



Issuance Date: April 20, 2023

Q&A Deadline: May 2, 2023

Concept Note Submission Closing Dates: May 24, 2023

Subject: Annual Program Statement Number (APS) No.: 7200AA22APS00007
Addendum #1

Program Title: Human Rights for All Addendum to Justice, Rights, and Security Annual Program Statement

Catalog of Federal Domestic Assistance: 98.001, Foreign Assistance for Programs Overseas

Pursuant to the Foreign Assistance Act of 1961, as amended, the United States Government, as represented by the [U.S. Agency for International Development \(USAID\)](#), the [Bureau for Development, Democracy, and Innovation \(DDI\)](#), and [USAID/Guatemala](#), is announcing the <Human Rights for All > Addendum to the Justice, Rights, and Security (JRS) Annual Program Statement (APS), hereafter known as the JRS APS.

Through this Human Rights for All Addendum, USAID/Guatemala aims to strengthen Guatemala's human rights system. This Addendum disseminates information to prospective Applicants so they may develop and submit Concept Papers in response, prior to potentially being asked to submit a full application to be considered for USAID funding. This Addendum describes and provides:

- The type of activities for which Concept Papers will be considered;
- Available funding, process and requirements for submitting Concept Papers and Full Applications;
- The Criteria for evaluating Concept Papers; and
- Relevant documentation and resources.

USAID/Guatemala anticipates awarding one cooperative agreement under this Addendum. Issuance of this Addendum does not constitute an award or commitment on the part of the U.S. Government to make an award, nor does it commit the U.S. Government to pay for costs incurred in the preparation and submission of a Concept Paper or Application(s). The actual number of assistance awards, if any, is subject to the availability of funds, as well as the viability of eventual full Applications received.

Subject to the availability of funds, USAID Guatemala anticipates supporting one award, including possible sub-awards, of \$15 million over the five-year life of the project. USAID reserves the right to award more or fewer awards than this estimate, and is not obligated to make any awards.

Based on the submitted Concept Paper(s), USAID/Guatemala will determine whether to request a Full Application from eligible organizations. To be competitive under this Addendum to the JRS APS, Concept Papers (and any Full Applications submitted in response to a request) must be fully responsive to all directions under the APS, except when specifically noted otherwise in this Addendum.

It is the responsibility of the Applicant to ensure that the entire APS and Addendum Opportunity has been downloaded from www.grants.gov, and USAID bears no responsibility for data errors resulting from transmission or conversion process. If you have difficulty registering on www.grants.gov or accessing the APS, please contact the grants.gov Helpdesk at 1-800-518-4726 or via email at support@grants.gov for technical assistance.

Thank you for your interest in USAID programs.

Sincerely,

Armando Espinosa
Agreement Officer
Office of Acquisition and Assistance

U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

ANNOUNCEMENT

CALL FOR PARTNERSHIP CONCEPTS

Human Rights for All

UNDER EXISTING

JUSTICE, RIGHTS, AND SECURITY

ANNUAL PROGRAM STATEMENT

APS No.: 7200AA22APS00007

Addendum #1

PLEASE NOTE: This is an addendum to an existing announcement. All interested organizations should carefully review both this addendum AND the full announcement, which can be found [here](#). Important information contained in the full announcement applies to but is not repeated in this specific addendum.

This program is authorized in accordance with Part 1 of the Foreign Assistance act of 1961, as amended.

Through this Addendum to the **JRS** Annual Program Statement (APS) No. **7200AA22APS00007**, USAID/Guatemala is making a special call for the submission of Concept Papers focused on **Goal 2** of the JRS APS, **Protect Rights**.

USAID encourages applicants to become aware of the prohibitions associated with Section 889 of the John S. McCain National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2019 Section (a)(1)(B) and Section (b)(1) of the law. Effective August 13, 2020, 2 CFR 200.216 for U.S. organizations and the mandatory standard provision “Prohibition on Certain Telecommunication and Video Surveillance Services or Equipment (AUGUST 2020)” for non-U.S. organizations prohibits the use of award funds, including direct and indirect costs, cost-share and program income, to procure covered telecommunication and video surveillance services or equipment. Applicants should reference the [USAID Section 889 Partner website](#) for more information.

Unless otherwise stated herein, all language contained in the JRS APS applies.

[\[https://www.grants.gov/web/grants/search-grants.html?keywords=justice%20rights%20and%20security\]](https://www.grants.gov/web/grants/search-grants.html?keywords=justice%20rights%20and%20security).

SECTION A: PROGRAM DESCRIPTION

I. INTRODUCTION

Justice, rights, and security (JRS) are important development outcomes in and of themselves, and they are inextricably linked to building peace and social cohesion, mitigating violent conflict, preventing crime and corruption, strengthening democratic governance, combating extremism, and improving business-enabling environments, livelihoods, health, education, and the environment. USAID has therefore, over decades, worked to achieve progress in a wide array of JRS areas.

Notwithstanding this progress, persistent justice, rights, and security challenges remain. Over five billion people around the world are classified as living outside the protection of the law, and at any given time 1.5 billion people have unresolved legal problems or unmet justice needs. They suffer in countries that fail to adequately meet obligations to their peoples in providing them justice, protecting their rights, and ensuring their security. The world is experiencing a 15-year decline in global freedom, with the rule of law and human rights under threat around the world. Gross violations of human rights are taking place in every region where USAID works, and human rights defenders are often under threat for their work. Inequitable application of the law, arbitrary and unlawful use of force to intimidate or inhibit the exercise of civil and political rights, endemic corruption eroding security institutions, and flagrant human rights abuses diminish public trust in democratic institutions.

Historically, deeply rooted challenges to these issues continue to plague these countries and their populations. Justice institutions fail to meet the public's needs due to manipulation, weak capacity, operational inefficiencies, insufficient resources, and legal frameworks that are inadequate to address the challenges of the moment. Members of the public are unable to meaningfully address their own justice needs due to a paucity of justice providers, modest financial means, and limited access due to geographical, cultural, economic, and linguistic barriers. The political will to develop new laws and policies on human rights or to implement those that already exist is often lacking. Human rights violations are the norm in some areas and for some populations, committed both by state and non-state actors. Where police fail to protect citizens and non-citizens alike, engage in illicit or criminal activity, or abuse their authority, people lose confidence not only in law enforcement, but also in the government that is supposed to protect them. This problem is particularly acute in states with fragile institutions and in conflict-prone states where corrupt or criminal civilian police behavior erodes citizens' support for fledgling democratic institutions.

Moreover, in recent years, these challenges have been expanded or exacerbated by new threats. For example, in many countries, emerging issues include:

- A resurgence in authoritarianism, with formerly democratic countries experiencing backsliding from democratic principles;
- Unprecedented levels of corruption with high-profile examples of graft, cronyism, and influence peddling;
- Threats to privacy, freedom of expression, and digital security through the proliferation of unprecedented technology tools and disinformation campaigns that undermine democracy and peaceful coexistence;
- Increasing violence and intimidation directed at human rights defenders and community leaders, including targeted assassination, incarceration, and harassment; as well as government repression of human rights organizations through restrictions on freedoms of assembly and expression; and
- Significant demographic shifts in the form of a global youth bulge, mass migration, stateless populations, and more.

Guatemala has its own troubled history of human rights violations. During the country's 36-year armed conflict from 1960-1996, serious human rights violations and abuses were committed by the government and armed militia groups. Frequent human rights violations included property theft and destruction, campaigns of persecution, censorship and freedom of speech and assembly restriction, police brutality, unlawful incarceration, intimidation, threats, disappearances, sexual violence, forced displacement, torture and murder.

Though Guatemala has achieved progress on human rights in the 27 years since the end of the armed conflict and the establishment of the peace accords, recent and swift democratic backsliding has put human rights for all Guatemalans in jeopardy.

In response USAID/Guatemala seeks to improve the enabling environment to prevent human rights abuses. By working with civil society organizations, government entities, and other stakeholders, the Human Rights For All project aims to strengthen the human rights system so that all citizens are respected and protected. Through advocacy, education, awareness-raising and capacity building, the project will promote a culture of respect for human rights and social behavior change to foster the further development of Guatemala.

II. BACKGROUND

The Enabling environment does not prevent or mitigate human rights abuses. The Guatemalan human rights landscape is the bleakest it has been in decades. The 2021 State Department Human Rights Report describes the sensitive and vulnerable situation of human rights in Guatemala. The country is also plagued with government corruption, a lack of investigation of and accountability for gender-based violence, crimes involving violence or threats of violence targeting persons with disabilities and members of indigenous groups. Furthermore, crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons (LGBTQI+) is not uncommon, but prosecution and conviction for those crimes is not a priority for the Guatemalan Justice System.

The Inter-American Commission on Human Rights placed Guatemala among the countries with structural situations that “seriously affect the use and enjoyment of fundamental rights recognized in the American Declaration, the American Convention or other applicable instruments; and systematic noncompliance of the State with its obligation to combat impunity, attributable to a manifest lack of will.”

The trend toward regressive legislation is compounding the significant human rights challenges, including congressional bills that undermine LGBTQI+ rights, failure to enact a national policy for the protection of human rights defenders, and the modification of the Non Governmental Organizations for Development Decree 4-2020 (better known as the “NGO law”) which threatens the existence of non-governmental organizations in Guatemala. According to Article 19 of this law, the Interior Ministry has the ability to close any NGO which violates the presumption of innocence established in the National Constitution. Moreover, the GOG has used repression against groups perceived as oppositional by initiating selective, exclusive and unequal criminal prosecution and intimidation. As a result, 24 well-respected judicial staff have fled Guatemala over the last four years due to spurious accusations and unjust persecution, and if this situation continues, more justice operators will follow. In the 2023 electoral process, the Supreme Electoral Tribunal disqualified a vice-presidential candidate, the former Human Rights Ombudsman, Jordan Rodas Andrade. These and other events have discouraged vulnerable groups from advocating for their rights before the adoption of legislative or administrative measures affecting their communities.

The human rights and individual safety and security of anti-corruption champions, judges, and human rights activists, and other marginalized groups continue to be at risk. Threats, harassment and intimidation are common both physically and virtually, and online net centers mobilizing anonymous attacks are operating at full capacity.

According to a report from Insight Crime¹, the high levels of impunity in Guatemala (94 percent over the past decade) represent an ineffective system that reinforces violence and insecurity, and further deteriorates respect for human rights. Preventive prison should be an *ultima ratio* measure taken by tribunals but in Guatemala over 50% of the incarceration is justified with this reasoning² while resolution of criminal cases can take up to 10 years³. Access to justice for the vulnerable in some cases is nearly impossible: crime victims describe a lack of access to lawyers, funds, medical care, and therapy. In cases where they do obtain assistance, it is insufficient. Guatemala is suffering a serious backlash in the observance of human rights, and this affects all its citizens.

Protection of Human Rights Continues to Deteriorate. The Guatemalan institutional and legal framework for the protection of human rights is eroding. The previous Administration of the Office of Human Rights Ombudsman (PDH), which denounced violations against the Guatemalans' human rights, tried to hold the conservative elite accountable, (including officials within the GOG) and became the target of continuous political attacks. Additionally, the national Congress cut the funding to the PDH which undermines its ability to fulfill its mandate. Mr. José Alejandro Córdova Herrera was elected as the new Human Rights Ombudsman on July 20, 2022. This Ombudsman has been silent when the human rights of Guatemalans are threatened, exemplified when members of congress proposed bylaws that may put human rights in jeopardy. Bylaw No. 6076 proposes to strengthen and broaden the use of force by members of the security forces in the name of citizen security to maintain public order. This bylaw could result in the disproportionate use of force against citizens, similar to what happened in November, 2020, when security forces violently repressed a peaceful demonstration⁴. The GOG merged key human rights defense and historic memory institutions, including the Secretariat for Agrarian Issues, the Presidential Commission for Human Rights, the Secretariat for Peace, and the National Commission for Dialogue into the new Presidential Commission for Peace and Human Rights (COPADEH). Since its inception this commission has faced many challenges to immediately assume the responsibilities of the four entities listed above. These challenges include the need for a holistic approach to institutional strengthening, institutional memory, among others. Confidence and trust in governmental offices and divisions that work in the human

¹ Asmann, Parker. (2019) Guatemala Impunity Report Shows Limits of Anti-Graft Body. Insight Crime. <https://insightcrime.org/news/brief/guatemala-impunity-report-limits-anti-graft-body/>

² Hernández Morales, Cynthia Melisa. (2021) La impunidad en Guatemala producto de la mora judicial. Magazine: Multidisciplinary Science. Centro Universitario del Noroccidente (CUNORI).

³ Del Aguil, Jose Pablo (2021). Prensa Libre. Justice Section. https://www.prensalibre.com/pl-plus/guatemala/justicia/la-justicia-puede-tardar-una-decada/?utm_source=modulosPL&utm_medium=linkinterno&utm_campaign=ux

⁴ <https://pensacomunitaria.org/2022/11/21n-dos-anos-de-la-protesta-y-el-legado-de-un-gobierno-autoritario/>

rights arena are under constant scrutiny. Additionally, other GOG divisions that work in the human rights arena, such as the Indigenous Women Defense Office; Congressional Human Rights Commission, the National Commission for Peoples with Disabilities, and the National Office for Preventing Torture have endured similar conditions impeding their ability to fulfill their mandate.

The Role of the Private Sector in Human Rights Promotion

The most affluent business owners are also part of the entrenched elite, who wield significant political influence among elected officials. Therefore, the private sector could play a central role to support human rights protection and uphold respect for human rights throughout the country.

Peace, resilience, and prosperity are more often present in societies with greater social cohesion, interpersonal safety, and intergroup trust. (USAID Policy Framework 2019). Yet, lasting peace largely depends on the willingness and capability of society members to (re)forge their relationships in the face of legacies of violence and conflict.

III. PURPOSE

Goal

The goal of the Human Rights for All project is to strengthen Guatemala's human rights system. This goal will be advanced by the following:

The objectives of the project are:

- 1) Objective 1: The enabling environment to prevent and mitigate human rights abuses is enhanced.
- 2) Objective 2: Protection of human rights is improved.
- 3) Objective 3: Capacity of the Guatemalan civil society and selected government entities to respond to human rights abuses is increased.

Proposed Theory of Change

If there is enhanced prevention of human rights violations in Guatemala, improved protection of human rights defenders, and strengthened response to human rights violations, **then** Guatemala will become a more stable, peaceful, and prosperous society where human rights are respected.

This theory of change will be validated or refined during the co-creation process with the selected prospective implementing partner(s).

Approach

This Addendum responds to the Justice, Rights and Security Annual Program Statement's Goal 2: Protect Rights and its objectives. The envisioned "Human Rights for All" project will help achieve the USAID/Guatemala's 2020-2025 Country Development Cooperation Strategy (CDCS) by connecting indigenous peoples, women, and youth to opportunities that enable them to achieve prosperous, secure, and dignified lives at home in Guatemala. More specifically, this project will support the following Guatemalan CDCS Development Objectives

- DO 2: To partner with the Government of Guatemala (GOG) and other stakeholders to strengthen effective and accountable governance to improve quality of life and reduce irregular migration
- DO 3: To partner with the GOG and other stakeholders to improve justice and security to reduce irregular migration.

This project is also linked closely to the goals established in U.S. Strategy to Address the Root Causes of Migration, Pillar III: Promoting respect for human rights, labor rights, and a free press.

Building Local Capacity

Local capacity building (in addition to being an illustrative result, 2.3) is one of the principal approaches expected in this project. To that end, special consideration should be given to the involvement of local firms and professionals in significant roles in order to facilitate future transfer of knowledge, skills, and abilities. The applicant must take into consideration the objective of sustainability throughout implementation. Local institutions and organizations will be supported, utilized, and/or built to the greatest extent possible, in order to carry out program interventions to prevent, and respond to human rights violations and promote the protection of vulnerable people.

People-to-People Approach

The project will also employ a people-to-people (P2P) approach, which brings together individuals of different ethnic, racial, religious, and/or political backgrounds and creates opportunities for safe interaction between these groups experiencing violence, conflict and/or tensions, with the aim of fostering mutual trust, empathy and understanding; promoting the protection and observance of human rights; and creating stronger social ties. A P2P approach may bring together groups in conflict including, but not limited to, indigenous groups, local government, police forces, and local communities representing different ethnic, religious and/or political groups. The project should also take into

account Do No Harm considerations to ensure that risks or negative impacts are minimized.

Consider JRS Core Principles

The project shall incorporate the following core principles of the JRS APS.

Collaborating, Learning and Adapting : The project is expected to contribute to USAID's 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 and build on what works and eliminate what does not by adapting approaches based on learning.

Potential for Impact: The project is expected to have a sustained impact, paying particular attention to:

- **Feasibility:** Responses should have well-defined and achievable objectives. The enabling environment and the proposed combination of partner assets, resources, and expertise should be sufficient to yield significant impact on a specific and important development challenge.
- **Sustainability:** Responses should demonstrate the potential to yield sustainable solutions to the development challenge being addressed. These solutions should indicate how implementers will engage with an inclusive set of stakeholders and leverage resources from said stakeholders to ensure the long-term success of the project.
- **Scalability:** Where appropriate, USAID will consider whether and how the proposed approaches can be replicated in a manner that would offer a broader set of impacts at the national, regional or global level.
- **Locally-driven:** Responses, as appropriate, should articulate how the project will respond to locally-identified needs and priorities, support and partner with local actors and organizations, integrate local leadership into project management and operations, and strengthen local capacities. Design processes, partnerships, and activities should be inclusive of diverse populations, peoples, and perspectives.

People-Centeredness: Responses should elaborate an approach to and describe activities that will make relevant systems, institutions, and services more data-driven, user-friendly, problem-solving, and prevention-oriented and, thus, more people-centered. Proposed approaches should describe how activities will improve people's experiences and outcomes when engaging formal and informal systems and services.

Innovation: Responses should, as appropriate, elaborate innovative approaches and activities to achieve project goals and objectives. Innovation could mean introducing new problem-solving and data-collection technologies; introducing new ways of delivering, streamlining, and financing relevant services; applying new techniques to improve the transparency, accountability, and efficiency of relevant institutions and actors; and/or facilitating new feedback loops.

Basis in Evidence: USAID strives to build an evidence base for its support to accountable, democratic governance through impact and program evaluations, along with evidence from existing research and based on prior programming methodologies with demonstrated success. Activities under this APS will align with and advance the DRG Center and USAID/Guatemala's Learning Agenda and may include performance evaluations and surveys. Recipients will be required to cooperate with external evaluation teams and provide reasonable logistical assistance to them. USAID will rely on recipients for quality data measuring program performance, based on a monitoring and evaluation plan agreed upon under each award. Recipients will be expected to incorporate robust monitoring, evaluation, and learning into all activities under this APS, with regular reflection periods.

Engagement with Local Systems

The envisioned activity is expected to build on USAID/Guatemala's commitment to local solutions generally as a critical component of sustainable development, and more specifically, the Local Systems Framework -- each of which advances the following concept: "Building the capacity of a single actor or strengthening a single relationship is insufficient. Rather, the focus must be on the system as a whole: the actors, their interrelationships and the incentives that guide them. Realizing improved development outcomes emanates from increasing the performance of multiple actors and the effectiveness of their interactions."

The application must include a viable and feasible implementation plan to **enhance the human rights environment; to improve protections for human rights defenders and marginalized populations, and advance the capacity of the Guatemalan Government and civil society to respond to human rights abuses.** Evidence and the local context related to human rights must inform the proposed strategy (e.g. the situation of human rights in Guatemala). Program approaches should be designed holistically and articulate a theory of change that is cognizant of all relevant parts of a system and their interactivity. Activities should also embed flexibility, for example, by building in dynamic feedback mechanisms for tracking how the Project's activities interact with those systems (e.g., advisory groups composed of local leaders). Finally, the application must also present an articulated sustainability and partnership plan that is realistic and ensures activity results will be sustained even after the completion of the activity. A successful applicant will intentionally incorporate key local partners and alliances, in

accordance with USAID's Localization Strategy, activities should seek opportunities for strengthening those systems where possible (e.g., building the capacity of local actors through implementation). The application must include plans to work with various levels of government. The technical approach must specify clearly the Applicant's anticipated primary local partners and alliances, and outline how the Applicant will oversee these contractual and non-contractual relationships to promote capacity strengthening, local ownership and sustainability of interventions and desired outcomes over the life of the activity and beyond.

Supporting New and Diverse Actors

USAID/Guatemala is aware of the importance to engage with local and diverse actors to further sustainable development goals. To this end, USAID/Guatemala is committed to improve the performance of local partners and to promote a strong local system to achieve the results detailed in this Addendum. This activity will support USAID's New Partnerships Initiative (NPI) which upholds the following: principles

1. Promote local leadership, especially outside Guatemala City;
2. Improve equity and inclusivity within partner relationships;
3. Demonstrate accountability to constituents;
4. Seek innovative approaches;
5. Lower barriers to partnerships;and
6. Identify new and nontraditional sources of funding.

Doing No Harm

USAID is mindful of the risk of unintentionally doing harm under this program and the risks that beneficiary institutions or individuals may incur receiving assistance from a U.S. Government institution. This program must support key principles related to "do no harm," which "strongly advises outsiders to allow insiders to make their own choices and identify their own priorities."While USAID will apply its own processes for assessing and managing those risks, implementing partners will be expected to articulate and adhere to their own criteria and process for mitigating the risk of doing harm under this Addendum.

IV. PROGRAMMATIC AND GEOGRAPHIC FOCUS

The authorized geographic code for procurement of goods and services under this Addendum is Code 937 (United States, the recipient country, and developing countries other than advanced developing countries, and excluding prohibited sources).

The Human Rights for All project will prioritize conflict-affected municipalities and municipalities with high levels of human rights violations in the country of Guatemala. The criteria that will be used to define the project's ten priority target municipalities include:

- 1) Areas with high rates and various types of Human Rights violations;
- 2) Areas with high rates of polarization that will benefit from the People2People Approach;
- 3) Areas in which other USAID-funded activities are working and will complement ongoing activities.

Geographic alignment between the Activity and other USAID/ Guatemala activities will enable this activity to collaborate with, and provide assistance to, other activities that work with underserved groups and human rights defenders at risk of victimization. This can be further discussed and agreed upon at the co-creation stage.

Alignment

The Human Rights for All project is aligned with USAID's Justice, Rights, and Security (JRS) APS in the Objectives under Goal 2, specifically including:

- *To improve enabling environments for the protection and advancement of human rights;*
- *To facilitate, develop, and implement effective remedies to address human rights violations and abuses to ensure non-recurrence;*
- *To promote equal and equitable enjoyment of human rights by all; and*
- *To facilitate the work of all types of human rights defenders and activists.*

V. APPLICATION PROCESS

USAID has outlined the application process in Section D of this Addendum. Please see the JRS APS for additional information.

VI. COORDINATION AND COMPLEMENTARITY WITH OTHER ACTIVITIES

Planned interventions under this activity will complement assistance provided by the following activities, as well as possible future activities within the [USAID Guatemala DGO](#) portfolio: Justice and transparency Project, Urban Municipal Governance Project, the Peace Building Project, Electoral Governance and Political Reforms Project, Gender Based Violence Prevention and Response Project. This project will also complement, and may be expected to coordinate with, projects in the Health, Education, and Economic Growth sectors working on the rights of marginalized groups.

This project will complement and supplement the work of existing regional human rights activities by providing long-term technical and legal assistance to victims of human rights violations. Moreover, direct technical assistance and capacity building to governmental and non-governmental organizations will enhance sustainability and empower domestic actors to play a greater role in monitoring the human rights conditions and protect at-risk individuals and communities.

[END OF SECTION A]

SECTION B: FEDERAL AWARD INFORMATION**I. ESTIMATE OF FUNDS AVAILABLE AND NUMBER OF AWARDS CONTEMPLATED**

This program is authorized in accordance with the Foreign Assistance Act (FAA) of 1961, as amended. Issuance of this Addendum does not constitute an award commitment on the part of the U.S. Government, nor does it commit the U.S. Government to pay for any costs incurred in the preparation or submission of questions, comments, suggestions, concept papers, or an application. Applicants submit concept paper applications at their own risk, and all preparation and submission costs are at their expense.

USAID anticipates a Total Estimated Amount of \$15M for this project and contemplates making one award.

II. START DATE AND PERIOD OF PERFORMANCE FOR FEDERAL AWARD

The anticipated period of performance for awards made under the Human Rights for All Addendum to the JRS APS is five years. The expected start date is o/a October 2023.

III. TYPE OF INSTRUMENT

USAID/Guatemala envisions this award as a Cooperative Agreement, with local organizations playing a vital role in project implementation.

[END OF SECTION B]

SECTION C: ELIGIBILITY INFORMATION

I. ELIGIBILITY INFORMATION

A. The following types of organizations are eligible to apply for this APS:

- **U.S. and Non-U.S. Non-Profit Organizations.** Qualified U.S. and non-U.S. not-for-profit NGOs may apply for funding under this APS. Foreign government-owned parastatal organizations from countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible.
- **U.S. and Non-U.S. For-Profit Organizations.** Qualified U.S. and non-U.S. private for-profit organizations may apply for funding under this APS. Foreign government-owned parastatal organizations from countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible. Potential for-profit applicants should note that, pursuant to 22 CFR 226.81, the payment of fee/profit to the prime recipient under grants and cooperative agreements is prohibited. However, if a prime recipient has a subcontract with a for-profit organization for the acquisition of goods or services (i.e., if a buyer-seller relationship is created), fee/profit for the subcontractor is authorized.
- **U.S. and Non-U.S. Colleges and Universities.** Qualified U.S. and non-U.S. colleges and universities may apply for funding under this APS. U.S. Government and USAID regulations generally treat colleges and universities as NGOs, rather than governmental organizations; hence, both public and private colleges and universities are eligible. Non-U.S. colleges and universities in countries that are ineligible for assistance under the FAA or related appropriations acts are ineligible.
- **Private Voluntary Organizations.** A local or indigenous private voluntary organization (PVO), which by definition is a non-U.S. PVO operating in the same foreign country in which it is organized, is eligible to receive funding. Local PVOs are not required to register with USAID. In accordance with 2 CFR 203, a U.S. PVO and an “International PVO,” which by definition is a non-U.S. PVO that performs development work in one or more countries other than the country in which it is domiciled, must be registered with USAID to be eligible to receive funding.
- **New and Underutilized Partners.** USAID encourages applications from and partnerships with new and underutilized partners. A “new partner” is defined for purposes of this APS as an organization that has never received direct or indirect awards from USAID. An “underutilized partner” is defined for purposes of this

APS as an organization that has received less than \$25 million in direct or indirect awards from USAID over the five years preceding the organization's application to a USAID procurement/funding opportunity.

Resultant awards to these organizations oblige USAID to undertake necessary pre-award reviews of these organizations to determine their "responsibility" in regards to fiduciary and other oversight responsibilities of the grant, cooperative agreement, or FAA. In order for an award to be made, a USAID Agreement Officer (AO) must make an affirmative determination that the applicant is "responsible," as discussed in ADS 303.3.9.

Prior to making an award under this competition, USAID may perform a pre-award survey for "new partners" or for organizations with outstanding audit findings. Accounting systems, audit issues, and management capability questions may be reviewed as part of this process. If notified by USAID that a pre-award survey is necessary, applicants must prepare in advance the required information and documents. A pre-award survey does not commit USAID to make an award to any organization.

- **Local Engagement:** Applicants that apply under this APS must consider local engagement as an effort to promote sustainability. Concept papers must describe strategies to sustain the activities beyond USAID funding and contribute to building self-reliance. One way this can be done is through meaningful partnerships with "local organizations." A local organization is defined for the purposes of this Addendum, as an organization with continuous operations in-country for at least five years; local staff comprising at least 50% of office personnel; and a portfolio of locally-implemented programs.

Applicants are encouraged to demonstrate a clear understanding of the role that local organizations and institutions are playing or can play in promoting the objectives of the JRS APS and this Addendum. Where the primary applicant is not a local organization, applicants are strongly encouraged to work closely with local partners on all phases of program design, implementation, and evaluation. When the primary applicant is not able to identify appropriate local partners at the Concept Paper phase, it should describe its approach to identifying and partnering with local entities to build organizational and technical capacities of local organizations with which they are engaging, as appropriate. If the application from any applicant includes partnerships with local organizations, the full application should include a capacity building plan to include building the technical skills of its local partner(s); this is not required in the

concept paper. In cases where an international organization is not able to partner with a local organization or institution, does not consider such partnership feasible, or does not consider it in the program's best interest, such applicant must clearly explain why in the concept paper.

All interested organizations are restricted to submitting only one concept paper as the Prime Applicant. If more than one concept paper is received with the same Prime Applicant, USAID will seek written clarification from the relevant entity regarding which concept paper should be considered for review. If clarification is not resolved within five (5) business days, all concept papers submitted by the Applicant will be deemed ineligible.

Please note that Applicants can serve as sub-awardees or supporting partners on multiple concept papers under this Addendum.

B. Cost Sharing

The applicant agrees to expend an amount of at least 3% of costs incurred as cost sharing for activities under this Agreement. The estimated amount of cost share, based on full expenditure of full funding of the resulting award, will be no less than \$450,000. For guidance on cost sharing in grants, cooperative agreements, or FAAs, please see the ADS 303.3.10 and 2 CFR 200.306 for US NGOs. For non-US NGOs, all cost sharing would be subject to the Applicable Provision "Cost Sharing" in ADS 303mab.

[END OF SECTION C]

SECTION D APPLICATION AND SUBMISSION INFORMATION

I. AGENCY POINT OF CONTACT

Questions regarding the Human Rights for All Addendum should be directed to guatemalaproposals@usaid.gov by 5:00 PM Guatemala time on May 2, 2023.

The Agency will furnish promptly to all prospective applicants as an amendment to this Addendum any information concerning this Addendum given to a particular prospective Applicant, if that information is necessary in submitting applications, or if the lack of it would be prejudicial to any other prospective Applicant.

II. APPLICATION PROCESS

As per the process described in the JRS APS, under the Addendum, there will be a process whereby:

1. Applicants first submit a seven- page Concept Paper for an initial competitive review.
1. All Concept Papers received will be evaluated by a Technical Review Committee for responsiveness to the criteria outlined in the Addendum.
2. After the Concept Papers are evaluated, successful applicants may be invited to continue the co-creation and collaboration process to identify and develop the activities that will help achieve the results desired under this APS and specific Addendum; identify and incorporate additional partners; and determine respective roles and responsibilities related to the implementation of those activities.
3. If there is a co-creation phase, additional instructions and criteria for full application submissions will be provided after evaluation of Concept Papers and any co-creation workshop (if necessary), and when full applications are requested.

USAID/Guatemala will be responsible for the review of concept papers and Full Applications and management of any subsequent awards issued under this Addendum. Additional information about each phase of the Application and Review process is provided below.

III. CONCEPT PAPER SUBMISSION

Applicants must submit a Concept Paper in response to this Addendum by May 24, 2023 to guatemalaproposals@usaid.gov . Email submissions must include the following in the subject line: “ Human Rights for All – [name of organization] - Concept Paper.”

All concept papers must be prepared and submitted in English and/or Spanish using the provided template (see Annex 1) on www.grants.gov. Respondents are asked to download the template from grants.gov in Word format, provide their responses in that document, and email a PDF saved copy of the document to guatemalaproposals@usaid.gov with the file name saved as: **“Human Rights For All – Addendum #1”**

After a concept paper is received, USAID/Guatemala reserves the right to request supplementary information or pose clarifying questions to any applicant. Requesting supplementary information or posing clarifying questions to one applicant does not obligate USAID to do so with all applicants, nor does it guarantee invitation to submit a full application. Questions regarding the substance and objectives of the Human Rights For All addendum should be directed to guatemalaproposals@usaid.gov.

USAID reserves the right to pose clarifying questions and conduct discussions with any applicant but may opt to not do so if the concept paper has sufficient information and additional discussion is unnecessary. Posing clarifying questions and conducting discussions with one applicant does not obligate USAID to do so with all applicants.

After submitting a concept paper electronically, applicants should immediately check their own email to confirm that the attachments were sent. If an applicant discovers an error in transmission, please send the material again and note in the subject line of the email or indicate in the file name if submitted via grants.gov 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.

Applicants are reminded that email is NOT instantaneous, and in some cases delays of several hours occur from transmission to receipt. Therefore, applicants are requested to send the concept paper in sufficient time ahead of the deadline. For this Addendum, the initial point of entry to the government infrastructure is the USAID mail server.

There may be a problem with the receipt of *.zip files due to anti-virus software. Therefore, applicants are discouraged from sending files in this format as USAID cannot guarantee their acceptance by the internet server. File size must not exceed 20MB.

Applicants must review, understand, and comply with all aspects of this Addendum and the JRS APS. Failure to do so may be considered as being non-responsive and may be evaluated accordingly. Applicants should retain a copy of the application and all enclosures for their records.

IV. CONCEPT PAPER REVIEW

Concept papers will be reviewed based on the proposed approach, feasibility, and alignment with the above-referenced purpose of the Human Rights for All addendum. Offerors may tailor their concept note to address all of the objectives, or fewer. Additionally, concepts should be consistent with USAID legal and policy restrictions, including those set forth in USAID's Automated Directives System (ADS) and in the Foreign Assistance Act of 1961.

In addition, Concept Papers will be reviewed against the merit review criteria detailed in **Section E of this document**. After USAID reviews the Concept Papers based on the merit review criteria, the organizations with concepts evaluated as successful will be invited to engage in a co-creation process. USAID will notify potential applicants of significant changes in the review process timeline through a written amendment to the Addendum.

All guidance and requirements contained in the [JRS APS](#) apply.

USAID anticipates two (2) possible results from the Concept Paper merit review process:

- Conditional Acceptance - Invited for Co-Creation: Concept Paper met Addendum objectives and receives a PASS when evaluated against the Addendum merit review criteria. Additional clarity is needed. USAID invites applicant(s) to engage in co-creation or to submit a full application if co-creation is determined to not be necessary.

--OR--

- Rejection: Concept Paper does not meet Addendum objectives and receives a FAIL when evaluated against the Addendum merit review criteria. USAID/Guatemala rejects the Concept Paper. Not every organization that submits a concept paper through an Addendum of this APS will automatically be selected to participate in co-creation. Due to the number of concept papers received, USAID is not able to provide details on why concept papers were not selected. USAID also reserves the right to make an award without discussions if determined to be in the Government's best interest.

Once the submitted concept papers have been fully reviewed, the selected Applicant(s) will be notified by the Agreement Officer of their status and the next steps.

USAID/Guatemala anticipates notifying authors of concept papers within 60 days of submission if USAID/Guatemala wishes to engage in further discussions/co-creation, maintain the application in a pool for potential future engagement, or if USAID/Guatemala will not pursue further collaboration under the Human Rights for All addendum based on the submitted concept paper.

V. CO-CREATION PROCESS

USAID/Guatemala may invite a subset of the most highly-qualified concept paper applicants to engage in a round of co-creation with USAID/Guatemala prior to submission of full applications. The aim of the co-creation phase is to work through areas of weakness and to respond to USAID/Guatemala's questions and clarify aspects of the concept that are not clear. The co-creation process with USAID only builds on a Concept Paper that has strength and potential; it is not intended to develop new concepts from the ground up. During this phase, applicants will work with USAID technical teams to address issues.

Another option for co-creation is for a co-creation process with all of the successful concept paper applicants in response to an Addendum. In such a case, USAID's discussions with those applicants will take place within the parameters of publicly available information. These parameters provide ample room for extensive, robust discussions regarding the development problem/goal in question, best practices, lessons learned in the relevant technical sectors, and pertinent research and evaluations and various other matters. After concept papers have been submitted, USAID personnel can have highly specific, detailed activity design discussions with the applicants throughout the remainder of the process, e.g., up to and through any award that might be issued under an Addendum of this APS. This process may involve extensive discussions with USAID/Washington, USAID/Guatemala staff, or other experts, within or outside of USAID. Co-creation may happen in-person or virtually, through video conference, and phone calls.

By applying to the Human Rights For All addendum, applicants give USAID/Guatemala the right to share concept papers with appropriate external partners for the purposes of evaluation or co-creation. All parties privy to the contents of submitted concept papers, whether within or outside of USAID, will be required to keep contents in confidence. Additional information about the co-creation process can be found in the umbrella JRS APS SECTION C (1)b and through USAID's Co-creation Toolkits.

Note: Communication with USAID/Guatemala during the concept paper/co-creation phase should NOT be interpreted as a commitment to funding or guaranteed request for a full application. Any expenses incurred by applicants during this time are solely

the responsibility of the applicants, unless otherwise stated in writing by USAID/Guatemala.

Regardless of the co-creation approach, USAID envisions a product of the co-creation process to be a strong draft project description from each selected applicant/consortium for the full application phase, as well as quantitative and/or qualitative indicators or performance milestones.

Note on additional partners/resources: Until full applications are submitted, both the applicant and USAID may identify and include potential additional technical partners and/or potential resource partners. All additional sub-partners may be included as part of a subsequent full application if there is an agreement to do so between the potential sub-partner, the original concept paper applicant, and USAID, but this is not guaranteed. Discussions with potential resource partners may continue throughout each Addendum's process and during implementation.

If an applicant does not succeed at the co-creation phase, the process ends for that applicant. USAID reserves the right to remove any co-creation participant from award consideration should the parties fail to reach agreement on activity concept, design, award terms, conditions, or cost/price within a reasonable time, the participant fails to provide requested additional information in a timely manner, or the U.S. Government believes it is in its best interest.

Concept papers are not evaluated against other concept papers, but rather against the concept paper merit review criteria in Section E, II of this Addendum. The evaluation of the content in the concept papers against Section E, II for for this Addendum will allow USAID to determine if an organization could make valuable technical contributions to the co-creation process; the ideas in the concept papers may or may not be the same approaches developed further during co-creation, though the solutions and strategies generated may draw from these ideas.

Concept papers that are submitted late or are incomplete may not be considered for the co-creation workshop or request for full application (if co-creation workshop is held). Additional information in the concept paper not requested by each Addendum of the APS may be removed and may adversely affect an applicant's evaluation/review.

USAID/Guatemala also reserves the right to not conduct a co-creation phase and request full applications from successful applicants at the concept paper stage. Applicants are advised that participation in the co-creation process under Addenda of

this APS is entirely at their own risk; the Government is not responsible for any costs incurred by the applicant, if the applicant decides to accept the invitation to co-create with USAID. A commitment to an award of USAID funding is only made when a cooperative agreement is signed by the AO.

If USAID/Guatemala decides to continue with the proposed activities following the co-creation phase, USAID/Guatemala will request a full application from applicants, inclusive of all modifications, expansions, discussions, etc. resulting from the co-creation phase and will provide a full application template for completion.

VI. FULL APPLICATION

USAID/Guatemala will only accept full applications from applicants invited to continue in the application process. It is expected that full applications will expand upon their concept paper and incorporate any discussions, ideas, plans, feedback or changes from USAID/Guatemala and other partners discussed during the co-creation phase. More information about the full application process can be found in the JRS APS Section C (1)b.

Note: USAID/Guatemala's Request for Application (RFA) should not be interpreted as a commitment of funds.

[END OF SECTION D]

SECTION E: INFORMATION ON THE REVIEW OF APPLICATIONS

I. REVIEW OF CONCEPT PAPERS

Once a concept paper has been submitted in response to the Human Rights for All Addendum, USAID/Guatemala will conduct an initial review of the concept paper using the criteria outlined in the Merit Review Criteria and Considerations section below.

The purpose of the initial review and related communication is to determine whether USAID wishes to engage in further discussions regarding the proposed approach and activities. The initial review and communication will result in one of two outcomes:

- A decision to forego further consideration of the approach proposed in the concept paper;
- An invitation to engage in more in-depth and specific co-creation discussions aimed at further developing the proposed approach and determining whether to request a Full Application.

II. MERIT REVIEW CRITERIA AND CONSIDERATIONS

Concept papers to the Human Rights For All will be assessed according to the following merit review criteria on an adjectival system: Excellent, Very Good, Satisfactory, Marginal, Unsatisfactory.

Concept papers are not evaluated against other concept papers, but rather against the concept paper evaluation criteria of this Addendum. The evaluation of the content in the concept papers will allow USAID/Guatemala to determine if an organization could make valuable technical contributions to the co-creation process; the ideas in the concept papers may or may not be the same approaches developed further during co-creation, if the offeror is called to the next stage. The concept papers for the USAID/Guatemala Human Rights For All project will be evaluated using the following three criteria:

Review Criteria	Definition
Criterion 1 Technical Approach	1a. The concept paper describes in-depth knowledge of relevant challenges and realistic opportunities to address in the Guatemala context, based on the "Protect Rights" priority in the JRS APS. Refer to section 3 <i>General Content and Form of the Concept Paper and Application</i>. 1.b. The concept paper demonstrates relevant experience and capabilities in protecting human rights. 1.c. The concept paper proposes innovative approaches, including People to People Reconciliation (must include group identification) and may include technology. 1.d. The concept includes consideration and an approach to duty of care for proposed local partners and sub-grantees engaged in implementation.
Criterion 2 Partnership, Localization, and Cost Effectiveness	2.a. The extent to which the activity is aligned with the country's existing strategies. 2.b. The extent to which the budget shows the approach is cost effective. 2.c. The extent to which the activity is closely coordinated with other donors, implementers, and other USAID programs to avoid duplication of actions, uses resources effectively, and leverages existing USAID/Guatemala programs for a broader impact. 2.b. Proposed costs to be managed by the recipient, and the sub awardees, as well as the cost share plan. 2.c. The extent to which the concept paper describes partnerships with underutilized development partners and the plan to build their capacity.
Criterion 3 Organizational Statement	3a. The extent to which the applicant demonstrates knowledge and understanding of national and local contexts as well as experience in successfully administering similar projects addressing human rights.

[END OF SECTION E]

SECTION F: INFORMATION ON THE ADMINISTRATION OF FEDERAL AWARDS

I. FEDERAL AWARD NOTICES

The USAID Agreement Officer (AO) is the only individual who may legally commit the U.S. Government to the expenditure of public funds. Applicants are prohibited from charging or incurring costs to the proposed award prior to receipt of either a fully executed award or a specific, written authorization from the AO. USAID will administer awards in accordance with Parts 700 and 200 of Title 2 of the CFR, and Standard Provisions for U.S./non-U.S. organizations.

II. TYPE OF AWARD

USAID has a number of assistance award types to choose when providing funds under this Annual Program Statement to successful Applicants. The type of award and terms and conditions included therein depend upon the type of recipient organization, programmatic factors, and other due-diligence matters (including responsibility determinations.) USAID/Guatemala will utilize a cooperative agreement under this Human Rights for All Addendum.

III. AWARD DISCRETION

USAID reserves the right to make, or not to make, awards through this Addendum to the JRS APS. The issuance of an award under this Addendum is subject to the availability of funds, the interests and requirements of USAID, and the viability of Concept Notes/Applications received.

IV. ADDITIONAL INFORMATION ON AWARD ADMINISTRATION

- ADS Chapter 201 Program Cycle Operational Policy:
<https://www.usaid.gov/sites/default/files/documents/1870/201.pdf>
- ADS Chapter 204 Environmental Procedures:
<https://www.usaid.gov/sites/default/files/documents/1865/204.pdf>
- ADS Chapter 205 - Integrating Gender Equality and Female Empowerment in USAID's Program Cycle:
<https://www.usaid.gov/sites/default/files/documents/1870/205.pdf>
- ADS Chapter 303 Standard Provisions for Non-U.S. Non-governmental Organizations:
<https://www.usaid.gov/sites/default/files/documents/1868/303mab.pdf>
- ADS Chapter 303 Standard Provisions for U.S. organizations:
<https://www.usaid.gov/sites/default/files/documents/1868/303maa.pdf>

- ADS Chapter 318 Intellectual Property Rights:
<https://www.usaid.gov/sites/default/files/documents/1876/318.pdf>
- ADS Chapter 579 USAID Development Data:
<https://www.usaid.gov/sites/default/files/documents/1868/579.pdf>
- Grant and Contract Process: <https://www.usaid.gov/work-usaid/get-grant-or-contract/grant-and-contract-process>
- USAID Graphic Standards Manual and Partner Co-branding Guide:
[https://www.usaid.gov/sites/default/files/documents/1869/USAID GSM_03_05_2019.pdf](https://www.usaid.gov/sites/default/files/documents/1869/USAID_GSM_03_05_2019.pdf)

[END OF SECTION F]

SECTION G: FEDERAL AWARDING AGENCY CONTACT(S)

Armando Espinosa
U.S. Agency for International Development
Office of Acquisition and Assistance
guatemalaproposals@usaid.gov

[END OF SECTION G]

[END OF APS ADDENDUM NO. 1]

Annex 1 - Concept Paper Template for Human Rights for All Addendum

Concept Papers in response to the Human Rights for All Addendum must include the following three components. Please organize the Concept Paper according to the outline below.

The Concept Paper must (1) use standard margins, single spacing, and 12-point Calibri font; (2) be written in English or Spanish; (3) have all pages numbered; and (4) use the format described below.

The Concept Paper must be submitted to USAID/Guatemala via email to guatemalaproposals@usaid.gov

a. Cover Page (one page maximum - **not** included in the seven-page limit)

1. USAID Addendum reference;
2. Name and address of organization;
3. Contact person (lead contact name, address, telephone number, and e-mail address);
4. Title of proposed program in English or Spanish; country and sector(s) being proposed, proposed period of performance, and total dollar amount of funds requested for the proposed period of performance;
5. Identify the type of applying organization (e.g., local NGO, US NGO, etc.); and
6. Signature, name, and title of the authorized representative of the applicant.

b. Concept Paper (seven pages maximum)

1. A brief background on the specific JRS challenge(s)/opportunity(ies) and needs to be addressed by the project. Additionally, the applicant should briefly describe their understanding of the current human rights landscape in Guatemala, including key needs, barriers, and opportunities regarding protecting human rights, preventing human rights abuses, and responding to human rights violations, and the environment in which human rights defenders in Guatemala work. Applicants must also identify how they will incorporate a people-to-people (P2P) approach into the project, taking into account the requirements of this earmark - which is to bring together individuals of different ethnic, racial, religious, and/or political backgrounds with the aim of promoting mutual understanding, trust, empathy and resilient social ties. Applicants are encouraged to use P2P approaches to address the variety of aforementioned human rights challenges, where possible. Applicants must also provide a preliminary theory of change that is responsive to the needs, barriers, and opportunities identified which will lead to specific results identified in the

concept paper.

2. Statement of the objectives and how they relate to specific challenges/opportunities in the country(ies) and sector(s), rooted in a sound theory of change;
3. How achieving the objectives of the proposed activity will advance the USAID/Guatemala's development objectives and APS goals and objectives as set forth in the JRS APS and the Addendum;
4. Statement on how the relevant JRS APS Core Principles will be addressed;
5. Illustrative activities and results;
6. Role of proposed partners (e.g., NGOs and/or alliances with private businesses).
7. Description of how new and local partners have contributed to the design and/or will be part of the program's partnership, as appropriate;

c. Attachments:

1. **Notional Budget** (one page maximum - not included in the seven-page limit): A notional budget including type of budget support requested from USAID disaggregated by direct program costs and indirect costs;

Summary Budget						
Cost Elements	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Proposed cost to be managed by the prime recipient.						
Proposed sub-awards: List each sub-award and the amount. Applicants may propose specific organizations with whom they may partner.						
Proposed cost share						
TOTAL AWARD BUDGET						

and

2. **Organizational Statement** (one page maximum - not included in the seven-page limit): A statement of the history of the organization, and its past performance and capacity relating to the Addendum.