



Internal Security Fund (ISF)

Call for proposals

Call for proposals on actions against trafficking in human beings (ISF-2022-TF1-AG-THB)

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EUROPEAN COMMISSION Directorate-General for Migration and Home affairs

HOME.E – HOME Affairs Funds HOME.E.4 – Union Actions and Procurement

CALL FOR PROPOSALS

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0. Introduction

This is a call for proposals for EU **action grants** in the field of Trafficking in Human Beings under the **Internal Security Fund (ISF)**.

The regulatory framework for this EU Funding Programme is set out in:

- Regulation 2018/1046 (<u>EU Financial Regulation</u>)
- the basic act (ISF Regulation 2021/1149).¹

The call is launched in accordance with the 2021-2022 Work Programme² and will be managed by the **European Commission**, **Directorate-General for Migration and Home Affairs (DG HOME)**.

The call covers only one topic: **ISF-2022-TF1AG-THB - Actions against** trafficking in human beings

We invite you to read the **call documentation** carefully, and in particular this Call Document, the Model Grant Agreement, the <u>EU Funding & Tenders Portal Online</u> <u>Manual</u> and the <u>EU Grants AGA — Annotated Grant Agreement</u>.

These documents provide clarifications and answers to questions you may have when preparing your application:

- the <u>Call Document</u> outlines the:
 - background, objectives, scope, activities that can be funded and the expected results (outcomes) (sections 1 and 2)
 - timetable and available budget (sections 3 and 4)
 - admissibility and eligibility conditions (including mandatory documents; sections 5 and 6)
 - criteria for financial and operational capacity and exclusion (section 7)
 - evaluation and award procedure (section 8)
 - award criteria (section 9)
 - legal and financial set-up of the Grant Agreements (section 10)
- the <u>Online Manual</u> outlines the:
 - procedures to register and submit proposals online via the EU Funding & Tenders Portal ('Portal')
 - recommendations for the preparation of the application
- the <u>AGA Annotated Grant Agreement</u> contains:
 - detailed annotations on all the provisions in the Grant Agreement you will have to sign in order to obtain the grant (including cost eligibility, payment schedule, accessory obligations, etc.).

¹ Regulation (EU) 2021/1149 of the European Parliament and of the Council of 7 July 2021 establishing the Internal Security Fund (OJ L251 of 15 July 2021, p. 94).

1. Background

Trafficking in human beings (THB) is prohibited by the EU Charter of Fundamental Rights (Article 5.3), and defined by the Treaty on the Functioning of the European Union (TFEU) as a particularly serious form of organised crime (Article 83), with links to immigration policy (Article 79). The crime is driven by high profits and by the demand that fosters all forms of exploitation.³

Trafficking in human beings continues to be a priority crime area in the 2022+ Policy Cycle for organised and serious international crime, with a focus on all forms of exploitation, including labour and sexual exploitation, and with a special focus on those who exploit minors for forced criminality; those who use or threaten with violence against victims and their families, or mislead victims by simulating to officialise the exploitation; those who recruit and advertise victims online, and are serviced by brokers providing digital services.

The EU has in place a solid legal and policy framework to address trafficking in human beings, anchored in the EU Anti-Trafficking Directive (Directive 2011/36/EU).⁴ The EU Anti-Trafficking Directive establishes robust provisions on victim's protection, assistance and support, as well as on prevention and prosecution of the crime. It takes a zero-tolerance approach towards traffickers, adopts a strong human rightsbased approach and incorporates a strong gender-specific perspective, recognising that women and men are often trafficked for different purposes.

On 14 April 2021, the European Commission presented new EU Strategy on Combatting Trafficking in Human Beings (2021-2025).⁵ The Strategy sets out a comprehensive response to combatting the crime, from prevention to conviction of criminals, while emphasising the protection of victims at all stages, taking into particular account women and child victims, as well as trafficking for sexual exploitation. It includes four priorities: reducing demand that fosters trafficking; breaking the criminal model to halt victims' exploitation; protecting, supporting and empowering victims, especially women and children; and the international dimension of the fight against trafficking in human beings.

According to the Commission's latest data collection exercise,⁶ which fed in the Third Progress Report $(2020)^7$, the number of victims registered in the EU has increased in comparison to the previous reporting period and, with many victims remaining undetected, it is likely that the actual number is significantly higher. At the same time, the numbers of prosecutions and convictions remain low, if compared to the number of victims. Nearly half of all victims of trafficking in the EU are citizens of EU Member States. Trafficking of victims within their own Member States continues to be significant, concerning more than one third of all EU victims. Sexual exploitation continues to be the most prevalent form of exploitation connected to trafficking in human beings in the EU, followed by trafficking for labour, for forced criminality and for forced begging.

The majority of all victims in the EU are women and girls, predominantly trafficked for sexual exploitation. This trend has remained consistent since 2008, when EU data on

Commission Implementing Decision C(2021) 8460 final of 26 November 2021 on the financing of the components of the Thematic Facility under the Internal Security Fund and the adoption of the work programme for 2021 and 2022.

³ Further details are available in the Commission Third report on the progress made in the fight against trafficking in human beings, COM(2020) 661 and the accompanying Staff Working Document, SWD(2020) 226 as well as in Europol's Serious and Organised and Serious Crime Threat Assessment (2021).

⁴ OJ L-101, 15.04.2011, p 1.

⁵ https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021DC0171&from=EN.

⁶ European Commission 2020, Data collection on trafficking in human beings and SWD(2020) 226.

⁷ Third report on the progress made in the fight against trafficking in human beings, COM(2020) 661.

trafficking in human beings started being collected. Children continue to account for a considerable part of victims in the EU, many of them are girls trafficked for sexual exploitation and EU citizens. Labour exploitation concerns 15% of all victims of trafficking in the European Union, with an increasing number of victims remaining undetected.

This call aims to cover all forms of exploitation related to trafficking in human beings and all victims of trafficking. Considering the growing number of cases of trafficking for the purpose of labour exploitation, as well as the significant share of children amongst victims registered in the EU, proposals addressing at least one of these two aspects are particularly welcome.

Trafficking networks are increasingly showing levels of professionalism and expertise. The increased misuse of information technology by traffickers presents a concern and a challenge to addressing trafficking in human beings.

Following the money throughout the trafficking chain is crucial to turning trafficking in human beings into a 'high-risk, low-return' crime. This can be done by intensifying investigations and prosecutions and facilitating proactive financial and intelligence-led investigations, asset recovery, freezing and confiscation of profits. The Commission's progress reports also evidenced a need for a multidisciplinary approach to disrupt the trafficking chain, involving cooperation of a wide range of actors and pointed out that further efforts are needed to counter impunity by ensuring that those who exploit and abuse victims are brought to justice.

Trafficking in human beings is a complex crime, fostered by the demand for services exacted from victims and generating high profits. Europol estimates the yearly global profit for traffickers as EUR 29.4 billion. As part of its prevention measures, the EU Anti-Trafficking Directive aims to discourage demand by inviting Member States to consider criminalising the knowing use of services exploited from trafficked persons. However, the final decision is left to Member States. This has led to a diverse legal landscape across the EU, and users face different consequences depending on where they use the services of trafficked persons. The increasing number of victims indicates that the situation is worsening and calls for a stronger and harmonised response to reduce the demand of exploited services obtained from trafficked victims.

2. Objectives — Themes and priorities — Activities that can be funded — Expected impact

ISF-2022-TF1-AG-THB - Actions against trafficking in human beings

<u>Objectives</u>

The objective of this call for proposals is to facilitate and enhance breaking the criminal business model of traffickers in human beings by strengthening the law enforcement and judicial responses against trafficking in human beings, in particular as regards children and labour exploitation.

Project applications submitted under this call for proposals should address at least one of the following priorities:

- 1. The disruption of financial flows of the criminal business model of traffickers;
- 2. The intensification of investigations (including evidence-led investigations), prosecutions and the judicial response in the area of trafficking in human beings, in order to dismantle the trafficking chain;
- 3. The disruption of the digital business model of traffickers by improving the digital capabilities of law enforcement and judicial authorities;
- 4. The improvement of confiscation and asset recovery activities with the view of contributing to the compensation of victims.

Proposals should incorporate a multidisciplinary and multi-stakeholder approach to addressing trafficking in human beings. Proposed actions should consider the main patterns of trafficking and aim to develop skills and knowledge on the different forms of exploitation, modi operandi, and vulnerable groups of victims (as defined below under 'Target groups') aiming at increased prevention and protection of victims, both in offline and online environment.

Only proposals which match these priorities will be considered relevant and consequently will have a chance of being selected for funding. Applicants are therefore invited to consider very carefully the links between their proposed actions and the priorities of the call.

<u>Scope</u>

Proposals should focus on:

- Developing measures, tools and methodologies aimed at intensifying investigations (including the collection of digital evidence), prosecutions and the judicial reponse in the area of trafficking in human beings, in order to reduce reliance on victims' testimony and to address, where applicable, the use of services exacted from victims of trafficking.
- Reducing cyber-enabled trafficking in human beings by disrupting perpetrators' use of the technology and improve the use of technology to prevent and combat trafficking.
- Operational actions, including joint investigations and increased cooperation and involvement of the labour inspectorates.
- Capacity building, including specialised trainings targeted at officials involved in investigation and prosecution of trafficking offences, and focused on the disruption of the digital business model and of financial flows.

This topic aims to co-finance targeted, practical projects geared at maximum tangible and demonstrable benefits and impacts. Proposed actions should be in line with the priorities of the EU Strategy on Combatting Trafficking in Human Beings 2021-2025 and have an EU added value, with the view of ensuring sustainability of the actions, as well as possible replicability and disseminability in other EU Member States.

Target groups: in particular children, as well as other vulnerable groups, such as women, ethnic minorities, LGBTQ+ and persons subject to all forms of exploitation.

The projects should be implemented in cooperation with relevant authorities, civil society organisations and other actors. The proposed actions should employ a "multi-stakeholder approach" ensuring the involvement of relevant actors, such as public authorities (local, regional or national), economic and social partners, civil society organisations, including migrant associations and local communities in the design and implementation of the proposed actions. Applicants should consider and clearly detail in their application how the different domains and relevant actors are to be involved.

Project proposals should include **all the following components**:

1. A tailored communication strategy defining:

- the target audience and its segmentation (gender, age, education, profession, etc.).
- the geographical scope (which country/region and which part of that country in particular).
- the key messages to be used throughout the period of implementation of the activities and the key visual elements.
- the communication channels to be used depending on the target audience, ensuring a mix of traditional and social media.
- alternative communication tools where appropriate, such as theatre plays, community-led debates, school visits, testimonials, involvement of celebrities etc.

2. Monitoring and evaluation:

- providing key performance indicators (KPIs), both qualitative and quantitative, with baseline and targets to be used to monitor the implementation and to assess the result of the project, as well as measure the outputs and results of the project against programme performance indicators included in Annex VIII, Regulation (EU) 2021/1149, in particular as regards the Specific Objectives in Article 3;
- providing for adjustments of the activities if necessary;
- allowing for lessons learnt and good practices for future actions.
- 3. A **strategy for the sustainability of the activities**, in particular by engaging with state and non-state actors (e.g. civil society organisations), throughout the action, with a view to sharing know-how and best practices, raising awareness and building ownership.

Expected impact (outcomes)

Projects should aim to achieve one or more of the following outcomes:

• Enhanced coordination of law enforcement authorities in cross-border operations and support multi-stakeholders coordinated responses, including through training and simulation exercises.

- Improved digital capabilities of law enforcement and expertise to keep up with technological developments for preventing and combatting trafficking in human beings, including the establishment of national databases for the victims of trafficking.
- Improved capacity for setting up joint investigations, cross-border referral mechanisms and judicial cooperation in the area of trafficking in human beings, in particular as regards children and labour exploitation.
- Systematic use of financial investigations in the fight against the trafficking of human beings to break the financial flows.
- Improved capacity of labour authorities and labour inspectorates taking part to operational actions, including joint investigations.
- Adequate operational measures and tools to take into account the special needs of child victims and vulnerable persons throughout judicial proceedings, including training for investigators, translators and judges in relation to trafficking.
- New and strengthened partnerships of public bodies and civil society, in order to harness innovation and expertise for the development of technology-based solutions to support prevention and combatting of trafficking in human beings.
- Strengthened dialogue with internet and technology companies to reduce the use of online platforms for the recruitment and exploitation of victims.

Additional considerations applicable to this call

Proposals should demonstrate a sound methodology with practical implementation measures, notably by providing examples on envisaged activities and the experience the beneficiaries have in implementing these.

Activities such as background research and the mapping of existing materials should be minor components of the proposals and, where they are included, a solid justification is needed unless clearly indicated otherwise.

As this topic does not aim to enhance the capacity to collect, analyse and disseminate detailed data and statistics, the scope of data collection should be limited to the purpose of justifying the need for the foreseen actions and presenting the expected impact of the project.

Where relevant, proposals should ensure synergies and complementarities with other programmes and projects implemented in countries of origin and transit within the EU, as well as other organisations active in the relevant field(s) in order to avoid duplication and obtain synergies.

Child protection/safeguarding policy: If a project will involve direct contact with children, the beneficiaries of funding (including partners) need to provide their child protection/safeguarding policy. Each partner must provide their own child protection policy if they will be working directly with children. The quality of the applicant's child safeguarding/protection policy will be assessed under the award criterion quality.

3. Available budget

The available call budget is **EUR 3 000 000**.

We reserve the right not to award all available funds depending on the proposals received and the results of the evaluation.

4. Timetable and deadlines

Timetable and deadlines (indicative)				
Call opening:	17 February 2022			
Deadline for submission:	21 June 2022 - 17:00:00 CET (Brussels)			
Evaluation:	July-October 2022			
Information on evaluation results:	October 2022 ⁸			
GA signature:	December 2022-January 2023			

5. Admissibility and documents

Proposals must be submitted before the call deadline (see timetable section 4).

Proposals must be submitted **electronically** via the Funding & Tenders Portal Electronic Submission System (accessible via the Topic page in the <u>Search Funding & Tenders</u>). Paper submissions are NOT possible.

Proposals (including annexes and supporting documents) must be submitted using the forms provided *inside* the Submission System (1 NOT the documents available on the Topic page — they are only for information).

Proposals must be **complete** and contain all the requested information and all required annexes and supporting documents:

- Application Form Part A contains administrative information about the participants (future coordinator, beneficiaries and affiliated entities) and the summarised budget for the project (to be filled in directly online)
- Application Form Part B contains the technical description of the project (to be downloaded from the Portal Submission System, completed and then assembled and re-uploaded)
- **mandatory annexes and supporting documents** (to be uploaded):
 - detailed budget table: not applicable
 - CVs of core project team: not applicable
 - activity reports of last year: not applicable
 - list of previous projects (key projects for the last 4 years) (template available in Part B).

⁸ In the interest of equal treatment of applicants, the Commission cannot provide any information on the outcome of the call for proposals before the official announcement of the results.

At proposal submission, you will have to confirm that you have the **mandate to act** for all applicants. Moreover you will have to confirm that the information in the application is correct and complete and that the participants comply with the conditions for receiving EU funding (especially eligibility, financial and operational capacity, exclusion, etc). Before signing the grant, each beneficiary and affiliated entity will have to confirm this again by signing a declaration of honour (DoH). Proposals without full support will be rejected.

Your application must be **readable**, **accessible and printable**.

Proposals are limited to maximum **50 pages** (Part B <u>without</u> annexes). Evaluators will not consider any additional pages.

You may be asked at a later stage for further documents (for legal entity validation, financial capacity check, bank account validation, etc).

For more information about the submission process (including IT aspects), consult the <u>Online Manual</u>.

6. Eligibility

Eligible participants (eligible countries)

In order to be eligible, the applicants (beneficiaries and affiliated entities) must:

- be legal entities
 - public bodies including local and regional authorities or European groupings of territorial cooperation⁹ - or, by the competent authority's mandate, a public or non-public implementing agency or body of a Member State participating in the ISF
 - non-profit making private entities
- be established in one of the eligible countries, i.e.:
 - EU Member States (including overseas countries and territories (OCTs), excluding Denmark¹⁰)
 - non-EU countries: not applicable

Beneficiaries and affiliated entities must register in the <u>Participant Register</u> — before submitting the proposal — and will have to be validated by the Central Validation Service (REA Validation). For the validation, they will be requested to upload documents showing legal status and origin.

Other entities may participate in other consortium roles, such as associated partners, subcontractors, third parties giving in-kind contributions, etc (see section 13).

Specific cases

Natural persons — Natural persons are NOT eligible (with the exception of selfemployed persons, i.e. sole traders, where the company does not have legal personality separate from that of the natural person).

⁹ Set up in accordance with Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC), OJ L 210, 31 July 2006, p. 19, provided the applying EGTC is considered a public body under the law of the Member State where it has its registered office.

¹⁰ In accordance with Articles 1 and 2 of Protocol No 22 on the position of Denmark, annexed to the TEU and to the TFEU, Denmark is not taking part in the adoption of Regulation (EU) 2021/1147 and is not bound by it or subject to its application.

International organisations — International organisations are not eligible.

Entities without legal personality — Entities which do not have legal personality under their national law may exceptionally participate, provided that their representatives have the capacity to undertake legal obligations on their behalf, and offer guarantees for the protection of the EU financial interests equivalent to that offered by legal persons¹¹.

EU bodies — EU bodies (with the exception of the European Commission Joint Research Centre) can NOT be part of the consortium.

Associations and interest groupings — Entities composed of members may participate

as 'sole beneficiaries' or 'beneficiaries without legal personality'¹². ¹ Please note that if the action will be implemented by the members, they should also participate (either as beneficiaries or as affiliated entities, otherwise their costs will NOT be eligible).

Countries currently negotiating association agreements — Beneficiaries from countries with ongoing negotiations (see list above) may participate in the call and can sign grants if the negotiations are concluded before grant signature (with retroactive effect, if provided in the agreement).

EU restrictive measures — Special rules apply for certain entities (*e.g. entities subject* to <u>EU restrictive measures</u> under Article 29 of the Treaty on the European Union (TEU) and Article 215 of the Treaty on the Functioning of the EU (TFEU)¹³ and entities covered by Commission Guidelines No <u>2013/C 205/05</u>¹⁴). Such entities are not eligible to participate in any capacity, including as beneficiaries, affiliated entities, associated partners, subcontractors or recipients of financial support to third parties (if any).

For more information, see <u>Rules for Legal Entity Validation, LEAR Appointment</u> and Financial Capacity Assessment.

Consortium composition

Proposals must be submitted by:

- minimum two applicants (beneficiaries; not affiliated entities) from 2 different Participating Member States. Consortia exceeding the minimum number of participants will be valued;
- the following entities can NOT apply as coordinator:
 - public or non-public implementing agency or body of a Member State participating in the ISF;
 - non-profit making private entities.
- the following entities can NOT apply as beneficiaries/affiliated entities:
 - profit making entities except implementing agency or body of a Member State participating in the ISF;

¹¹ See Article 197(2)(c) EU Financial Regulation <u>2018/1046.</u>

¹² For the definitions, see Articles 187(2) and 197(2)(c) EU Financial Regulation <u>2018/1046</u>.

Please note that the EU Official Journal contains the official list and, in case of conflict, its content prevails over that of the <u>EU Sanctions Map</u>.
 Commission guidelines No <u>2013/C 205/05</u> on the eligibility of Israeli entities and their activities in

¹⁴ Commission guidelines No 2013/C 205/05 on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards (OJEU C 205 of 19.07.2013, pp. 9-11).

- international organisations.

Eligible activities

Eligible activities are the ones set out in section 2 above.

Other important considerations

The following types of activities will not be considered as eligible or relevant for funding under this call and thus will not be funded:

- a) duplication of previously funded projects.
- b) projects requiring operating grants for setting up or maintaining of networks.
- c) research projects.

Projects should take into account the results of projects supported by other EU funding programmes. The complementarities must be described in the project proposals (Part B of the Application Form).

Projects must comply with EU policy interests and priorities (such as environment, social, security, industrial and trade policy, etc).

Financial support to third parties is not allowed¹⁵.

Duration

Projects must be 24 months (extensions are possible, if duly justified and through an amendment).

<u>Project budget</u>

Project budgets (maximum grant amount) must range between EUR 500 000 and EUR 1 000 000 per project.

<u>Ethics</u>

Projects must comply with:

- highest ethical standards
- EU values based on Article 2 of the Treaty on the European Union and Article 21 of the EU Charter of Fundamental Rights and
- other applicable EU, international and national law.

Applications should pay appropriate attention to the effects of the project on individual rights and freedoms, and indicate the measures taken to limit or remedy such effects.

Applicants must show in their application that they respect ethical principles and EU values based on Article 2 of the Treaty on the European Union and Article 21 of the EU Charter of Fundamental Rights.

Projects involving ethics issues may be made subject to specific ethics rules.

¹⁵ In particular direct provision of assistance packages to victims in kind or in cash, legal actions before national or international courts, or individual sponsorships/scholarships for participation in workshops, seminars, conferences, congresses, training courses etc.

Security

Projects involving EU classified information must undergo security scrutiny to authorise funding and may be made subject to specific security rules (detailed in a security aspects letter (SAL) which is annexed to the Grant Agreement).

These rules (governed by Decision $2015/444^{16}$ and its implementing rules and/or national rules) provide for instance that:

- projects involving information classified TRES SECRET UE/EU TOP SECRET (or equivalent) can NOT be funded
- classified information must be marked in accordance with the applicable security instructions in the SAL
- information with classification levels CONFIDENTIEL UE/EU CONFIDENTIAL or above (and RESTREINT UE/ EU RESTRICTED, if required by national rules) may be:
 - created or accessed only on premises with facility security clearing (FSC) from the competent national security authority (NSA), in accordance with the national rules
 - handled only in a secured area accredited by the competent NSA
 - accessed and handled only by persons with valid personnel security clearance (PSC) and a need-to-know
- at the end of the grant, the classified information must either be returned or continue to be protected in accordance with the applicable rules
- action tasks involving EU classified information (EUCI) may be subcontracted only with prior written approval from the granting authority and only to entities established in an EU Member State or in a non-EU country with a security of information agreement with the EU (or an administrative arrangement with the Commission)
- disclosure of EUCI to third parties is subject to prior written approval from the granting authority.

Please note that, depending on the type of activity, facility security clearing may have to be provided before grant signature. The granting authority will assess the need for clearing in each case and will establish their delivery date during grant preparation. Please note that in no circumstances can we sign any grant agreement until at least one of the beneficiaries in a consortium has facility security clearing.

Beneficiaries must ensure that their projects are not subject to national/third-country security requirements that could affect implementation or put into question the award of the grant (*e.g. technology restrictions, national security classification, etc*). The granting authority must be notified immediately of any potential security issues.

¹⁶ See Commission Decision 2015/544/EU,Euratom of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

Overview eligibility conditions

	ISF-2022-TF1-AG-THB				
Consortium composition — minimum number of					
Entities	2				
Member States participating in ISF	2				
Consortium composition — participation of non-p	rofit private organisations as				
Coordinators	No				
Beneficiaries	Yes				
Consortium composition — International Organis	ations can participate as				
Coordinators	No				
Beneficiaries	No				
Consortium composition — participation of for-pr	ofit organisations as				
Coordinators	No				
Beneficiaries	Yes				
	(only if the for-profit organisation is a public or non- public implementing agency or body of a Member State participating in the ISF)				
Duration of projects (in months)					
	24				
Project budget — maximum grant amount					
Minimum (EUR)	500 000				
Maximum (EUR)	1 000 000				

7. Financial and operational capacity and exclusion

Financial capacity

Applicants must have **stable and sufficient resources** to successfully implement the projects and contribute their share. Organisations participating in several projects must have sufficient capacity to implement all these projects.

The financial capacity check will be carried out on the basis of the documents you will be requested to upload in the <u>Participant Register</u> during grant preparation (*e.g. profit and loss account and balance sheet, business plan, audit report produced by an approved external auditor, certifying the accounts for the last closed financial year, etc).* The analysis will be based on neutral financial indicators, but will also take into account other aspects, such as dependency on EU funding and deficit and revenue in previous years.

The check will normally be done for all beneficiaries, except:

- public bodies (entities established as public body under national law, including local, regional or national authorities)
- if the individual requested grant amount is not more than EUR 60 000.

If needed, it may also be done for affiliated entities.

If we consider that your financial capacity is not satisfactory, we may require:

- further information
- an enhanced financial responsibility regime, i.e. joint and several responsibility for all beneficiaries or joint and several liability of affiliated entities (see below, section 10)
- prefinancing paid in instalments
- (one or more) prefinancing guarantees (see below, section 10)

or

- propose no prefinancing
- request that you are replaced or, if needed, reject the entire proposal.

i For more information, *see <u>Rules for Legal Entity Validation, LEAR Appointment</u> <u>and Financial Capacity Assessment</u>.*

Operational capacity

Applicants must have the **know-how**, **qualifications** and **resources** to successfully implement the projects and contribute their share (including sufficient experience in projects of comparable size and nature).

This capacity will be assessed together with the 'Quality' award criterion, on the basis of the competence and experience of the applicants and their project teams, including operational resources (human, technical and other) or, exceptionally, the measures proposed to obtain it by the time the task implementation starts.

If the evaluation of the award criterion is positive, the applicants are considered to have sufficient operational capacity.

Applicants will have to show their capacity via the following information:

- general profiles (qualifications and experiences) of the staff responsible for managing and implementing the project
- description of the consortium participants
- list of previous projects (key projects for the last 4 years).

Additional supporting documents may be requested, if needed to confirm the operational capacity of any applicant.

Public bodies, Member State organisations and international organisations are exempted from the operational capacity check.

Exclusion

Applicants which are subject to an **EU exclusion decision** or in one of the following **exclusion situations** that bar them from receiving EU funding can NOT participate¹⁷:

- bankruptcy, winding up, affairs administered by the courts, arrangement with creditors, suspended business activities or other similar procedures (including procedures for persons with unlimited liability for the applicant's debts)
- in breach of social security or tax obligations (including if done by persons with unlimited liability for the applicant's debts)
- guilty of grave professional misconduct¹⁸ (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- committed fraud, corruption, links to a criminal organisation, money laundering, terrorism-related crimes (including terrorism financing), child labour or human trafficking (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- shown significant deficiencies in complying with main obligations under an EU procurement contract, grant agreement, prize, expert contract, or similar (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- guilty of irregularities within the meaning of Article 1(2) of Regulation No 2988/95 (including if done by persons having powers of representation, decisionmaking- or control, beneficial owners or persons who are essential for the award/implementation of the grant)
- created under a different jurisdiction with the intent to circumvent fiscal, social or other legal obligations in the country of origin or created another entity with this purpose (including if done by persons having powers of representation, decision-making or control, beneficial owners or persons who are essential for the award/implementation of the grant).

Applicants will also be refused if it turns out that¹⁹:

- during the award procedure they misrepresented information required as a condition for participating or failed to supply that information
- they were previously involved in the preparation of the call and this entails a distortion of competition that cannot be remedied otherwise (conflict of interest).

¹⁷ See Articles 136 and 141 of EU Financial Regulation <u>2018/1046</u>.

¹⁸ Professional misconduct includes: violation of ethical standards of the profession, wrongful conduct with impact on professional credibility, false declarations/misrepresentation of information, participation in a cartel or other agreement distorting competition, violation of IPR, attempting to influence decisionmaking processes or obtain confidential information from public authorities to gain advantage.

¹⁹ See Article 141 EU Financial Regulation <u>2018/1046</u>.

8. Evaluation and award procedure

The proposals will have to follow a **two-step evaluation procedure**.

For all eligible applications, in the first step, there will be a pre-selection on the basis of the Relevance award criterion only. In the second step, the successful proposals will be assessed against the full set of award criteria.

An **evaluation committee** (assisted by independent outside experts) will assess all applications. Proposals will first be checked for formal requirements (admissibility, and eligibility, *see sections 5 and 6*). Proposals found admissible and eligible will be evaluated (for each topic) against the operational capacity and award criteria (*see sections 7 and 9*) and then ranked according to their scores.

For proposals with the same score (within a topic or budget envelope) a **priority order** will be determined according to the following approach:

Successively for every group of *ex aequo* proposals, starting with the highest scored group, and continuing in descending order:

- The ex aequo proposals within the same topic will be prioritised according to the scores they have been awarded for the award criterion 'Relevance'. When these scores are equal, priority will be based on their scores for the criterion 'Impact'. When these scores are equal, priority will be based on their scores for the criterion 'Quality'.
- If this does not allow to determine the priority, a further prioritisation can be done by considering the overall project portfolio and the creation of positive synergies between projects, or other factors related to the objectives of the call..
- 3) After that, the remainder of the available call budget will be used to fund projects across the different topics in order to ensure a balanced spread of the geographical and thematic coverage and while respecting to the maximum possible extent the order of merit based on the evaluation of the award criteria.

All proposals will be informed about the evaluation result (**evaluation result letter**). Successful proposals will be invited for grant preparation; the other ones will be put on the reserve list or rejected.

No commitment for funding — Invitation to grant preparation does NOT constitute a formal commitment for funding. We will still need to make various legal checks before grant award: *legal entity validation, financial capacity, exclusion check, etc*.

Grant preparation will involve a dialogue in order to fine-tune technical or financial aspects of the project and may require extra information from your side. It may also include adjustments to the proposal to address recommendations of the evaluation committee or other concerns. Compliance will be a pre-condition for signing the grant.

If you believe that the evaluation procedure was flawed, you can submit a **complaint** (following the deadlines and procedures set out in the evaluation result letter). Please note that notifications which have not been opened within 10 days after sending are considered to have been accessed and that deadlines will be counted from opening/access (see also Funding & Tenders Portal Terms and Conditions). Please also be aware that for complaints submitted electronically, there may be character limitations.

9. Award criteria

The **award criteria** for this call are as follows:

- Relevance: clarity and consistency of the objectives and scope of the project seen against the objectives and expected impact/outcomes (if applicable) as identified in section 2; contribution to the relevant EU strategic documents and/or action plans and legislative context; previous results in the field; European/trans-national dimension (30 points)
- Quality: logical links between the identified problems, needs and solutions proposed; methodology for implementing the project (concept and methodology, timetable, monitoring and evaluation); expertise and quality of the consortium and project teams; management structures and procedures; risks and risk management; feasibility of the project within the proposed time frame; cost effectiveness and best value for money (50 points)
- Impact: expected short-term and long-term impact of results on target groups/general public; degree of ambition and innovation; appropriate communication strategy, including visibility of EU funding; appropriate dissemination strategy for ensuring sustainability and long-term impact; sustainability of results after EU funding ends; replicability/usability/potential for amplification of the results (20 points).

Award criteria	Minimum pass score	Maximum score
Relevance	21	30
Quality	n/a	50
Impact	n/a	20
Overall (pass) scores	70	100

Maximum points: 100 points.

Individual thresholds for the criterion 'Relevance': 21/30 points.

Overall threshold: 70 points.

Proposals that pass the individual threshold for the criterion 'Relevance' AND the overall threshold will be considered for funding — within the limits of the available call budget. Other proposals will be rejected.

10. Legal and financial set-up of the Grant Agreements

If you pass evaluation, your project will be invited for grant preparation, where you will be asked to prepare the Grant Agreement together with the EU Project Officer.

This Grant Agreement will set the framework for your grant and its terms and conditions, in particular concerning deliverables, reporting and payments.

The Model Grant Agreement that will be used (and all other relevant templates and guidance documents) can be found on <u>Portal Reference Documents</u>.

Starting date and project duration

The project starting date and duration will be fixed in the Grant Agreement (*Data Sheet, point 1*). Normally the starting date will be after grant signature. Retroactive application can be granted exceptionally for duly justified reasons but never earlier than the proposal submission date.

Project duration: 24 months (extensions are possible, if duly justified and through an amendment).

Milestones and deliverables

The milestones and deliverables for each project will be managed through the Portal Grant Management System and will be reflected in Annex 1 of the Grant Agreement.

The following deliverables will be mandatory for all projects:

- A mid-term progress report.
- A final project report.

Form of grant, funding rate and maximum grant amount

The grant parameters (maximum grant amount, funding rate, total eligible costs, etc) will be fixed in the Grant Agreement (Data Sheet, point 3 and art 5).

Project budget (maximum grant amount): *see section 6 above*. The grant awarded may be lower than the amount requested.

The grant will be a budget-based mixed actual cost grant (actual costs, with unit cost and flat-rate elements). This means that it will reimburse ONLY certain types of costs (eligible costs) and costs that were *actually* incurred for your project (NOT the *budgeted* costs). For unit costs and flat-rates, you can charge the amounts calculated as explained in the Grant Agreement (*see art 6 and Annex 2 and 2a*).

The costs will be reimbursed at the funding rate fixed in the Grant Agreement (**90%**).

Grants may NOT produce a profit (i.e. surplus of revenues + EU grant over costs). For-profit organisations must declare their revenues and, if there is a profit, we will deduct it from the final grant amount (see art 22.3).

Moreover, please be aware that the final grant amount may be reduced in case of non-compliance with the Grant Agreement (*e.g. improper implementation, breach of obligations, etc*).

Budget categories and cost eligibility rules

The budget categories and cost eligibility rules are fixed in the Grant Agreement (Data Sheet, point 3, art 6 and Annex 2).

Budget categories for this call:

- A. Personnel costs
 - A.1 Employees, A.2 Natural persons under direct contract, A.3 Seconded persons
 - A.4 SME owners and natural person beneficiaries
 - A.5 Volunteers
- B. Subcontracting costs

- C. Purchase costs
 - C.1 Travel and subsistence
 - C.2 Equipment
 - C.3 Other goods, works and services
- D. Other cost categories: not applicable
- E. Indirect costs

Specific cost eligibility conditions for this call:

- personnel costs:
 - SME owner/natural person unit cost²⁰: Yes
 - volunteers unit cost²¹: Yes (without indirect costs)
- travel and subsistence unit cost²²: Yes
- equipment costs: depreciation
- other cost categories:
 - costs for financial support to third parties: not allowed
- indirect cost flat-rate: 7% of the eligible direct costs (categories A-D, except volunteers costs and exempted specific cost categories, if any)
- VAT: non-deductible VAT is eligible (but please note that since 2013 VAT paid by beneficiaries that are public bodies acting as public authority is NOT eligible)
- divers:
 - in-kind contributions for free are allowed, but cost-neutral, i.e. cannot be declared as cost

Volunteers costs — Volunteers costs are not a classic cost category. There are no costs because volunteers work for free, but they may nontheless be added to the budget in the form of a pre-fixed unit cost (per volunteer) and thus allow you to benefit from the volunteers' work for the grant (by increasing the amount of reimbursement up to 100% of the normal costs, i.e. cost categories other than volunteers). More information is available in the <u>AGA — Annotated Grant Agreement</u>, <u>art 6.2.A.5</u>.

Reporting and payment arrangements

The reporting and payment arrangements are fixed in the Grant Agreement (Data Sheet, point 4 and art 21 and 22).

After grant signature, you will normally receive a **prefinancing** to start working on the project (float of normally **80%** of the maximum grant amount; exceptionally less or no prefinancing). The prefinancing will be paid 30 days from entry into force/financial guarantee (if required) — whichever is the latest.

²⁰ Commission <u>Decision</u> of 20 October 2020 authorising the use of unit costs for the personnel costs of the owners of small and medium-sized enterprises and beneficiaries that are natural persons not receiving a salary for the work carried out by themselves under an action or work programme (C(2020)7715).

²¹ Commission <u>Decision</u> of 10 April 2019 authorising the use of unit costs for declaring personnel costs for the work carried out by volunteers under an action or a work programme (C(2019)2646).

²² Commission <u>Decision</u> of 12 January 2021 authorising the use of unit costs for travel, accommodation and subsistence costs under an action or work programme under the 2021-2027 multi-annual financial framework (C(2021)35).

There will be no **interim payments**.

In addition, you will be expected to submit one or more progress reports not linked to payments.

Payment of the balance: At the end of the project, we will calculate your final grant amount. If the total of earlier payments is higher than the final grant amount, we will ask you (your coordinator) to pay back the difference (recovery).

All payments will be made to the coordinator.

Please be aware that payments will be automatically lowered if one of your consortium members has outstanding debts towards the EU (granting authority or other EU bodies). Such debts will be offset by us — in line with the conditions set out in the Grant Agreement (see art 22).

Please also note that you are responsible for keeping records on all the work done and the costs declared.

Prefinancing guarantees

If a prefinancing guarantee is required, it will be fixed in the Grant Agreement (*Data Sheet, point 4*). The amount will be set during grant preparation and it will normally be equal or lower than the prefinancing for your grant.

The guarantee should be in euro and issued by an approved bank/financial institution established in an EU Member State. If you are established in a non-EU country and would like to provide a guarantee from a bank/financial institution in your country, please contact us (this may be exceptionally accepted, if it offers equivalent security).

Amounts blocked in bank accounts will NOT be accepted as financial guarantees.

Prefinancing guarantees are formally NOT linked to individual consortium members, which means that you are free to organise how to provide the guarantee amount (by one or several beneficiaries, for the overall amount or several guarantees for partial amounts, by the beneficiary concerned or by another beneficiary, etc). It is however important that the requested amount is covered and that the guarantee(s) are sent to us in time to make the prefinancing (scanned copy via Portal AND original by post).

If agreed with us, the bank guarantee may be replaced by a guarantee from a third party.

The guarantee will be released at the end of the grant, in accordance with the conditions laid down in the Grant Agreement.

<u>Certificates</u>

Depending on the type of action, size of grant amount and type of beneficiaries, you may be requested to submit different certificates. The types, schedules and thresholds for each certificate are fixed in the Grant Agreement (*Data Sheet, point 4 and art 24*).

Liability regime for recoveries

The liability regime for recoveries will be fixed in the Grant Agreement (*Data Sheet point 4.4 and art 22*).

For beneficiaries, it is limited joint and several liability with individual ceilings — *each beneficiary up* to their maximum grant amount.

In addition, the granting authority may require joint and several liability of affiliated

entities (with their beneficiary).

Provisions concerning the project implementation

Security rules: see Model Grant Agreement (art 13 and Annex 5)

Ethics rules: see Model Grant Agreement (art 14 and Annex 5)

IPR rules: see Model Grant Agreement (art 16 and Annex 5):

- rights of use on results: Yes

Communication, dissemination and visibility of funding: see Model Grant Agreement (art 17 and Annex 5):

- additional communication and dissemination activities: Yes
- limited communication and visibility to protect persons involved: Yes

Specific rules for carrying out the action: *see Model Grant Agreement (art 18 and Annex 5):*

- EU restrictive measures: Yes
- durability: No
- specific rules for humanitarian actions: No
- specific rules for blending operations: No

Other specificities

n/a

Non-compliance and breach of contract

The Grant Agreement (chapter 5) provides for the measures we may take in case of breach of contract (and other non-compliance issues).

i For more information, see <u>AGA — Annotated Grant Agreement</u>.

11. How to submit an application

All proposals must be submitted directly online via the Funding & Tenders Portal Electronic Submission System. Paper applications are NOT accepted.

Submission is a **2-step process**:

a) create a user account and register your organisation

To use the Submission System (the only way to apply), all participants need to <u>create</u> an EU Login user account.

Once you have an EULogin account, you can <u>register your organisation</u> in the Participant Register. When your registration is finalised, you will receive a 9-digit participant identification code (PIC).

b) submit the proposal

Access the Electronic Submission System via the Topic page in the <u>Search Funding &</u> <u>Tenders</u> section (or, for calls sent by invitation to submit a proposal, through the link provided in the invitation letter).

Submit your proposal in 3 parts, as follows:

- Part A includes administrative information about the applicant organisations (future coordinator, beneficiaries, affiliated entities and associated partners) and the summarised budget for the proposal. Fill it in directly online
- Part B (description of the action) covers the technical content of the proposal.
 Download the mandatory word template from the Submission System, fill it in and upload it as a PDF file
- Annexes (see section 5). Upload them as PDF file (single or multiple depending on the slots). Excel upload is sometimes possible, depending on the file type.

The proposal must keep to the **page limits** (see section 5); excess pages will be disregarded.

Documents must be uploaded to the **right category** in the Submission System otherwise the proposal might be considered incomplete and thus inadmissible.

The proposal must be submitted **before the call deadline** (*see section 4*). After this deadline, the system is closed and proposals can no longer be submitted.

Once the proposal is submitted, you will receive a **confirmation e-mail** (with date and time of your application). If you do not receive this confirmation e-mail, it means your proposal has NOT been submitted. If you believe this is due to a fault in the Submission System, you should immediately file a complaint via the <u>IT Helpdesk</u> <u>webform</u>, explaining the circumstances and attaching a copy of the proposal (and, if possible, screenshots to show what happened).

Details on processes and procedures are described in the <u>Online Manual</u>. The Online Manual also contains the links to FAQs and detailed instructions regarding the Portal Electronic Exchange System.

12. Help

As far as possible, *please try to find the answers you need yourself*, in this and the other documentation (we have limited resources for handling direct enquiries):

- Online Manual
- FAQs on the Topic page (for call-specific questions in open calls; not applicable for actions by invitation)
- <u>Portal FAQ</u> (for general questions).

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.

Please also consult the Topic page regularly, since we will use it to publish call updates. (For invitations, we will contact you directly in case of a call update).

Contact

For individual questions on the Portal Submission System, please contact the \underline{IT} <u>Helpdesk</u>.

Non-IT related questions should be sent to the following email address: <u>HOME-ISF@ec.europa.eu</u>

Please indicate clearly the reference of the call and topic to which your question relates (see cover page).

13. Important

\rm IMPORTANT

- **Don't wait until the end** Complete your application sufficiently in advance of the deadline to avoid any last minute **technical problems**. Problems due to last minute submissions (*e.g. congestion, etc*) will be entirely at your risk. Call deadlines can NOT be extended.
- **Consult** the Portal Topic page regularly. We will use it to publish updates and additional information on the call (call and topic updates).
- Funding & Tenders Portal Electronic Exchange System By submitting the application, all participants accept to use the electronic exchange system in accordance with the Portal Terms & Conditions.
- **Registration** Before submitting the application, all beneficiaries, affiliated entities and associated partners must be registered in the <u>Participant Register</u>. The participant identification code (PIC) (one per participant) is mandatory for the Application Form.
- **Consortium roles** When setting up your consortium, you should think of organisations that help you reach objectives and solve problems.

The roles should be attributed according to the level of participation in the project. Main participants should participate as **beneficiaries** or **affiliated entities**; other entities can participate as associated partners, subcontractors, third parties giving in-kind contributions. **Associated partners** and third parties giving in-kind contributions should bear their own costs (they will not become formal recipients of EU funding). **Subcontracting** should normally constitute a limited part and must be performed by third parties (not by one of the beneficiaries/affiliated entities). Subcontracting going beyond 30% of the total eligible costs must be justified in the application.

- **Coordinator** In multi-beneficiary grants, the beneficiaries participate as consortium (group of beneficiaries). They will have to choose a coordinator, who will take care of the project management and coordination and will represent the consortium towards the granting authority. In mono-beneficiary grants, the single beneficiary will automatically be coordinator.
- Affiliated entities Applicants may participate with affiliated entities (i.e. entities linked to a beneficiary which participate in the action with similar rights and obligations as the beneficiaries, but do not sign the grant and therefore do not become beneficiaries themselves). They will get a part of the grant money and must therefore comply with all the call conditions and be validated (just like beneficiaries); but they do not count towards the minimum eligibility criteria for consortium composition (if any).
- **Associated partners** Applicants may participate with associated partners (i.e. partner organisations which participate in the action but without the right to get grant money). They participate without funding and therefore do not need to be validated.
- **Consortium agreement** For practical and legal reasons it is recommended to set up internal arrangements that allow you to deal with exceptional or unforeseen circumstances (in all cases, even if not mandatory under the Grant Agreement). The consortium agreement also gives you the possibility to redistribute the grant money according to your own consortium-internal principles and parameters (for instance, one beneficiary can reattribute its grant money to another beneficiary). The consortium agreement thus allows you to customise the EU grant to the needs inside your consortium and can also help to protect you in case of disputes.

- **Balanced project budget** Grant applications must ensure a balanced project budget and sufficient other resources to implement the project successfully (*e.g.* own contributions, income generated by the action, financial contributions from third parties, etc). You may be requested to lower your estimated costs, if they are ineligible (including excessive).
- **No-profit rule** Grants may NOT give a profit (i.e. surplus of revenues + EU grant over costs). This will be checked by us at the end of the project.
- **No double funding** There is a strict prohibition of double funding from the EU budget (except under EU Synergies actions). Outside such Synergies actions, any given action may receive only ONE grant from the EU budget and cost items may under NO circumstances declared to two different EU actions.
- **Completed/ongoing projects** Proposals for projects that have already been completed will be rejected; proposals for projects that have already started will be assessed on a case-by-case basis (in this case, no costs can be reimbursed for activities that took place before the project starting date/proposal submission).
- **Combination with EU operating grants** Combination with EU operating grants is possible, if the project remains outside the operating grant work programme and you make sure that cost items are clearly separated in your accounting and NOT declared twice (see <u>AGA</u> <u>Annotated Model Grant Agreement</u>, <u>art 6.2.E</u>).
- **Multiple proposals** Applicants may submit more than one proposal for *different* projects under the same call (and be awarded a funding for them).

Organisations may participate in several proposals.

BUT: if there are several proposals for *very similar* projects, only one application will be accepted and evaluated; the applicants will be asked to withdraw one of them (or it will be rejected).

- **Resubmission** Proposals may be changed and re-submitted until the deadline for submission.
- **Rejection** By submitting the application, all applicants accept the call conditions set out in this this Call Document (and the documents it refers to). Proposals that do not comply with all the call conditions will be **rejected**. This applies also to applicants: All applicants need to fulfil the criteria; if any one of them doesn't, they must be replaced or the entire proposal will be rejected.
- **Cancellation** There may be circumstances which may require the cancellation of the call. In this case, you will be informed via a call or topic update. Please note that cancellations are without entitlement to compensation.
- **Language** You can submit your proposal in any official EU language (project abstract/summary should however always be in English). For reasons of efficiency, we strongly advise you to use English for the entire application. If you need the call documentation in another official EU language, please submit a request within 10 days after call publication (for the contact information, *see section 12*).

- **Transparency** In accordance with Article 38 of the <u>EU Financial Regulation</u>, information about EU grants awarded is published each year on the <u>Europa website</u>. This includes:
 - beneficiary names
 - beneficiary addresses
 - the purpose for which the grant was awarded
 - the maximum amount awarded.

The publication can exceptionally be waived (on reasoned and duly substantiated request), if there is a risk that the disclosure could jeopardise your rights and freedoms under the EU Charter of Fundamental Rights or harm your commercial interests.

• **Data protection** — The submission of a proposal under this call involves the collection, use and processing of personal data. This data will be processed in accordance with the applicable legal framework. It will be processed solely for the purpose of evaluating your proposal, subsequent management of your grant and, if needed, programme monitoring, evaluation and communication. Details are explained in the <u>Funding & Tenders Portal Privacy Statement</u>.