



TENDER FILE / TERMS OF REFERENCE (Competitive bidding procedure / Framework Contract)

Purchase of local consultancy services in the field of judicial and non-judicial remedies, including access to the restoration and recognition of rights, as well as compensation mechanisms for Internally displaced persons (hereinafter – IDPs), returnees, and war-affected people

Contract N° 9305/2025/01

The Council of Europe is currently implementing a number of projects under the Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” (2023–2026), aimed at supporting the Ukrainian authorities in implementing the European Convention on Human Rights in the context of war and post-war recovery, as well as strengthening the protection of human IDPs, returnees, and other groups of the war-affected population.

In this context, it is seeking Providers for the provision of local consultancy services in the field of judicial and non-judicial remedies, including access to the restoration and recognition of rights, as well as compensation mechanisms for IDPs, returnees, and war-affected individuals, to be requested by the Council on an as-needed basis.

A. TENDER RULES

This tender procedure is a competitive bidding procedure. **In accordance with Rule 1395 of the Secretary General of the Council of Europe on the procurement procedures of the Council of Europe¹, the Organisation shall invite to tender at least three potential providers for any purchase between €2,000 (or €6,000 for intellectual services) and €55,000 tax exclusive.**

This specific tender procedure aims at concluding a **framework contract** for the provision of deliverables described in the Act of Engagement (See attached). A tender is considered valid for 180 calendar days as from the closing date for submission. The selection of tenderers will be made in the light of the criteria indicated below. All tenderers will be informed in writing of the outcome of the procedure.

The tenderer must be either a natural person or a legal person.

Tenders shall be submitted **by email only** (with attachments) **to the email address indicated in the table below, with the following reference in subject: Tender – Local remedies consultants.** Tenders addressed to another email address **will be rejected.**

The general information and contact details for this procedure are indicated on this page. You are invited to use the CoE Contact details indicated below for any question you may have. **All questions shall be submitted at least 3 (three) working days before the deadline for submission of the tenders and shall be exclusively addressed to the email address indicated below with the following reference in subject: Questions - Local remedies consultants**

Type of contract ▶	Framework contract
Duration ▶	Until 31 December 2026
Deadline for submission of tenders/offers ▶	09 May 2025 23h59 CET
Email for submission of tenders/offers ▶	oleksandr.kotenko@coe.int
Email for questions ▶	natalia.okhotnikova@coe.int

¹ The activities of the Council of Europe are governed by its [Statute](#) and its internal Regulations. Procurement is governed by the Financial Regulations of the Organisation and by [Rule 1395 of 20 June 2019 on the procurement procedures of the Council of Europe](#).

Expected starting date of execution ▶	20 May 2025
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B. EXPECTED DELIVERABLES

Background of the Project

The Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” 2023-2026 (hereinafter – the Action Plan) has been prepared in close consultation with the Ukrainian authorities, as a response to the determination and resolve of Ukraine’s authorities and people to engage in rebuilding the country. The proposed measures, based on Council of Europe and European standards, are aimed at accompanying the reconstruction process and economic recovery in Ukraine with support to strengthen the resilience of Ukrainian public institutions, to enhance democratic governance and the rule of law and to protect citizens’ fundamental rights.

The Council of Europe Office in Ukraine is currently implementing a number of projects aimed at supporting the Ukrainian authorities in the implementation of the European Convention on Human Rights in the war and/or post-war context along with strengthening the human rights protection for IDPs, returnees, and other groups of the war-affected population.

The Council of Europe is looking for a maximum of 15 Providers (provided enough tenders meet the criteria indicated below) in order to support the implementation of the projects with a particular expertise on judicial and non-judicial remedies, including access to the restoration and recognition of rights, as well as compensation mechanisms for IDPs, returnees, and war-affected people.

This Contract is currently estimated to cover up to 50 activities to be held by 31 December 2026. This estimate is for information only and shall not constitute any sort of contractual commitment on the part of the Council of Europe. The Contract may potentially represent a higher or lower number of activities, depending on the evolving needs of the Organisation.

For information purposes only, the total budget of the project amounts to 32 000 Euros and the total amount of the object of present tender **shall not exceed 55,000 Euros tax exclusive** for the whole duration of the Framework Contract. This information does not constitute any sort of contractual commitment or obligation on the part of the Council of Europe.

Scope of the Framework Contract

Throughout the duration of the Framework Contract, pre-selected Providers may be asked to provide the deliverables listed in the Act of Engagement (See Section A – Terms of reference).

The above list is not considered exhaustive. The Council reserves the right to request deliverables not explicitly mentioned in the above list of expected services, but related to the field of expertise object of the present Framework Contract.

In terms of **quality requirements**, the pre-selected Service Providers must ensure, *inter alia*, that:

- The services are provided to the highest professional/academic standard;
- Any specific instructions given by the Council – whenever this is the case – are followed.

In addition to the orders requested on an as needed basis, the Provider shall keep regular communication with the Council to ensure continuing exchange of information relevant to the project implementation. This involves, among others, to inform the Council as soon as it becomes aware, during the execution of the Contract, of any initiatives and/or adopted laws and regulations, policies, strategies or action plans or any other development related to the object of the Contract (see more on general obligations of the Provider in Article 3.1.2 of the Legal Conditions in the Act of Engagement).

Unless otherwise agreed with the Council, written documents produced by the Provider shall be in English (see more on requirements for written documents in Articles 3.2.2 and 3.2.3 of the Legal Conditions in the Act of Engagement).

C. FEES

Tenderers are invited to indicate their fees, by completing and sending the table of fees, as attached in Section A to the Act of Engagement. These fees are final and not subject to review. Tenders proposing fees above the exclusion level indicated in the Table of fees will be **entirely and automatically** excluded from the tender procedure.

The Council will indicate on each Order Form (see Section D below) the global fee corresponding to each deliverable, calculated on the basis of the unit fees, as agreed by this Contract.

D. HOW WILL THIS FRAMEWORK CONTRACT WORK? (ORDERING PROCEDURE)

Once the selection procedure is completed, you will be informed accordingly. Deliverables will then be delivered on the basis of Order Forms submitted by the Council to the selected Provider (s), by post or electronically, on **an as needed basis** (there is therefore no obligation to order on the part of the Council).

Pooling

For each Order, the Council will choose from the pool of pre-selected tenderers the Provider who demonstrably offers best value for money for its requirement when assessed – for the Order concerned – against the criteria of:

- quality (including as appropriate: capability, expertise, past performance, availability of resources and proposed methods of undertaking the work);
- availability (including, without limitation, capacity to meet required deadlines and, where relevant, geographical location); and
- price.

Each time an Order Form is sent, the selected Provider undertakes to take all the necessary measures to send it **signed** to the Council within 2 (two) working days after its reception. If a Provider is unable to take an Order or if no reply is given on his behalf within that deadline, the Council may call on another Provider using the same criteria, and so on until a suitable Provider is contracted.

Providers subject to VAT

The Provider, **if subject to VAT**, shall also send, together with each signed Form, a quote² (Pro Forma invoice) in line with the indications specified on each Order Form, and including:

- the Service Provider's name and address;
- its VAT number;
- the full list of services;
- the fee per type of deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount per type of deliverables (in the currency indicated on the Act of Engagement, tax exclusive);
- the total amount (in the currency indicated on the Act of Engagement), tax exclusive, the applicable VAT rate, the amount of VAT and the amount VAT inclusive .

Signature of orders

An Order Form is considered to be legally binding when the Order, signed by the Provider, is approved by the Council, by displaying a Council's Purchase Order number on the Order, as well as by

² It must strictly respect the fees indicated in the Act of Engagement. In case of non-compliance with these fees, the Council of Europe reserves the right to terminate the Contract with the Provider, in all or in part.

signing and stamping the Order concerned. Copy of each approved Order Form shall be sent to the Provider, to the extent possible on the day of its signature.

E. ASSESSMENT

Exclusion criteria and absence of conflict of interests

(by signing the Act of Engagement, you declare on your honour not being in any of the below situations)³

Tenderers shall be excluded from participating in the tender procedure if they:

- have been sentenced by final judgment on one or more of the following charges: participation in a criminal organisation, corruption, fraud, money laundering, terrorist financing, terrorist offences or offences linked to terrorist activities, child labour or trafficking in human beings;
- are in a situation of bankruptcy, liquidation, termination of activity, insolvency or arrangement with creditors or any like situation arising from a procedure of the same kind, or are subject to a procedure of the same kind;
- have received a judgment with res judicata force, finding an offence that affects their professional integrity or serious professional misconduct;
- do not comply with their obligations as regards payment of social security contributions, taxes and dues, according to the statutory provisions of their country of incorporation, establishment or residence;
- are an entity created to circumvent tax, social or other legal obligations (empty shell company), have ever created or are in the process of creation of such an entity;
- have been involved in mismanagement of the Council of Europe funds or public funds;
- are or appear to be in a situation of conflict of interest;
- are retired Council of Europe staff members or are staff members having benefitted from an early departure scheme;
- are currently employed by the Council of Europe or were employed by the Council of Europe on the date of the launch of the procurement procedure;
- have not fulfilled, in the previous three years, their contractual obligations in the performance of a contract concluded with the Council of Europe leading to a total or partial refusal of payment and/or termination of the contract by the Council of Europe;
- are subject to restrictive measures applied by the United Nations Security Council or the European Union. In the case of legal persons, the restrictive measures imposed on the tenderer's owner(s) or executives will also exclude the tenderer from participating in this tender procedure.

Eligibility criteria

For natural persons

- University degree in law / political sciences / social sciences/ public administration / or related fields;
- At least two (2) years of experience in the field of protection, provision of services, counselling, conducting research and/or capacity building activities in the context of judicial and non-judicial remedies, including access to the restoration and recognition of rights, as well as compensation mechanisms, protection of human rights for IDPs, returnees, and war-affected people
- Ability to work in Ukrainian and English, level B2 - C2 of the Common European Framework of Reference for Languages.

³ The Council of Europe reserves the right to ask tenderers, at a later stage, to supply the following supporting documents:

- An extract from the record of convictions or failing that an equivalent document issued by the competent judicial or administrative authority of the country of incorporation, indicating that the first three and sixth above listed exclusion criteria are met;
- A certificate issued by the competent authority of the country of incorporation indicating that the fourth criterion is met;
- For legal persons, an extract from the companies register or other official document proving ownership and control of the Tenderer;
- For natural persons (including owners and executive officers of legal persons), a scanned copy of a valid photographic proof of identity (e.g. passport).

For legal persons

- Being a registered legal entity or a private entrepreneur specialised in the field of human rights, law, social protection, legal counselling;
- At least two (2) years of experience in the areas of expertise described under Lot 3;
- University degree in the field law / political sciences / international relations / public administration / or related fields and proven experience in the field of judicial and non-judicial remedies, including access to the restoration and recognition of rights, as well as compensation mechanisms, protection of human rights for IDPs, returnees, and war-affected people (for all natural persons allocated to the execution of the contract within the Tender submitted by the legal person);
- Ability to work in Ukrainian and English, level B2-C2 of the Common European Framework of Reference for Languages

Award criteria

- Quality of the offer (80 points), including:

Relevance of the tenderer's experience in the areas outlined in the tender (40%)

Demonstrated experience in the fields of judicial and non-judicial remedies, including access to the restoration and recognition of rights, as well as compensation mechanisms for internally displaced persons (IDPs), returnees, and other war-affected individuals. Proven capacity to contribute to the protection of human rights in the context of war and post-war recovery in Ukraine.

Experience in advising and providing services or recommendations at the local level in the context of internal displacement (20%)

Practical knowledge and engagement with local stakeholders, authorities, or communities affected by displacement, including the design and implementation of local responses, service delivery, or community-based support mechanisms.

Experience in delivering trainings, moderation, and facilitation in the relevant thematic areas (10%)

Proven record in conducting capacity building activities, including trainings, workshops, moderation and facilitation, in the areas of human rights, community development, social and legal services, gender mainstreaming, and public administration.

Experience in providing services to international organisations working in relevant fields (10%)

Evidence of collaboration with international organisations in the areas of human rights protection, internal displacement, public administration, social protection, legal counselling, or provision of judicial and non-judicial remedies.

- Financial offer (20 points).

The Council reserves the right to hold interviews with tenderers.

Multiple tendering is not authorised.

F. NEGOTIATIONS

The Council reserves the right to hold negotiations with the bidders in accordance with Article 20 of Rule 1395.

G. DOCUMENTS TO BE PROVIDED

- **A completed and signed copy of the Act of Engagement⁴** (See attached);
- Registration documents, for legal persons and private entrepreneur (in Ukrainian with a summary translation in English);
- Relevant certificates and licenses (attorney license, language certificates etc.), if any (in Ukrainian with a short summary in English or in English);

⁴ The Act of Engagement must be completed, signed and scanned in its entirety (i.e. including all the pages). The scanned Act of Engagement may be sent page by page (attached to a single email) or as a compiled document, although a compiled document would be preferred. For all scanned documents, .pdf files are preferred.

- Up to 1 (one) A-4 page motivation letter which proves that tenderer fulfil the eligibility criteria and has experience that matches the areas mention in the relevant LOTs, including knowledge of respective language(s) (in Ukrainian with a short summary in English or in English);
- A detailed CV, demonstrated clarity that the tenderer fulfils the eligibility criteria, including knowledge of respective language(s) (in Ukrainian with a short summary in English or in English);
- For legal persons - CVs for natural persons (up to 3 people) allocated to the execution of the contract within the Tender submitted by the legal person (in Ukrainian with a short summary in English or in English);
- A list of all owners and executive officers, for legal persons only;
- Up to 5 examples of previously accomplished assignments which correspond to the expected deliverables and eligibility criteria (for example, trainings conducted, documents drafted, activities organized etc., in Ukrainian with a short summary in English or in English).

All documents shall be submitted in Ukrainian with a short summary in English or in English, failure to do so will result in the exclusion of the tender.

If any of the documents listed above are missing, the Council of Europe reserves the right to reject the tender.

The Council reserves the right to reject a tender if the scanned documents are of such a quality that the documents cannot be read once printed.

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