



## **2018 Request for Proposals Enforcing Remedies in Corporate Accountability Cases**

The SAGE Fund invites two-page concept notes from organizations working with affected communities **to design and pilot robust enforcement strategies for legal decisions in corporate accountability cases**. Concept notes must be received by **11 May 2018**.

### **Overview**

Despite the internationally protected right to an effective remedy, victims and communities impacted by corporate human rights violations often find it difficult or impossible to obtain a remedy. The obstacles to seeking legal remedy are well known, including corruption, fear of persecution, lack of resources and legal standing – and are growing in many countries with additional blocks put in the path of litigation. Over the last twenty years, few cases have advanced successfully. Moreover, the most successful cases have been settled out of court with little impact on regulation or policy.

If affected individuals, workers or communities eventually manage to secure a favorable judgement despite all of the obstacles, companies - or governments themselves – often evade compliance. This lack of implementation can leave communities to languish for years without redress and with harms to livelihoods, health and the environment unabated, while corporations and financial backers remain unaccountable.

The SAGE Fund aims to pilot targeted approaches that break through barriers to enforcement. SAGE will select up to six projects seeking to enforce a judicial or quasi-judicial decision through creative strategies employing a combination of tactics that may include mobilization, media and communications, regulatory action, additional litigation, international human rights mechanisms, and other forms of advocacy. Each of the projects will focus on a specific case (or cases) where there is an existing favorable legal decision, and design a robust, layered and coordinated campaign or set of actions to implement the decision.

### **Project Criteria**

In 2018, the Fund will make up to 6 grants to organizations or partnerships (with primary leadership outside of the Global North) for projects that create a robust and comprehensive

enforcement strategy for a judicial or quasi-judicial decision that has not been enforced or has not been adequately implemented. The decision may be from a range of mechanisms such as:

- Court decisions at the national, regional or international level; or
- Decisions by administrative bodies or regulators (for example, for environmental or economic crimes or breaches of environmental or financial regulations where they have a bearing on human rights).

In exceptional circumstances, projects that use findings or recommendations issued by UN Treaty Bodies or regional human rights mechanisms that relate to specific corporate accountability cases (not general recommendations for reform) may be considered as the basis for a compelling enforcement strategy.

Preference will be given to proposals for the enforcement of judicial decisions, and those which involve a recent decision *or* an existing decision where a change in circumstances (e.g. peace process, new government, new regulatory opening, etc) provides an opportunity for action.

In addition, priority will also be given to proposals

- Involving a range of groups working collaboratively;
- Drawing upon diverse tactics including non-legal approaches such as communications and mobilization and reflecting a larger, dynamic advocacy strategy beyond continued legal action; and
- Working closely with, or led by, affected communities.

Project elements and design should include:

- Activities covering a 12-18 month period;
- Clear outcomes or progress indicators that the work is contributing to enforcement of the decision;
- A robust, innovative, potentially replicable strategy and/or coordinated campaign;
- Leadership from affected communities and allied organizations as active partners in developing and advancing the strategy;
- Potential to feed into international campaigns or broader initiatives (Extraterritorial Obligations, Parent Company Liability, Proposed Binding Treaty on Human Rights and Business, OHCHR's study on Accountability and Access to Remedy, etc.);
- A strong communications strategy to mobilize support and help achieve the project's enforcement goal; and
- A learning component that assesses the strategy during the project and captures and disseminates lessons for the broader field.

Successful concept notes will move beyond existing work or a continuation of long-running campaigns, and seek to employ communications, mobilization and other non-legal approaches in a creative and integrated way. The Request for Proposals offers an opportunity to think and plan in broader and more strategic ways rather than to seek funding for ongoing programmatic work.

Geographical scope: Projects may take place anywhere in the world.

Language: Due to our lean staffing, at this time concept notes must be submitted in English, and grantees must be able to communicate with the Fund in English.

### **Organizational Criteria**

Human rights organizations or civil society organizations with a mission and programs strongly aligned with human rights are invited to apply, including:

- NGOs from the Global South;
- Networks, coalitions and project partnerships (preference will be given to those with strong participation and leadership from the Global South); and/or
- Research centers with strong links to activist practice.

Project proposals may be submitted by an individual organization or by two or more groups as project partners. International NGOs or anchor NGOs from the Global North may participate as a project partner and are eligible to receive some funding for activities as part of the project, but are not intended as a primary grantee nor may they receive the majority of the funds. Eligible organizations must either:

- Be a legally registered charity in the local country and have a bank account that is capable of receiving international wire transfers; or
- Designate an NGO that is legally registered in the country and has a local bank account capable of receiving international wire transfers to serve as the project's fiscal agent.

### **Grant Support**

Organizations may apply for a grant from US \$30,000 - \$100,000 for a term up to 18 months. We recognize that the timeline for a campaign is often longer, but request that proposals are crafted with an initial 12-18 months phase with specific objectives and outcomes. The grants are for project activities with a clear start and end date (not core support). Please note that due to limited funds, renewals are limited and not guaranteed. Grant funds may not be used to support lobbying or political activities.

### **Application Process**

The initial phase of the process includes submission of a two-page concept note.

**May 11**: Concept notes and applications due. Applicants should submit:

**Concept Note** – A two-page narrative that provides a description of the project, goal(s), timeline of activities, outcomes, and brief statement of need. Please be sure to include a clear description of:

- The judicial or quasi-judicial decision and case(s) with a brief analysis of the barriers to enforcement/implementation that have been encountered to date;
- The proposed enforcement strategy with key components and activities to overcome (or work around) the existing barriers to implementation;
- The role of each organization and/or partner in advancing the strategy;

- The communications strategy and how it will be operationalized through a set of activities;
- An approach to the learning dimension of the project, the set of activities for accomplishing it and how it will be integrated into the project;
- A bulleted list of anticipated outcomes at the end of the grant period; and
- The larger potential impacts of the project (apart from the direct and localized impacts) if the decision is implemented successfully, including a brief explanation of
  - The precedent-setting value or policy implications the decision will have beyond the benefit to the victims or affected community; and
  - How successful implementation could be used to drive legal, policy or social change within the project country/region or leveraged in other countries/regions.

Please title and save your concept note using the following format:

Your Organization's Name (applicant)\_SAGEFund\_2018RFP

**Application Form** – Brief online application form that requests basic information for the applicant organization(s) including name and contact details, size of annual budget, number of full-time staff, list of main funders, and contact details for one funder reference; and amount of grant requested.

**Early July:** The SAGE Fund will work with a small number of organizations selected to submit a full proposal. If approved, grant funds would be available for a project start in early November 2018. Due to the anticipated high volume of concept notes, applicants may not immediately hear from SAGE if they are not selected for the second round.

#### Next Step

1. Apply online at this link (<https://goo.gl/JHB8ne>) by **11 May 2018**, where you will fill out the Application Form.
2. Email Concept Note to [SAGEFundGrants@newventurefund.org](mailto:SAGEFundGrants@newventurefund.org) by **11 May 2018**. Please make the subject heading of the email:  
Your Organization's Name (applicant)\_SAGEFund\_2018RFP

If you have any problems or questions, please contact Maggie Weese at [SAGEFundGrants@newventurefund.org](mailto:SAGEFundGrants@newventurefund.org). Questions regarding the RFP and concept notes can be directed to: Daria Caliguire, Director, [daria@sagefundrights.org](mailto:daria@sagefundrights.org) or Tricia Feeney, Senior Advisor, [tricia@sagefundrights.org](mailto:tricia@sagefundrights.org)

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