

ENVIRONMENTAL LAWYERS COLLECTIVE FOR AFRICA

LITIGATION FUND

What We Will Fund

The Fund will support **reasonable, necessary and directly attributable costs that enable applicants to initiate, advance or conclude litigation** falling within the Fund's objectives.

Eligible costs may include:

- **Advocates', attorney's and legal practitioners' fees**, including fees for court appearances and legal representation.
- **Court and litigation filing fees**, including costs associated with filing pleadings, applications, appeals and other court documents.
- **Preparation and drafting of legal papers**, including pleadings, affidavits, written submissions, applications and other litigation documents.
- **Legal research and case preparation costs** directly connected to the matter.
- **Expert witness or specialist legal/technical advice**, where such expertise is necessary to advance the litigation and is approved as part of the grant.
- **Costs of obtaining necessary court records, transcripts, judgments or other official litigation documents.**
- **Service and filing-related costs**, including service of court documents where required by the applicable procedural rules.
- **Reasonable costs associated with mediation, arbitration, pre-trial conferences or other formal dispute-resolution processes**, where these form part of the litigation strategy and are directly connected to the funded matter.
 - Expenditure must be sufficiently documented. Where funding is sought for such activities, applicants must provide **full meeting notes or minutes, the complete names and affiliations of all persons in attendance, the date and location of the meeting, and the agenda or purpose of the meeting.**
- **Costs directly associated with appeals or urgent applications**, where these fall within the scope of the approved litigation.
- **Other reasonable and necessary litigation-related disbursements**, provided that they are clearly identified in the application and approved by the Fund.

What We Will Not Fund

The Litigation Fund is intended to support **direct, necessary and reasonable costs associated with active litigation**. The Fund will not cover general organisational, personal, administrative or programme-related expenses that are not directly linked to the litigation.

The following costs are **not eligible for funding**:

- **Programme or project costs** that are not directly related to the litigation.
- **General organisational activities and operating costs**, including routine office administration and organisational overheads.
- **Personal expenses or costs** incurred for the personal benefit of applicants, staff or other individuals.
- **Passport, visa and other personal identification or travel documentation costs**.
- **Security costs**, including personal security arrangements, unless specifically and exceptionally approved as directly necessary for the conduct of the litigation.
- **Purchase or upgrade of laptops, mobile phones, cameras or other hardware and equipment**.
- **Software, subscriptions or other technology costs** that are not specifically required for the litigation.
- **Travel, accommodation and subsistence costs**, unless expressly approved as exceptional and demonstrably necessary for a specific litigation activity.
- **Costs associated with general gatherings, workshops, conferences or meetings** that are not directly connected to a litigation process.
- **Fines, penalties, sanctions or other liabilities** imposed on an applicant or any other party.
- **Costs incurred before the grant was approved**, unless expressly authorised by the Fund.
- **Costs associated with unrelated litigation, matters or activities** outside the scope of the approved application.
- **Long-term programme or advocacy activities** that do not involve a specific, identifiable litigation matter.
- **Costs already covered by another donor or funding source**.
- **Contingency funds or unspecified expenses** for which there is no clear connection to the approved litigation.

- **Costs that are disproportionate or unreasonable** in relation to the litigation matter and the amount of funding requested.

Documentation and Accountability

All expenditure must be **reasonable, properly documented and directly connected to the approved litigation matter**. Grant recipients may be required to provide invoices, receipts, fee notes, court documents, attendance records, meeting notes or other supporting documentation to demonstrate that expenditure was incurred for an eligible purpose.

Where a cost was not specifically identified in the approved budget, **prior approval should be sought from the Fund before the expenditure is incurred**.