



# USAID | UKRAINE

FROM THE AMERICAN PEOPLE

Issue Date: January 30, 2024  
Deadline for Question: February 12, 2024  
Closing Date: March 12, 2024  
Closing Time: 17:00, Kyiv time

Subject: Notice of Funding Opportunity Number: 72012124RFA00024

Program Title: Healing & Accountability through Human Rights

Dear Potential Applicant:

The United States Agency for International Development (USAID) is seeking applications for a Cooperative Agreement from qualified entities to implement the Healing & Accountability through Human Rights activity. Eligibility for this award is not restricted.

USAID intends to make an award to the applicant(s) who best meets the objectives of this funding opportunity based on the merit review criteria described in this NOFO subject to a risk assessment. Eligible parties interested in applying are encouraged to read this NOFO thoroughly to understand the type of program sought, application submission requirements and selection process.

To be eligible for award, the applicant must provide all information as required in this NOFO and meet eligibility standards in Section C of this NOFO. This funding opportunity is posted on [www.grants.gov](http://www.grants.gov), and may be amended. It is the responsibility of the applicant to regularly check the website to ensure they have the latest information pertaining to this notice of funding opportunity and to ensure that the NOFO has been received from the internet in its entirety. USAID bears no responsibility for data errors resulting from transmission or conversion process. If you have difficulty registering on [www.grants.gov](http://www.grants.gov) or accessing the NOFO, please contact the Grants.gov Helpdesk at 1-800-518-4726 or via email at [support@grants.gov](mailto:support@grants.gov) for technical assistance.

USAID may not award to an applicant unless the applicant has complied with all applicable unique entity identifier and System for Award Management (SAM) requirements detailed in Section D.6.g. The registration process may take many weeks to complete. Therefore, applicants are encouraged to begin registration early in the process.

Please send any questions to the point(s) of contact identified in Section G. The deadline for questions is shown above. Responses to questions received prior to the deadline will be furnished to all potential applicants through an amendment to this notice posted to [www.grants.gov](http://www.grants.gov).

Issuance of this notice of funding opportunity does not constitute an award commitment on the part of the Government nor does it commit the Government to pay for any costs incurred in preparation or submission of comments/suggestions or an application. Applications are submitted at the risk of the applicant. All preparation and submission costs are at the applicant's expense.

Thank you for your interest in USAID programs.

Sincerely,

A handwritten signature in cursive script that reads "Craig Riegler".

Craig Riegler  
Agreement Officer

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## SECTION A: PROGRAM DESCRIPTION

This funding opportunity is authorized under the Foreign Assistance Act (FAA) of 1961, as amended. The resulting award will be subject to 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and USAID’s supplement, 2 CFR 700, as well as the additional requirements found in Section F.

### I. Purpose

The purpose of the new Healing & Accountability through Human Rights activity is to help Ukrainians achieve justice and address social divisions resulting from Russia’s full-scale invasion by supporting processes aimed at accountability for war crimes, fostering dialogue on difficult questions related to post-conflict recovery, and beginning healing and reconciliation using human-rights-based approaches, including transitional justice tools.

USAID/Ukraine will provide up to \$25,000,000, subject to the availability of funds, for the five-year activity. The activity is expected to have the period of performance from May 2024 to April 2029.

### II. Background and Problem Statement

Russia’s full-scale invasion of Ukraine has generated three critical problems that USAID seeks to address through a new five-year activity. First, Russian aggression has exacerbated social divisions which existed prior to the full-scale invasion and has created new divisions resulting from mass displacement and Russia’s brutal tactics in occupied areas. Second, Russian forces have perpetrated war crimes and other atrocities throughout Ukraine, resulting in thousands of victims and survivors seeking justice. Given the scale of criminality by Russia’s forces and officials, achieving justice will be a generational effort. Third, the wartime context has created challenges for the Government of Ukraine (GoU) in meeting its own domestic human rights obligations; this has the potential to undermine Ukraine’s goals of democratic consolidation and European integration.

#### *Social Division Resulting from Russia’s Brutal Invasion*

Russia’s war on Ukraine since 2014 has attempted to undermine the social fabric of Ukrainian communities, the foundation of Ukrainian identity, and the GoU’s capacity to provide basic government services. Stakeholder consultations and survey data indicate that while unity and resilience are high in many respects, social cohesion has been undermined by close to a decade of Russian aggression. The full-scale invasion has created aspects of polarization between various groups of Ukrainians, including but not limited to, Ukrainians who immigrated abroad versus those who remained, those who stayed in safer parts of Ukraine and those who lived or live under occupation (especially for long periods), those who were internally displaced and their host communities, different language groups, those who have suffered significant losses during war and those who have not, those who served in the army and those who are perceived to have evaded mobilization, those who have suffered injuries and those who were not physically harmed, etc. These and other existing divisions based on gender, age, sexuality, ethnicity and other identities may undermine Ukrainians’ ability to live together and rebuild Ukraine’s democratic future.

Social cohesion challenges are reflected in public discourse, in statements by government officials related to how newly liberated areas should be managed, and in government policies. For example, the manner in which officials are implementing the law on collaboration is raising alarm bells throughout the human

rights community.<sup>1</sup> Fears of prosecution for collaborationism are leading to some mistrust and resentment, especially amongst populations that have experienced lengthy occupation. At the same time, lack of punitive measures for those perceived to have collaborated with the occupiers is leading to fear of vigilantism.

Addressing these social divisions will require innovative, Ukrainian-led interventions such as people-to-people initiatives to build trust and underscore common values, dialogue at national and local levels, psychological and social support for vulnerable groups, enhancing Ukrainians' equal access to information about justice options, ensuring inclusivity and equal access to government services, monitoring and supporting documentation of war crimes and human rights violations, and ensuring multiple avenues for justice for victims. While several USAID activities already support Ukrainians to address these issues, sustained and better-resourced efforts are necessary to address these generational issues that are key to U.S. priorities around justice and accountability. This new activity will take a conflict-mitigation and human-rights-based approach<sup>2</sup> to ensure holistic support for communities to seek justice, heal, rebuild, and look to the future.

### *Strengthening Domestic Human Rights*

Russia's aggression and attempts at recolonization undermine human rights inside Ukraine on two interrelated levels. First, Russia continuously violates international law and universally accepted human rights norms in its conduct of the war. Second, Russia's invasion creates conditions in which the GoU finds it increasingly difficult to uphold a human-rights-based order inside Ukraine, in its interactions with its own citizenry and with other populations on its territory.

Russia's disregard for international humanitarian and human rights law means that Ukrainians are subject to continuous war crimes and other atrocities. The UN Monitoring Mission in Ukraine reported 5987 casualties just between August 2022 and January 2023.<sup>3</sup> Accounts of torture, detentions, inhuman treatment, conflict-related sexual violence (CRSV), abduction of children, forced conscription, and other gross violations of human rights have been well documented.<sup>4</sup> Indeed, Ukrainian civil society, the Verkhovna Rada Commissioner for Human Rights (Ombudsman), the Office of the Prosecutor General, as well as multiple international bodies have actively monitored and documented the broad scope of war crimes and other violations committed during Russia's brutal war against Ukraine leading to tens of

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<sup>1</sup> Bogner, Matilda. "Detentions of Civilians in the Context of the Armed Attack by the Russian Federation against Ukraine." Head of the UN Human Rights Monitoring Mission in Ukraine, June 27, 2023, at <https://www.ohchr.org/en/statements-and-speeches/2023/06/detentions-civilians-context-armed-attack-russian-federation>, "The law on collaboration, adopted in March 2022, is not in line with international law and criminalizes a wide range of conduct, including that permitted or required under International Humanitarian Law. It has led to cases of arbitrary detention."; Ukrainian Helsinki human Rights Union. "Return of Deported Ukrainian Children by Their Parents: Are There Any Risks of Being Accused of Wartime Collaboration?," 2023; Freedom House, Presentation to USAID/Ukraine, Sept. 14, 2023.

<sup>2</sup> A human rights-based approach requires an intersectional approach that recognizes the multiple forms of marginalization that many Ukrainians experience based on their intersecting identities.

<sup>3</sup> "Report on the Human Rights Situation in Ukraine, 1 August 2022 – 31 January 2023." OHCHR, March 2023. <https://www.ohchr.org/en/documents/country-reports/report-human-rights-situation-ukraine-1-august-2022-31-january-2023>.

<sup>4</sup> "Report on the Human Rights Situation in Ukraine, 1 August 2022 – 31 January 2023." OHCHR, March 2023. <https://www.ohchr.org/en/documents/country-reports/report-human-rights-situation-ukraine-1-august-2022-31-january-2023>; Humanitarian Research Lab. "Forced Passportization in Russia-Occupied Areas of Ukraine." Yale University, August 2023; "Life under Occupation Digest: The Situation in the Ukrainian Territories Temporarily Controlled by the Russian Army (No. 24)." Luhansk Alternative, August 2023.

thousands of open cases under domestic investigation, multiple cases underway at the International Court of Justice, arrest warrants issued by the International Criminal Court, and thousands of cases at the European Court of Human Rights.

At the same time, the domestic human rights infrastructure is under immense pressure. The GoU adopted a National Human Rights Strategy in 2015, but implementing these aspirations under war-time conditions remains a challenge. For instance, while nothing comparable to the scale of Russian atrocities, human rights violations by Ukrainian security forces and the Ukraine Defense Forces have been documented.<sup>5</sup> Moreover, the GoU's ability as a duty-bearer to ensure basic civil and socioeconomic rights (equal treatment under the law, freedom of speech, right to vote, right to health, adequate standard of living, education) all have been undermined by the imposition of martial law, ongoing Russian attacks, and government institutions that are stretched to their limit. The link between Russia's aggression and challenges within Ukraine related to human rights are exemplified by the issue of what constitutes collaboration. While Russian authorities have perpetrated child abductions and Russian soldiers have committed systematic sexual violence against men and women, victims of these atrocities sometimes fear prosecution as collaborators. Ukrainian parents who have had to work with Russian authorities to achieve the return of their abducted children have been found to be at risk of collaboration investigations and many women who were victimized by Russian soldiers are afraid to come forward and report the crime because of stigma and fear of being accused of collaborating.<sup>6</sup>

Failure to uphold domestic human rights and to address the far-reaching impacts of the atrocities committed during Russia's brutal invasion will undermine Ukraine's goals of democratic advancement and European integration that were so clearly expressed during the 2013 EuroMaidan protests, 2014 Revolution of Dignity, and the ongoing heroic resistance to Russian aggression.

Civil society plays a fundamental role in ensuring that government institutions meet human rights duties to citizens on an equitable basis. Ukraine's long history of corruption and Soviet-style governance has undermined public confidence in many state institutions<sup>7</sup>, but civil society has provided strong support to help citizens claim rights and access needed services. This has created an unprecedented opportunity for civil society to make headway in catalyzing Ukraine's institutions to operate in line with international norms and the National Human Rights Strategy.

#### *Access to Victim-Centered Transitional Justice*

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<sup>5</sup> "Report of the Independent International Commission of Inquiry on Ukraine." UN General Assembly, October 18, 2022, stating that "Ukrainian forces have also committed international humanitarian law violations in some cases, including two incidents that qualify as war crimes", p. 2; "Ukraine: Ukrainian Fighting Tactics Endanger Civilians." Amnesty International, August 4, 2022; Amnesty International Report 2022/23: The State of the World's Human Rights (Ukraine). London: Amnesty International Ltd, 2023, stating that "Ukraine faced calls to investigate the abuse and killing of prisoners [of war]", p. 379; Human Rights Watch. "Ukraine: Events of 2022." In World Report 2023, 2023, stating that "Information about Ukrainian forces violating the laws of war by mistreatment, and apparent summary executions, of prisoners of war, which would be a war crime, also emerged."; Bogner, Matilda. "Detentions of Civilians in the Context of the Armed Attack by the Russian Federation against Ukraine." Head of the UN Human Rights Monitoring Mission in Ukraine, June 27, 2023.

<sup>6</sup> Gall, C. "Ukrainian Accounts of Torture Point to Systematic Russian Policy, Expert Says." New York Times, September 10, 2023; Ukrainian Helsinki human Rights Union. "Return of Deported Ukrainian Children by Their Parents: Are There Any Risks of Being Accused of Wartime Collaboration?," 2023.

<sup>7</sup> E.g., SeeD. "reSCORE Ukraine 2023: SCORE for Resilience, Recovery and Reconstruction - Initial Analysis Findings." SCORE, August 2023.

No matter how strong the domestic human rights framework, a lack of justice for the atrocities committed against individual Ukrainians and communities has the potential to exacerbate social divisions and lead to extremism. Many Ukrainians understand prosecutions as the only viable option to address the violations they have suffered. Experience worldwide, however, demonstrates that prosecutions often are not the most effective tool to support victims or to help communities recover. Since 2014, Ukrainian civil society has been working with the GoU on a framework for transitional justice, a term that encompasses a range of human-rights-based approaches to helping victims recover a sense of justice and dignity, supporting communities to heal divisions, and strengthening common national values. While Russia's full-scale invasion has paused this process, the time is ripe for reinvigorating discussions on transitional justice in Ukraine.

Defined as the process by which a state or community deals with past atrocities resulting from an armed conflict or authoritarian regime, transitional justice is a broad framework that includes judicial and non-judicial mechanisms through which victims seek redress and communities move toward reconciliation. Decades of international best practice highlights the need for victim-centered reparative justice approaches on an equal footing with retributive justice (e.g. prosecutions). To that end, transitional justice processes may include reparations, compensation, vetting and lustration, documentation and investigation, community-based justice mechanisms, truth-telling, memorialization, and guarantees of non-repetition.

Although transitional justice approaches are most often deployed once a conflict has concluded, stakeholders broadly agree that preparation for transitional justice processes should begin urgently in the Ukrainian context. Indeed, prosecutions, compensation, informal lustration, and vetting are already underway. The use of these processes without broad national dialogue and consensus can exacerbate social divisions. Moreover, given the reality that most war crimes cases will not lead to prosecutions in the near term, there is a need for education about the human rights foundation of transitional justice and the ways in which communities can support shorter-term, non-prosecutorial redress for victims.

Addressing the interlinked priorities of holistic justice for victims, strengthening the domestic human rights infrastructure, and healing social division is a complex challenge but has been identified by government and civil society stakeholders as critical to the success of Ukraine's future once the peace is won.

### **III. Relationship to Mission Strategy**

USAID/Ukraine's Country Development Cooperation Strategy (CDCS) has been in effect since 2019. Despite the dramatic change in circumstances due to Russia's brutal aggression against Ukraine, USAID's overarching goals remain valid: that Ukrainians aspire to live in an independent, democratic, prosperous, and healthy country united around core European values. The core European values they demand refer not only to the European Union normative framework, but a broader recognition of the values of democracy, human rights, diversity, and inclusion. A united Ukraine foresees that these opportunities, systems, and values are shared by all citizens in their rich diversity and that Ukraine is territorially whole.

The Healing and Accountability through Human Rights activity aligns with the U.S. Embassy's and USAID/Ukraine's strategic goals to help Ukraine win the future and hold Russia accountable. The activity will contribute to achieving Development Objective 2, Impacts of Russia's Aggression Mitigated, specifically IRs 2.1 (Conditions improved for reintegration) and 2.4 (Common civic values increasingly embraced). First, the new activity is expected to make significant contributions to enhancing conditions for reintegration. For example, the activity will support capacity development for groups at the local level in newly liberated and de-occupied areas to actively document their experiences and develop tailored approaches to community dialogue on difficult questions raised by the legacy of Russian occupation.

Additionally, the Healing and Accountability through Human Rights activity will contribute to the following Objectives under Embassy Kyiv's forthcoming Integrated Country Strategy :

- Ukraine builds its capacity to document, investigate, and prosecute war crimes and enlists support from international partners to ensure perpetrators of war crimes are held to account.
- A stable and prosperous Ukraine seeks reconciliation in previously occupied areas and fully reintegrates communities liberated from Russian occupation, internally displaced persons (IDPs), returned refugees, survivors of conflict-related sexual violence and all other forms of violence, and veterans.

This activity is aligned with the USAID/E&E's Strategic Framework for USAID Engagement in Ukraine's Recovery and Reconstruction's primary operating principle: "USAID, in supporting Ukraine's recovery and reconstruction, must aim for transformational, not incremental, change. USAID must explicitly seek and prioritize opportunities for leapfrogging, catalytic, or last-mile interventions consistent with a punctuated equilibrium theory of change for Ukraine's wartime and post-war recovery and rebound." This activity is designed to take a holistic approach to addressing harmful social division, promoting human rights, and building a foundation for transitional justice as described in the theory of change below.

If USAID:

Supports **innovative, transformative, locally-led approaches to dialogue and reconciliation** between divided groups<sup>8</sup>, and

Enhances **monitoring, advocacy, and public education on human rights** (e.g., fair trial, fair administrative processes, gender-equality, non-discrimination, protections for vulnerable groups), and

Ensures Ukrainians have **access to victim-centered transitional justice** (e.g., truth-seeking, reparations, memorialization, and guarantees of non-repetition) in addition to prosecutions of those responsible for war crimes and gross violations of human rights,

THEN:

Ukrainians will be able to begin healing and recovery within their own communities in a manner that furthers Ukraine's democratic values and reclaims a sense of dignity and justice for victims/survivors.

#### **IV. Objectives & Expected Results**

Aligned with the three key problems identified above (social divisions, undermined domestic human rights protections, and need for victim-centered transitional justice), the new activity will achieve the following objectives:

- 1 - Identify and deploy transformative, intersectional approaches to reconciling divided groups.
- 2 - Increase acceptance of and adherence to human rights values.
- 3 - Increase access to victim-centered, gender-responsive transitional justice.

#### ***Expected Results***

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<sup>8</sup> "Divided groups" may include but are not limited to displaced people and host communities, Ukrainians returning from abroad and Ukrainians who never left, Ukrainians who lived/worked under occupation and those who moved from occupied areas, those with damaged property and those whose housing was not affected, those who suffered significant injuries and those who did not, those who were conscripted and those who avoided conscription, those who had major financial losses and those who gained financially, etc.

*Objective 1: Identify and deploy transformative, intersectional approaches for reconciling divided groups.*

- 1.1 Dialogue on reconciliation and reintegration increases at national and local levels.
- 1.2 Awareness and implementation of conflict-sensitive approaches to reintegration increased, especially in de-occupied areas.

*Objective 2: Increase acceptance of and adherence to human rights values.*

- 2.1 Domestic human rights capacity and networks strengthened.
- 2.2 Government institutions increase compliance with human rights obligations.

*Objective 3: Increase access to victim-centered, gender-responsive transitional justice.*

- 3.1 Inclusive national consultations on a transitional justice framework for Ukraine are reinvigorated.
- 3.2 Locally-relevant transitional justice processes are underway or under consideration in all unoccupied areas.
- 3.3 Coordination among stakeholders on redress for victims of war crimes at the domestic and international levels improved.

## **V. Approach**

The purpose of the new activity is to help Ukrainians achieve justice and address social divisions resulting from Russia's full-scale invasion by supporting processes aimed at accountability for war crimes, fostering dialogue on difficult questions related to post-conflict recovery, and beginning healing and reconciliation using human-rights-based approaches, including transitional justice tools.

To achieve this purpose, USAID envisions awarding a cooperative agreement to an implementing partner that has demonstrated capacity to manage complex, politically sensitive programming, through a broad and flexible coalition, in an active war zone. USAID anticipates that this activity will require an international prime implementing partner working in a strong coalition with both Ukrainian and international partner organizations that bring globally recognized expertise and networks to achieve transformational results.

The new activity will operate under the following principles in order to successfully meet USAID and Ukrainian priorities:

**Localization:** Localization is a global priority for USAID; the agency is committed to local leadership of initiatives, shifting power to local actors, and providing funding directly to local organizations whenever possible. This commitment is particularly critical for human rights and transitional justice programs; while human rights are universal, their operationalization in a given context is not. Local leaders in Ukraine have decades of experience fighting for human rights in their own context and must lead the way forward based on their understanding of Ukrainian history, attitudes, priorities, and laws. Moreover, new organizations are emerging rapidly at the local level in Ukraine with a focus on addressing human rights concerns for war-affected populations. These groups' voices are critical in the human rights and transitional justice discussion. Indeed, decades of research and experience from across the world demonstrate that transitional justice initiatives are most useful when they are victim-centered and community-led.

The recipient must adopt a management approach that prioritizes collaborative identification of activity approaches, priorities, and initiatives that are then implemented by Ukraine organizations at the local and national levels to the greatest extent possible. The activity must be proactive in expanding its local

partnerships and in responding to the emerging, urgent needs of local actors. The recipient will identify innovative methods of supporting established and emerging Ukrainian leaders. Part of this management approach will therefore consist in sub-awards to Ukrainian organizations. Of the total activity budget, a minimum of 50 percent will be provided to Ukrainian organizations – this means organizations that are registered under Ukrainian law, based in Ukraine, and led by Ukrainians. Grants may be issued to national or local organizations, including partnerships and coalitions. USAID will have substantial involvement in approving all sub-grant awards under this award. The recipient will closely monitor grant activities to support the sustainability and capacity strengthening of Ukrainian organizations when requested. The recipient will share information on successful initiatives related to the localization principle both regionally and nationally.

**Data-driven:** The recipient will make active use of existing data generated by USAID local and international partners as well as other development actors to plan its activity targets, scope, thematic focus, and other parameters. Where appropriate data are lacking, the recipient is expected to work with partners to integrate new components into existing data collection tools or to develop new data collection strategies to enable continuous adaptive management in programming.

**Transformative:** The recipient will take advantage of shifts stemming from the war to find new entry points for intervention that transform communities and lead to lasting change. As a result of Russia's aggression Ukraine is experiencing disruption of vested interests, public unity of purpose, and realignment of political elites; these shifts present opportunities for consolidating gains in human rights, broadly expanding justice for victims, and raising up champions of values-based reintegration. All interventions supported by this activity should be viewed through this lens of transformation.

**Flexible, Adaptive and Tailored:** This recipient will operate in a highly dynamic, unpredictable environment that will require flexibility in both planning and implementation. The progress of the war, shifting political dynamics in Ukraine, Europe, the US and other key allies, as well as an ever changing and growing donor funding landscape will demand constant assessment and adaptation to ensure resources are invested for maximum impact. Ensuring a flexible approach that allows for tailoring initiatives to the local context also will be critical to the recipient's success. Ukraine's distinct regions have experienced the war in very different ways, ranging from relatively limited direct attacks to active fighting at the frontline, to long and short-term occupation. While broad agreement nationally on principles for reintegration and transitional justice is important, tailoring those principles to locally-relevant approaches will help ensure sustainable transformation. The recipient's approach must be coherent, yet flexible enough to accommodate the diverse and sometimes divergent needs of local groups and communities which will move through the reintegration process at their own pace, using different strategies.

USAID expects the applicants to propose a coherent suite of relevant, innovative interventions to achieve the expected results for each of the three objectives. Understanding that the context in Ukraine changes rapidly and that adaptive programming will be a guiding principle of the activity's implementation, the following illustrative activities provide examples of interventions that applicants may wish to consider as they design an application.

**Objective 1: Identify and deploy transformative, intersectional approaches for reconciling divided groups.**

1.1 Increased dialogue<sup>9</sup> on reconciliation and reintegration at national and local levels.

- Provide technical assistance to key ministries within the GoU to develop and disseminate clear and consistent messaging on reintegration and human rights that is accessible to all Ukrainians.
- Empowering youth, women, and other marginalized groups<sup>10</sup> to actively engage, lead, and influence conversations about reintegration planning at the national and local levels.
- Provide sub-grants to local community-based organizations to implement activities that foster understanding between divided groups (this may include community theater, regional roundtables, generation of media content, people-to-people dialogue, youth forums, etc.). Activities might target IDPs and host communities, veterans and civilians, Ukrainians returning from abroad and those who remained, etc. and are encouraged to apply an intersectional lens when working with divided groups.
- Create equitable dialogue platforms to increase access for all groups to discuss key reintegration challenges.

1.2 Awareness and implementation of conflict-sensitive approaches to reintegration increased, especially in de-occupied areas.

- Develop public education materials that are accessible to all Ukrainians on potential impacts of laws, policies, and recovery projects on reconciliation and social cohesion.
- Provide technical assistance to local and national government officials on conflict-sensitive communication strategies (in close collaboration with USAID's TCA activity).
- Support local organizations to develop and disseminate media content highlighting human rights and reconciliation concerns related to reintegration, such as Ukrainians' experiences of "passportization" and collaboration.
- Provide technical assistance to local organizations to monitor and give feedback on the reconciliation-impact of local recovery plans.
- Enhance CSO capacity to advocate for conflict-sensitive approaches from the security forces operating in de-occupied areas.
- Support CSOs to monitor hate speech and hold public officials accountable for communication that generates social division.
- Provide sub-grants to local community-based organizations to implement activities that prevent extremism and vigilantism, especially in newly liberated areas.

**Objective 2: Increase acceptance of and adherence to human rights values.**

2.1 Domestic human rights capacity and networks strengthened.

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<sup>9</sup> Efforts at dialogue should recognize the substantial history of dialogue efforts in Ukraine and draw on the resources that were developed over the past decade including professional organizational networks, tailored dialogue models, and trained facilitators.

<sup>10</sup> Marginalized groups include LGBTQIA+ people, people with disabilities, IDPs, returnees, veterans, ethnic and linguistic minorities, and other vulnerable groups.

- Provide sub-grants to local human rights groups to conduct educational campaigns on fundamental human rights, especially the link between European integration and human rights protections.
- Strengthen capacity of new and emerging civil society organizations (CSOs) to use human-rights-based approaches through training, technical assistance, gender and inclusion-responsive programming, developing networks, mentoring, resource development, or communities of practice.
- Provide strategic planning tools to human rights organizations to enhance their long-term sustainability.
- Plan, support, and publicize conferences, workshops, anniversary celebrations, etc. related to human rights achievements and milestones.
- Empower local volunteers to monitor human rights in their communities, especially youth, women, and other marginalized groups.
- Create or enhance innovative collaborations or protective structures/networks to empower human rights organizations to raise unpopular, controversial issues (fair trial rights for war criminals, amnesty, reforming collaboration law, prioritization of prosecutions), without suffering destructive retribution.
- Develop new – or scale up existing – spaces for youth, women, and other marginalized groups to lead human rights advocacy efforts.
- Partner with ongoing USAID activities that survey public opinion to track public awareness of human rights.

## 2.2 Increased compliance of GoU institutions with human rights obligations.

- Provide sub-grants to human rights CSOs to monitor GoU compliance with its human rights obligations (through media, internal government channels, regional and international treaty reporting mechanisms, etc.), in particular implementation of the National Human Rights Strategy.
- Analyze and provide technical input to GoU laws and policies impacting human rights, including potential legislation on amnesty, lustration/vetting, collaboration, etc.
- Provide sub-grants to Ukrainian organizations to conduct strategic litigation to promote human rights protection and seek redress for victims.
- Train civil society organizations, government officials, and other stakeholders on human rights priorities at the national and local level (e.g., EU Charter on Fundamental Rights, international humanitarian and human rights law, gender and social inclusion, children's rights, minority rights, etc.).
- Provide technical assistance (directly or through CSOs) to Ukraine's national human rights institution, the Ombudsman's Office, to enhance its role as a leading voice for human rights protection.
- Provide technical assistance (directly or through CSOs) to the Mission of the President of Ukraine in the Autonomous Republic of Crimea/ Crimean Platform to continue supporting Crimean human rights defenders.

- Conduct a needs assessment of the Victim and Witness Coordination Center in the Office of the Prosecutor General (OPG) and provide technical assistance.
- Support CSOs to cooperate with OPG's victim-witness services program, through development of referral agreements, technical support agreements, and/or standard operating procedures.
- Enhancing understanding amongst government officials on the role of digital tools to document and provide redress for human rights violations.

**Objective 3: Increase access to victim-centered, gender-responsive transitional justice.**

**3.1 Inclusive national consultations on a transitional justice framework for Ukraine are reinvigorated.**

- Empower local stakeholders to reinitiate policy dialogue focused on development of a transitional justice framework, using the 2020 Transitional Justice Policy Proposal as a foundation.
- Support CSOs at national and local levels to access international experts and communities of practice on transitional justice.
- Create and/or support sustainable national<sup>11</sup> and regional platforms for stakeholder coordination on transitional justice (including government, civil society, and private sector).
- Create and/or support mechanisms to enhance public communication and education about reparations, war crimes documentation, and other transitional justice tools.
- Enhance operations of and public communication about the planned national registry of victims and witnesses.

**3.2 Locally-relevant transitional justice processes strengthened in all unoccupied areas.**

- Provide subgrants to Ukrainian organizations at the national and local level to enhance public education and advocacy on transitional justice concepts; to local organizations to develop unique transitional justice processes tailored to the Ukrainian context (mediation, truth-seeking, restorative justice approaches); to community-based groups to develop local dialogues and planning processes on transitional justice options. Subgrant recipients should represent marginalized groups and vulnerable populations whenever possible.
- Empower victim/survivor groups to *lead* transitional justice planning processes, providing specialized support to groups focused on torture and conflict-related sexual violence (CRSV).
- Work in partnership with ongoing programs to advocate for psychosocial support and trauma healing as a component of reparative justice.
- Coordinate with existing programs to ensure war crimes victims have access to legal aid and support new/existing legal aid centers as needed.

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<sup>11</sup> This may involve reinvigoration of the National Centre for Peacebuilding or other relevant institutions to serve as a national coordinating platform for transitional justice initiatives and policy.

3.3 Coordination among stakeholders on redress for victims of war crimes at the domestic and international levels improved.

- Map ongoing donor investment as well as domestic and international mechanisms focused on reparations and investigation/adjudication of war crimes.
- Create and/or support platforms for strategic coordination between stakeholders (CSO coalitions that include representatives of marginalized groups and vulnerable populations, victims/survivors, Office of the Prosecutor General, Ombudsman, and international bodies) on war crimes documentation and reparations.
- Support integration of digital tools for accountability and redress within transitional justice processes.

**VI. Coordination with Other Investments**

Effective coordination and duplication of efforts are challenging in the human rights and transitional justice sector, especially after the full-scale invasion when multiple stakeholders rushed to help with the effort to document war crimes. Accordingly, coordination with ongoing emerging programs will be a significant priority for this activity. Applicants should propose how they visualize enhancing sectoral coordination and should allocate resources to such efforts.

The recipient will coordinate closely with other ongoing USAID-managed and funded activities, including:

***Counter Trafficking in Persons and Assistance to Vulnerable Groups in Ukraine (CTIP/V)*** - In partnership with the International Organization for Migration (IOM), the Government of Ukraine, and local CSOs the CTIP/V activity works with key stakeholders to increase their capacity to prevent, identify, assist, advocate for, raise awareness about, and reintegrate survivors of trafficking. This activity includes funding for the Medical Rehabilitation Center in Kyiv, which treats survivors of trafficking and gender-based violence, as well as other vulnerable citizens.

***Democratic Governance East (DG East)*** – DG East is a seven-year activity to improve trust and confidence between citizens and government in southern and eastern Ukraine, building opportunities for the region to lead Ukraine’s democratic transformation. DG East aims to strengthen the connection and trust between citizens and their government in eastern Ukraine by promoting good governance and an inclusive civic identity, increasing interaction between citizens and civil society, and increasing collaboration between government and citizens and citizen participation in community development and local decision-making.

***Justice for All (J4A)*** – J4A works closely with Ukrainian counterparts to: (1) strengthen the independence, accountability, and effectiveness of Ukraine’s justice systems and institutions; (2) enhance the accessibility and quality of people-centered justice services; and (3) empower civil society and citizens to hold the justice system accountable and advocate for meaningful judicial reform. J4A is supporting the Office of the President of Ukraine, Verkhovna Rada, Ukraine’s Ministry of Justice, the Ministry of Education and Science, the Office of the Prosecutor General, the judiciary, and civil society organizations to more effectively respond to legal and human rights issues stemming from Russia’s aggression against Ukraine.

***Transformation Communications Activity (TCA)*** – TCA partners with the GoU, the private sector, and civil society to increase the resilience of Ukraine’s democracy through innovative communications initiatives that engage Ukrainians in a conversation about the country’s democratic transformation and European integration. TCA works to equip USAID and its partners to conduct data-driven communications, increase

the quality and quantity of strategic communications on reform dividends, and broaden the use of social impact content by Ukraine's civic leaders and creative sector.

**Ukraine Confidence Building Initiative (UCBI)** – Since 2014, USAID/OTI has fielded a flexible, rapid-response mechanism designed to help Ukraine's citizens, civil society, and government authorities advance Ukraine's unified, democratic, and Europe-oriented recovery in areas most affected by Russia's full-scale invasion.

**Partnership Fund for a Resilient Ukraine (PFRU)** - Managed by the UK's Foreign Commonwealth and Development Office, the PFRU multi-donor fund works with communities on the frontlines of Russia's invasion and in previously temporarily occupied areas. PFRU's recovery workstream improves community safety, security, protection, services, and governance; engages citizens in local government planning and decision-making; deepens local community and volunteer participation in recovery activities; and broadens social cohesion through strategic communications that tell the story of community recovery. The revitalization workstream addresses the invisible impact of the war and Russia's hybrid tactics to promote a pluralistic, united Ukrainian identity by boosting the economy through stimulus projects that help returnees re-establish livelihoods; preventing intergroup conflict and stigmatization, celebrating diversity, and building shared values to improve social cohesion; increasing civil optimism, promoting democratic values, and bringing different communities together through artistic and cultural activities.

The **Healing and Accountability through Human Rights** activity also must maintain situational awareness regarding the entire USAID portfolio, particularly including the suite of governance and decentralization activities that build capacity in civil society and provide recovery and reintegration support to local communities, specifically Decentralization Offering Better Results and Efficiency (DOBRE), Enhance Non-Governmental Actors and Grassroots Engagement (ENGAGE), Governance for Local Accountability (HOVERLA), Ukraine Civil Society Sector Support, Ukraine Responsive and Accountable Politics Program (U-RAP).

The recipient also will synergize with the broader USG portfolio, including human rights and justice programming funded through the U.S. Department of State (e.g., Bureau of Democracy, Human Rights, and Labor (DRL), Bureau of International Narcotics and Law Enforcement Affairs (INL), Office of Global Criminal Justice (GCJ)). Developing strong linkages and information-sharing processes with these entities, under the guidance of the AOR, will be an integral part of implementation.

Finally, other development partners play important roles in supporting the human rights and transitional justice sector and the recipient must ensure ongoing coordination to avoid duplication and inefficiencies. Partners including the European Union, the European Endowment for Democracy, the Peace & Human Rights Division of the Swiss Ministry of Foreign Affairs, the United Nations Development Programme, and the Government of Canada, among others, are supporting or planning to support human rights and transitional justice work in Ukraine. Currently, there is no functional multi-donor sectoral coordination mechanism for human rights and transitional justice; the new activity may need to allocate resources to reinvigorating and sustaining such a mechanism.

## **VII. Cross-cutting Considerations**

**Conflict-sensitive, "Do No Harm" Approach:** USAID's partners are responsible for complying with existing safeguarding requirements, integrating safeguarding frameworks into programming and operations, and ensuring respectful, inclusive, and safe environments that uphold beneficiaries' rights. USAID relies on our partners' previous experience and understanding, especially in the local context, of area-specific risks to inform effective, survivor-centered protection and incident response. In the Ukraine context, those working on issues of human rights, justice for victims, and complex issues of community-level

reconciliation and reintegration often are at significant risk from a variety of actors. First, victim/survivor data, often gathered as part of war crimes documentation efforts, must be protected with the utmost care. Moreover, the safety and security of individual human rights defenders and of human rights organizations must be prioritized throughout each stage of program development to ensure that the community is not put at increased risk from malign actors. Finally, stakeholders across the sector have highlighted the risks attending activities that raise challenging issues such as the rights of defendants accused of war crimes, or the manner in which collaboration laws are operationalized. The recipient must demonstrate the capacity to continuously monitor risks associated with these issues and to follow the advice and direction of those Ukrainians most at risk when developing mitigation and protection strategies.

### ***Gender Equality & Social Inclusion***

USAID/Ukraine completed a *Gender Equality and Social Inclusion (GESI) Analysis* in March 2023 which found that GESI gaps and challenges across sectors have been exacerbated by Russia's unprovoked invasion and ongoing war. [USAID's 2023 Gender Equality and Women's Empowerment Policy](#), requires all activities to address gender considerations, ensuring that women and girls, men and boys, and gender diverse individuals benefit from USAID support and that all activities integrate gender-transformative and responsive interventions. Addressing the gaps and challenges discussed below through gender- and social inclusion-responsive interventions is a required part of planning for this activity.

The diversity of identities represented within Ukraine's divided groups requires an intersectional lens in designing programming. Understanding the unique and differentiated experiences of women IDPs versus male IDPs, of children in occupied territories that do not speak the dominant language in that area, different experiences of men, women, and LGBTQI+ people serving in the Ukrainian military, or the different experiences of LGBTQI+ individuals who remained in Ukraine or left and are returning are illustrative examples of this intersectionality.

These different marginalized groups are differentially impacted by the human rights violations and justice concerns that result from Russia's full-scale invasion. The population profile of IDPs, 57.3% of whom are women, 25% of whom are children and 29% of whom are people with disabilities highlights this differential impact.<sup>12</sup> Collaboration prosecutions reportedly differentially impact women given that they were the majority of civil servants in administrative or education positions who remained in occupied territories. According to Ukrainian stakeholders, youth that have grown up in occupied territories are anticipated to have less opportunities than those in other parts of the country. Finally, forced passportization in occupied areas disproportionately impacts vulnerable groups, including women, children, and the elderly, given the link between the "right" passport and denial of medical services, social benefits, the ability to drive and work, and overt threats of violence and intimidation.

The recipient must consider these differential impacts in all aspects of programming. For instance, stakeholders indicate that women often are excluded from conversations on transitional justice and reintegration. While the Mission GESI Analysis notes that women have held roles in advocacy and leadership in CSOs and have been at the forefront of the humanitarian response, other marginalized groups have not had representation at the table concerning advocacy, humanitarian response, and potential negotiations between Russia and Ukraine.

Longstanding corruption and lack of capacity in the justice system differentially impacts Ukrainian women. Police are known to underreport gender-based violence or to take little action once these crimes

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<sup>12</sup> IOM, Ukraine Internal Displacement Report Round 14 (October 2023).

are reported. Corruption in the justice system otherwise disproportionately impacts women's experiences related to marriage, divorce, custody, property rights, and GBV.

The war also has reportedly increased the LGBTQI+ community's risk of violence, and they continue to confront human rights violations. LGBTQI+ people are socially, politically, and economically marginalized in Ukraine due to stigma, lack of legal visibility, and the lack of nondiscrimination provisions in legal frameworks and practices. According to the Mission GESI Analysis, LGBTQI+ people are targets of hate speech, crimes, and violence. The enactment of executive decrees and martial law has restricted the liberties and rights of Ukrainians, especially minority groups.

Prior to the full-scale war, Ukraine's active women's movement increased its influence and advocacy. Women participated actively in CSO advisory groups, provided advocacy support for reforms and ratification of documents on gender equality and human rights, and monitored the gender equality agenda. However, the Mission GESI Analysis highlights that the full-scale invasion significantly shifted the focus of activities from development to humanitarian, and many GESI-focused CSOs have had to reorient or relocate, challenging their normal operations.

Marginalization and inequities in the broader society will be reflected in transitional justice efforts, without intentional efforts to address them. Implementers should consider that while women may not always bear visible scars of war, they often may be disproportionately affected. Due to entrenched gender norms, women often find themselves confined to conflict areas, shouldering the role of primary caregivers for elderly parents and disabled dependents who cannot relocate. This exposes them to heightened risks, including being stranded in cities lacking essential supplies like food and medicine, facing threats or fatalities from indiscriminate shelling, and potential sexual violence and torture by ground forces. Achieving gender-inclusive justice demands a broadened understanding of harm, potentially requiring additional investigative efforts to unveil hidden damages both within and outside conflict zones.<sup>13</sup>

CRSV has been a targeted tactic perpetrated by occupying forces during the war with significant GESI dynamics. While women and girls are disproportionately impacted by CRSV, the majority of survivor services also are tailored to their needs, leaving male victims of these crimes with limited services that meet their unique experiences. The final number of CRSV cases in Ukraine will be considerably higher than those currently reported, making it a critical issue for human rights and justice programming.<sup>14</sup>

Other forms of violence with GESI dimensions are likely to increase as well. The Mission GESI Analysis indicates that men exposed to torture and other human rights abuses are at a heightened risk of enacting IPV when they return to their families and that veterans who suffer from PTSD and depression are more likely to perpetrate domestic violence than those with other conditions. Survivors of violence are frequently exposed to secondary/tertiary trauma by having to report the incident to multiple stakeholders multiple times in order to pursue justice, which disincentivizes help-seeking, according to the 2023 GESI Analysis. The judicial system is ill-equipped to handle witness accounts of this form of GBV, lacking survivor-centered procedures, facilities, and skills to ensure confidentiality and sensitivity.

Apart from gender, age also is a critical component of marginalization. Youth voices are indispensable to transitional justice given that youth inherit collective intergenerational traumas. By focusing on youth

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<sup>13</sup> Horne, C. M. (2022). Accountability for Atrocity Crimes in Ukraine: Gendering transitional justice. *Women's Studies International Forum*, 96, 102666. <https://doi.org/10.1016/j.wsif.2022.102671>

<sup>14</sup> Graham-Harrison, Emma. "Men and Boys among Alleged Rape Victims of Russian Soldiers in Ukraine." *The Guardian*, 3 May 2022, [www.theguardian.com/world/2022/may/03/men-and-boys-among-alleged-victims-by-russian-soldiers-in-ukraine](http://www.theguardian.com/world/2022/may/03/men-and-boys-among-alleged-victims-by-russian-soldiers-in-ukraine)

agency, leadership and their own role in innovative co-creation, a youth-led approach could foster positive, innovative, and creative contributions of young people to building peace and reconciliation.<sup>15</sup>

Digitalization, while often a technique to easily engage youth, the process also may leave behind some groups. For instance, digitization of a registry intended for reparations may mean that some vulnerable populations are unable to access the process or are limited in submitting claims. This is a critical area for assessment under the new activity.

USAID recommends that applicants integrate innovative GESI approaches in their response, including:

- As required by ADS 205, conduct a GESI analysis upon award, to inform program planning. That analysis should identify aspects of intersectionality, particularly among divided groups, and identify risk factors/power dynamics related to social identity that increase vulnerability.
- Conduct landscape analyses, assessments, and other research throughout design and implementation of this activity to understand GESI challenges – analyses might include deep dives on veterans rights, assessment of diverse identities amongst veterans, studies on divided groups perceptions of transitional justice and human rights, experiences and vulnerabilities of LGBTQI+ populations, and how to best engage youth in recovery and reconciliation.
- Include a full-time GESI role in the staffing plan. Gender and social inclusion staff will ideally have a background in transitional justice and human rights with a focus on gender-based violence (including CRSV and trauma-informed approaches).
- Prioritize engaging local and national CSOs advocating for and supporting women, youth, LGBTQI+ people, veterans, people with disabilities, IDPs, GBV survivors, returnees, ethnic and linguistic minorities, and other vulnerable groups as partners and sub-grantees. Ensure that capacity strengthening includes GESI-responsive approaches and promote gender transformative interventions.
- Ensure survivor-centered and trauma-informed approaches when addressing GBV, CRSV, and other violations to promote healing and empowerment. Such approaches ensure survivors' safety, protect confidentiality, demonstrate respect for survivors' dignity and self-determination, and practices nondiscrimination.
- Promote women's engagement in peacebuilding and justice processes through advocating for more female judges, legal advisors, forensic scientists, counselors, police, and post-conflict experts, and through supporting local women-centered NGOs.
- Raise awareness among journalists, human rights organizations, and government entities on survivor-centered principles and do-no harm approaches.
- Ensure all program actions safeguard survivors, witnesses, and their allies who choose to go public.
- Raise awareness of risks of prioritizing support and care for CRSV over other forms of GBV, as recommended by the 2023 USAID/Ukraine GESI Analysis.
- Due to exposure to wartime violence, staff may experience vicarious or secondary trauma. IPs are encouraged to provide counseling or wellness tools as part of their staffing and budget planning.

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<sup>15</sup> Parrin, Anjli, et al. "Youth and Transitional Justice." *International Journal of Transitional Justice*, vol. 16, no. 1, 1 Mar. 2022, pp. 1–18, <https://doi.org/10.1093/ijtj/ijac003>. Accessed 28 Sept. 2022.

- Identify a staff team that brings experience in a range of GESI areas, including positive youth development, LGBTQI+ issues, and the unique experiences of refugees, IDPs, veterans, and ethnic minorities.
- Allocate sufficient staff and budget resources to GESI integration, ensuring a budget for annual GESI training for staff. Ensure that any capacity building or training of sub-grantees and partners includes a GESI module tailored to the Ukrainian context.
- Use [standard F indicators](#) (such as GNDR-6 or GNDR-10) and develop gender-responsive and inclusion-oriented custom indicators to track progress.

**Monitoring & Evaluation:**

See Section F below.

**Collaboration, Learning, and Adapting (CLA):**

The **Healing and Accountability through Human Rights** activity is expected to contribute to USAID/Ukraine's commitment to a multi-faceted Collaborating, Learning and Adapting (CLA) approach to development. The CLA approach is based on the understanding that development efforts yield more effective results if they are coordinated and collaborative, test promising, new approaches in a continuous yet also rapid, targeted search for generating improvements and efficiencies, and build on what works and eliminate what doesn't.

As discussed above, a strong collaborative and adaptive approach will be imperative to the success of this activity. The recipient and any partners must demonstrate capacity to effectively collaborate both with other USAID implementers, broadly with other donor-funded programs and, most importantly, with Ukrainian organizations. Collaboration potentially includes joint work planning, joint implementation, regular partner meetings that facilitate knowledge and/or data sharing, developing communities of practice, conducting donor mapping, and reinvigorating and/or acting as the secretariat for a multi-donor sectoral working group. Ukrainian partner organizations must be a central component of the CLA agenda as they have the local understanding and contextual awareness to ensure that the activity adapts in directions that will not only achieve the specified objectives but that will enhance the long-term aspirations of the Ukrainian people. Finally, the recipient must ensure that adaptive decision-making is based on evidence, in particular the significant existing base of evidence from existing USAID-funded surveys, and must plan to contribute to sectoral learning for the future by documenting lessons learned and ensuring knowledge transfer throughout the activity.

- **Collaborating:** The recipient will coordinate with other USG partners, other donors, civil society, development partners, and the Government of Ukraine to help Ukrainians achieve justice and address social divisions through human-rights-based approaches. For the activity to succeed, the recipient will employ a collaborative approach with other human rights, rule of law and transitional justice implementers (including donors), and other stakeholders, (including Ministries, local governments, and relevant civil society development actors), exchanging knowledge and ensuring complementarity rather than duplication of activities.
- **Learning:** The recipient will systematically and continuously review evidence from program implementation and external sources to inform program strategy, design and management. It will generate evidence through program performance data, formative research to guide design of new interventions, periodic evaluations, and operational research - documenting and sharing results with stakeholders.

- **Adapting:** The recipient will translate learning from the implementation experience and external sources, while also considering changing conditions that impact achievement of expected results into strategic and programmatic adjustments throughout the course of the activity. A key feature will be its flexibility to rapidly adapt to effectively help Ukrainians achieve justice and address social divisions resulting from Russia's full-scale invasion by supporting processes aimed at accountability for war crimes, fostering dialogue on difficult questions related to post-conflict recovery, and beginning healing and reconciliation using human-rights-based approaches, including transitional justice tools.

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## **SECTION B: FEDERAL AWARD INFORMATION**

### **1. Estimate of Funds Available and Number of Awards Contemplated**

USAID intends to award one Cooperative Agreement pursuant to this notice of funding opportunity. Subject to funding availability and at the discretion of the Agency, USAID intends to provide up to \$25,000,000 in total USAID funding over a five (5) year period.

### **2. Expected Performance Indicators, Targets, Baseline Data, and Data Collection**

After the activity has been awarded, a detailed activity monitoring, evaluation and learning plan (Activity MEL Plan) will be developed by the recipient, in close consultation with USAID. The Activity MEL Plan will include a detailed description of indicators, targets, baseline data, and data collection methods. USAID intends the activity to be subject to rigorous monitoring and evaluation, in order to (a) ensure the intended results and impact are being generated, and (b) inform activity management if and when course corrections may be necessary. The recipient may also conduct periodic analyses to better understand certain aspects and issues within the award's domain.

Performance monitoring and evaluation will be conducted by the recipient. Mid-term and final evaluations will be conducted by an independent evaluator contracted by the recipient. USAID may elect to organize and carry out an independent performance evaluation of this activity. The recipient shall fully cooperate with USAID and the evaluation team to ensure that the evaluation accurately reflects activity results, outcomes, and/or impacts.

#### ***Anticipated Standard Performance Indicators***

- Number of USG-assisted consensus-building processes resulting in an agreement (F)
- Number of groups trained in conflict mediation/resolution skills or consensus-building techniques with USG assistance (F)
- Number of consensus building forums (multi-party, civil/security sector, and/or civil/political) held with USG Assistance (F)
- Number of USG supported national human rights commissions and other independent state institutions charged by law with protecting and promoting human rights that actively pursued allegations of human rights abuses during the year (F)
- Number of human rights defenders trained and supported (F)
- Number of individuals from low income or marginalized communities who received legal aid or victim's assistance with USG support (F)
- Number of USG-assisted civil society organizations (CSOs) that participate in legislative proceedings and/or engage in advocacy with national legislature and its committees (F)

### **3. Start Date and Period of Performance for Federal Awards**

The anticipated period of performance is five (5) years. The estimated start date will be May 1, 2024.

#### 4. Substantial Involvement

Consistent with ADS 303.3.11 Cooperative Agreements and Substantial Involvement, USAID/Ukraine will be substantially involved in the implementation of the Healing and Accountability through Human Rights activity. The intended purpose of the Agreement Officer's Representative (AOR) involvement during the implementation of the program is to assist the recipient in achieving the supported objectives. It is expected that the Agreement Officer will delegate the following approvals to the AOR, except for changes to the Program Description or the approved budget or Key Personnel, which may only be approved by the Agreement Officer.

##### Elements of Substantial Involvement

- A. *Review and approval of annual implementation plans:* The annual implementation plan (workplan, budget, timeline) and subsequent revisions are subject to approval by USAID Agreement Officer (AOR) prior to implementing substantive work for each year of the Agreement. The AOR will ensure that the Implementation Plans align with the stated goals, milestones, and outputs as well as fit within the scope, terms and conditions of the agreement.
- B. *Monitoring the activity.* Monitoring includes review and approval of the monitoring, evaluation and learning plan, site visits, reviewing terms of reference, weekly communication about work planning and upcoming events shared with the AOR, review of quarterly and other reports, deliverables and other products, and participating in technical meetings, as appropriate, and collaborative involvement in selection of advisory committee members, if the program establishes an advisory committee or similar body that provides advice to the recipient.
- C. *Geographic targeting of activities.*
- D. *Approval of sub-awards.* Per 2 CFR 200.308, all sub-awards (whether contracts or sub-grants) not included and approved in the original cooperative agreement, will require prior written AOR approval. The AOR will review and provide input on the selection criteria for selecting grantees as well as the selection of programmatic themes for the grants.
- E. *Approval of Key Personnel*

The following positions have been designated as key to the successful implementation of the program objectives of this Cooperative Agreement. In accordance with the Substantial Involvement clause of the award, these personnel are subject to the approval of the Agreement Officer:

1. Chief of Party (COP)
2. Deputy Chief of Party (DCOP)
3. Monitoring and Evaluation Team Lead

The following provides a description of each Key Personnel roles and responsibilities and minimum qualification requirements:

##### Chief of Party

The Chief of Party must provide overall technical and administrative leadership and expertise and serves as the primary liaison with USAID on management and technical matters. S/he will be responsible for administering and managing the implementation of the activity and has the overall responsibility for assuring that all assistance provided is technically sound and appropriate to meet activity objectives. S/he must be responsible for all aspects of coordination and communication, including with the GOU, other

donors, partners, and other USAID activities. S/he will supervise the work of all organizations (sub-grantees) and individuals engaged under the activity.

Required qualifications:

- Proven leadership qualities, excellent management skills and significant relevant experience in project management and staff supervision;
- Demonstrated experience managing programs in an active war zone;
- A Master's degree (or higher) and 8 years work experience in a relevant thematic area, or relevant work experience of 12 years in lieu of an advanced degree;
- Demonstrated skills in planning, adaptive management, budgeting, and communication with donors;
- Substantial experience working on human rights, social cohesion, transitional justice or other similar thematic areas;
- Fluency in English (both spoken and written); professional proficiency in Ukrainian is desirable.
- Ability to maintain physical presence inside Ukraine for 75% of working days, subject to USAID policies.

### **Deputy Chief of Party**

The Deputy Chief of Party must be capable of fulfilling the role of the Chief of Party in that person's absence. His/her responsibility will be to ensure effective field coordination.

Required qualifications:

- Master's degree and relevant work experience of 5 years;
- Significant relevant experience in project management and supervising staff, preferably as an operations manager for projects in developing and/or transition countries;
- Substantial experience working on human rights, social cohesion, transitional justice or other similar thematic areas;
- Fluency in English (both spoken and written); professional proficiency in Ukrainian is desirable.
- Ability to maintain physical presence inside Ukraine for 75% of working days, subject to USAID policies.

### **Monitoring and Evaluation (M&E) Team Lead**

The M&E Team Lead is critical to the success of the activity implementation through ensuring processes and procedures to operationalize the MEL Plan, as well as leading reporting to USAID. The M&E Lead supports the COP in ensuring that interventions are evidence-based and that the activity gathers appropriate data to inform adaptive management. The M&E Team lead plays a critical role in sharing information with USAID and other stakeholders related to the activity's evidence-based impact, lessons learned, and other successes.

Required qualifications:

- Demonstrated experience leading the M&E function of a large project and expertise in developing and operationalizing a comprehensive monitoring and evaluation plan, routine monitoring system, and USAID reporting.
- A minimum of 8 years of M&E experience in international development projects with a Master's degree or 5 years of M&E experience with a PhD.
- Fluency in English (both spoken and written); professional proficiency in Ukrainian is desirable.

## **5. Authorized Geographic Code**

The geographic code for the procurement of commodities and services under this program is **937**.

## **6. Nature of the Relationship between USAID and the Recipient**

The principal purpose of the relationship with the Recipient and under the subject program is to transfer funds to accomplish a public purpose of support or stimulation of Healing and Accountability through Human Rights activity which is authorized by Federal statute. The successful Recipient will be responsible for ensuring the achievement of the program objectives and the efficient and effective administration of the award through the application of sound management practices. The Recipient will assume responsibility for administering Federal funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the Federal award.

## **7. Selection of Instrument**

USAID conducted market research to identify capable local organizations and international organizations with technical expertise or experience to implement human rights activity in Ukraine. The research identified several organizations that have capability in implementing democracy & governance (DG), human rights activities. Many have the capacity needed to implement similar activities and have managed activities of similar budgets and size. These organizations have a track-record experience in implementing DG activities in Ukraine or the region, or with specific state-of-the-art technical capacity in these sectors.

A cooperative agreement is the best instrument for this activity because it will carry out the public purpose of supporting human rights. The principal purpose of the relationship between the USG and the recipient of an assistance award is for the USG's support to facilitate a public purpose of support and stimulation. An acquisitive process, or the acquisition by purchase, lease or barter of property and/or services for the direct benefit or use of the USG is not envisioned.

## **SECTION C: ELIGIBILITY INFORMATION**

### **1. Eligible Applicants**

Eligibility for this NOFO is not restricted. All qualified U.S. and non-U.S. organizations (other than those from foreign policy restricted countries) are eligible to apply.

Pursuant to Code of Federal Regulations (CFR) 200.400(g), it is USAID policy not to award profit under assistance instruments such as Cooperative Agreements, and as such, for-profit organizations must waive profits and/or fees to be eligible to submit an application. Forgone profit does not qualify as cost-share or leverage.

The Recipient must be a responsible entity. Applicants must have established financial management, monitoring and evaluation processes, internal control systems, and policies and procedures that comply with established U.S. Government standards, laws, and regulations. The successful Applicant will be subject to a responsibility determination and pre-award risk assessment by the Agreement Officer (AO). (see ADS 303.3.9 for more information).

First time recipients of USG or USAID funding may undergo a Pre-award Survey. The AO may determine a pre-award survey is required to conduct an examination that will determine whether the prospective recipient has the necessary organization, experience, accounting and operational controls, and technical skills – or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award.

The applicants are reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the Recipient to ensure compliance with these Executive Orders and laws.

USAID welcomes applications from organizations that have not previously received financial assistance from USAID.

Faith-based organizations are eligible to apply for federal financial assistance on the same basis as any other organization and are subject to the protections and requirements of Federal law.

### **2. Cost Sharing or Matching**

Cost sharing is not required under this NOFO.

### **3. Other**

A prime applicant may submit only one application in response to this Notice. Multiple applications from the same prime applicant organization will not be accepted. Applications will not be accepted from individuals.

## SECTION D: APPLICATION AND SUBMISSION INFORMATION

### 1. Agency Point of Contact

Seilkhan Yeleussizov  
Sr. Acquisition and Assistance Specialist  
USAID Contractor  
USAID/Ukraine  
Email: [syeleussizov@usaid.gov](mailto:syeleussizov@usaid.gov)

### 2. Questions and Answers

Questions regarding this NOFO should be submitted via email no later than the date and time indicated on the cover letter, as amended. Any information given to a prospective applicant concerning this NOFO will be furnished promptly to all other prospective applicants as an amendment to this NOFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicant.

### 3. General Content and Form of Application

Preparation of Applications:

Each applicant must furnish the information required by this NOFO. Applications must be submitted in two separate parts: the Technical Application and the Business (Cost) Application. This subsection addresses general content requirements applying to the full application. Please see subsections 5 and 6, below, for information on the content specific to the Technical and Business (Cost) applications. The Technical application must address technical aspects only while the Business (Cost) Application must present the costs, and address risk and other related issues.

Both the Technical and Business (Cost) Applications must include a cover page containing the following information:

- Name of the organization(s) submitting the application;
- Identification and signature of the primary contact person (by name, title, organization, mailing address, telephone number and email address) and the identification of the alternate contact person (by name, title, organization, mailing address, telephone number and email address);
- Program name
- Notice of Funding Opportunity number
- Name of any proposed sub-recipients or partnerships (identify if any of the organizations are local organizations, per USAID's definition of 'local entity' under ADS 303.

### 4. Application Submission Procedures

All submissions must be precise, complete and succinct. In its submission, the organization must describe the specific activities it intends to implement and should demonstrate its capabilities and expertise with respect to achieving the goal and objectives that are outlined in this NOFO. Submissions must consider the Merit Review Criteria found in Section E.

Narrative portions of submissions must be presented in MS Word format and must be written in English, single-spaced, using Times New Roman font size 12 pt. with each page numbered consecutively, and have at least one-inch margins on the top, bottom and sides. Any tables or graphs may use Times New Roman font size 10 pt. Budgets must be submitted in MS Excel format as described further in E.6 below.

All submissions must conform to the submission procedures and the requirements indicated herein and must be submitted by email to [Kyivrcodg@usaid.gov](mailto:Kyivrcodg@usaid.gov). Email submissions must include the NOFO number and the organization's name in the subject line heading. In addition, for an application sent by multiple emails, the subject line must also indicate whether the email relates to the technical or cost application, and the desired sequence of the emails and their attachments (e.g. "No. 1 of 4", etc.). For example, if your cost application is being sent in two emails, the first email should have a subject line that states: "[NOFO number], [organization name], Cost Application, Part 1 of 2".

USAID's preference is that the technical submission and the cost application each be submitted as consolidated separate email attachments, e.g. that you consolidate the various parts of a technical submission into a single document before sending it. If this is not possible, please provide instructions on how to collate the attachments. USAID will not be responsible for errors in compiling electronic applications if no instructions are provided or are unclear.

Applicants are reminded that e-mail is NOT instantaneous, and in some cases delays of several hours occur from transmission to receipt. Therefore, organizations are requested to send the submission in sufficient time ahead of the deadline. For this NOFO, the initial point of entry to the government infrastructure is the USAID mail server. Do not submit zipped files as they will not be received. File size of an attachment must not exceed 25MB per email.

After sending its submission electronically, an applicant should immediately check its own system to confirm that the attachments were indeed sent. If the applicant discovers an error in transmission, please send the material again and note in the subject line of the email that it is a "corrected" submission. Do not send the same email more than once unless there has been a change, and if so, please note that it is a "corrected" email. No additions or modifications will be accepted after the submission deadline.

It is the applicant's responsibility to ensure that all necessary documentation is complete and received on time. Any erasures or other changes to the submission must be initialed by the person signing the application. Submissions must be signed by an individual who has the authority to negotiate on behalf of the organization and must be accompanied by evidence of that agent's authority. Applicants should retain a copy of the application and all enclosures for their records.

Late submissions will be considered only if the Agreement Officer (AO) determines that it is in the Government's interest to do so. Organizations must retain proof of timely delivery in the form of system-generated documentation of delivery receipt data and time.

## **5. Technical Application Format**

The technical application should be specific, complete, and presented concisely. The application must demonstrate the applicant's capabilities and expertise with respect to achieving the purpose of this program.

The full application must conform to the format and page limitations set forth below. Full applications that are incomplete or that do not comply with the required format may not be evaluated. If an application exceeds the page limitations, USAID will only evaluate the portion of the application that is within the limits; any additional pages that exceed the limits or any additional annexes not explicitly required by this NOFO will not be reviewed.

Applicants are to carefully review the merit review criteria and must organize the technical application according to the format below:

1. **Cover Page** (not to exceed 1 page)- See Section D.3 above for requirements
2. **Acronyms** - Include a list of all acronyms used in the technical application.
3. **Table of Contents** - Include major sections and page numbering to easily cross-reference and identify merit review criteria.
4. **Executive Summary** (not to exceed 2 pages) - the Executive Summary must provide a high-level overview of key elements of the Technical Application.
5. **Technical Approach** (No more than 10 pages)

The proposed technical approach (including its monitoring, evaluation, and learning components) should demonstrate a detailed, flexible, and sustainable approach to accomplish the activity purpose, objectives, and expected results including how activities will be monitored and adapted based on data/evidence.

The technical approach should elaborate how the program will work with Ukrainian partners, whether through teaming agreements, a consortium, partnerships, collaborations and/or other mechanisms such as an advisory committee.

6. **Institutional Experience** (no more than 3 pages)

Applicants should provide an overview of their technical resources and expertise in human rights, transitional justice, and social cohesion programming (noting that detailed past performance information will be provided elsewhere) as well as their experience in successfully implementing similar activities in the past. The applicant should provide similar information for the main partnering organization(s) (as defined by the applicant) that will be directly involved in program implementation.

7. **Key Personnel and Management Approach** (no more than 2 pages)

The applicant must lay out a management approach, including proposed key personnel, that convincingly demonstrates the applicant's ability to achieve results, apply the principles in Section V, and be Ukrainian owned and led.

## **Annexes**

Annex A: Organizational Chart (1 page) showing the key personnel, departments within the organization, and supervisory relationships that are relevant to the activity.

Annex B: Consortium Partners/ Sub-awardees Letters of Intent (maximum 1 page per letter) if applicable

Annex C: CVs for proposed Key Personnel - each CV should be no more than 2 pages.

## **6. Business (Cost) Application Format**

The Business (Cost) Application must be submitted separately from the Technical Application. While no page limit exists for the full cost application, applicants are encouraged to be as concise as possible while still providing the necessary details. The business (cost) application must illustrate the entire period of performance, using the budget format shown in the SF-424A.

Prior to award, applicants may be required to submit additional documentation deemed necessary for the Agreement Officer to assess the applicant's risk in accordance with 2 CFR 200.206. Applicants should not submit any additional information with their initial application.

The Cost Application must contain the following sections (which are further elaborated below this listing with the letters for each requirement):

**a) Cover Page** (See Section D.3 above for requirements)

**b) SF 424 Form(s)**

The applicant must sign and submit the cost application using the SF-424 series. Standard Forms can be accessed electronically at <https://www.grants.gov/web/grants/forms/sf-424-family.html>

Failure to accurately complete these forms could result in the rejection of the application.

**c) Required Certifications and Assurances**

The applicant must complete the following documents and submit a signed copy with their application:

- (1) "Certifications, Assurances, Representations, and Other Statements of the Recipient"  
ADS 303mav document found at <https://www.usaid.gov/ads/policy/300/303mav>
- (2) Assurances for Non-Construction Programs (SF-424B)
- (3) Certificate of Compliance: Please submit a copy of your Certificate of Compliance if your organization's systems have been certified by USAID/Washington's Office of Acquisition and Assistance (M/OAA).

**d) Budget and Budget Narrative**

The Budget must be submitted as one unprotected Excel file (MS Office 2010 or later versions) with visible formulas and references, and must be broken out by project year, including itemization of the federal and non-federal (cost share) amount. Files must not contain any hidden or otherwise inaccessible cells. Budgets with hidden cells lengthen the cost analysis time required to make an award, and may result in a rejection of the cost application. The Budget Narrative must contain sufficient detail to allow USAID to understand the proposed costs. The applicant must ensure the budgeted costs address any additional requirements identified in Section F, such as Branding and Marking. The Budget Narrative must be thorough, including sources for costs to support USAID's determination that the proposed costs are fair and reasonable.

The Budget must include the following worksheets or tabs, and contents, at a minimum:

- Summary Budget, inclusive of all program costs (federal and non-federal), broken out by major budget category and by year for activities implemented by the applicant and any potential sub-applicants for the entire period of the program. See Section H, Annex 1 for Summary Budget Template.
- Detailed Budget, including a breakdown by year, sufficient to allow the Agency to determine that the costs represent a realistic and efficient use of funding to implement the applicant's program and are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E (or cost principles applicable to the organization).
- Detailed Budgets for each sub-recipient, for all federal funding and cost share, broken out by budget category and by year, for the entire implementation period of the project.

Applicants must utilize the Budget Template included as Annex 1 to this NOFO.

The Detailed Budget must contain the following budget categories and information, at a minimum:

1) Personnel - Must be proposed consistent with 2 CFR 200.430 Compensation - Personal Services. The applicant's budget must include position title, salary rate, level of effort, and salary escalation factors for each position. Allowances, when proposed, must be broken down by specific type and by position. Applicants must explain all assumptions in the Budget Narrative. The Budget Narrative must demonstrate that the proposed compensation is reasonable for the services rendered and consistent with what is paid for similar work in other activities of the applicant. Applicants must provide their established written policies on personnel compensation. If the applicant's written policies do not address a specific element of compensation that is being proposed, the Budget Narrative must describe the rationale used and supporting market research.

2) Fringe Benefits – (if applicable) If the applicant has a fringe benefit rate approved by an agency of the U.S. Government, the applicant must use this rate and provide evidence of its approval. If an applicant does not have a fringe benefit rate approved, the applicant must propose a rate and explain how the applicant determined the rate. In this case, the Budget Narrative must include a detailed breakdown comprised of all items of fringe benefits (e.g., superannuation, gratuity, etc.) and the costs of each, expressed in U.S. dollars and as a percentage of salaries.

3) Travel – Provide details to explain the purpose of the trips, the number of trips, the origin and destination, the number of individuals traveling, and the duration of the trips. Per Diem and associated travel costs must be based on the applicant's normal travel policies. When appropriate please provide supporting documentation as an attachment, such as company travel policy, and explain assumptions in the Budget Narrative.

4) Equipment & Supplies – Must include information on estimated types of equipment and supplies and the cost per unit and quantity. The Budget Narrative must include the purpose of the equipment and supplies and the basis for the estimates. The Budget Narrative must support the necessity of any rental costs and reasonableness in light of such factors as: rental costs of comparable property, if any; market

conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the property leased.

5) Contractual - This category includes the acquisition of items (other than equipment and supplies) and/or support services that are ancillary to the program. See 2 CFR 200.3301 for assistance in determining whether the sub-tier entity is a subrecipient or contractor.

6) Other Direct Costs – This may include other costs not elsewhere specified, such as report preparation costs, passports and visas fees, medical exams and inoculations, as well as any other miscellaneous costs which directly benefit the program proposed by the applicant. The applicant should indicate the subject, venue and duration of any proposed conferences and seminars, and their relationship to the objectives of the program, along with estimates of costs. Otherwise, the narrative should be minimal.

7) Subawards – Specify any subawards to pass-through entities envisioned under the prospective cooperative agreement. Subawards are described in 2 CFR 200.308(c)(6) as “the subawarding, transferring or contracting out of any work under a Federal award, including fixed amount subawards as described in §200.333.” Subawards do not include the acquisition of supplies, material, equipment or general support services. See 2 CFR 200.3301 for assistance in determining whether the sub-tier entity is a subrecipient or contractor. The applicant must provide the same level of detail for its proposed recipients in a separate budget tab. The subrecipient budgets must align with the same requirements as the applicant’s budget, including those related to fringe and indirect costs.

8) Indirect Costs – Applicants must indicate whether they are proposing indirect costs or will charge all costs directly. In order to better understand indirect costs, please see Subpart E of 2 CFR 200.414. The application must identify which approach they are requesting and provide the applicable supporting information. Below are the most commonly used Indirect Cost Rate methods:

Method 1 - Direct Charge Only

- Eligibility: Any applicant
- Initial Application Requirements: See above on direct costs

Method 2 - Negotiated Indirect Cost Rate Agreement (NICRA)

- Eligibility: Any applicant with a NICRA issued by a USG Agency must use that NICRA
- Initial Application Requirements: If the applicant has a current NICRA, submit your approved NICRA and the associated disclosed practices. If your NICRA was issued by an Agency other than USAID, provide the contact information for the approving Agency. Additionally, at the Agency’s discretion, a provisional rate may be set forth in the award subject to audit and finalization. See USAID’s Indirect Cost Rate Guide for Non Profit Organizations for further guidance.

Method 3 - De minimis rate of 10% of modified total direct costs (MTDC)

- Eligibility: Any applicant that has never received a NICRA
- Initial Application Requirements: Costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as a non-Federal entity chooses to negotiate an indirect rate, which the non-Federal entity may apply to do at any time. The applicant must describe which cost elements it charges indirectly vs. directly. See 2 CFR 200.414(f) for further information. If the applicant does not have an approved

NICRA and does not elect to utilize the 10% de minimis rate, the Agreement Officer will provide further instructions and may request additional supporting information, including financial statements and audits, should the application still be under consideration after the merit review. USAID is under no obligation to approve the applicant's requested method.

**e) Prior Approvals in accordance with 2 CFR 200.407**

Inclusion of an item of cost in the detailed application budget does not satisfy any requirements for prior approval by the Agency. If the applicant would like the award to reflect approval of any cost elements for which prior written approval is specifically required for allowability, the applicant must specify and justify that cost. See 2 CFR 200.407 for information regarding which cost elements require prior written approval.

**f) Approval of Subawards**

The applicant must submit information for all subawards that it wishes to have approved at the time of award. For each proposed subaward the applicant must provide the following:

- Name of organization
- Unique Entity Identifier (UEI)
- Confirmation that the subrecipient does not appear on the Treasury Department's Office of Foreign Assets Control (OFAC) list
- Confirmation that the subrecipient does not have active exclusions in the System for Award Management (SAM)
- Confirmation that the subrecipient is not listed in the United Nations Security designation list
- Confirmation that the subrecipient is not suspended or debarred
- Confirmation that the applicant has completed a risk assessment of the subrecipient, in accordance with 2 CFR 200.332(b)
- Any negative findings as a result of the risk assessment and the applicant's plan for mitigation.

**g) Unique Entity Identifier (UEI) and SAM Registration**

Applicants must obtain a Unique Entity Identifier (UEI) and register in the System for Award Management (SAM) (<https://sam.gov/>) in order to be eligible to receive federal assistance, such as grants and cooperative agreements. Unless an exemption applies (see ADS 303maz), applicants must be registered in SAM prior to submitting an application for award for USAID's consideration. Recipients must maintain an active SAM registration while they have an active award. Each applicant (unless the applicant is an individual or entity that is exempted from UEI/SAM requirements under 2 CFR 25.110) is required to:

1. Provide a valid UEI for the applicant and all proposed sub-recipients;
2. Be registered in SAM before submitting its application.
3. Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

The registration process may take many weeks to complete. Therefore, applicants are encouraged to begin the process early. If an applicant has not fully complied with the requirements above by the time

USAID is ready to make an award, USAID may determine that the applicant is not qualified to receive an award and use that determination as a basis for making an award to another applicant.

Applicants can find additional resources for registering in SAM, including a Quick Start Guide and a video, on <https://sam.gov/>.

#### **h) History of Performance**

The applicant must provide information regarding its recent history of performance for all its cost-reimbursement contracts, grants, or cooperative agreements involving similar or related programs, not to exceed five (5) awards in the past ten (10) years as follows:

- Name of the Awarding Organization;
- Award Number;
- Activity Title;
- A brief description of the activity;
- Period of Performance;
- Award Amount;
- Reports and findings from any audits performed in the last five (5); and
- Name of at least two (2) updated professional contacts who most directly observed the work at the organization for which the service was performed with complete current contact information including telephone number, and e-mail address for each proposed individual.

If the applicant encountered problems on any of the referenced Awards, it may provide a short explanation and the corrective action taken. The applicant should not provide general information on its performance. USAID reserves the right to obtain relevant information concerning an applicant's history of performance from any sources and may consider such information in its review of the applicant's risk. The Agency may request additional information and conduct a pre-award survey if it determines that it is necessary to inform the risk assessment.

#### **i) Branding Strategy & Marking Plan**

The apparently successful applicant will be asked to provide a Branding Strategy and Marking Plan to be evaluated and approved by the Agreement Officer and incorporated into any resulting award

Pre-Award Terms

##### **1. Branding Strategy – Assistance (June 2012)**

a. Applicants recommended for an assistance award must submit and negotiate a "Branding Strategy," describing how the program, project, or activity is named and positioned, and how it is promoted and communicated to beneficiaries and host country citizens.

b. The request for a Branding Strategy, by the Agreement Officer from the applicant, confers no rights to the applicant and constitutes no USAID commitment to an award.

c. Failure to submit and negotiate a Branding Strategy within the time frame specified by the Agreement Officer will make the applicant ineligible for an award.

d. The applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, Cooperative Agreement or other assistance instrument.

e. The Branding Strategy must include, at a minimum, all of the following:

(1) All estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth.

(2) The intended name of the program, project, or activity.

(i) USAID requires the applicant to use the "USAID Identity," comprised of the USAID logo and brandmark, with the tagline "from the American people" as found on the USAID Web site at <http://www.usaid.gov/branding>, unless Section VI of the RFA or APS states that the USAID Administrator has approved the use of an additional or substitute logo, seal, or tagline.

(ii) USAID prefers local language translations of the phrase "made possible by (or with) the generous support of the American People" next to the USAID Identity when acknowledging contributions.

(iii) It is acceptable to cobrand the title with the USAID Identity and the Applicant's identity.

(iv) If branding in the above manner is inappropriate or not possible, the applicant must explain how USAID's involvement will be showcased during publicity for the program or project.

(v) USAID prefers to fund projects that do not have a separate logo or identity that competes with the USAID Identity. If there is a plan to develop a separate logo to consistently identify this program, the applicant must attach a copy of the proposed logos. Section VI of the RFA or APS will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.

(3) The intended primary and secondary audiences for this project or program, including direct beneficiaries and any special target segments.

(4) Planned communication or program materials used to explain or market the program to beneficiaries.

(i) Describe the main program message.

(ii) Provide plans for training materials, posters, pamphlets, public service announcements, billboards, Web sites, and so forth, as appropriate.

(iii) Provide any plans to announce and promote publicly this program or project to host country citizens, such as media releases, press conferences, public events, and so forth. Applicant must incorporate the USAID Identity and the message, "USAID is from the American People."

(iv) Provide any additional ideas to increase awareness that the American people support this project or program.

(5) Information on any direct involvement from the host-country government or ministry, including any planned acknowledgement of the host-country government.

(6) Any other groups whose logo or identity the Applicant will use on program materials and related materials. Indicate if they are a donor or why they will be visibly acknowledged, and if they will receive the same prominence as USAID.

f. The Agreement Officer will review the Branding Strategy to ensure the above information is adequately included and consistent with the stated objectives of the award, the Applicant's cost data submissions, and the performance plan.

g. If the Applicant receives an assistance award, the Branding Strategy will be included in and made part of the resulting grant or Cooperative Agreement

(END OF PRE-AWARD TERM)

## **2. Marking Plan – Assistance (June 2012)**

a. Applicants recommended for an assistance award must submit and negotiate a “Marking Plan,” detailing the public communications, commodities, and program materials, and other items that will visibly bear the “USAID Identity,” which comprises of the USAID logo and brandmark, with the tagline “from the American people.” The USAID Identity is the official marking for the Agency, and is found on the USAID Web site at <http://www.usaid.gov/branding>. Section VI of the RFA or APS will state if an Administrator approved the use of an additional or substitute logo, seal, or tagline.

b. The request for a Marking Plan, by the Agreement Officer from the Applicant, confers no rights to the Applicant and constitutes no USAID commitment to an award.

c. Failure to submit and negotiate a Marking Plan within the time frame specified by the Agreement Officer will make the Applicant ineligible for an award.

d. The Applicant must include all estimated costs associated with branding and marking USAID programs, such as plaques, stickers, banners, press events, materials, and so forth, in the budget portion of the application. These costs are subject to the revision and negotiation with the Agreement Officer and will be incorporated into the Total Estimated Amount of the grant, Cooperative Agreement or other assistance instrument.

e. The Marking Plan must include all of the following:

(1) A description of the public communications, commodities, and program materials that the Applicant plans to produce and which will bear the USAID Identity as part of the award, including:

(i) Program, project, or activity sites funded by USAID, including visible infrastructure projects or other sites physical in nature;

(ii) Technical assistance, studies, reports, papers, publications, audiovisual productions, public service announcements, Web sites/Internet activities, promotional, informational, media, or communications products funded by USAID;

- (iii) Commodities, equipment, supplies, and other materials funded by USAID, including commodities or equipment provided under humanitarian assistance or disaster relief programs; and
  - (iv) It is acceptable to cobrand the title with the USAID Identity and the Applicant's identity.
  - (v) Events financed by USAID, such as training courses, conferences, seminars, exhibitions, fairs, workshops, press conferences and other public activities. If the USAID Identity cannot be displayed, the recipient is encouraged to otherwise acknowledge USAID and the support of the American people.
- (2) A table on the program deliverables with the following details:
- (i) The program deliverables that the Applicant plans to mark with the USAID Identity;
  - (ii) The type of marking and what materials the Applicant will use to mark the program deliverables;
  - (iii) When in the performance period the Applicant will mark the program deliverables, and where the Applicant will place the marking;
  - (iv) What program deliverables the Applicant does not plan to mark with the USAID Identity , and
  - (v) The rationale for not marking program deliverables.
- (3) Any requests for an exemption from USAID marking requirements, and an explanation of why the exemption would apply. The Applicant may request an exemption if USAID marking requirements would:
- (i) Compromise the intrinsic independence or neutrality of a program or materials where independence or neutrality is an inherent aspect of the program and materials. The Applicant must identify the USAID Development Objective, Interim Result, or program goal furthered by an appearance of neutrality, or state why an aspect of the award is presumptively neutral. Identify by category or deliverable item, examples of material for which an exemption is sought.
  - (ii) Diminish the credibility of audits, reports, analyses, studies, or policy recommendations whose data or findings must be seen as independent. The Applicant must explain why each particular deliverable must be seen as credible.
  - (iii) Undercut host-country government "ownership" of constitutions, 6 laws, regulations, policies, studies, assessments, reports, publications, surveys or audits, public service announcements, or other communications. The Applicant must explain why each particular item or product is better positioned as host-country government item or product.
  - (iv) Impair the functionality of an item. The Applicant must explain how marking the item or commodity would impair its functionality.
  - (v) Incur substantial costs or be impractical. The Applicant must explain why marking would not be cost beneficial or practical.
  - (vi) Offend local cultural or social norms, or be considered inappropriate. The Applicant must identify the relevant norm, and explain why marking would violate that norm or otherwise be inappropriate.
  - (vii) Conflict with international law. The Applicant must identify the applicable international law violated by the marking.

f. The Agreement Officer will consider the Marking Plan's adequacy and reasonableness and will approve or disapprove any exemption requests. The Marking Plan will be reviewed to ensure the above information is adequately included and consistent with the stated objectives of the award, the Applicant's cost data submissions, and the performance plan. g. If the Applicant receives an assistance award, the Marking Plan, including any approved exemptions, will be included in and made part of the resulting grant or Cooperative Agreement, and will apply for the term of the award unless provided otherwise.

(END OF PRE-AWARD TERM)

**j) Funding Restrictions**

Profit is not allowable for recipients or subrecipients under this award. See 2 CFR 200.331 for assistance in determining whether a sub-tier entity is a subrecipient or contractor.

Construction will not be authorized under this award.

USAID will not allow the reimbursement of pre-award costs under this award without the explicit written approval of the Agreement Officer.

Except as may be specifically approved in advance by the AO, all commodities and services that will be reimbursed by USAID under this award must be from the authorized geographic code specified in Section B.4 of this NOFO and must meet the source and nationality requirements set forth in 22 CFR 228.

**k) Conflict of Interest Pre-Award Term**

**a. Personal Conflict of Interest**

1. An actual or appearance of a conflict of interest exists when an applicant organization or an employee of the organization has a relationship with an Agency official involved in the competitive award decision-making process that could affect that Agency official's impartiality. The term "conflict of interest" includes situations in which financial or other personal considerations may compromise, or have the appearance of compromising, the obligations and duties of a USAID employee or recipient employee.

2. The applicant must provide conflict of interest disclosures when it submits an SF-424. Should the applicant discover a previously undisclosed conflict of interest after submitting the application, the applicant must disclose the conflict of interest to the AO no later than ten (10) calendar days following discovery.

**b. Organizational Conflict of Interest**

The applicant must notify USAID of any actual or potential conflict of interest that they are aware of that may provide the applicant with an unfair competitive advantage in competing for this financial assistance award. Examples of an unfair competitive advantage include but are not limited to situations in which an applicant or the applicant's employee gained access to non-public information regarding a federal assistance funding opportunity, or an applicant or applicant's employee was substantially involved in the

preparation of a federal assistance funding opportunity. USAID will promptly take appropriate action upon receiving any such notification from the applicant.

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## **SECTION E: APPLICATION REVIEW INFORMATION**

### **1. Criteria**

The merit review criteria prescribed here are tailored to the requirements of this particular NOFO. Applicants should note that these criteria serve to: (a) identify the significant matters which the applicants should address in their applications, and (b) set the standard against which all applications will be evaluated.

Technical and other factors will be evaluated relative to each other, as described here and prescribed by the Technical Application Format. The Technical Application will be scored by a Merit Review Committee (MRC) using the criteria described in this section.

### **2. Review and Selection Process**

#### **a) Merit Review**

Applications will be reviewed and evaluated in accordance with the following criteria shown in descending order of importance:

#### **1. Technical Approach**

The extent to which the proposal demonstrates a detailed, sustainable approach to accomplish the activity purpose, objectives, and expected results including how activities will be monitored and adapted based on data/evidence.

#### **2. Institutional Experience**

The extent to which the applicant and main partnering organization(s) demonstrate expertise in human rights, transitional justice, and social cohesion as well as experience in successfully implementing similar activities.

#### **3. Key Personnel and Management Approach**

The extent to which the proposed key personnel and management approach demonstrates the applicant's ability to achieve results, applies the Section V principles, and be Ukrainian owned and led.

#### **b) Business Review**

The Agency will evaluate the cost application of the applicant(s) under consideration for an award as a result of the merit criteria review to determine whether the costs are allowable in accordance with the cost principles found in 2 CFR 200 Subpart E.

The Agency will also consider (1) the extent of the applicant's understanding of the financial aspects of the program and the applicant's ability to perform the activities within the amount requested; (2) whether the applicant's plans will achieve the program objectives with reasonable economy and efficiency; and (3) whether any special conditions relating to costs should be included in the award.

Proposed cost share, if provided, will be reviewed for compliance with the standards set forth in 2 CFR 200.306, 2 CFR 700.10, and the Standard Provision "Cost Sharing (Matching)" for U.S. entities, or the Standard Provision "Cost Share" for non-U.S. entities.

The AO will perform a risk assessment (2 CFR 200.206). The AO may determine that a pre-award survey is required to inform the risk assessment in determining whether the prospective recipient has the necessary organizational, experience, accounting and operational controls, financial resources, and technical skills – or ability to obtain them – in order to achieve the objectives of the program and comply with the terms and conditions of the award. Depending on the result of the risk assessment, the AO will decide to execute the award, not execute the award, or award with “specific conditions” (2 CFR 200.208).

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## **SECTION F: FEDERAL AWARD ADMINISTRATION INFORMATION**

### **1. Federal Award Notices**

Award of the agreement contemplated by this NOFO cannot be made until funds have been appropriated, allocated and committed through internal USAID procedures. While USAID anticipates that these procedures will be successfully completed, potential applicants are hereby notified of these requirements and conditions for the award. The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. No costs chargeable to the proposed Agreement may be incurred before receipt of either a fully executed Agreement or a specific, written authorization from the Agreement Officer.

Following selection for award and successful negotiations with the apparently successful applicant, an electronic copy of the notice of the award signed by the Agreement Officer will be sent to the successful applicant, which serves as the authorizing document. The Agreement Officer will only do so after making a positive responsibility determination that the applicant possesses, or has the ability to obtain, the necessary management competence in planning and carrying out assistance programs and that it will practice mutually agreed upon methods of accountability for funds and other assets provided by USAID.

The award will be issued to the contact as specified in the application as the Authorized Individual in accordance with the requirements in the Representations and Certifications. USAID reserves the right to perform a pre-award survey which may include, but is not limited to: (1) interviews with individuals to establish their ability to perform agreement duties under the project conditions; (2) a review of the prime recipient's financial condition, business and personnel procedures, etc.; and (3) site visits to the prime recipient's institution.

### **2. Administrative & National Policy Requirements**

The resulting award from this NOFO will be administered in accordance with the following policies and regulations.

For US organizations: [ADS 303](#), [2 CFR 700](#), [2 CFR 200](#), and [Standard Provisions for U.S. Non-governmental organizations](#).

For Non US organizations: [ADS 303](#), [Standard Provisions for Non-U.S. Non-governmental Organizations](#).

See Annex 2, for a list of the Standard Provisions that will be applicable to any awards resulting from this NOFO.

### **3. Reporting Requirements**

- **Financial Reporting:**

The recipient must submit the Federal Financial Form (SF-425) on a quarterly basis via electronic format to USAID/Washington, M/CFO/CMP-LOC Unit, the U.S. Department of Health and Human Services (<https://pms.psc.gov/>). The recipient must also submit a copy of the SF-425 at the same time to the Agreement Officer and the Agreement Officer's Representative (AOR).

- **Performance Reporting**

***Annual Work Plans (AWP)***

The work plans for all USAID/Ukraine Office of Democracy and Governance (ODG) activities are aligned with the USG Fiscal Year Calendar (October 1 to September 30). The Recipient will submit its first work plan to the AOR for approval within 45 calendar days of award. The first work plan will cover the period from the start date of the Award until the end of the first USG Fiscal Year of the Activity – therefore the first work plan may cover less than twelve months depending on the date of Award. The AOR will provide comments within 20 calendar days to the Recipient and the Recipient will have 15 calendar days to respond and make all requested changes, after which the AOR will provide final approval or any additional comments within 15 calendar days.

All subsequent work plans will be submitted to the AOR no later than October 1 and will cover an entire Fiscal Year, i.e. October 1 to September 30. The AOR will provide comments within 20 calendar days to the Recipient and the Recipient will have 15 calendar days to respond and make all requested changes, after which the AOR will provide final approval within 15 calendar days. All work plans must be developed in cooperation with the AOR, other USAID/Ukraine activities, donor programs, the GOU, beneficiary communities, and all other relevant stakeholders as designated by the AOR.

The award will be guided by the Program Description which will provide an overall project ‘map’ that indicates broad activities, expected outcomes, annual milestones, and budget along the five-year timeline.

Annual Work Plans are developed yearly and include proposed interventions for the given year, a Gantt chart specifying estimated timeline, details on implementation, an itemized and detailed budget, review of the previous year’s accomplishments (if applicable), problems and challenges encountered in achieving specified results, proposed annual outputs, and progress towards achieving results. The AWP must also describe a plan and timeline for internal monitoring and evaluation that takes into account the Mission’s Performance Management Plan (PMP) and the implementer’s monitoring and evaluation plan. The AWP’s will be developed in-country by the Recipient and in cooperation with USAID/Ukraine/ODG and other stakeholders, including GoU entities as appropriate.

The first year’s AWP must also include consideration of data and analyses provided by USAID/Ukraine, including the Mission-wide gender and social inclusion (GESI) analysis as well as an activity-level analysis conducted by a USAID/Ukraine contractor during design. The recipient should provide an updates GESI analysis and must integrate interventions to address the findings from the mission-level and activity-level GESI analyses. Subsequent annual work plans should then reflect any updates to the analysis and planned interventions. The gender and social inclusion analysis should contain information related to the five domains listed below (ADS 205.3.2):

- Laws, Policies, Regulations, and Institutional Practices
- Cultural Norms and Beliefs
- Gender Roles, Responsibilities and Time Use
- Access to and Control over Assets and Resources
- Patterns of Power and Decision-making

The Recipient must ensure that approaches to achieve sustainability of interventions are integrated in the AWP after USAID funded efforts end. The sustainability approach must address key challenges for key

partners. It must detail a roadmap for how the Recipient will work with key partners during the program to address these challenges.

The Recipient must provide to the AOR weekly updates to the AWP demonstrating how the activity is achieving partnership and policy objectives. No less than monthly, the Recipient also will submit:

- 1) An updated list of upcoming events highlighting any events with Ministerial or higher-level engagement from the GoU and proposing any invitations for USG representation.
- 2) Anticipated upcoming sub-grants.
- 3) A success story demonstrating the 'human impact' of these achievements. Successes may be provided to the AOR in writing (social media, Exposure, Medium) or video format (see [usaid.gov](http://usaid.gov) for guidance). The Recipient will obtain USAID guidance from the designated AOR.

Annual Work Plans must not deviate from award requirements. All interventions planned through this process must be in accordance with the award's Program Description and consistent with the approved budget for the award. Inclusion of items in the AWP does not obviate the need to seek specific approvals from USAID when those additional approvals might be required by policy and regulation. Modifications to the AWP that respond to changed conditions may be proposed by the Recipient and approved by the AOR; however, in no case may any work plan activity deviate from the Program Description or award terms.

#### **Activity Monitoring, Evaluation & Learning (MEL) Plan**

Within the first 45 days of signing the Cooperative Agreement and before major activity implementation actions begin, the Recipient shall submit an activity MEL Plan together with the Initial Implementation Plan to the USAID AOR for review and approval.

The AOR will review the plan and provide comments and recommendations for changes no later than 30 days after receipt of the draft. The Recipient shall incorporate AOR comments and recommendations into the final version of the M&E Plan and submit it for AOR written approval within 15 days. After the plan is finalized, the AOR will provide written approval. All substantial changes in the M&E Plan require prior written approval of the AOR.

Activity MEL Plan submitted to USAID should include only those indicators that the USAID Mission needs for activity management, rather than the entire set of all indicators an activity implementer uses for its management purposes. The number of indicators reported to USAID should not exceed fifteen.

USAID is currently rolling out the New Partnership Initiative (NPI) and applying the new Agency-wide approach to measuring improved performance of new and underutilized partners through developing their organizational capacity. The Implementing Partner will be required to collect and analyze data related to the standard cross-cutting CBLD-9 indicator Percent of USG-assisted organizations with improved performance. USAID will provide further guidance.

The Activity budget must include costs of data collection, analysis, and reporting as a separate line item to ensure that adequate resources are available.

The MEL Plan should include a comprehensive strategy for monitoring and reporting progress made towards activity purpose and results. The MEL Plan should contain the following required elements:

- activity purpose and results as well as brief description of the linkages between the activity outputs and its expected results;
- performance indicators and their descriptions;

- unit of data measurement;
- data sources;
- description of data collection methods;
- baseline information (year and value) or a timeline for collecting it;
- annual targets;
- disaggregation by sex (required by ADS 201 and 205), age, geographic locality, type of assistance, etc. as needed;
- rationale for indicator and target;
- reporting level;
- data limitations;
- schedule for data collection;
- names of individuals responsible for data collection;
- availability of data at USAID;
- detailed plans for data analysis, review and reporting; and,
- Learning Section.

The recipient must prepare the Performance Indicator Reference Sheets (PIRS) for each indicator in its MELP.

The MEL Plan for this Activity will also be consistent with the Mission's PMP and meet the Mission's needs for monitoring, evaluation, CLA, and collecting or managing data; external reporting requirements, such as the Mission's annual Performance Plan and Report (PPR); the PDD if applicable; and the program monitoring needs for the management and oversight of activities by USAID..

Performance indicators should comply with the following criteria: direct, objective, practical, adequate, and useful in managing for results. MEL Plan data should be based on the US fiscal year.

According to USAID regulations, performance indicator data reported externally, including annual Performance Reports sent to USAID/Washington, must have a data quality assessment (DQA). The purpose of the DQA is to ensure that managers are aware of the strengths and weaknesses of the data and the extent to which the data can be trusted to influence management decisions. DQA must be conducted within twelve months prior to reporting data to USAID for new indicators, and every three years thereafter. Conducting DQA on a rolling basis will reduce the burden of handling indicators all at once.

To be useful in managing for results and credible for reporting, USAID AOR or a third-party contractor designated by USAID/Ukraine should ensure that the performance data meet the following five data quality standards: validity, reliability, timeliness, precision and integrity. If performance data do not fully meet all five standards, the known data limitations should be documented. The AOR/COR can combine a random check of partner data during a regularly scheduled site visit and include data quality items into site visit reports. This minimizes the costs associated with the DQA. When conducting a DQA, USAID AOR or a third-party contractor designated by USAID/Ukraine will examine the data in light of the five quality standards noted above, reviewing the systems and approaches for collecting data and whether they are likely to produce data of an acceptable quality over time.

USAID AOR or a third-party contractor designated by USAID/Ukraine conducts the DQA. This may entail site visits to physically inspect records maintained by the activity implementing partner. The activity USAID AOR or a third-party contractor designated by USAID/Ukraine will document DQA findings, including decisions concerning data quality problems and steps identified to address them. The findings will be shared with the implementer and an action plan to address data quality issues will be developed with the AOR. The AOR will follow up with the activity implementer to check progress on implementation of the action plan within the timeline outlined in the action plan against each action.

The M&E Plan is subject to final approval by USAID and is separate from the regular financial and other reports required by the standard Cooperative Agreement provisions.

USAID reserves the right to propose an activity implementer to integrate into the MEL Plan a number of indicators to help USAID measure the activity results.

USAID may elect to organize and carry out an independent performance evaluation of this activity. The activity implementer shall fully cooperate with USAID and the evaluation team to ensure that the evaluation accurately reflects activity results, outcomes, and/or impacts.

### **Other reporting requirements**

#### **Quarterly Performance Reports:**

Thirty (30) calendar days after the end of each fiscal year quarter, the Recipient will provide quarterly performance reports (in accordance with 2 CFR 200.328 (b) (1)) to describe activities undertaken; report on progress made toward achieving results, and make necessary adjustments for activities that will be undertaken in the next quarter. The report must be brief yet precise, description of the activities, with emphasis on issues that have arisen, impacts made, constraints encountered, reasons and justifications for any delays on deliverables and suggestions for additional actions that might be taken. The quarterly report must include the Recipient's accrued expenditures.

All reports will be submitted to the AOR in electronic copy and require written approval of the AOR. Any changes to due dates require the AO's written approval. The report should contain an executive summary and the following, at a minimum:

- Summary of the results for the reporting period and key achievements.
- Quarterly data for the required Performance Indicators, as determined in the MEL Plan.
- Any implementation problems as well as proposed corrective actions and the costs associated with the delay.
- Cross-cutting issues considerations in implementation and performance during the quarter should be detailed and may be included as annexes. At a minimum, cross-cutting issues should include: gender and social inclusion; localization, do no harm approaches, data-collection efforts for evidence-based adaptive management, and digitalization.
- Documentation of lessons learned and best practices that can be taken to scale.
- List of training activities conducted during the quarter, as applicable, to include type of trainees and their number disaggregated by sex.
- List of geographic data related to where interventions are being implemented.
- List of completed assessments and evaluations and plans for utilizing findings and recommendations.
- List of completed and upcoming events (national and sub-national meetings, seminars, training sessions, conferences, and others; international consultant visits; and meetings with key GoU officials and decision-makers), with dates. Upcoming events must highlight any involvement of GoU officials at the Ministerial level or higher.

- List of staff and consultants with dates in/out of country.

Quarterly reports will not exceed 30 pages. Annexes may be included if they support findings, conclusions, and recommendations of the core document.

The recipient is responsible for ensuring that any submitted reports protect the privacy and personally identifying information (PII) of any program participants or other individuals in compliance with relevant national laws and regulations and a do no harm approach. No PII should be included in any report submitted to USAID/Ukraine.

#### **Annual Performance Reports:**

The fourth quarterly report shall serve as the Annual Performance Report and shall be submitted within 90 calendar days after the end of the first full USG fiscal year and annually thereafter for each authorized year of performance. The Annual Performance Report shall follow the same format as the quarterly report, but with additional focus on cumulative accomplishments, progress and problems toward achievement of results, performance measures, indicators and benchmarks tied to the Annual Work Plan and the MEL Plan targets, for the quarter and the entire previous fiscal year, which runs from October 1-September 30. In addition, the Annual Performance Report must include an analysis of the performance indicators data and proposed revisions of annual target projections as needed.

The Annual Performance Report will be submitted to the AOR in electronic copy and require written approval of the AOR. Any changes to due dates require the AO's written approval. The report should contain an executive summary and the following, at a minimum, in addition to the quarterly report components:

- Qualitative and quantitative data required by USAID for the annual Performance Plan and Report (PPR) purposes, a brief listing of the project's major activities and successes during the year; knowledge sharing and learning activities; information on training activities; listing of sub-grants during the fiscal year; and, contributions to cross cutting issues as specified by the Mission.
- Details on any challenges faced in implementing the strategies developed.
- An assessment of the sustainability of any activities supported through this project.
- An assessment of current conditions in each of the key component areas.
- List (and links) of all final and approved reports and data that were submitted during the fiscal year to the Development Experience Clearinghouse (DEC) [<https://dec.usaid.gov/dec/home/Default.aspx>] , USAID's Development Data Library (DDL) website [<http://www.usaid.gov/data>], as applicable. These reports include: assessments, evaluations, studies, development experience documents, technical and consultant reports, quarterly and annual reports, media products, training manuals, databases and datasets, geo-coded data or other GIS related data (i.e. shape files and mapping files), computer software programs, videos and other intellectual deliverable materials required under the award schedule.
- Documentation of best practices that can be taken to scale.

Annual Performance Reports shall not exceed 40 pages. Additional annexes may be included if they support findings, conclusions, and recommendations of the core document. The Recipient should check with the Program Office through their AOR for applicable templates or methodology of submitting reports and data to the DEC, DevResults, TEAMS, DDL website or other required platforms.

The recipient is responsible for ensuring that any submitted reports protect the privacy and personally identifying information (PII) of any program participants or other individuals in compliance with relevant

national laws and regulations and a do no harm approach. No PII should be included in any report submitted to USAID/Ukraine.

### **Outreach and Communication Strategy**

An outreach and communication strategy shall be developed on an annual basis and incorporated as a section of the Annual Implementation Plan. The strategy will include the overall communication message of the activity, as set forth in the Branding and Marking Plan. The annual strategy will identify opportunities based on the Annual Implementation Plan to promote activity success and demonstrate that the activity is made possible with the generous support of the American people. Activities may include, but are not limited to; signing ceremonies, graduation ceremonies, events to celebrate key milestones or "firsts," the delivery of commodities, or policy changes. The strategy should address, reporting, events, traditional and social media. Given the sensitive nature of the activity's subject matter and the context in Ukraine, requests for branding and marking waivers in line with a do no harm approach should also be specified in this strategy.

### **Final Performance Report**

The last Quarterly/Annual Performance Report for the final year will also be the Final Performance Report. The draft report in English, is due 50 calendar days prior to completion of the award and a final version and electronic version (two print copies and an electronic version), within 30 calendar days of the expiration of the award.

The report will include the information required in the Quarterly and Annual Performance Reports as well as:

- Basic Agreement information.
- A description of the activity, the accomplishments and successes achieved during the award period in terms of the expectations of activity design and changes in the activity environment as well as any shortcomings and/or difficulties encountered.
- An assessment of the progress towards achievement of the objectives or results, including gender and social inclusion aspects and other cross-cutting issues. This should clearly show how the award objectives have been accomplished or not and why.
- A summary of performance indicators used and an assessment of their relative utility in program management.
- A summary of lessons learned and recommendations that might be relevant to programming, design and implementation of similar or follow-on activities.
- A description of all entities and partners along with non-governmental organizations with whom the Recipient worked with and an evaluation of their strengths and weaknesses.
- List of all publications, evaluations, and media products that were sent to DEC during the life of the award.
- Financial report showing, by line item, the amounts expended.

The Final Performance Report will not exceed 40 pages. Annexes may be included if they support findings, conclusions, and recommendations of the core document. The Final Performance Report will be submitted to an agreed upon distribution list. This will include at a minimum the AOR, FMO, the Agreement Officer (if requested), the Development Experience Clearinghouse (DEC) at <http://dec.usaid.gov>, and others as specified by the AOR and AO.

#### 4. Program Income

Any program income generated under the award will be used to reduce the Federal award and non-Federal entity contributions rather than to increase the funds committed to the activity in accordance with 2 CFR 200.307 and the Program Income Standard Provision found in the ADS 303mab, Standard Provisions for Non-U.S. Non-governmental Organizations.

#### 5. Environmental Compliance

- A. The Foreign Assistance Act of 1961, as amended, Section 117, requires that the impact of USAID's activities on the environment be considered and that USAID include environmental sustainability as a central consideration in designing and carrying out its development programs. This mandate is codified in Federal Regulations (22 CFR 216) and in USAID's ADS 204, which require that any potential environmental impacts of USAID-financed activities be identified prior to a final decision to proceed and that appropriate environmental safeguards are adopted for all activities. The Recipient's environmental compliance obligations under these regulations and procedures are specified in the following paragraphs of this NOFO.

In addition, the recipient must comply with host country environmental regulations unless otherwise directed in writing by USAID. In case of conflict between host country and USAID regulations, the latter shall govern. No activity will be implemented unless an environmental threshold determination, as defined by 22 CFR 216, has been reached for that activity, as documented in a Request for Categorical Exclusion (RCE), Initial Environmental Examination (IEE), or Environmental Assessment (EA) duly signed by the Bureau Environmental Officer (BEO). (Hereinafter, such documents are described as "approved Regulation 216 environmental documentation.")

- B. An Initial Environmental Examination (IEE) (2023-UKR-009) has been approved for a wider Project funding including this Cooperative Agreement. USAID has determined that the Cooperative Agreement qualifies for a Categorical Exclusion and Negative Determination with Conditions. This indicates that proposed interventions are not expected to have negative effects on the natural or physical environment.
- C. As part of its initial Work Plan, and all Annual Work Plans thereafter, the recipient, in collaboration with the USAID Agreement Officer's Representative and Mission Environmental Officer or Bureau Environmental Officer, as appropriate, shall review all ongoing and planned activities under this Cooperative Agreement to determine if they are within the scope of the approved Regulation 216 environmental documentation.

Any revisions or changes to the recipient plans outside the scope of the approved activity must be processed in accordance to 22 CFR 216. No new activities will be undertaken prior to receiving written USAID approval.

#### 6. Climate Risk Management

All USAID projects and activities approved after October 1, 2016 are required to comply with ADS 201mal: Climate Risk Management for USAID Projects and Activities. As per ADS 201, USAID should factor climate resilience into international development programs and investments. A climate risk screening was conducted for this activity and the results are included in the referenced IEE (2023-UKR-009).

Climate-related risks for this activity are ranked as LOW and no further action is required. However, it is recommended to be aware of possible risks due to extreme weather conditions during implementation when planning for events and activities.

## **7. Other Requirements**

### **SECURITY MANAGEMENT PLAN**

No later than sixty (60) days after USAID notifies the Recipient that USAID has engaged an Mission Partner Liaison Security Adviser (PLSA or Partner Liaison Security Office (PLSO) contractor), the Recipient must submit a Security Management Plan (including all associated protocols and standard operating procedures) to the AOR and AO. The AO may solicit review from USAID/Ukraine's PLSO, or other appropriate security personnel, and may provide recommendations to the Contractor. The Recipient must periodically review and update the plan based on the security situation in Ukraine. Any updates to the plan must be provided to the AOR and AO.

### **SECURITY**

The Recipient must be aware of security conditions in Ukraine, and by entering into a contract, assumes full responsibility for the safety of its employees. Prior to commencing work, the Recipient must ensure that it has adequate procedures in place to advise its employees of situations or changed conditions that could adversely affect their security. In order to keep abreast of security conditions in Ukraine, the Recipient must seek information from all available sources, including USAID/Ukraine's Partner Liaison Security Office (PLSO), once established by USAID, PLSA, once engaged by USAID, and other sources as directed by the AO, for all areas in which its employees work or travel within Ukraine.

The Recipient acknowledges that security conditions are subject to change at any moment, that USAID cannot guarantee the accuracy of any information that it may provide to the Recipient, and that USAID assumes no responsibility for the reliability of such information. The Recipient has sole responsibility for approving all travel plans for its employees and/or his dependents traveling to post if allowed by the Recipient's personnel internal policies. The Recipient is also responsible for immediately notifying USAID/Ukraine and the U.S. Embassy American Citizen Services section in the event a U.S. citizen employee does not return from travel as expected or does not report to work. In the event that USAID requests the Recipient to do so, the Chief of Party (COP), or equivalent position, must assume responsibility for contacting all of its employees. The Recipient must provide to the PLSO, PLSA, or others as directed by the AO, the name, current address, and current home and/or cellular telephone number of the COP, or equivalent position, and of an alternate designated employee. The Recipient is responsible for ensuring that the information on file with the PLSO and PLSA is up-to-date so that in an emergency, the COP or alternate representative can be reached immediately and he/she can rapidly contact all other affected employees. The Recipient is requested to notify the PLSO and PLSA, copying the AO, about any changes of the individual listed in the Security Management Plan who are considered in-charge of security.

### **SECURITY MANAGEMENT PLAN**

The Recipient must develop a Security Management Plan to safeguard all project operations. The Security Management Plan is to be implemented and maintained also by all Subcontractors and subrecipients. The Security Management Plan will be reviewed by the AO in consultation with the PLSO and PLSA.

The plan must include commentary on all aspects listed below. The plan will be reviewed against these criteria, to the extent that the reviewers are able to answer the key question: Is the proposed approach conceptually realistic (Capable of delivering the required [security risk mitigation, risk and emergency management, incident response] outcomes necessary to support secure operations) in the Ukraine and project context, achievable in relation to the resourcing effort applied, and proportionate to the security risk exposure present to the project associated with the project's nature, operating footprint and the threat context?

- 1) Contextual and threat analysis that provides the picture of the security risk environment present in Ukraine, the main drivers of risk, and how the project's nature and operating footprint may increase or reduce vulnerability to risk.
- 2) Security risk management approach that ties into this threat and vulnerability analysis to mitigate risks.
- 3) A description of the organizational structure and associated roles and responsibilities of those responsible for security risk and emergency management and including how these integrate with headquarters / regional teams as relevant.
- 4) A description of the overarching security incident response and management process (from initial notification through to the implementation of a planned course of response/action).
- 5) A description of mechanisms used to track changes in the security risk environment and the triggering of associated actions related to a 'tightening' or 'loosening' of the project's security posture.
- 6) A description of the emergency communications approach to be used to enable the project to communicate quickly to staff in the event of an emergent threat and that allows staff to communicate in the event of a security incident affecting them or their locality.
- 7) A description of the approach taken to training and exercising all staff in support of secure project operations (including local incident management team training and exercising, personal security awareness and response and ongoing security awareness briefings).
- 8) A description of the approach to travel risk management – including journey management.
- 9) A description of the approach to physical security of premises (offices, compounds, warehouses, residences, etc.), including the nature of contracted guardforce and other security services, approach to access control and visitor management.
- 10) Contingency planning for relevant emergency situations such as –
  - Abductions or illegal detention,
  - Evacuation,
  - Emergency medical care, Psycho-social support for staff impacted by serious crimes or personal violence,
  - Sexual assault,
  - Armed attack,
  - Reporting and prosecution options, etc., and
  - Risk mitigation measures, which address specific needs based on analysis of proposed program areas.
- 11) An incident reporting system that meets the requirements in this section.

American citizen personnel are encouraged to register in the State Department Smart Traveler Enrollment Program (STEP).

## **SECURITY REPORTING RESPONSIBILITIES**

Once notified that the PLSO has been engaged, the Recipient must submit the below reports to the PLSO and other personnel as directed by the AO. The type and frequency of these reports may vary with the project scope, location, and criticality. The Recipient must submit an Initial Incident Report (SIR, IR, SITREP, or other – see below for definitions) within the timescales described below, and, thereafter, subsequent further reporting as often as the situation requires (weekly, bi-weekly, monthly etc.).

### **1) Incident Reporting**

There are various types of Incident Reporting: Serious Incident Report (SIR); Incident Report (IR); Situation Report (SITREP); and any other security related report that may be required by USAID.

### **2) Serious Incident Report (SIR)**

- An incident that involves the death, injury, kidnapping of Recipient personnel and/or damage to Recipient property.
- An incident that has critically damaged the funded program, such as fire, catastrophic flood, etc.
- Initial SIR must be reported verbally immediately, and no later than 4 hours of the incident occurrence/discovered.
- A Complete SIR must be filed in writing by e-mail within 24 hours of the incident.
- Updated written SIR must continue to be filed in a timely basis (daily, weekly) as long as the situation exists. The timeline will be adjusted as required by the AO
- Final Report SIR will summarize the incident, the subsequent happenings and the final resolution.

### **3) Incident Report (IR)**

- An incident involving accidents, potential harm, suspicious persons or acts, threats or harassing actions against personnel or the program.
- IR should be initially reported by phone immediately, followed up with a written report filed as soon as possible (within 24 hours). After the incident is evaluated, a complete detailed written report must be submitted no later than 72 hours after the incident.

### **4) Situation Report (SITREP)**

- A report that a significant, but not critical action or activity, has taken place that has impacted, or may impact, on the well-being of the personnel or the success of the program.
- This report may describe trends, secondhand information that may have bearing on the project, or impact on future operations.
- There is no pre-determined reporting timeline. The report will be submitted by the Recipient as needed and required by PLSO, in consultation with the cognizant AO.

Telephonic communication (as directed by the AO or in general by the Regional Contracting Office) is the preferred method to provide the initial information of an incident. A written report

by e-mail must follow as soon as possible within the above described guidelines and it must be as detailed as possible. The report must follow the format approved in the original Security Management Plan but at a minimum it must contain:

- What: What happened – provide the specific details of the event.
- Where: Where exactly did the event happen – provide the specific location or area.
- When: What was the specific date and time of the event.
- Why: Why did the event happen; is there a background or context to the situation.
- Who: Who is involved, especially as it relates to injuries, deaths, arrests or kidnappings.

*Incident reporters must clearly state whether the identities of those who have died, been seriously injured, are seriously ill, or have been kidnapped or are associated with a serious act of ethical misconduct / inappropriate behavior are CONFIRMED or UNCONFIRMED. Where an incident relates to allegations of / suspected or established serious acts of ethical misconduct / inappropriate behavior, incident reporters must clearly state the status of the case against an identified individual: whether it is alleged, suspected or established. Where reporting a kidnapping, incident reporters should report only the nationality of the kidnapped individual during the initial report, and must seek explicit advice from their Headquarters security team as to the established organizational protocol for release of personally identifiable information relating to a kidnap victim*

- Who: Who is managing the situation – provide their names, contact details and appointments?
- Risks: What are the risks now, do they present a continued direct or indirect threat, and how likely are they to occur.

If this is an ongoing incident, progress reports must be submitted in accordance with the timelines provided via the SITREP in order to keep USAID/Ukraine personnel apprised of the situation.

## **SECTION G: FEDERAL AWARDING AGENCY CONTACT(S)**

### **1. NOFO Points of Contact**

Any prospective applicant desiring an explanation or interpretation of this NOFO must request it in writing by the deadline for questions specified in the cover letter to allow a reply to reach all prospective applicants before the submission of their applications. Any information given to a prospective applicant concerning this NOFO will be furnished promptly to all other prospective applicants as an amendment of this NOFO, if that information is necessary in submitting applications or if the lack of it would be prejudicial to any other prospective applicants.

Any questions or comments concerning this NOFO must be submitted in writing by email [Kyivrcodg@usaid.gov](mailto:Kyivrcodg@usaid.gov) by the deadline for questions indicated at the top of this NOFO's cover letter. Questions received by any other means and/or received after the deadline will not receive responses.

### **2. Acquisition and Assistance Ombudsman**

The A&A Ombudsman helps ensure equitable treatment of all parties who participate in USAID's acquisition and assistance process. The A&A Ombudsman serves as a resource for all organizations who are doing or wish to do business with USAID. Please visit this page for additional information: <https://www.usaid.gov/work-usaid/acquisition-assistance-ombudsman>

The A&A Ombudsman may be contacted via: [Ombudsman@usaid.gov](mailto:Ombudsman@usaid.gov)

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## **SECTION H: OTHER INFORMATION**

USAID reserves the right to fund any or none of the applications submitted. The Agreement Officer is the only individual who may legally commit the Government to the expenditure of public funds. Any award and subsequent incremental funding will be subject to the availability of funds and continued relevance to Agency programming.

### Applications with Proprietary Data

Applicants who include data that they do not want disclosed to the public for any purpose or used by the U.S. Government except for evaluation purpose, should mark the cover page with the following:

“This application includes data that must not be disclosed, duplicated or used – in whole or in part – for any purpose other than to evaluate this application. If, however, an award is made as a result of – or in connection with – the submission of this data, the U.S. Government will have the right to duplicate, use, or disclose the data to the extent provided in the resulting award. This restriction does not limit the U.S. Government’s right to use information contained in this data if it is obtained from another source without restriction. The data subject to this restriction are contained in sheets {insert sheet numbers}.”

Additionally, the applicant must mark each sheet of data it wishes to restrict with the following:

“Use or disclosure of data contained on this sheet is subject to the restriction on the title page of this application.”

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**ANNEX 1 - SUMMARY BUDGET TEMPLATE**

The Summary Budget Template is attached as a separate document.

**ANNEX 2 - STANDARD PROVISIONS**

(Note: the full text of these provisions may be found at: <https://www.usaid.gov/ads/policy/300/303maa>, <https://www.usaid.gov/ads/policy/300/303mab>, and <https://www.usaid.gov/ads/policy/300/303mat>). The actual Standard Provisions included in the award will be dependent on the organization that is selected (or the type of award, in the case of a fixed amount award). The award will include the latest Mandatory Provisions for either U.S. or non-U.S. Nongovernmental organizations, as appropriate. The award will also contain the following “required as applicable” Standard Provisions:

**Please note that the resulting award will include all standard provisions (both mandatory and required as applicable) in full text.**

**REQUIRED AS APPLICABLE STANDARD PROVISIONS FOR U.S. NONGOVERNMENTAL ORGANIZATIONS**

Required	Not Required	Standard Provision
TBD		RAA1. NEGOTIATED INDIRECT COST RATES - PREDETERMINED (NOVEMBER 2020)
		RAA2. NEGOTIATED INDIRECT COST RATES - PROVISIONAL (Nonprofit) (NOVEMBER 2020)
		RAA3. NEGOTIATED INDIRECT COST RATE - PROVISIONAL (Profit) (DECEMBER 2014)
		RAA4. INDIRECT COSTS – DE MINIMIS RATE (NOVEMBER 2020)
X		RAA5. EXCHANGE VISITORS AND PARTICIPANT TRAINING (JUNE 2012)
	X	RAA6. VOLUNTARY POPULATION PLANNING ACTIVITIES – SUPPLEMENTAL REQUIREMENTS (JANUARY 2009)
	X	RAA7. PROTECTION OF THE INDIVIDUAL AS A RESEARCH SUBJECT (APRIL 1998)
	X	RAA8. CARE OF LABORATORY ANIMALS (MARCH 2004)
X		RAA9. TITLE TO AND CARE OF PROPERTY (COOPERATING COUNTRY TITLE) (NOVEMBER 1985)
		RAA10. COST SHARING (MATCHING) (FEBRUARY 2012)
X		RAA11. PROHIBITION OF ASSISTANCE TO DRUG TRAFFICKERS (JUNE 1999)
X		RAA12. INVESTMENT PROMOTION (NOVEMBER 2003)
X		RAA13. REPORTING HOST GOVERNMENT TAXES (DECEMBER 2014)
X		RAA14. FOREIGN GOVERNMENT DELEGATIONS TO INTERNATIONAL CONFERENCES (JUNE 2012)
	X	RAA15. CONSCIENCE CLAUSE IMPLEMENTATION (ASSISTANCE) (FEBRUARY 2012)
	X	RAA16. CONDOMS (ASSISTANCE) (SEPTEMBER 2014)

	X	RAA17. PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE LEGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING (ASSISTANCE) (SEPTEMBER 2014)
X		RAA18. USAID DISABILITY POLICY - ASSISTANCE (DECEMBER 2004)
	X	RAA19. STANDARDS FOR ACCESSIBILITY FOR THE DISABLED IN USAID ASSISTANCE AWARDS INVOLVING CONSTRUCTION (SEPTEMBER 2004)
	X	RAA20. STATEMENT FOR IMPLEMENTERS OF ANTI-TRAFFICKING ACTIVITIES ON LACK OF SUPPORT FOR PROSTITUTION (JUNE 2012)
	X	RAA21. ELIGIBILITY OF SUBRECIPIENTS OF ANTI-TRAFFICKING FUNDS (JUNE 2012)
	X	RAA22. PROHIBITION ON THE USE OF ANTI-TRAFFICKING FUNDS TO PROMOTE, SUPPORT, OR ADVOCATE FOR THE LEGALIZATION OR PRACTICE OF PROSTITUTION (JUNE 2012)
X		RAA23. UNIVERSAL IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT (NOVEMBER 2020)
X		RAA24. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (NOVEMBER 2020)
X		RAA25. PATENT REPORTING PROCEDURES (NOVEMBER 2020)
X		RAA26. ACCESS TO USAID FACILITIES AND USAID'S INFORMATION SYSTEMS (AUGUST 2013)
X		RAA27. CONTRACT PROVISION FOR DBA INSURANCE UNDER RECIPIENT PROCUREMENTS (DECEMBER 2014)
X		RAA28. AWARD TERM AND CONDITION FOR RECIPIENT INTEGRITY AND PERFORMANCE MATTERS (April 2016)
		RAA29. RESERVED
X		RAA30. PROGRAM INCOME (AUGUST 2020)
X		RAA31. NEVER CONTRACT WITH THE ENEMY (NOVEMBER 2020)

**REQUIRED AS APPLICABLE STANDARD PROVISIONS FOR NON-U.S. NONGOVERNMENTAL ORGANIZATIONS**

Required	Not Required	Standard Provision
TBD		RAA1. ADVANCE PAYMENT AND REFUNDS (NOVEMBER 2020)
		RAA2. REIMBURSEMENT PAYMENT AND REFUNDS (DECEMBER 2014)
TBD		RAA3. INDIRECT COSTS – NEGOTIATED INDIRECT COST RATE AGREEMENT (NICRA) (NOVEMBER 2020)
		RAA4. INDIRECT COSTS – CHARGED AS A FIXED AMOUNT (NONPROFIT) (JUNE 2012)
		RAA5. INDIRECT COSTS – DE MINIMIS RATE (NOVEMBER 2020)
X		RAA6. UNIVERSAL IDENTIFIER AND SYSTEM OF AWARD MANAGEMENT (NOVEMBER 2020)

X		RAA7. REPORTING SUBAWARDS AND EXECUTIVE COMPENSATION (NOVEMBER 2020)
X		RAA8. SUBAWARDS (DECEMBER 2014)
X		RAA9. TRAVEL AND INTERNATIONAL AIR TRANSPORTATION (DECEMBER 2014)
	X	RAA10. OCEAN SHIPMENT OF GOODS (JUNE 2012)
X		RAA11. REPORTING HOST GOVERNMENT TAXES (JUNE 2012)
X		RAA12. PATENT RIGHTS (JUNE 2012)
X		RAA13. EXCHANGE VISITORS AND PARTICIPANT TRAINING (JUNE 2012)
X		RAA14. INVESTMENT PROMOTION (NOVEMBER 2003)
	X	RAA 15. COST SHARE (JUNE 2012)
X		RAA16. PROGRAM INCOME (AUGUST 2020)
	X	RAA17. FOREIGN GOVERNMENT DELEGATIONS TO INTERNATIONAL CONFERENCES (JUNE 2012)
	X	RAA18. STANDARDS FOR ACCESSIBILITY FOR THE DISABLED IN USAID ASSISTANCE AWARDS INVOLVING CONSTRUCTION (SEPTEMBER 2004)
	X	RAA19. PROTECTION OF HUMAN RESEARCH SUBJECTS (JUNE 2012)
	X	RAA20. STATEMENT FOR IMPLEMENTERS OF ANTI-TRAFFICKING ACTIVITIES ON LACK OF SUPPORT FOR PROSTITUTION (JUNE 2012)
	X	RAA21. ELIGIBILITY OF SUBRECIPIENTS OF ANTI-TRAFFICKING FUNDS (JUNE 2012)
	X	RAA22. PROHIBITION ON THE USE OF ANTI-TRAFFICKING FUNDS TO PROMOTE, SUPPORT, OR ADVOCATE FOR THE LEGALIZATION OR PRACTICE OF PROSTITUTION (JUNE 2012)
	X	RAA23. VOLUNTARY POPULATION PLANNING ACTIVITIES – SUPPLEMENTAL REQUIREMENTS (JANUARY 2009)
	X	RAA24. CONSCIENCE CLAUSE IMPLEMENTATION (ASSISTANCE) (FEBRUARY 2012)
	X	RAA25. CONDOMS (ASSISTANCE) (SEPTEMBER 2014)
	X	RAA26. PROHIBITION ON THE PROMOTION OR ADVOCACY OF THE LEGALIZATION OR PRACTICE OF PROSTITUTION OR SEX TRAFFICKING(ASSISTANCE) (SEPTEMBER 2014)
X		RAA27. LIMITATION ON SUBAWARDS TO NON-LOCAL ENTITIES (JULY 2014)
X		RAA28. CONTRACT PROVISION FOR DBA INSURANCE UNDER RECIPIENT PROCUREMENTS (DECEMBER 2014)
X		RAA29. CONTRACT AWARD TERM AND CONDITION FOR RECIPIENT INTEGRITY AND PERFORMANCE MATTERS (April 2016)
		RAA30. RESERVED
X		RAA31. NEVER CONTRACT WITH THE ENEMY (NOVEMBER 2020)