



# Internal Security Fund – Police

## Call for proposals

Joint Action against Trafficking in Human Beings addressing the  
Culture of Impunity

ISFP-2019-AG-THB

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## Internal Security Fund - Police (2014-2020)

### 2019 CALL FOR PROPOSALS

#### ISFP-2019-AG-THB

## Joint Action against Trafficking in Human Beings addressing the Culture of Impunity

### **1. INTRODUCTION**

The Treaty on the Functioning of the European Union (TFEU) lays down in Article 67(3) an objective for the Union to ensure a high level of security within an area of freedom, security and justice. To achieve this objective, enhanced actions at European Union level should be taken to protect people and goods from increasingly transnational threats and to support the work carried out by Member States' competent authorities. Terrorism, organised crime, itinerant crime, drug trafficking, corruption, cybercrime, trafficking in human beings and arms, inter alia, continue to challenge the internal security of the Union.

The Internal Security Strategy for the European Union (Internal Security Strategy), adopted by the Council in February 2010, constituted a shared agenda for tackling the common security challenges and identified 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 for the European Union ('Internal Security Strategy', and to ensure that it becomes an operational reality, the Internal Security Fund ('the Fund') was set up. In April 2015 the European Commission adopted the European Agenda on Security (EAS) for the coming five years, which builds on the actions undertaken under the previous Internal Security Strategy, thus ensuring consistent and continued action. The EAS represents an effective and coordinated response at European level to new and complex threats and sets out how the European Union can bring added value to support the Member States in ensuring security. It has identified the following three priorities: tackling terrorism and preventing radicalisation, disrupting organised crime and fighting cybercrime. On the basis of the EAS, the Council adopted in June 2015 the renewed European Union Internal Security Strategy 2015-2020 confirming tackling and preventing terrorism, radicalisation to terrorism and recruitment as well as financing related to terrorism, preventing and fighting serious and organised crime and preventing and fighting cybercrime as the main priorities for European Union's actions.

The legal basis of ISF Police include 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 combatting 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 06.06.2019, modified on 09.12.2019, the 2019 Annual Work Programme for Union Actions, which includes this Call for Proposals<sup>1</sup>.

## **Overview of Policy Context - Trafficking in Human Beings**

Trafficking in human beings (THB) is prohibited by the EU Charter of Fundamental Rights (Article 5.3), and defined by the TFEU as a particularly serious form of organised crime (Article 83), with links to immigration policy (Article 79). It is a crime driven by high profits and by the demand that fosters all forms of exploitation<sup>2</sup>.

Trafficking in human beings continues to be a priority crime area of the 2018-2021 EU Policy Cycle for organised and serious international crime, with a focus on all forms of exploitation.

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<sup>3</sup>) under the horizontal mandate of the EU Anti-Trafficking Coordinator (EU ATC)<sup>4</sup>. It is complemented by the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016<sup>5</sup> and the 2017 Communication stepping up EU action to address THB<sup>6</sup>.

Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims establishes robust provisions on victim's protection, assistance and support, and also on prevention and prosecution of the crime. It takes a zero-tolerance approach towards the traffickers, adopts a strong human rights-based approach, and incorporates a strong gender-specific perspective recognizing that women and men are often trafficked for different purposes.

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<sup>1</sup> C(2019) 4044 of 09.12.2019

<sup>2</sup> Further details are available in the Commission Second report on the progress made in the fight against trafficking in human beings, COM(2018) 777 and the accompanying Staff Working Document, SWD(2018) 473 as well as in Europol's Situation Report on Trafficking in human beings in the EU, Ref No: 765175

<sup>3</sup> OJ L-101, 15.04.2011, p 1

<sup>4</sup> [https://ec.europa.eu/anti-trafficking/eu-anti-trafficking-coordinator\\_en](https://ec.europa.eu/anti-trafficking/eu-anti-trafficking-coordinator_en)

<sup>5</sup> [https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu\\_strategy\\_towards\\_the\\_eradication\\_of\\_trafficking\\_in\\_human\\_beings\\_2012-2016\\_1.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf)

<sup>6</sup> COM(2017) 728 final

The Commission Communication "Reporting on the follow-up to the EU Strategy towards the Eradication of trafficking in human beings and identifying further concrete actions" ("2017 Communication")<sup>7</sup> set out as priority for EU anti-trafficking action to disrupt the business model and untangle the trafficking chain, including by countering the culture of impunity that prevails for both perpetrators and users.

According to the Commission Second progress report and EU-wide data collection<sup>8</sup>, out of a total of 20 532 registered victims (both identified and presumed) in 2015 and 2016, trafficking for the purpose of sexual exploitation is still the most widespread form (65 % of registered victims<sup>9</sup>, primarily affecting women and girls (95 % of registered victims) which is followed by labour exploitation (15 % of registered victims<sup>10</sup>). The other 20 % registered victims were exploited for other forms of exploitation<sup>11</sup>.

Over three quarters of the registered victims were women and girls (77 %)<sup>12</sup>. At least 23 % of the registered victims were children and 44 % of registered victims were EU citizens and 22% are trafficked within their own Member State.

Despite joint efforts, the high number of victims within the EU indicate continued criminal activities with low criminal justice reaction in the EU (number of convictions only 2,927 and only 5,979 prosecutions, only 18 convictions for using the services provided by victims of trafficking in human beings). It is a complex crime, fostered by the demand for services exacted from victims and generating high profits; Europol estimates €29, 4 billion globally per year only for the criminals. Countering the culture of impunity (not only for the criminals, but also the exploiters and users of the services of victims) that foster trafficking in human beings remains a political challenge in order to eradicate this phenomenon<sup>13</sup>.

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. In line with the findings of the Second Progress Report, the Commission actively supports national authorities to focus on improving the efficiency and effectiveness of investigations and prosecutions through measures allowing them to follow the money and the profits from trafficking, and criminalising those who use the services of victims.

The Second Progress Report 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.

In 2016, as required by Directive 2011/36/EU, the Commission issued a report on the criminalisation of users of services of victims of trafficking (Users report)<sup>14</sup>. Its findings indicated that the diverse legal landscape in the EU fails to effectively contribute to discouraging demand of such services, and that the complete absence or inadequate criminalisation contributes to fostering the crime, including through a culture of impunity. In line with the provision of the EU Anti-trafficking Directive, the 2017 Communication

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<sup>7</sup> COM(2017) 728 final

<sup>8</sup>Data collection on trafficking 2018 in human beings in the EU for the years 2015-2016 [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204\\_data-collection-study.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_data-collection-study.pdf)

<sup>9</sup> Without including UK data

<sup>10</sup> Without including UK data

<sup>11</sup> Without including UK data

<sup>12</sup> Without including UK data

<sup>13</sup>[https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/4\\_december\\_2017\\_communication\\_addressing\\_thb\\_-\\_factsheet\\_1.pdf](https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/4_december_2017_communication_addressing_thb_-_factsheet_1.pdf)

<sup>14</sup> Report from the Commission to the European Parliament and the Council assessing the impact of existing national law, establishing as a criminal offence the use of services which are the objects of exploitation of trafficking in human beings, on the prevention of trafficking in human beings, in accordance with Article 23 (2) of the Directive 2011/36/EU, COM(2016) 719

includes as the key action to encourage those EU Member States that have not done so, to criminalise those knowingly using services exacted from victims of trafficking.

The 2017 Communication sets forth as a cross-cutting priority to ensure that funding matches policy priorities and objectives, including taking into account the persistent key identified patterns on high risk groups, such as women and girls being the majority of the victims and overwhelmingly trafficked for the purpose of sexual exploitation in the EU.

The Comprehensive Policy Review of all EC funded anti-trafficking projects (2016), a deliverable under the 2012-2016 EU Strategy, found that whilst 14 % and 12 % of funded projects are on sexual exploitation and labour exploitation respectively, 14 % of EC funding is on labour exploitation projects and only 7 % is on sexual exploitation projects. Around 1 % of funded projects are on trafficking for organ removal, forced begging and criminal activity. Twenty-three percent (23 %) of funded projects are on child trafficking. Only between 2-3 % of funded projects are on trafficking of women and children, and trafficking of women.

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

The present call for proposals aims at funding projects in the area of anti-trafficking action, in particular aimed at countering the culture of impunity for all perpetrators.

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

1. Prevention initiatives targeted specifically at countering the impunity for all actors involved in the trafficking chain: traffickers, exploiters, profit makers, users and abusers.
2. Disrupting the financial business model of trafficking, following the money and untangling the trafficking chain.

Proposals that match most closely these priorities will be evaluated as particularly relevant and will have a higher chance of being selected. Applicants are therefore invited to consider very carefully the links between their proposal and the priorities of the call.

Proposals are requested to focus on:

- Developing measures, tools and methodologies aimed at intensifying investigations, including financial and intelligence-lead investigations, and prosecutions in the area of trafficking in human beings, ensuring tools for evidence gathering for increasing prosecutions and convictions;
- Improved cooperation through capacity building, and operational actions including joint investigations;
- Exchange of best practice and expertise regarding prosecutions and convictions in the area of trafficking in human beings, including in view of criminalising the use of services exacted from victims of trafficking in human beings;
- Trainings on trafficking in human beings targeted specifically for officials responsible for investigating and prosecuting the offences, taking into account the main identified patterns and tailored to develop skills and knowledge on specific forms of exploitation, and especially the changing modus operandi when it comes to sexual exploitation; as well as the specific profile of victims, with a focus on women, children and/or the Roma community.

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

- More effective and intensified law enforcement operations, including cross-border cooperation and investigations
- Improved capacity for setting up joint investigations
- Increased reach-out via multi-disciplinary training courses on THB, including common events for police and/or national competent authorities, civil society and private sector;
- Improved cooperation on operational level through strengthened procedures, where Standards operating procedures and protocols are tested through simulations and exercises;
- Developing public private partnerships and facilitate the involvement of civil society in the prevention of THB by untangling the trafficking chain.

### **General points for consideration:**

Applications should demonstrate that proposals **do not duplicate existing work**, projects and initiatives. Proposals should include a clear sustainability plan to ensure that the results of the project are useful in the long-term and after the end of the funding. In this context, applicants are invited to take note of previously funded projects: <https://ec.europa.eu/anti-trafficking/eu-projects-and-funding>

Applicants should demonstrate under the section 'relevance' how their proposals are aligned with the respective EU policies and with the documents published by the European Commission, including the findings of the European Commission second progress report and its accompanying Staff Working Document, the soon to be published studies on the Economic, human and social costs of trafficking in human beings, and on the Review of national referral and transnational referral mechanisms; relevant reports of EU agencies<sup>15</sup>. Proposals must take a victim-centred approach, and be gender-specific as relevant. Projects should target, but not be limited to, trafficking for the purpose of sexual exploitation<sup>16</sup> and in line with the recognition of trafficking in human beings is a violence against women and girls.

Projects are expected to integrate a gender and child specific perspective in the design, implementation, monitoring and evaluation of a project, as appropriate.

All proposals relevant to children are expected to respect the child's right to participate and be aligned with Article 24 of the Charter, relevant EU law and the UN Convention on the rights of the child and describe how they will contribute to the implementation of the 10 principles for integrated child protection systems<sup>17</sup>. The child's right to be heard, as set out in Article 12 of UN Convention on the Rights of the Child and General Comment No 12, must be an integral part of all project activities.

**Child protection/safeguarding policy:** If a project involves direct contact with children, the beneficiaries of funding (including partners) need to provide their child protection/safeguarding policy, if they work directly with children during the project. Each

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<sup>15</sup> Europol Reports on Trafficking in Human Beings (THB) Financial Business Model 2015 <https://www.europol.europa.eu/publications-documents/trafficking-in-human-beings-financial-business-model>; and on Criminal Networks Involved in the Trafficking and Exploitation of Underage Victims in the EU: [https://www.europol.europa.eu/sites/default/files/documents/23-11\\_report\\_child\\_trafficking.pdf](https://www.europol.europa.eu/sites/default/files/documents/23-11_report_child_trafficking.pdf); EIGE's report on Gender-specific measures in anti-trafficking actions: <https://eige.europa.eu/publications/gender-specific-measures-anti-trafficking-actions-report>; Eurojust Annual Report; Further information on relevant reports is available on the website of the EU Anti-trafficking Coordinator: [http://ec.europa.eu/anti-trafficking/publications\\_en?solrsort=ds\\_field\\_publication\\_date%20desc](http://ec.europa.eu/anti-trafficking/publications_en?solrsort=ds_field_publication_date%20desc)

<sup>16</sup> as per the results of the Comprehensive Policy Review (see above in part 1), the statistical data available (see above in part 1)

<sup>17</sup> Ten principles for integrated child protection systems: [http://ec.europa.eu/justice/fundamental-rights/files/2015\\_forum\\_roc\\_background\\_en.pdf](http://ec.europa.eu/justice/fundamental-rights/files/2015_forum_roc_background_en.pdf)

partner must provide their own child protection policy if they will be working directly with children.<sup>18</sup> The quality of the applicant's child safeguarding/protection policy will be assessed under award criterion b) quality.

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.

### **Dissemination and visibility**

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

## **3. TIMETABLE**

	Stages	Date and time or indicative period
a)	Publication of the call	30 January 2020
b)	Deadline for submitting applications	29 April 2020
c)	Evaluation period	May - July
d)	Information to applicants	September - October
e)	Signature of grant agreement	November
f)	Provisional starting date of the action	December 2020

## **4. BUDGET AVAILABLE**

The total budget earmarked for the co-financing of projects under this call for proposals is estimated at EUR 2 750 000.

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

<sup>18</sup> More information is available in the guide "Child safeguarding standards and how to implement them" [https://ec.europa.eu/info/sites/info/files/standards\\_child\\_protection\\_kcsc\\_en\\_1.pdf](https://ec.europa.eu/info/sites/info/files/standards_child_protection_kcsc_en_1.pdf)

## **5. ELIGIBILITY CRITERIA**

### **5.1. General provisions (admissibility)**

Applications must be:

- sent no later than the deadline for submitting applications referred to in section 3;
- submitted using the Electronic Submission System of the Funding and Tender Opportunities Portal<sup>19</sup>;
- submitted using the standard Submission Form Part A and Part B of the respective call for proposals. They must include all the mandatory information and be accompanied (if applicable<sup>20</sup>) by the audit report annexes;
- drafted in one of the EU official languages. English is preferred in order to speed up the evaluation procedure.

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

### **5.2. Eligibility criteria**

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

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

##### a) Legal Status

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

- public bodies
- non-profit-making private entities

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

- Union Agencies
- natural persons
- international organisations<sup>21</sup>
- profit making entities

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<sup>19</sup> <https://ec.europa.eu/info/funding-tenders/>

<sup>20</sup> See section 7.1

<sup>21</sup> The term "international organisations" is used in this Call for Proposals as defined in Article 156 of the FR (Euratom 2018/1046);

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



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

b) Country of establishment

Applicants and co-applicants must be established in the following countries to be eligible: the Member States of the European Union for ISF with the exception of Denmark and the United Kingdom ("Member States participating in the ISF Police instrument/Justice programme").

Creating appropriate links with country of origin of victims is not excluded. In this context: Entities from non-ISF-P-participating countries cannot be beneficiaries and their costs are not eligible under this call for proposals. However, it is possible to submit proposals that target or include participants from non-ISF-P-participating countries. Acceptable would be for instance a project targeting the situation in ISF-P-participating countries which in order to do that may for example train or organize exchanges with the Police of a non- ISF-P participating country as one of the project activities. A project solely targeting for example to build capacity to fight THB in Nigeria or do capacity development in Niger, would not be acceptable.

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

In order to be eligible, applications:

- a) must be transnational, i.e. involve at least two eligible entities established in two different Member States participating in the ISF Police instrument
- b) must request an EU contribution equal to or higher than EUR 250 000 and equal to or lower than EUR 500 000 Applications seeking lower or higher EU contributions will be rejected.
- c) must have an implementation period of maximum 24 months<sup>22</sup>. Applications for projects scheduled to run for a longer period will be rejected. Activities must not have started prior to the date of submission of the grant application.

### **5.3. Eligible activities**

The following types of activities are eligible under this call for proposals:

- a. activities promoting networking, public-private partnerships, mutual confidence, understanding and learning, identification and dissemination of best practices and innovative approaches at Union level, training programmes as well as organisation of seminars and workshops;
- b. particularly innovative projects developing new methods and/or deploying 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;

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<sup>22</sup> The project duration may be extended during its implementation for duly justified reasons subject to the Commission's approval via an amendment to the grant agreement.

- c. the development and/or the implementation of tools/toolkits such as (e-)learning materials.

This call aims to fund **targeted, practical projects ensuring maximum tangible and demonstrable benefits and impacts for the objectives of the call**. The projects should demonstrate the need for the action based on available information, statistics and data sources, feasibility, a sound methodology and practical implementation measures and outcomes. These aspects will be taken into account in the evaluation of proposals. Activities such as **the mapping of existing materials should be a very minor component of project proposals**. Where such activities are included, the proposal should include a solid justification on how their inclusion leads to direct practical applications and interventions with direct impact.

This call does not aim per se at collecting statistics and developing data collection methodologies.

**Any training and/or practical tools** should have an overarching objective to make the system work better to improve outcomes for the beneficiaries. Any training and/or practical tools must take into consideration existing and available material. Follow-up to the delivered trainings is ensured and results are measured after each training/capacity building initiative;

## **6. EXCLUSION CRITERIA**

Applicants will be excluded from participating in the call for proposals procedure and from the grant award if they are in any of the exclusion situations referred to in article 136(1) of the EU Financial Regulation<sup>23</sup>, i.e. one of the following situations:

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

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

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<sup>23</sup> Regulation (EU, EURATOM) 2018/1046 of the European Parliament and of the Council of 30 July 2018 on the financial rules applicable to the general budget of the Union (OJ 2018 L193, p. 1).

- (iii) violating intellectual property rights;
  - (iv) attempting to influence the decision-making process of the Commission during the award procedure;
  - (v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;
- (d) it has been established by a final judgment that the applicant is guilty of any of the following:
- (i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 of the European Parliament and of the Council and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;
  - (ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 or Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, or conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, or corruption as defined in the applicable law;
  - (iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;
  - (iv) money laundering or terrorist financing within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;
  - (v) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;
  - (vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;
- (e) the applicant has shown significant deficiencies in complying with main obligations in the performance of a contract, a grant agreement or a grant decision financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by an authorising officer, OLAF or the Court of Auditors;
- (f) it has been established by a final judgment or final administrative decision that the applicant has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;
- (g) it has been established by a final judgement or final administrative decision that the applicant has created an entity in a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations of mandatory application in the jurisdiction of its registered office, central administration or principal place of business;
- (h) it has been established by a final judgement or final administrative decision that an entity has been created with the intent referred to in point (g);
- (i) for the situations referred to in points (c) to (h) above, the applicant is subject to:

- (i) facts established in the context of audits or investigations carried out by European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body;
- (ii) non-final judgments or non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics;
- (iii) facts referred to in decisions of persons or entities being entrusted with EU budget implementation tasks;
- (iv) information transmitted by Member States implementing Union funds;
- (v) decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or
- (vi) decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body.

## **6.2. Exclusion from award**

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

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

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

## **7. SELECTION CRITERIA**

### **7.1. Financial capacity**

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

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

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

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

- request further documents;
- request budget modifications / reallocations of costs;

- introduce interim payments based on interim reports;
- modify pre-financing percentage.

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

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

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

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

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

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

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

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

## **8. AWARD CRITERIA**

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

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

### **Evaluation Step 1:**

- Relevance: applications will be assessed on the extent to which they match the priorities [and expected outcomes (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 the extent to which the proposal address a real/actual need at European level in the prioritised areas. (30 points).

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

### **Evaluation Step 2:**

- Quality of the project: applications will be assessed with regards to the clarity of their objectives; the appropriateness of their methodology; the quality of their expected outputs, which must be clear, appropriate, realistic and replicable; the quality of the consortium, which must have relevant co-applicants with clear roles and added value; the robustness of the project management, monitoring and evaluation strategy and indicators; and the way risks are identified and mitigated (20 points);
- Cost-effectiveness: applications will be assessed with regards to whether the costs of the proposed action are adequate to the activities and proportionate to the expected results (best value for money) (20 points);
- European added value: the project activities, outcomes and impact should have a broad EU relevance; applications will be assessed on whether a suitable number of countries is involved in the project activities and on whether the expected impact will concern a significant number of countries (20 points);
- Expected results, dissemination, sustainability and long-term impact: the expected results are appropriate for the achievement of the objectives of the action; the dissemination strategy is clear, targeted and appropriate; the project is sustainable; the project's results ensure a long-term impact on the target groups and/or general public (10 points).

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

## **9. LEGAL COMMITMENTS**

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

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

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

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

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

## **10. FINANCIAL PROVISIONS**

### **10.1. General Principles**

#### a) Non-cumulative award

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

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

#### b) Non-retroactivity

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

#### c) Co-financing

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

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

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

#### d) Balanced budget

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

Beneficiaries with general accounts in a currency other than the euro shall convert costs incurred in another currency into euro at the average of the daily exchange rates published in the C series of the Official Journal of the European Union, determined over the corresponding reporting period.<sup>24</sup> Where no daily euro exchange rate is published in the Official Journal of the European Union for the currency in question, conversion shall be made at the average of the monthly accounting rates established by the Commission and published on its [website](#), determined over the corresponding reporting period.

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

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

#### e) Financial support to third parties

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<sup>24</sup> For further guidance on exchange rate please consult the Guide for Applicants.

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.

## **10.2. Maximum amount requested**

The EU grant is limited to a co-funding rate of 90% of the total eligible costs of the action. Consequently, part of the total eligible expenses must be financed from sources other than the EU grant (see section 10.1.c).

## **10.3. Payment arrangements**

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

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

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

## **11.1. How to apply**

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

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

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

No modification of the application is allowed once the deadline for submission has elapsed. However, if there is a need, the evaluation committee on behalf of the authorising officer may correct obvious clerical errors in application documents upon confirmation of the intended correction by the applicant <sup>25</sup>.

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

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<sup>25</sup> Article 151 of the Financial Regulation



## **11.2. Related documents**

The following documents are available via the Electronic Submission System:

- Application form (Submission Form Part A and Part B)
- Required annex –Audit Report, if applicable<sup>26</sup>
- Model grant agreement
- Guide for applicants

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

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

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

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

## **11.4. Multiple applications for the same project**

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

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

## **11.5. Contacts**

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

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

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

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

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<sup>26</sup> See section 7.1

## **12. PUBLICITY**

### **12.1. By the beneficiaries**

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

### **12.2. By the Commission**

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

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

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

## **13. DATA PROTECTION**

The reply to any call for proposals involves the recording and processing of personal data (such as name, address and CV). Such data will be processed pursuant to Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. Unless indicated otherwise, the questions and any personal data requested that are required to evaluate the application in accordance with the call for proposal will be processed solely for that purpose by Commission or third parties acting on behalf and under the responsibility of the Commission.

Personal data may be registered in the Early Detection and Exclusion System by the Commission, should the beneficiary be in one of the situations mentioned in Articles 136 and 141 of Regulation (EU, Euratom) 2018/1046<sup>27</sup>. For more information see the Privacy Statement on:

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

## **14. MEANS OF REDRESS**

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

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<sup>27</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1046>