidrag om 5 000 000 kronor till International Center for Transitional Justice för 2010.

För medlens användning gäller de allmänna villkor ”Standard Conditions” som bifogas (*bilaga 1*). Bidraget avser verksamhet längst till

den 31 december 2010 och medlen ska ha rekvirerats senast den 19 november 2010 med användande av blanketten ”Contribution Request Form” (*bilaga 2*).

Utgiften ska belasta det för budgetåret 2010 under utgiftsområde 7 Internationellt bistånd upptagna ramanslaget 1:1 Biståndsverksamhet, anslagsposten 28 Konflikthantering.

International Center for Transitional Justice ska senast den 31 mars 2011 lämna en redogörelse för insatsens genomförande inklusive en ekonomisk redogörelse för hur medlen har använts i enlighet med ”Standard Conditions” och med användande av bifogade ”Guidelines for Reporting” (*bilaga 3*). Eventuellt outnyttjade medel ska återbetalas vid samma tidpunkt för att återföras till anslagsposten.

Beslutet har fattats av chefen för enheten för säkerhetspolitik, departementsrådet Nils Daag.

Utdrag till
UD-MK
UD-EKO
UD-PLAN
UD-USTYR
UD-FMR
UD registrator
Fi-BA
Sida/Hum
Sida/Mänsklig Säkerhet
Repr/New York



Government Offices
Ministry for Foreign Affairs
Sweden

STANDARD CONDITIONS for Contributions by the Government or the Government Offices of Sweden, Ministry for Foreign Affairs

1. FIELD OF APPLICATION

The Standard Conditions regulate the contributions granted by the Government or the Government Offices of Sweden, Ministry for Foreign Affairs, to international, inter-governmental, non-governmental and other organisations for their activities and/or operations.

The Donor is either the Government or the Government Offices of Sweden, Ministry for Foreign Affairs.

The Recipient is the organisation applying for or receiving the contribution.

2. BUDGET

The budget should contain the following main headings.

Revenues

- Contributions from the Donor
- Contributions from other donors
- Other contributions

Expenditures

- Salaries, taxes and other personnel costs
- Premises
- Travel
- Office costs
- Costs for audits
- Other costs

Contribution by the Recipient

August 2010

3. REQUISITION AND DISBURSEMENT

The Recipient shall submit a requisition in accordance with the attached Contribution Request Form. The Contribution Request Form shall contain all relevant details, including the Recipient's reference, which will be quoted in the disbursement payment advice. The Donor shall disburse the contribution upon receipt of the Contribution Request Form, which shall be signed by a qualified representative of the Recipient.

If part of the contribution for the same purpose has already been disbursed, the Recipient shall submit a report to the Donor on that part of the project. The report must be received by the Donor prior to any new disbursement.

The Contribution Request Form shall be submitted in the same year as the Government/Government Offices Decision was taken, unless otherwise agreed. The Contribution Request Form shall be submitted within three months of the commencement of the activities at the latest. If the Contribution Request Form has not been submitted within the stipulated time, the Recipient's right to the contribution will cease.

The contribution shall only be used in connection with activities for which the Recipient has received approval, or in accordance with other agreements.

Contributions to be used over a period longer than twelve months shall be disbursed in installments, unless otherwise agreed. Other reasons may exist for which the Donor may choose to disburse the contribution in installments.

4. ACCRUED INTEREST

Any interest accrued on disbursements shall be used for the same purpose as the contribution. The financial report shall give details of any accrued interest. If a repayment shall be made, any accrued interest shall be included.

August 2010

5. REPORTING

The Recipient shall submit activity reports and financial reports in accordance with the items below. The attached Guidelines for Reporting should be used.

5.1 Periods and time limits

Unless otherwise stipulated, the Recipient shall submit *partial reports* along with every new requisition for funds.

The *final reports* shall be submitted within three months of the finalisation of the activities. The Recipient shall also provide any reports the Donor requests. If satisfactory reports are not submitted, no further funds will be disbursed.

5.2 Activity report

The activity report shall give the Donor a basis for evaluation and for future decisions. It shall include the following:

- activities financed by the contribution; if the contribution only financed part of the activity, both the activity as a whole and the part for which the contribution was received shall be reported
- the actual results and goals achieved in relation to the results and goals outlined in the application or proposal; where these differ, reasons shall be given
- a presentation of any difficulties, shortcomings or deviations from agreed plans and a proposal for possible remedies
- a presentation of how the conclusions can or will be used in the future and any plans for further activities financed by contributions (in the final report only)

5.3 Financial report

The financial report shall present the total cost of the activities and explain how contributions from the Donor and other donors have been used. The Donor may visit, audit or evaluate the activities it finances. The Donor may request copies of the accounts and other supporting documents related to the contribution. The Recipient shall be able to give a separate report on the activities financed by the contribution.

The activities shall be considered in relation to the budget accepted by the Donor at the time of the decision. Any discrepancies shall be reported and explanation provided. A qualified representative of the Recipient shall sign the reports.

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5.4 Audit report

An auditor shall verify the correctness of the information in the financial report. The observations of the auditor shall be given in a certificate.

6. OBLIGATION TO REPAY

Funds not used for financing the operations or activities shall be reported and repaid to the Donor. The repayment shall include any interest accrued on the disbursed amount and be made in connection with the final report.

The repayment shall be made to:

Name of bank: SEB

IBAN: SE92 5000 0000 0543 9100 3775

SWIFT: ESSESESS

The reference number of the Donor, which is the Government/Government Offices Decision number in the pledging letter, shall be included.

The Recipient shall repay the disbursed amount, wholly or in part, to the Donor in the following cases.

6.1 Funds not used within the prescribed period

Unused funds or funds which will not be used within the prescribed period shall be repaid. The Recipient may apply for an extension of the activity period in which to use the funds. The application shall be submitted as soon as the Recipient recognises that the activity period must be extended or before the end of the agreed period at the latest.

6.2 The Swedish part of the contribution becomes too large in proportion to other financing

When the Swedish contribution is only intended to cover part of the total cost of the activities, funds shall be repaid if the total cost decreases and the Swedish contribution consequently covers a larger share of the total cost than agreed. The repayment shall be in the amount necessary to restore the original proportion of the Swedish contribution, unless otherwise agreed.

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6.3 The contribution has been used for purposes other than those agreed

If the contribution has been used for purposes other than those agreed, the Recipient shall repay the disbursed amount, wholly or in part, to the Donor.

6.4 The Recipient does not submit reports

If the Recipient does not submit reports in accordance with item 5, the Donor may require that the Recipient repay the disbursed amount, wholly or in part. This will not be required if the Recipient submits the reports within one month of receiving a reminder.

6.5 The Recipient submits incorrect information

If the Recipient, by submitting incorrect information, is granted a contribution based on this information, the Recipient shall repay the disbursed amount, wholly or in part. The same applies if incorrect information from the Recipient results in a contribution that is too large.

If the Recipient was aware, or should have been aware, that incorrect information was submitted, the Recipient shall repay the entire disbursed amount. This applies whether whole or part of the contribution has been used.

The obligation to repay can be waived, wholly or in part, if incorrect information has had an insignificant effect on the contribution.

If the Recipient was unaware of incorrect information being submitted, the obligation to repay only applies to unused funds. The obligation to repay does not apply to funds needed to cover future compulsory costs if the Recipient has agreed to these costs while unaware that the information was incorrect.

7. APPLICATION FOR POSTPONEMENT

The Recipient shall without reminder, comply with the repayment dates in the pledging letter and in the Standard Conditions.

If the Recipient has been asked to repay the contribution, wholly or in part, the repayment shall be made in accordance with the conditions laid down by the Donor.

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If the Recipient is not able to repay within the stipulated period of time, the Donor can upon application, agree to a postponement. The Donor must receive the application for postponement by the due date of the repayment at the latest.

The Recipient may apply for a waiver of the repayment if the request for repayment is considered unjustified.

Attachments:

Contribution Request Form

Guidelines for Reporting

Signature of this document certifies that the Recipient accepts the Standard Conditions

.....
Date

.....
Signature of authorized person
(authorization according to enclosed document)

.....
Name in block letters

.....
Department

.....
Organisation

CONTRIBUTION REQUEST FORM

This is to request payment of the below specified contribution.

Project Details

Name of project and/or operations	
Swedish Government Offices' Decision Number (according to the pledging letter)	
Requested Amount	Currency

Organisation Details

Name of Organisation	
Contact person	
E-mail	
Telephone number	Fax number
Postal address	Postcode
City	Country

Bank Details

Name of bank	
City	Country
Account name/holder	
Account number	
IBAN number (EU, Norway, Switzerland)	SWIFT code (BIC)
Bank code (ABA for USA)	Currency of account
Reference of the Recipient (to be quoted in the payment details)	

.....
Date

.....
Signature of authorized person (Authorization according to enclosed document)

.....
Name in block letters

.....
Department Organisation



**Government Offices
Ministry for Foreign Affairs
Sweden**

Guidelines for Reporting Contributions from the Government or the Government Offices of Sweden, Ministry for Foreign Affairs

The Recipient of contributions from the Government or the Government Offices of Sweden, Ministry for Foreign Affairs, shall submit activity and financial reports pertinent to the contribution to the Ministry for Foreign Affairs (the Donor), according to the Standard Conditions. The following can be used as guidelines for the reports.

I. GENERAL INFORMATION

Information about the Recipient

Name of organisation
Address of organisation
Telephone number of organisation
E-mail address of organisation
Name of contact person
E-mail of contact person
Telephone number of contact person (office hours)

Information about the contribution

The activities or project for which the contribution has been granted
Total amount of the contribution
Period for which the report applies
Swedish reference number of the contribution, as stated in the Contribution Request Form
Other contributions from the Donor

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II. ACTIVITY REPORT AND FINANCIAL REPORT

Unless otherwise agreed, the Recipient shall provide the Donor with the activity report and the financial report:

- in connection with each new request for funds
- when the activities have been finalised, and
- when requested by the Donor.

If the contribution has been paid in full, the activity report shall be provided together with the financial report and when requested by the Donor.

ACTIVITY REPORT

Partial report

- State the activities conducted with the support of the contribution. If the contribution has financed part of the activity, state the entire activity as well as the particular part for which the contribution has been received.
- State whether the activities have been carried out according to plan. If the activities have not been carried out according to plan, state the reasons why.
- State the goals and results achieved and compare them to the goals stated in the application or other similar document. If there are discrepancies, state the reasons for them.
- State how the activities are to be carried out in the future.
- State how much of the total contribution has been used during the period pertaining to this report, and how much has been used in comparison with the activities as a whole.
- State how much of the contribution has been used during the period pertaining to this report.
- State the estimated amount of funds required for the next activity period and how these funds will be used.

Final report

- If the contribution has financed part of the activity, state the entire activity as well as the particular part for which the contribution has been received.
- State the total use of the contribution and the activities carried out.
- State the total goals and results that have been achieved and compare them to the goals stated in the application or the goals otherwise agreed upon. If there are discrepancies, state the reasons for them.
- State how the results will be used in the future.

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- State whether the activities have achieved their aim. If the aim has not been achieved, state the reasons why.
- State whether the target group has been reached. If not, state the reasons why.
- State the reactions of the target group.
- State whether any plans exist for continued activities or for disseminating the information acquired.
- State whether any plans exist for continued activities financed by contributions.
- State any other circumstances that the Donor should be aware of.

FINANCIAL REPORT

The Recipient shall be able to give a separate account of the activities financed by the contribution. The activities shall be considered in relation to the budget approved by the Donor at the time of the decision. Any discrepancies shall be reported and explanation provided. A qualified representative of the Recipient shall sign the report.

The report should contain the following:

Revenues	Budget	Result
Contributions from the Donor		
Contributions from other Donors		
Other contributions		

Expenditures	Budget	Result
Salaries, taxes, other personnel costs		
Premises		
Travel		
Office costs		
Costs for audits		
Other costs		

Contribution by the Recipient	Budget	Result
(Revenues minus Expenditures)		

- State whether the expenditure fits within the budget. If not, state any adjustments made to the budget or the activities.
- Report and provide explanation regarding any discrepancies between the budget and the results.

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AUDIT REPORT

An auditor shall verify the correctness of the information in the financial report. The observations of the auditor shall be given in a certificate.

III. REPAYMENT OF CONTRIBUTIONS IN CONNECTION WITH THE FINAL REPORT

Funds not used for financing the operations or activities shall be reported and repaid to the Donor. The repayment shall include any interest accrued on the disbursed amount and be made in connection with the final report.

The repayment shall be made to:

Name of bank: SEB

IBAN: SE92 5000 0000 0543 9100 3775

SWIFT: ESSESESS

The reference number of the Donor, which is the Government/Government Offices Decision number in the pledging letter, shall be included.