



# Internal Security Fund – Police

## Call for proposals

Call for proposals restricted to EU Member States to establish a Common Operational Partnership (COP) with third countries to prevent and fight against migrant smuggling along migratory routes towards the EU

ISFP-2019-AG-COPS

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EUROPEAN COMMISSION  
DIRECTORATE-GENERAL MIGRATION AND HOME AFFAIRS

## INTERNAL SECURITY FUND (2014-2020) 2019 RESTRICTED CALL FOR PROPOSALS ISFP-2019-AG-COPS

Call for proposals restricted to EU Member States to establish a Common Operational Partnership (COP) with third countries to prevent and fight against migrant smuggling along migratory routes towards the EU –

### **1. INTRODUCTION**

Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) states that the Union shall endeavour to ensure a high level of security, within an area of freedom, security and justice.

To achieve this objective, enhanced actions at European Union level should be taken to protect people and goods from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, inter alia, continue to challenge the internal security of the Union.

The Internal Security Strategy for the European Union (Internal Security Strategy), adopted by the Council in February 2010, constituted a shared agenda for tackling these common security challenges and identified the following relevant strategic objectives for 2010-2014: to disrupt international crime networks, to prevent terrorism and address radicalisation and recruitment, to raise levels of security for citizens and businesses in cyberspace and to increase Europe's resilience in the face of crises and disasters.

To promote the implementation of the Internal Security Strategy and to ensure that it becomes an operational reality, the Internal Security Fund (ISF Police) was set up.

In April 2015, the European Commission adopted the European Agenda on Security (EAS), which builds on the actions undertaken under the previous Internal Security Strategy, thus ensuring consistent and continued action. The EAS represents an effective and coordinated response at European level to new and complex threats and sets out how the European Union can bring added value to support the Member States in ensuring security. It has identified the following three priorities: tackling terrorism and preventing radicalisation, disrupting organised crime and fighting cybercrime.

On the basis of the EAS, the Council adopted in June 2015 the renewed European Union Internal Security Strategy 2015-2020 confirming tackling and preventing terrorism, radicalisation to terrorism and recruitment as well as financing related to terrorism,

preventing and fighting serious and organised crime and preventing and fighting cybercrime as the main priorities for the European Union's actions.

The legal bases of ISF Police are the following Regulations:

- Regulation (EU) No 513/2014 of the European Parliament and of the Council of 16 April 2014 establishing, as part of the Internal Security Fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150/93, 20.5.2014);
- Regulation (EU) No 514/2014 of the European Parliament and of the Council of 16 April 2014 laying down general provisions on the Asylum, Migration and Integration Fund and on the instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150/112, 20.5.2014).

The ISF Police Regulation sets out two specific objectives, respectively:

- (i) Crime prevention, combating cross-border, serious and organised crime including terrorism, and reinforcing coordination and cooperation between law enforcement authorities and other national authorities of Member States, including with Europol or other relevant Union bodies, and with relevant third countries and international organisations;
- (ii) Enhancing the capacity of Member States and the Union for managing effectively security-related risks and crises, and preparing for and protecting people and critical infrastructure against terrorist attacks and other security-related incidents.

In conformity with Article 6(2) of Regulation (EU) No 514/2014, in order to implement ISF Police, the Commission has adopted, on 6 June 2019 and further amended on 9 December the 2019 Annual Work Programme for Union actions and emergency assistance<sup>1</sup>, which includes this Call for Proposals.

### **Background:**

Preliminary data from EU Member States indicate a total of around 140.000 detections of illegal border-crossing along the EU's external borders in 2019, which represents a 6% decrease compared with the number of detections recorded in 2018 (and a 92% decrease compared with the 1.8 million detections at the height of the migration crisis).

Migrant smuggling by sea, and more specifically via the Mediterranean routes, remains the main and most dangerous modus operandi for criminal networks facilitating illegal crossings of the EU's external borders, with African countries being amongst the primary origin and/or transit countries of irregular migratory flows. IOM, the UN Migration Agency, reports that 1,885 people have lost their lives in 2019, compared to 2,299 people in 2018. Of this number of people, 1,262 people have lost their lives while trying to cross the Central Mediterranean to Europe, while 552 people lost their lives in the Western Mediterranean, and 71 in the Eastern Mediterranean. Despite a significant decrease in the number of irregular migrants arriving at the EU's external borders since the migration crisis in 2015, migration pressure in the Western Balkans remains high, as well as demand for facilitation services.

The number of different nationalities provides evidence of the diverse origins of irregular migrants that contribute to the phenomenon of mixed migratory flows. The top ten nationalities of migrants arriving in 2019 to the European Union are Afghan (29,998), Syrian (19,993), 'Unspecified Sub-Saharan nationals'<sup>2</sup> (12,856), Morocco (7,613), Turkey (7,251), Iraq (5,720), Algeria (4,871), Pakistan (3,592), Palestine<sup>3</sup> (3,271) and Iran

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<sup>1</sup> C(2019)4044.

<sup>2</sup> Often nationals of West Africa.

<sup>3</sup> This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of the Member States on this issue.

(3,156). The poor socio-economic situation, on-going conflicts, climate change, social unrest in their countries of origin together with work-related opportunities in destination countries are quoted as the principal push and pull factors behind their decision to migrate to more affluent European countries.

Common Operational Partnerships that are supported with this call for proposals form part of the multidisciplinary response to migrant smuggling as outlined in the **EU Action Plan against migrant smuggling** (2015-2020)<sup>4</sup>.

Project applications must be submitted by at least **two EU Member States or at least one EU Member State and one third country as co-applicant**. See furthermore the eligibility criteria under Header 5.2.

## **2. PRIORITIES OF THIS CALL FOR PROPOSALS**

The present call for proposals aims to support projects that enhance the prevention and fight against the smuggling of migrants by establishing Common Operational Partnerships (COPs)<sup>5</sup> that would support structured cooperation between competent law enforcement authorities, judicial authorities and other relevant services of the participating EU Member States and third countries.

Project applications submitted under the present call for proposals must address **the following priorities**:

1. Reinforced operational cooperation through the exchange of liaison officers in EU Member States and/or third country, including through the setting up or strengthening of specialised teams of investigators and magistrates, and mutual support for ongoing investigations if relevant. This may include the support for liaison magistrate posts.
2. Provision of targeted capacity building and on-the-job mentoring/twinning opportunities for the enlisted competent authorities in third countries on detection, investigation techniques and collecting evidence for judicial proceedings in the area of migrant smuggling. When relevant, this should include a focus on document fraud and illicit financial flows linked to migrant smuggling.
3. Support, guidance and sharing of best practice for establishing more effective inter-agency / inter-ministerial cooperation as well as improved procedures and organisational structures to encourage optimal allocation of resources, both at national and regional levels.
4. Coordination and complementarity with on-going COPs and assimilated projects throughout their implementation, including those that are funded through the external financing instruments of the European Union (in particular those detailed in section 5.3).

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<sup>4</sup> COM(2015)285.

<sup>5</sup> The concept of Common Operational Partnerships also covers Article 19 of the United Nations Convention against Transnational Organised Crime, and the EU legislation following the conclusion of the Convention by the European Union in 2004 (Council Decision 2004/579/EC) which foresees that in relation to matters that are the subject of investigation, prosecution or judicial proceedings in one or more States, the competent authorities concerned may establish joint investigation bodies.

5. Cooperation and exchange of information between the COP participants and the Member States' liaison officers and the European Migration Liaison Officers (EMLOs) or other EU Agency liaison officers part of the European Network of Immigration Liaison Officers set up by the Regulation EU 2019/1240, in the country or region, while ensuring that Europol, Frontex and Eurojust are fully involved in the exchange and analysis of information, whenever relevant and within the respect of the applicable legal framework, including concerning the exchange of personal data. Cooperation, complementarity and consistency between COP and actions implemented in the same country or region, funded under the biennial work programme of the European Network of Immigration liaison officers should also be considered.

Proposals which match most closely these priorities will be evaluated as particularly relevant and will have a higher chance of being selected. Proposals consisting exclusively of studies and/or conferences, or capacity building activities and not aiming at achieving an operational outcome will not be considered for funding under this call for proposals. Applicants are therefore invited to consider very carefully the links between their proposal and the priorities of the call.

Projects must be aiming to achieve one or more of **the following outcomes** related to the prevention and fight against organised crime groups engaged in migrant smuggling, without duplicating existing projects or structures:

- Enhanced mutual trust and cooperation internationally, regionally and nationally between different agencies, through assistance in developing and enhancing procedures as well as legal, administrative and statistical tools necessary to support the exchange of information between competent law enforcement and judicial authorities in tackling migrant smuggling;
- Improved institutional and operational setting, including through capacity building and better equipment, as a basis for cross-border cooperation between relevant third countries and EU Member States as well as EU agencies, such as Europol, the European Border and Coast Guard Agency or Eurojust and international organisations such as Interpol and UNODC where relevant;
- Improved information exchange between partner law enforcement agencies nationally, regionally and internationally.

The development of the project proposal should include the **following preparatory steps**:

- Carry out a technical and political risk analysis of the chosen third country(ies) and its role in terms of irregular migration flows towards the EU, including its capacity to set up a COP with EU Member States, e. g. through existing adequate anti-smuggling legislation and procedures, relevant services and agencies, and possibly specialised teams of investigators and magistrates;
- Assess the capacity building and operational needs of law enforcement and judicial authorities in the third country;
- Ensure technical and political ownership and commitment from the third country(ies) through a thorough dialogue, possibly leading to a commitment in writing;
- Define and agree with the relevant third country partners the scope of the mandate and the prerogative of a COP;
- Assess the optimal partnership approach in terms of whether / which joint activities take place in the EU Member State(s), in the third country itself or a mixture of the two.

In addition to the regular dissemination activities of the projects' outcomes, the Directorate-General for Migration and Home Affairs (DG HOME) would like to encourage more dialogue among the individual project beneficiaries and between the community of project beneficiaries, stakeholders and the Commission services. The aim is in particular to promote more interaction about innovation in project outputs and to increase visibility, learning effects and synergies. Moreover, DG HOME invites applicants to reflect on how to reinforce the communication, dissemination and visibility of the contents of their projects (outputs and outcomes). Applicants are therefore encouraged to earmark budget for networking activities in Brussels, as well as dissemination products supporting DG HOME's communications efforts, such as factsheets, and to plan accordingly.

Any action under this call for proposals shall respect and shall be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union. Applications should pay appropriate attention to the effects of the project on individual rights and freedoms, as well as to possible remedies. In addition, any action under this call for proposals should comply with all relevant ethical principles and all applicable international, EU and national law on ethical issues while carrying out the project.

### 3. TIMETABLE

	Stages	Date and time or indicative period
a)	Publication of the call	30 April 2020
b)	Deadline for submitting applications	27 August 2020 – 17:00 (Brussels Time)
c)	Evaluation period	September-October
d)	Information to applicants	October
e)	Signature of grant agreement	November-December
f)	Provisional starting date of the action	January 2021

### 4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of projects under this call for proposals is estimated at EUR 3.000.000 (three million euro).

The Commission reserves the right not to distribute all the funds available.

### 5. ELIGIBILITY CRITERIA

#### 5.1. General provisions (admissibility)

Applications must be:

- sent no later than the deadline for submitting applications referred to in section 3;
- submitted using the Electronic Submission System of the Funding and Tender Opportunities Portal<sup>6</sup>;

<sup>6</sup> <https://ec.europa.eu/info/funding-tenders/>

- submitted using the standard Submission Form Part A and Part B of the respective call for proposals. They must include all the mandatory information and be accompanied (if applicable<sup>7</sup>) by the audit report annexes;
- drafted in one of the EU official languages. English is preferred in order to speed up the evaluation procedure.

Failure to comply with these requirements will lead to the rejection of the application.

## 5.2. Eligibility criteria

### 5.2.1. *Eligibility of the applicants and co-applicants*

All the lead applicants and co-applicants must fulfil the following eligibility requirements for applications to be eligible. To prove these eligibility requirements, applicants and co-applicants will have to provide the relevant information and upload necessary documents showing their legal status in the Participant Register.

#### a) Legal Status

The following entities can apply as **lead applicants** and co-applicants:

- Public bodies, or by the competent authority's mandate, a public or non-public implementing agency or body of a Member State of the European Union participating in the ISF Police instrument.

The following entities can **only** apply as co-applicants:

- Public bodies established in a third country.

The following are not eligible, neither as applicants nor as co-applicants:

- Union Agencies;
- natural persons;
- international organisations<sup>8</sup>.

Union Agencies can neither be Applicants nor Co-applicants. However, the invitation of relevant EU agencies such as Europol, Frontex and Eurojust in the implementation of the action (on a no-cost basis) is encouraged.

Affiliated entities, i.e. legal entities having a legal or capital link with applicants, shall take part in the action as individual co-applicants in order to declare eligible costs unless they are affiliated to a public body.

#### b) Country of establishment

Lead applicants and co-applicants must be established in the following countries to be eligible:

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<sup>7</sup> See section 7.1

<sup>8</sup> The term "international organisations" is used in this Call for Proposals as defined in Article 156 of the FR (Euratom 2018/1046);

- (a) international public-sector organisations set up by intergovernmental agreements, and specialised agencies set up by such organisations;
- (b) the International Committee of the Red Cross;
- (c) the International Federation of National Red Cross and Red Crescent Societies;
- (d) other non-profit organisations assimilated to international organisations by a Commission decision.

- the Member States of the European Union with the exception of Denmark (“Member States participating in the ISF Police instrument”);
- any other source or transit third country/ies

### **5.2.2. Eligibility of the application**

In order to be eligible, applications:

- a) must be transnational, i.e. involve at least two eligible entities established **in two different EU Member States** participating in the ISF Police instrument, or at least one EU Member State participating in the ISF Police instrument and one third country as a co-applicant.
- b) must request an EU contribution equal to or higher than EUR 500.000. Applications seeking a lower EU contribution will be rejected.
- c) must have an implementation period of maximum 36 months<sup>9</sup>. Applications for projects scheduled to run for a longer period will be rejected. Activities must not have started prior to the date of submission of the grant application.

### **5.3. Eligible activities**

In line with Article 8 (3) of Regulation 513/2014, for actions in relation to and in countries along the irregular migration routes onwards to the EU as final destination, the following types of activities are eligible under this Call for Proposals:

- i. networking, mutual trust and understanding, as well as identification, exchange and dissemination of know-how, expertise and best practice, including through coordination and exchange of information between EU Member State liaison officers in the relevant third country and the European Migration Liaison Officers based in those countries, as well as other relevant EU Agency liaison officers.
- ii. information sharing, cooperation and coordination between law enforcement authorities and, where applicable, international organisations, including common operational partnerships and any other form of cross-border joint operation, access to and exchange of information and interoperable technologies;
- iii. training, on-the-job mentoring and twinning opportunities for staff and experts of relevant authorities, on the detection, investigation and prosecution methodologies in the area of migrant smuggling and trafficking in human beings, including on financial investigations and document fraud;
- iv. development of common training curricula and training courses for relevant law enforcement agencies, possibly in cooperation with local training institutions;
- v. exchange of liaison officers in the respective countries, where appropriate, or, in agreement with partners, through participation in common operational activities such as joint investigations;
- vi. coordination and exchange of information between Member States' liaison officers and the European Migration Liaison Officers (EMLOs) or other EU Agency liaison officers in the region, by making full use of already existing cooperation platforms and networks such as the Network of the Immigration Liaison Officers, and by ensuring that Europol, Frontex and Eurojust are fully involved in the exchange and analysis of information, whenever relevant and within the respect of the applicable legal framework, including concerning the exchange of personal data;

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<sup>9</sup> The project duration may be extended during its implementation for duly justified reasons subject to the Commission's approval via an amendment to the grant agreement.

vii. preparatory, administrative and technical support to the deployment of an EU Member State liaison officers and short-term experts to the region or for the deployment of relevant third country officials to an EU Member State;

viii. making use of existing reporting mechanisms related to migrant smuggling and trafficking in human beings in the relevant third countries, and if necessary support the setting up of information hubs (e.g. 24/7 call centre) for reporting, as well as quick communication of operational information to relevant local law enforcement entities to prevent migrant smuggling and trafficking in human beings;

ix. acquisition, maintenance, and/or further upgrading of technical equipment, including ICT systems and their components. During the implementation, the project should ensure full complementarity with other relevant on-going or upcoming projects in the region, as well as identifying synergies and opportunities to foster cooperation and information exchange with EU agencies, in particular Europol's European Migrant Smuggling Centre and Information Clearing House, Frontex and Eurojust. In particular, initiatives need to be well targeted and complement EU-supported projects such as:

- "Trafficking in Persons and Smuggling of Migrants" (TIPSOM project) – an action against trafficking in human beings and smuggling of migrants in Nigeria. Aims at including capacity building activities for law enforcement, enhancing identification investigation and prosecution of smugglers and traffickers as well as increasing regional awareness of the risks of irregular migration;
- Strengthening of the Africa-Frontex Intelligence Community (AFIC) – an instrument to fight serious cross-border crimes affecting Africa and the EU. The project will (a) enhance information sharing (interagency and interregional); (b) improve operational capability; and (c) increase risk analysis capacity;
- Support to the strengthening of police information systems in the West Africa Region (WAPIS) – a multi-country action that aims at harmonising and structuring the national and regional management of police information in the broader West Africa region in order to increase and improve law enforcement capabilities to prevent and fight against irregular migration, migrant smuggling and trafficking in persons;
- The Regional Operations Centre – Khartoum (ROCK) – a project that is designed to enhance law enforcement cooperation in tackling migrant smuggling and trafficking in human beings in the Horn of Africa;
- The Niger Joint Investigation Team (JIT) with France and Spain leading on working in partnership with Nigerien law enforcement partners to enhance their capability to tackle the organised criminality behind the smuggling of migrants;
- EU cooperation platforms against migrant smuggling and trafficking in human beings as well as other Immigration Liaison Officer networks operating in relevant countries and/or regions;
- "EUROMED POLICE IV" of which one of the priorities is enhancing regional operational law enforcement cooperation on fighting organised crime, including migrant smuggling and trafficking in human beings;
- "EUROMED JUSTICE" of which one of the priorities is enhancing regional judicial cooperation on fighting organised crime, including migrant smuggling and trafficking in human beings;
- EU-funded project ENACT, which is led by Interpol and focuses on strengthening investigative skills, information sharing and capacity building within Niger, Malawi, Uganda and Congo;
- "Interpol South", an action that aims to intensify and accelerate exchange of operational information in the Neighbourhood South, and with the EU, on issues related to organised crime, terrorism, smuggling of migrants, trafficking of human beings and trafficking of small arms and, to this effect, to increase data collection (e.g. Foreign Fighters database, Stolen and Lost Travel Documents, iArms and iTrace, notices, Stolen Art Works) from the Neighbourhood South;

- COP under ISF-P 2018 to prevent and fight against migrant smuggling along migratory routes in Africa. The project involves Austria (coordinator), France, Italy, Germany, the Netherlands as well as Interpol and it will engage with the competent authorities of African countries, regions and organisations, with a focus on Ivory Coast, Guinea, Tunisia, Nigeria, as well as countries in the Horn of Africa (including Ethiopia, Eritrea, Sudan) and the African Union Mechanism for Police Cooperation (AFRIPOL).
- COP under the EU Trust Fund in Senegal, Mali and Guinea.
- The European multidisciplinary platform against criminal threats (EMPACT) priority on Facilitation of Illegal Immigration, supported by the European Migrant Smuggling Centre in Europol, the Western Balkans Task Force, and the Joint Operational Office Vienna. The Joint Operational Office in Vienna allows criminal investigators from Member States and across the Western Balkans region to work alongside each other on migrant smuggling investigations and enforcement actions.
- Actions to be implemented by the EU network of Immigration liaison Officers under their biennial work programme for 2020-2021.

The project plan must include regular reviews which enable the Commission to be engaged and when necessary and appropriate provide strategic guidance and support coordination with other EU supported actions.

## **6. EXCLUSION CRITERIA**

Applicants will be excluded from participating in the call for proposals procedure and from the grant award if they are in any of the exclusion situations referred to in Article 136(1) of the EU Financial Regulation<sup>10</sup>, i.e. one of the following situations:

### **6.1. Exclusion from participation in the call for proposals**

- (a) the applicant is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended, or it is in any analogous situation arising from a similar procedure provided for under EU or national laws or regulations;
- (b) it has been established by a final judgment or a final administrative decision that the applicant is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;
- (c) it has been established by a final judgment or a final administrative decision that the applicant is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the applicant belongs, or by having engaged in any wrongful intent or gross negligence, including, in particular, any of the following:
  - (i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of eligibility or selection criteria or in the performance of a contract, a grant agreement or a grant decision;
  - (ii) entering into agreement with other applicants with the aim of distorting competition;
  - (iii) violating intellectual property rights;
  - (iv) attempting to influence the decision-making process of the Commission during the award procedure;

<sup>10</sup> Regulation (EU, EURATOM) 2018/1046 of the European Parliament and of the Council of 30 July 2018 on the financial rules applicable to the general budget of the Union (OJ 2018 L193, p. 1).

- (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- (d) it has been established by a final judgment that the applicant is guilty of any of the following:
- (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
  - (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in the applicable law;
  - (iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
  - (iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
  - (v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
  - (vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- (e) the applicant has shown significant deficiencies in complying with main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- (g) it has been established by a final judgement or final administrative decision that the applicant has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations of mandatory application in the jurisdiction of its registered office, central administration or principal place of business;
- (h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g);
- (i) for the situations referred to in points (c) to (h) above, the applicant is subject to:
- (i) facts established in the context of audits or investigations carried out by European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
  - (ii) non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
  - (iii) facts referred to in decisions of persons or entities being entrusted with EU budget implementation tasks;

- (iv) information transmitted by Member States implementing Union funds;
- (v) decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or
- (vi) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

## 6.2. Exclusion from award

Applicants will not be granted financial assistance if, in the course of the grant award procedure, they:

- (a) are subject to a conflict of interest in connection with the action;
- (b) are guilty of misrepresentation in supplying the information required by the Commission as a condition of participation in the grant award procedure or fail to supply this information;
- (c) find themselves in one of the situations of exclusion, referred to in section 6.1.

Administrative and financial penalties may be imposed on applicants and co-applicants who are guilty of misrepresentation.

## 7. SELECTION CRITERIA

### 7.1. Financial capacity

Applicants and co-applicants must have stable and sufficient sources of funding to maintain their activity throughout the duration of the grant and to participate in its funding. Organisations participating in several projects shall have sufficient financial capacity to implement multiple projects.

Financial capacity checks will be performed for all applicants and co-applicants in line with the requirements of Financial Regulation 2018/1046.

The documents that will be requested when assessing the financial capacity include (1) the profit and loss accounts and (2) the balance sheets. For newly created entities a business plan may replace the above documents.

In case of low financial capacity, the Commission may decide the following:

- request further documents;
- request budget modifications / reallocations of costs;
- introduce interim payments based on interim reports;
- modify pre-financing percentage.

In case of insufficient financial capacity, the Commission may decide the following:

- request a change of co-applicant;
- reject the application.

A financial capacity assessment **will not be carried out** if:

- the applicant or co-applicant is a public body or an international organisation;
- the EU contribution requested by the applicant or co-applicant is  $\leq$  EUR 60 000.

If the share of a grant requested by an organisation (applicant or co-applicant) exceeds EUR 750 000, this organisation must also provide an audit report produced by an approved external auditor certifying its accounts for the last closed financial year. **This provision shall not apply to public bodies or to international organisations.**

## 7.2. Operational capacity

Applicants and co-applicants must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action. The purpose of the verification is to assess whether applicants and co-applicants possess the resources they require to implement the action.

As evidence, the following information must be provided in the Submission Form Part B of the proposal:

- general profiles (qualifications and experiences) of the staff primarily responsible for managing and implementing the proposed action, to be provided under point 5.1.3,
- a description of the partnership in the context of the proposed action, to be provided under point 5.1.1.

The operational capacity assessment is not applicable for public bodies and international organisations.

## 8. AWARD CRITERIA

Eligible applications and their proposed action will be assessed on the basis of the following award criteria:

Award Criteria	Maximum Points	Threshold
1. Relevance	30	21
2. Quality of the project	20	-
3. Cost effectiveness	20	-
4. European added value	20	-
5. Expected results, dissemination, sustainability and long-term impact	10	-
<b>TOTAL</b>	<b>100</b>	<b>65</b>

### **Evaluation Step 1:**

- Relevance: applications will be assessed on the extent to which they match the priorities and expected outcomes as identified in this call for proposals (section 2 above) and in the relevant EU strategic documents and/or action plans (section 1 above), and on the extent to which the proposal address a real/actual need at European level in the prioritised areas. (30 points).

Applications receiving less than 21 points for the "relevance" criterion will not be evaluated further, i.e. will not go to the second evaluation step.

### **Evaluation Step 2:**

- Quality of the project: applications will be assessed with regards to the clarity of their objectives; the appropriateness of their methodology; the quality of their expected outputs, which must be clear, appropriate, realistic and replicable; the quality of the consortium, which must have relevant co-applicants with clear roles and added value; the robustness of the project management, monitoring and evaluation strategy and indicators; and the way risks are identified and mitigated (20 points);

- **Cost-effectiveness:** applications will be assessed with regards to whether the costs of the proposed action are adequate to the activities and proportionate to the expected results (best value for money) (20 points);
- **European added value:** the project activities, outcomes and impact should have a broad EU relevance; applications will be assessed on whether a suitable number of countries is involved in the project activities and on whether the expected impact will concern a significant number of countries (20 points);
- **Expected results, dissemination, sustainability and long-term impact:** the expected results are appropriate for the achievement of the objectives of the action; the dissemination strategy is clear, targeted and appropriate; the project is sustainable; the project's results ensure a long-term impact on the target groups and/or general public (10 points).

Applications that pass the threshold of minimum 65 points will be considered for funding within the limits of the available budget.

## **9. LEGAL COMMITMENTS**

The award of each grant is subject to the conclusion of a grant agreement in writing.

The coordinators of projects selected for funding will be invited to engage in a grant agreement preparation process, which will be carried out via an online IT system (SYGMA). If successful, it will conclude with the signature of a grant agreement, drawn up in euro and detailing the conditions and level of funding.

The grant agreement must be signed electronically first by the coordinator on behalf of the consortium and then by the European Commission. All co-beneficiaries must accede to the grant agreement by signing electronically the accession form to the grant.

Please note, that if international organisations are involved in the application, no other specific clauses applicable to international organisations than the ones already included in the Model grant agreement will be added.

Please note that the award of a grant does not establish any entitlement for subsequent years.

## **10. FINANCIAL PROVISIONS**

### **10.1. General Principles**

#### a) Non-cumulative award

An action may only receive one grant from the EU budget.

In no circumstances shall the same costs be financed twice by the Union budget. To ensure this, applicants shall indicate the sources and amounts of Union funding received or applied for the same action or part of the action or for its functioning during the same financial year as well as any other funding received or applied for the same action (Submission Form Part B, section 6).

#### b) Non-retroactivity

No grant may be awarded retrospectively for actions already completed. A grant may be awarded for an action which has already begun only where the applicant can demonstrate the need to start the action before the grant agreement is signed. In any case, costs eligible for financing may not have been incurred prior to the date of submission of the grant application.

#### c) Co-financing

Co-financing means that the resources which are necessary to carry out the action may not be entirely provided by the EU grant.

Co-financing of the action may take the form of:

- the Beneficiary's own resources,
- income generated by the action,
- financial contributions from third parties.

d) Balanced budget

The budget estimate of the action is to be included in the application form. It must have revenue and expenditure in balance and must be drawn up in euro.

Beneficiaries with general accounts in a currency other than the euro shall convert costs incurred in another currency into euro at the average of the daily exchange rates published in the C series of the Official Journal of the European Union, determined over the corresponding reporting period.<sup>11</sup> Where no daily euro exchange rate is published in the Official Journal of the European Union for the currency in question, conversion shall be made at the average of the monthly accounting rates established by the Commission and published on its [website](#), determined over the corresponding reporting period.

Beneficiaries with general accounts in euro shall convert costs incurred in another currency into euro according to their usual accounting practices.

Where the implementation of the action requires the award of procurement contracts (implementation contracts), the Beneficiary must award the contract to the bid offering best value for money or the lowest price (as appropriate), avoiding conflicts of interests and retaining the documentation for the event of an audit. Detailed information on subcontracting is provided in the Guide for applicants.

e) Financial support to third parties

The applications may not envisage provision of financial support to third parties.

f) Non-profit rule

EU grants may not have the purpose or effect of producing a profit within the framework of the action. Profit shall be defined as a surplus of the receipts over the eligible costs incurred by the Beneficiary, when the request is made for payment of the balance. In this respect, where a profit is made, the Commission shall be entitled to recover the percentage of the profit corresponding to the Union contribution to the eligible costs actually incurred by the Beneficiary to carry out the action.

g) Full cost of purchase of equipment

If necessary to implement the action, the beneficiaries may incur the full cost of some equipment items, infrastructure or other assets (new or second-hand; as recorded in the beneficiary's accounts).

## **10.2. Maximum amount requested**

The EU grant is limited to a co-funding rate of 90% of the total eligible costs of the action.

Consequently, part of the total eligible expenses must be financed from sources other than the EU grant (see section 10.1.c).

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<sup>11</sup> For further guidance on exchange rate please consult the Guide for Applicants.

### **10.3. Payment arrangements**

A pre-financing payment corresponding to maximum 80% of the EU grant amount will be transferred to the coordinator after the signature of the grant agreement by both parties and in accordance with its terms.

The Commission will establish the amount of the final payment to be made to the coordinator on the basis of the calculation of the final grant amount. If the total of earlier payments is higher than the final grant amount, the beneficiaries will be required to reimburse the amount paid in excess by the Commission through a recovery order.

## **11. PROCEDURE FOR THE SUBMISSION OF APPLICATIONS**

### **11.1. How to apply**

Proposals must be submitted by the deadline indicated in section 3 via the Electronic Submission System. Open calls are published on the [calls for proposals page](#).

Before submitting a proposal both the applicant and co-applicants must be registered via the [Participant Register](#) and obtain the 9-digit **Participant Identification Code (PIC)** (one for each organisation).

In submitting a proposal, the applicant accepts the procedures and conditions as described in this call for proposals and in the documents to which it refers.

No modification of the application is allowed once the deadline for submission has elapsed. However, if there is a need, the evaluation committee on behalf of the authorising officer may correct obvious clerical errors in application documents upon confirmation of the intended correction by the applicant <sup>12</sup>.

Applicants will be informed in writing about the results of the evaluation process.

### **11.2. Related documents**

The following documents are available via the Electronic Submission System:

- Application form (Submission Form Part A and Part B)
- Required annex –Audit Report, if applicable<sup>13</sup>
- Model grant agreement
- Guide for applicants

### **11.3. Applications for several projects**

The applicant may submit more than one application under this call for proposals.

The applicant may be awarded more than one grant under this call for proposals.

An organisation may participate as applicant or co-applicant in several applications.

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<sup>12</sup> Article 151 of the Financial Regulation

<sup>13</sup> See section 7.1

## 11.4. Multiple applications for the same project

Only one application will be accepted and evaluated for any given project. In case there are several applications for the same project, the applicant will be asked to clarify which application shall be evaluated.

An action may receive only one grant from the EU budget.

## 11.5. Contacts

For questions on the online submission tools, please contact the [IT helpdesk](#) via the Funding & Tender Opportunities Portal (FTOP) website.

Non-IT related questions shall be sent to the following email address: [HOME-ISF@ec.europa.eu](mailto:HOME-ISF@ec.europa.eu). In order to ensure an efficient handling of any enquiry please indicate clearly the reference of this call for proposals.

Questions will be answered as soon as possible. **Questions received later than 7 calendar days before the deadline for submitting applications will not be answered.** In the interest of equal treatment of applicants, the Commission cannot give a prior opinion on the eligibility of applicants or actions or on the outcome of the call for proposals before the official announcement of the results.

Applicants are advised to consult the call's website regularly, where the Commission will publish additional relevant information, such as answers to frequently asked questions (if appropriate) or the results of the selection procedure.

## 12. PUBLICITY

### 12.1. By the beneficiaries

Beneficiaries must clearly acknowledge the European Union's contribution in all publications or in conjunction with activities for which the grant is used. Please refer to the grant agreement for more details.

### 12.2. By the Commission

All information relating to grants awarded in the course of a financial year shall be published on an internet site of the European Union institutions no later than the 30 June of the year following the financial year in which the grants were awarded. The Commission will publish the following information:

- name and address of the beneficiary,
- subject of the grant,
- amount awarded.

Upon a reasoned and duly substantiated request by the beneficiary, the publication shall be waived if such disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the beneficiaries.

## 13. DATA PROTECTION

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of

such data. Unless indicated otherwise, the questions and any personal data requested that are required to evaluate the application in accordance with the call for proposal will be processed solely for that purpose by Commission or third parties acting on behalf and under the responsibility of the Commission.

Personal data may be registered in the Early Detection and Exclusion System by the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/1046<sup>14</sup>. For more information see the Privacy Statement on:

[https://ec.europa.eu/info/data-protection-public-procurement-procedures\\_en](https://ec.europa.eu/info/data-protection-public-procurement-procedures_en)

## **14. MEANS OF REDRESS**

If, at any stage of the administrative treatment of grant applications, the persons or entities concerned consider that they have been affected by an instance of maladministration, they may, irrespective of any other means of redress, make a complaint to the European Ombudsman in accordance with Article 228(1) of the Treaty on the Functioning of the European Union and as provided by the Parliament Decision of 9 March 1994 on the regulations and general conditions governing the performance of the Ombudsman's duties published in Official Journal L 113 of 4 May 1994.

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<sup>14</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1046>