



Internal Security Fund - Police

Call for proposals document 2017

Call for proposals for projects on protection of public spaces and addressing CBRN-E (chemical, biological, radiological, nuclear and explosives) threat

ISFP-2017-AG-PROTECT

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INTERNAL SECURITY FUND POLICE (2014-2020)

2017 CALL FOR PROPOSALS : ISFP-2017-AG-PROTECT

CALL FOR PROPOSALS FOR PROJECTS ON PROTECTION OF PUBLIC SPACES AND ADDRESSING CBRN-E TRHEAT

1. INTRODUCTION

Article 67(3) of the Treaty on the Functioning of the European Union (TFEU) declares as the European Union's objective ensuring 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 for the coming five years, which builds on the actions undertaken under the previous Internal Security Strategy, thus ensuring consistent and continued action. The European Agenda on Security 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 European Agenda on Security, 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 European Union's actions.

Legal basis 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 the Instrument for financial support for police cooperation, preventing and combating crime, and crisis management (OJ L 150 of 20 May 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 of 20 May 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 Regulation (EU) No 514/2014 Article 6.2, in order to implement the ISF Police, the Commission has adopted, on **27 September 2017**, the 2017 Annual Work Programme for Union actions and emergency assistance¹, which includes this Call for Proposals

On 18 October 2017, the Commission presented – as part of the Counter-Terrorism Package, two action plans. One focused on improvement the protection of public spaces and the other aiming at strengthen CBRN security. Both action plans list initiatives which need to be implemented in the nearest future.

With the increasing number of attacks to public spaces and other soft targets in Europe, the European Commission has stepped up its efforts to address and mitigate such threats, by strengthening cooperation among EU Member States and supporting them in reinforcing soft target protection measures. In a new EU Action Plan on the Protection of Public Spaces, the Commission proposes more measures to better protect our citizens against attacks to public space. The action plan includes actions such as to enhance coordination at EU level, to develop better capacities to detect and mitigate threats, to improve the resilience of public spaces, as well as raising citizens awareness, and engaging more at regional and local level, as well as at international level.

The likelihood of CBRN attacks in the EU remains low, but the overall threat picture is evolving, and there is growing evidence suggesting that certain groups have not only the intention of acquiring CBRN weapons but also the knowledge and capacity to use them. EU Member States' authorities need to be therefore prepared to prevent an attack and if need be to respond to it in an efficient, coordinated manner. The new Action Plan on Strengthening CBRN security includes actions on enhancing knowledge of CBRN risks, reducing the accessibility of CBRN materials, enhancing preparedness and response to CBRN incidents as well as creating stronger internal-external links and engagement in CBRN Security.

Projects under this Call should support the implementation of both Action Plans.

2. PRIORITIES OF THIS CALL FOR PROPOSALS

The present Call for Proposals aims at funding projects in the area of at least one of the following priorities:

1. Improving the protection of public spaces and other soft targets in line with the EU Action Plan to improve the protection of public spaces;

¹ [C\(2017\)6343 final](#)

2. Addressing the issue of security of CBRN materials and agents in line with the EU Action Plan to Strengthen CBRN Security;
3. Enhancing the capacity of Member States' authorities and other stakeholders to implement the Commission Recommendation on the implementation of Regulation 98/2013;
4. Emerging threats to critical infrastructure and public spaces.

Projects must be aiming to achieve one or more of the following outcomes:

Protecting public spaces:

- Development, implementation and roll-out of new concepts of urban landscape design aiming at reducing the vulnerability of public spaces, offering shelters in case of active shooting attack, blocking the way of ramming vehicles and mitigating blast waves;
- Increase cross-sectoral preparedness of EU Member States' agencies and authorities to terrorist attack against public spaces, incl. via trainings, exercises and establishment of regional law enforcement training facilities providing comprehensive training programmes for law enforcement/security authorities in protection of public spaces and other soft targets. The training programmes should be closely aligned with the Commission's ongoing activities in this area;
- Development of cross-border, cross-sectoral cooperation and coordination mechanisms for first responders in the immediate response to terrorist attacks, incl. via trainings, exercises and exchange of best practice and lessons learned;
- Enhancing protection of public spaces, urban areas and other soft targets via trainings, sharing of best practices and awareness raising activities.

Strengthening CBRN security:

- Increase cross-sectoral preparedness of EU Member States' agencies and authorities to CBRN incidents in the context of the EU CBRN preparedness and response programme, incl. via trainings, exercises and improvement of law enforcement CBRN training facilities;
- Increase cooperation between CBRN training institutes and facilities in the EU with a view, to create an EU catalogue of training curricula, taking into account work already done;
- Increase awareness of high-risk CBRN materials amongst EU export control experts, including training programme;
- Provide guidance and advice on technical and scientific issues to Member States and EU institutions on CBRN security, including during incidents, through the development of an EU expert support structure.

Commission Recommendation on the implementation of Regulation 98/2013:

- Capacity building in restricting and controlling the marketing and use of explosives precursors: Projects supporting the Commission Recommendation on the implementation of Regulation 98/2013 by, e.g., designing wide-reaching awareness-raising initiatives, increasing cross-border cooperation, identifying low-risk alternatives to high-risk chemicals, and/or developing innovative methods and tools for enforcing legislation and for helping public authorities and the supply chain assess their risks and vulnerabilities and comply with requirements and recommendations.

Emerging threats to critical infrastructure and public spaces:

- Increase protection against existing and new threats, including unmanned aerial vehicles (UAVs);
- Address the issue of insider threats in the context of private operators (outside the aviation sector).

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 | 18 October 2017 |
| b) | Opening of the call | 26 October 2017 |
| c) | Deadline for submitting applications | 1 February 2018 – 17:00 Brussels Time |
| d) | Evaluation period | February-June 2018 |
| e) | Information to applicants | July 2018 |
| f) | Signature of Grant Agreement | November 2018 |
| g) | Starting date of the action | Second half 2018 |

4. BUDGET AVAILABLE

The total budget earmarked for the co-financing of projects is estimated at EUR 18 500 000.

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

5. ADMISSIBILITY REQUIREMENTS

Applications must be sent no later than the deadline for submitting applications referred to in section 3.

Applications must be submitted using the Electronic Submission System of the Participant Portal originally developed for the Horizon 2020 Research programmes.

Applications must be submitted using the standard Submission Form Part A and Part B. They must include all the mandatory information and be accompanied (if applicable) by the Audit Report² Annexes.

Applications must be drafted in one of the EU official languages. English is preferred in order to speed up the evaluation procedure.

Projects cannot be scheduled to last more than 36 months³. Applications for projects scheduled to run for a longer period will be rejected.

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

² If the share of a grant requested by an organisation (applicant or co-applicant) exceeds EUR 750 000, this organisation must provide an audit report produced by an approved external auditor certifying its accounts for the last closed financial year.

³ 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.

6. ELIGIBILITY CRITERIA

6.1. Eligible applicants and applications

In order to be eligible for a grant, the Applicant and the Co-applicants must be:

- a) be legal persons, application from natural persons are not eligible;
- b) a public body, a non-profit-making private entity, a for-profit entity, or an international organisation⁴. A for-profit entity may only participate in conjunction with a public body. The lead Applicant cannot be an international organisation;
- c) be established in an Member State participating in the ISF Police Regulation. International organisations may be established outside of the Member States participating in the ISF Police instrument.

In order to be eligible for a grant, applications must be:

- a) transnational, i.e. involving at least two entities established in two different EU Member States participating in the ISF Police instrument⁵;
- b) seeking EU co-funding equal to or more than EUR 350 000 and equal to or less than EUR 3 000 000.
- c) activities must not have started prior to the date of submission of the grant application.

Union agencies can be neither Applicants nor Co-applicants.

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.

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 Beneficiary Register. The information needs to be provided before the submission deadline.

6.2. Eligible activities

The following types of activities are eligible under this Call for Proposals:

- a) the activities promoting networking, public-private partnerships, mutual confidence, understanding and learning, identification and dissemination of best practices and innovative approaches at Union level, training and exchange programmes;
- b) the acquisition, maintenance and/or further upgrading of technical equipment, expertise, secure facilities, infrastructures, related buildings and systems, especially ICT systems and their components at the Union level;
- c) the activities enhancing awareness of Union policies on priorities listed under point 2 among stakeholders and the general public;

⁴ The term "international organisations" is used in this Call for Proposals as defined in the Rules of Application of the EU Financial Regulation (Article 43):

- (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.

⁵ In case the co-applicant is an international organisation established in an EU Member State (participating in the ISF Police instrument), the other co-applicant(s) needs to be established in a different EU Member State (participating in the ISF Police instrument) than the international organisation. In case the co-applicant is an international organisation established outside the EU, at least two other co-applicants established in two different EU Member States (participating in the ISF Police instrument) are required.

- d) the development of new methods and/or deployment of new technologies with a potential for transferability to other Member States, especially projects aiming at testing and validating the outcome of Union funded security research projects.

7. 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 situations referred to in articles 131(4) of the EU Financial Regulation⁶, i.e. one of the following situations:

7.1. Exclusion from participation in the Call for Proposals

- (a) they are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) they or persons having powers of representation, decision making or control over them have been convicted of an offence concerning their professional conduct by a judgment of a competent authority of a Member State which has the force of res judicata;
- (c) they have been guilty of grave professional misconduct proven by any means which the contracting authority can justify including by decisions of the EIB and international organisations;
- (d) they are not in compliance with their obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of Belgium or those of the country where the action is to be implemented;
- (e) they or persons having powers of representation, decision making or control over them have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation, money laundering or any other illegal activity, where such an illegal activity is detrimental to the Union's financial interests;
- (f) they are currently subject to an administrative penalty for: being guilty of misrepresentation in supplying the information required by the Commission as a condition of participation in a procurement or grant award procedure or for failing to supply this information; or having been declared to be in serious breach of its obligations under grant agreements or contracts financed by the Union's budget.

7.2. 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 7.1.

⁶ Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union (OJ 2012 L298, p. 1).

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

8. SELECTION CRITERIA

8.1. Financial capacity

Applicants and Co-applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the action is being carried out and to participate in its funding. Organisations participating in several projects shall have sufficient financial capacity to implement multiple projects.

Financial capacity check will be performed by the Research Executive Agency (REA). It will be assessed in line with the requirements of the Financial Regulation (EC) No 966/2012.

The documents that will be requested when assessing the financial capacity include (1) the profit and loss account and (2) the balance sheet for the last financial year for which the accounts were closed. For newly created entities the business plan may replace the above documents.

The financial documents must be uploaded in the Beneficiary Register when uploading the application package.

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.

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.

8.2. Operational capacity

Applicants and Co-applicants must have the professional competencies as well as appropriate qualifications necessary to complete the proposed action. This capacity shall be assessed based on the experience of the Applicants and each Co-applicant or, as an alternative, on the relevant experience of their directly involved employees.

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 primary responsible for managing and implementing the proposed action to be described 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 to public bodies and international organisations.

9. 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 | - |
| TOTAL | 100 | 65 |

Evaluation Step 1:

- Relevance: applications will be assessed on the extent to which they match the priorities [and expected outcomes (if applicable)] 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 whether the expected impact will be significant on the selected priority(ies) (30 points).

Applications receiving less than 21 points for the "relevance" criterion will not be evaluated further, i.e. will not go to Evaluation Step 2.

Evaluation Step 2:

- Quality: applications will be assessed with regards to the appropriateness of their design and planned implementation, taking into account the envisaged activities, methodology, organisation of work and strategy for project management, evaluation and dissemination (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 (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 (10 points).

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

10. LEGAL COMMITMENTS

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

The coordinators of projects proposed 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.

11. FINANCIAL PROVISIONS

11.1. 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 Official Journal of the European Union, determined over the corresponding reporting period.⁷ 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.

⁷ For further guidance on exchange rate please consult the Guide for Applicants.

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).

11.2. 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 11.1.c).

11.3. 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.

12. PROCEDURE FOR THE SUBMISSION OF APPLICATIONS

12.1. How to apply

Proposals must be submitted by the deadline indicated in section 3 via the Electronic Submission System. The list of available calls can be found at the [calls for proposals page](#).

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

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 to clarify certain aspects or for the correction of clerical

mistakes, the Commission may contact the Applicant for this purpose during the evaluation process⁸.

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

12.2. Related documents

The following documents are available via the Electronic Submission System:

- Application form (Submission Form Part A and Part B)
- Required annex –Audit Report⁹ if applicable
- Model Grant Agreement
- Guide for applicants

12.3. 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.

12.4. Several 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.

12.5. Contacts

For questions on the online submission tools, please contact the [IT helpdesk](#) set-up for this purpose via the Participant Portal website.

Non-IT related questions shall be sent to the following email address: 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 results.

Applicants are advised to consult the Call's website regularly. The Commission will publish at this website any additional information relevant to the Call, such as responses to frequently asked questions (if appropriate) and the results of the selection procedure.

⁸ Article 96 of the Financial Regulation

⁹ 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.

13. PUBLICITY

13.1. 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.

13.2. 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.

14. DATA PROTECTION

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CVs of individuals participating in the co-financed action). Such data will be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Unless indicated otherwise, the questions and any personal data requested in order to evaluate the application in accordance with the specifications of the Call for Proposal will be processed solely for that purpose by the Commission or third parties acting on behalf and under the responsibility of the Commission. Data subjects may be informed regarding further details of the processing operations, their rights and how they may be enforced by referring to the privacy statement published in the [Legal Notice page](#) of the Participant Portal.

Applicants are invited to check the relevant privacy statement at regular intervals so as to be duly informed on possible updates that may occur by the deadline for submission of their proposals or afterwards. Beneficiaries assume the legal obligation to inform their staff on the relevant processing operations that are to be performed by the Research Executive Agency; in order to do so, they have to provide them with the privacy statements published by the Agency in the Participant Portal before transmitting their data to the Agency. Personal data may be registered in the Early Detection and Exclusion System (EDES) of the European Commission provided for in Articles 105a and 108 of the EU Financial Regulation according to the applicable provisions.

15. 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.