



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

SPECIFIC PROGRAMME "CIVIL JUSTICE"
(2007-2013)
CALL FOR PROPOSALS JUST/2011-2012/JCIV/AG
Action grants

1. INTRODUCTION

On 25 September 2007, the European Parliament and the Council adopted Decision No 1149/2007/EC¹ establishing for the period 2007-2013 the Specific Programme "**Civil Justice**" (**JCIV Programme**) as part of the General Programme "Fundamental Rights and Justice", in order to contribute to the strengthening of the area of Freedom, Security and Justice over the period of 2007 – 2013.

2. ESSENCE OF THE CALL

This call for proposals for **action grants** aims to select projects to be co-funded that fall under the objectives of the **JCIV Programme**² and address the priorities of this call. All proposals will be judged against the criteria set out in this call for proposals.

The selected projects must enable progress to be made in attaining one of the priorities outlined in this call.

Projects require a **minimum partnership of 2 eligible organisations from 2 different EU Member States** and cannot have an initial duration exceeding **24 months**.

IMPORTANT NOTE 1

In line with Recital 19 and Article 1 (3) of Decision No. 1149/2007/EC **Denmark** does not participate in the Civil Justice Programme. Projects may associate legal practitioners from Denmark where it serves the aim of the project.

They should not be planned to start until after the notification of an award (an indicative estimate being at least 4 months after the deadline of the call). Projects that have already started or are completed before the deadline for submission of the proposals will not be eligible for funding.

Only projects, which do not aim to generate a profit, will be eligible for funding.

EU funding cannot constitute more than of **80% of overall eligible project costs** and requested amount under this call **cannot be less than EUR 75.000**.

¹ OJ L 257, 3.10.2007, p. 16

² Articles 2 and 3 of Decision No 1149/2007/EC

Applicants must comply with the conditions set out in the call and follow the instructions stipulated in the Guide for Applicants published with this call constituting an integral part of the conditions of the call.

The **deadline** for submitting proposals via the PRIAMOS on-line application is

3 April 2012, 12:00 CET

3. SPECIFICITIES OF THIS CALL

This call for proposals is based on the JCIV annual work programmes for 2011 and 2012³ and combines the priorities as well as the resources available for both years.

The available funding consists of an indicative amount of **EUR 8.330.000**.

4. CALL PRIORITIES

The grants provided under this call shall co-finance projects within the scope of the JCIV Programme. Overall priority will be given to **large-scale projects built on a wide partnership involving organisations from a significant number of EU Member States and offering a true European scope and relevance**.

4.1. Types of activities

Projects may consist of

- studies;
- research;
- meetings and seminars;
- exchanges between judicial authorities and judicial cooperation networks;
- training⁴;
- dissemination of information on access to justice;
- design, development and implementation of innovative IT solutions;
- exchange of good practice, or
- a combination of these activities.

4.2. Target groups

The participants and/or target group of beneficiaries of the projects shall be legal practitioners, including judges, prosecutors, advocates, solicitors, notaries, academic and scientific personnel, ministry officials, court officers, bailiffs, court interpreters, members of judicial cooperation networks and other professionals associated with the judiciary in the area of civil law, national authorities and citizens of the Union in general.

3 http://ec.europa.eu/justice/grants/programmes/civil/index_en.htm. The amount of budget for 2012 dedicated to this call is also subject to the availability of the appropriations provided for in the draft budget for 2012 after the adoption of the budget for 2012 by the budgetary authority.

4 Projects concerning specifically European judicial training may consist of initial and continuous training, whether theoretical or practical, of legal practitioners.

4.3. Priority areas

- a) **Projects aimed at promoting judicial cooperation in civil matters**, with the aim of contributing to the creation of a genuine European area of justice in civil matters based on mutual recognition and mutual confidence. **(Priority code: JCOC)**

Under this specific objective the Commission would fund projects addressing legislative instruments adopted on the basis of Article 81 of the Treaty on the Functioning of the European Union.

Projects can cover any topic in the area of judicial cooperation in civil matters, however project addressing in particular the following legislative instruments will have priority:

1. Regulation (EC) No 1206/2001 on cooperation between the courts of the Member States in the taking of **evidence in civil or commercial matters**⁵;
2. Regulation (EC) No 805/2004 creating a **European Enforcement Order** for uncontested claims⁶;
3. Regulation (EC) No 593/2008 on the law applicable to **contractual obligations (Rome I)**⁷;
4. Directive 2008/52/EC on certain aspects of **mediation in civil and commercial matters**⁸;
5. Regulation (EC) No 864/2007 of the European Parliament and of the Council on the law **applicable to non-contractual obligations (Rome II)**⁹;
6. Regulation (EC) No 1393/2007 on the service in the Member states of **judicial and extrajudicial documents in civil or commercial matters (service of documents)**¹⁰;
7. Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to **maintenance obligations**¹¹;
8. the 2007 **Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance** and its Protocol on the Law Applicable to Maintenance Obligations and Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, signed in Lugano on 30 October 2007 (the "new Lugano Convention");
9. Council Directive 2003/8/EC to improve access to justice in cross-border disputes by establishing **minimum common rules relating to legal aid for such disputes**¹²;
10. Council Regulation (EC) No 44/2001 on **jurisdiction and the recognition and enforcement of judgments in civil and commercial matters**¹³;
11. Council Regulation (EC) 1346/2000 on **insolvency proceedings**¹⁴;
12. European Parliament and Council Regulation (EC) No 805/2004 creating a **European Enforcement Order for uncontested claims**¹⁵;
13. Council Regulation (EC) No 1348/2000 on the service in the Member States of **judicial and extrajudicial documents in civil or commercial matters**¹⁶;
14. Regulation (EC) No 861/2007 of the European Parliament and the Council establishing a **European Small Claims Procedure**¹⁷;
15. Regulation (EC) No 1896/2006 of the European Parliament and the Council creating a European order for payment procedure¹⁸;

5 OJ L174, 27.6.2001, p. 1

6 OJ L143, 30.04.2004, p.15

7 OJ L177, 4.7.2008, p.6

8 OJ L136, 24.5.2008, p.3

9 OJ L 199, 31.7.2007, p.40

10 OJ L324, 10.12.2007, p.79

11 OJ L 200, 31.7.2009 p.46

12 OJ L 26, 31.1.2003, p.41

13 OJ L 12, 16.1.2001 p.1

14 OJ L 160, 30.6.2000, p.1

15 OJ L 143, 30.4.2004

16 OJ L 160, 30.6.2000, p.37

17 OJ L 199, 31.7.2007, p.1

18 OJ L 399, 30.12.2006, p.1

16. Regulation (EC) No 1393/2007 of the European Parliament and of the Council on the service in the Member states of judicial and **extrajudicial documents in civil or commercial matters** (service of documents), and repealing Council Regulation (EC) No 1348/2000¹⁹;

- b) **Projects aimed at promoting** the elimination of obstacles to the **good functioning of cross-border civil proceedings** in the Member States. **(Priority code: CIPR)**

Under this specific objective the Commission would fund projects related to **succession and wills and enforcement of decisions**, as well as to the issue of **matrimonial regimes**.

Under this objective the Commission would fund the projects focusing at finding practical solutions regarding actual cross border procedural difficulties, including, where possible, the use of electronic tools (e.g. on e-learning).

- c) **Projects aimed at improving the daily life of individuals and businesses** by enabling them to assert their rights throughout the European Union, notably by fostering access to justice. **(Priority code: AJUS)**

Under this specific objective the Commission would fund projects focusing on information for individuals and businesses on access to justice in situations involving a cross-border element. This would inter-alia include studies on the quality criteria and quality control mechanisms developed regarding debt collection agencies and professionals; design, development and implementation of innovative IT solutions and exchange of good practice regarding debt management, debt relief mechanisms and reconciliation between debtors and creditors.

- d) **Projects aimed at improving the contacts, exchange of information and networking** between legal, judicial and administrative authorities and the legal professions, including by way of support of judicial training, with the aim of ensuring better mutual understanding among such authorities and professionals²⁰. **(Priority code: EXCH)**

Under this specific objective the Commission would fund projects pertaining to:

- training for practitioners of justice in legislative instruments adopted on the basis of Article 81 of the Treaty on the Functioning of the European Union;
- training for **judges, central authorities and practitioners in the area of family mediation** referred to in Regulation (EC) No 2201/2003 concerning divorce and parental custody matters "Brussels IIa Regulation"²¹ and in the area of **mediation in civil matters** (Directive 2008/52)²² on the operation of these Regulations in relation to their judicial cooperation functions;
- promotion and training for practitioners related to **mediation techniques**, with a view to developing mediation in cross-border cases;
- training for **professions dealing with insolvency and debt management**, with particular regard to the respect of fundamental rights and to reconciliation of interests of debtors and creditors;

¹⁹ OJ L 324, 10.12.2007, p.79

²⁰ **Exchanges of all judges (civil, criminal & administrative) and prosecutors are complementary and are eligible to be co-financed within the framework of the specific programme "Criminal Justice"**, in accordance with Art 12 (1) and (2) of Decision No 1149/2007/EC of the European Parliament and of the Council of 25 September 2007 establishing for the period 2007-2013 the specific programme "Civil Justice" as part of the General Programme 'Fundamental Rights and Justice'.

²¹ Council Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000, OJ L 338, 23.12.2003.

²² Directive 2008/52/EC of the European Parliament and of the Council on certain aspects of mediation in civil and commercial proceedings, OJ L 136, 24.5.2008.

- training to develop the **use of e-Justice tools** regarding cross-border electronic communication between judicial authorities, legal practitioners and parties to proceedings;
- development of appropriate training modules and methodologies for **linguistic training of judges** (including administrative judges);
- improving of the functioning of the **European Judicial Network in Civil and Commercial Matters** and the functioning of **national judicial cooperation networks**.

Projects to be funded under this objective should present one or more of the following aspects:

- judicial training sessions on EU legal instruments and policies organised in one MS and open to legal professionals from more than one MS and fully advertised as such;
- training sessions organised at European level by structures dealing with judicial training, lawyers' associations, academic networks, etc. or organised on an ad-hoc basis;
- judicial training sessions organised in one or more MS and using training modules about EU legislation developed or validated at European level for use in more than one MS;
- judicial training through the use of e-learning modules developed or validated at European level for use in more than one MS.

IMPORTANT NOTE 2

Applicants must indicate clearly which one of the above priorities their proposal addresses. Projects submitted outside these priorities will also be evaluated but their assessment will take into account that they are not in conformity with the priorities of this call.

5. CONDITIONS FOR PARTICIPATION

A project must be prepared by a partnership composed by at least two eligible organisations (Applicant plus minimum one Partner) from two different EU Member States (with the exception of Denmark).

Applicants and Partners cooperating in the conception and implementation of the project must all be eligible for funding under this Programme. They will share the financial responsibility for the project.

5.1 Who may apply?

Applicants and Partners must comply with the following requirements:

Legal status: They must be legally constituted public or private organisations including professional organisations, universities, research institutes, legal and judicial training institutes for legal practitioners, research institutes, national regional and local authorities, and other organisations established in one of the Member States of the European Union (with the exception of except Denmark) or international organisations.

Origin: They must be legally established and based in one of the 26 Member States of the European Union (with the exception of Denmark).

IMPORTANT NOTES 3

Applications from natural persons (private individuals) are not eligible.

Organisations from **acceding and candidate countries to the EU and from Western Balkan countries** are not eligible to participate in projects under this call as Applicants or Co-beneficiary Partners. Organisations from these countries can only participate as Associate Partners on a non-funded basis.

However, if participation for any of these countries becomes possible after the publication of this call, a notification will be placed on the JCIV internet page on the Europa website.

An applicant may apply for support for several separate projects under this call. In this case, a separate application for each project should be submitted in the PRIAMOS system. In case more than one project is selected for funding, the Applicant must demonstrate its operational/professional and financial capacities to implement the selected projects.

Applicants may also participate as Partners in projects submitted by other organisations.

5.2. Associate Partners

Organisations which either do not comply with the criteria for Applicant or Partner organisations or do not wish to receive funding to participate in the project may participate as Associate Partners. This may include, for example, organisations from any third country which are not eligible for EU funding.

6. EVALUATION CRITERIA

The submitted proposals will be evaluated solely against exclusion, eligibility, selection and award criteria.

6.1 Exclusion Criteria

Potential Applicants and Partners may not be awarded grants if they are in any of the situations referred to in Articles 93(1), 94 and 96(2)(a) of the Financial Regulation²³. A full list of these circumstances is included at the end of the Grant Application Form.

6.2 Eligibility Criteria

Proposals will be declared ineligible if they do not respect one or more of the following criteria. If a proposal is declared ineligible, it will not be considered for further evaluation and a rejection letter to that effect will be sent to the applicant.

- 1) The grant application must have been submitted through PRIAMOS no later than the deadline of **12:00 CET on 3 April 2012**;
- 2) The grant application must be submitted through PRIAMOS on the standard Grant Application Form together with all duly completed annexes required for this call for proposals. Any alterations made to the Grant Application Form or to other compulsory templates will disqualify the application;
- 3) Projects must be within the scope of the JCIV Programme;
- 4) Projects cannot have already been completed nor started prior to the deadline of the call;

²³ Council Regulation (EC, Euratom) No 1605/2002 OJ L248, 16.9.2002, p.1.

- 5) The project must involve at least two eligible organisations (an Applicant plus minimum one Partner) from two different EU Member States²⁴. The Applicant organisation and the Partners must be eligible to participate in accordance with section 5 (Conditions for participation) of this call;
- 6) The amount of Union funding requested cannot exceed 80% of the total eligible costs of the project. The 20% complementary co-financing borne by the Applicant and/or the Partners/Associate Partners and/or other donors and should be indicated in the appropriate annexes but also in the budget which must be balanced;
- 7) The project must have a maximum initial duration of 24 months;
- 8) The EU grant applied for cannot be lower than EUR 75.000.

IMPORTANT NOTE 4

Once the eligibility verification procedure is completed, the Commission will inform applicants of the reasons for non eligibility of their proposals.

6.3 Selection criteria

In accordance with Article 115(1) of the Financial Regulation and Article 176 of the Implementing Rules, proposals will be evaluated according to the following selection criteria:

- 1) The applicant's **sufficient operational and professional capacity** to complete the proposed action:
 - The Applicant must have appropriate, proven competence, qualifications and experience in the specified area of the proposed action. In the case of government or law enforcement bodies, evidence may also be submitted that demonstrates that the project falls within their statutory area of responsibility.
 - The key staff must have the necessary skills, experience and capacity to carry out the project.
- 2) The Applicant's **sufficient financial capacity** to complete the proposed action:
 - The Applicant must have a sound financial situation and sufficient sources of funding to maintain the activities of the action over the entire duration of the project.
 - The applicant must provide co-financing of at least 20% of the total eligible costs of the project, evidenced through the budget, its own accounts, signed Partner Declaration(s) and/or Co-financing Declaration(s).

Only proposals which satisfy the selection criteria will be examined further.

6.4 Award criteria

The award criteria aim to ensure the selection of actions with a high inherent quality, which contribute as much as possible to Programme's objectives and priorities of this call in a cost-effective manner. Synergies and complementarities with other Union instruments and programmes shall be sought and overlaps and duplications with existing activities avoided.

All projects will be assessed against the following criteria:

1) Relevance to the call priorities (30 points)

²⁴ See Important note 1

- a) The extent to which the proposal objectives match the priorities listed under this call. (15 points)
- b) The relevance of the problem addressed by the project. The relevance of the expected results for and practical impact on target groups. (15 points)

2) Quality of the proposed action regarding its conception, presentation, organisation, methodology and expected results (30 points)

- a) The extent to which the approach, methodology and timeframe proposed is suitable to carry out the activities, to respond to the nature of the problem and to achieve the desired outcome. (10 points)
- b) Are the proposed activities suitably designed to achieve the objectives as stated in the proposal? Does the proposal include actions and mechanisms for project progress monitoring and for evaluating the project during its lifetime (internal or external/formal or informal) (10 points)
- c) To what extent is the project organised with a balanced distribution of tasks and expertise within the partnership? (10 points)

3) European dimension: the geographical scope of the project in terms of partners, participants and target group and its added value at European level. (20 points)

- a) To what extent do the project activities present a European dimension (e.g. in terms of geographical coverage of target groups)? (5 points)
- b) To what extent do the organisations involved make up a broad European partnership? (5 points)
- c) Does the proposal deserve support at a European level (rather than at local, national level?) (5 points)
- d) How high is the added value of the project at European level? (5 points)

4) Dissemination and sustainability: measures planned for the dissemination of the results and to ensure adequate follow-up of project outputs (10 points)

- a) Are there effective plans put in place for appropriate and timely disseminations/sharing of results? (5 points)
- b) Are project results likely to have an impact and be sustainable? (5 points)

5) Value for money/Cost-effectiveness (10 points)

- a) To what extent provided budget of the project is reasonable given the expected results of the project? (5 points)
- b) Does the project present good value for money? (5 points)

While assessing the proposals, synergies and complementarities with other Union instruments and programmes shall be sought and overlaps and duplications with existing activities avoided.

<p>Proposals that do not attain an overall score of 70 points shall not be considered for the award of a grant.</p>
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Once the evaluation procedure is completed, including the opinion of the Programme Committee and the adoption of the Commission's decision, the Commission will inform each applicant of the final decision taken and of the next steps. The Commission will then set in motion the procedures necessary for preparation of the grant agreement for successful applications (including dialogue with the applicant concerning any necessary technical and financial adjustments).

7. KICK-OFF MEETING

The budget for the proposal must include travel costs to and from Brussels and 1 overnight stay (if necessary) for 1 to 2 representatives of the coordinating organisation (including at least the project coordinator but ideally also the financial coordinator if not the same person).

These costs are to allow successful applicants to participate in the 1-day "kick-off" seminar dedicated to project management, administrative aspects and reporting obligations.

8. APPLICATION DOCUMENTS TO BE SUBMITTED

The Applicant must upload a duly completed Grant Application Form in PRIAMOS and attach the following annexes:

Please use the templates provided by the Commission:

- Annex 1. Project Description and Implementation Form;
- Annex 2. Budget Form;
- Annex 3. Partner/Associate Partner Declaration Form (includes declaration on exclusion criteria and legal entity);
- Annex 4. Co-financing Declaration Form by other donors (if relevant)

IMPORTANT NOTE 5

Please note that Partner/Associate Partner Declaration Forms and Co-financing Declaration Forms need to be signed and scanned before attaching it to the Grant Application Form.

In addition, Applicants must submit the following supporting documents using their own format:

- Annex 5. Curriculum Vitae of key staff performing the work in connection with the project;
- Annex 6. Official annual financial statements (Balance sheet, Profit and loss account) for the past 2 years that demonstrate the Applicant's financial capacity, and, in the case of grants exceeding EUR 500.000, an audit report certifying the accounts for the last financial year available, produced by a certified external auditor;
- Annex 7. Evidence of legal status: Applicant's article of association or statutes, proof of legal registration of the Applicant, VAT registration;
- Annex 8. Annual technical/narrative report of the Applicant organisation for the previous year

IMPORTANT NOTES 6

Annexes 6, 7 and 8 are not requested if the Applicant is a government body (e.g. ministry, local, regional, national or federal government authority, municipality or other public body) or a university.

However, also these entities should be prepared to supply **Evidence of legal status - Annex 7** upon request of the Commission during the evaluation or before the conclusion of the Grant Agreement if the proposal is awarded a grant.

An application is considered complete only if the Grant Application Form and all annexes are attached and uploaded on time in PRIAMOS under one single "registration number".

In the absence of any of the documents the application shall be considered ineligible.

9. DEADLINE FOR SUBMITTING APPLICATIONS

Applications must be completed and submitted via PRIAMOS by:

3 April 2012, 12:00 CET

Please note that although the PRIAMOS system is able to handle a high number of applications at the same time, it is advisable NOT to wait until the last moment to register on the system and submit your application.

10. GUIDE FOR APPLICANTS

Please read the **Guide for Applicants** carefully, as it contains all details required for applying. It provides explanations and further details on the conditions to be met, the documents to fill out and submit, as well as instructions on how this must be done using PRIAMOS. It is considered as an integral part of the conditions of the call.

11. HELPDESK

Questions regarding the call for proposals may be sent by e-mail to the address below:

JUST-FRAMEWORK-CIVIL@ec.europa.eu

Questions regarding registration and application via PRIAMOS may be sent to:

HOME-JUST-PRIAMOS-USM@ec.europa.eu

The Commission shall reply according to the Code of good administrative behaviour within 15 working days from receipt of the question. In the interest of equal treatment of applicants, the Commission cannot give a prior opinion on the eligibility of an Applicant, a Partner or an action or on the outcome of the call before the official publication of results.

12. WHERE TO GET FURTHER INFORMATION

The Civil Justice Programme website:

http://ec.europa.eu/justice/grants/programmes/civil/index_en.htm

PRIAMOS self-learning materials:

http://ec.europa.eu/justice/grants/priamos/index_en.htm