



Contracting Authority: European Commission

Consolidation of the Justice System in Armenia

Guidelines for grant applicants

Budget line: BGUE-B2017-22.040201-C1-NEAR

Reference:

EuropeAid/165867/DD/ACT/AM

Deadline for submission¹ of concept notes:

23/09/2019 at 12:00 (Brussels date and time)

(in order to convert to local time click [here](#)²)

¹ Online submission via PROSPECT is mandatory for this call for proposals (see Section 2.2.2). In PROSPECT all dates and times are expressed in Brussels time. Applicants should note that the IT support is open Monday to Friday from 08:30 to 18:30 Brussels time (except for public holidays). Applicants should take note of the weekly maintenance hours mentioned in the PROSPECT user manual.

² An example of a time converter tool available online: <http://www.timeanddate.com/worldclock/converter.html>

NOTICE

This is a restricted call for proposals. In the first instance, only concept notes (Part A of the grant application form) must be submitted for evaluation. Thereafter, lead applicants who have been pre-selected will be invited to submit a full application. After the evaluation of the full applications, an eligibility check will be performed for those which have been provisionally selected. Eligibility will be checked on the basis of the supporting documents requested by the contracting authority and the signed 'declaration by the lead applicant' sent together with the full application.

To apply to this call for proposals organisations must register in PADOR and submit their application in PROSPECT (see section 2.2.2 of the guidelines). The aim of PROSPECT is to increase the efficiency of the management of the call for proposals and to offer a better service to civil society organisations through a new panel of functionalities such as the on-line submission and the possibility to follow up online the status of their application.

All organisations may find more information regarding PROSPECT in the [user's manual](#) and the [e-learning videos](#). You may also contact our technical support team via the online support form in PROSPECT³.

³ If PROSPECT is unavailable, the IT support can also be reached via email: EuropeAid-IT-support@ec.europa.eu

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1. CONSOLIDATION OF THE JUSTICE SYSTEM IN ARMENIA

1.1. BACKGROUND

Armenia is a landlocked country with limited natural resources and with a population of about 3 million. Based on OECD/DAC criteria, Armenia is classified as a lower middle-income country with projected GDP per capita 3,568 USD. In the area of good governance, rule of law and democracy Armenia has implemented a number of reforms. Nonetheless, Armenia ranked 101 out of 138 countries in judicial independence Global Competitiveness Report 2016-2017 and dropped from 46 in 2013 to 43 in 2015 percentile rank in Worldwide Governance Indicator on Rule of Law.

The mass anti-government protests in April-May 2018 (widely described as a "Velvet Revolution") resulted in a peaceful change of government. The new government, engaged in a series of reforms, committing itself to genuine democracy building and modernisation, as well as reiterating adherence to the **EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA)**, which entered provisionally into force on 1 June 2018. It strengthens political dialogue and establishes a solid basis for the continuation of economic and sectorial cooperation for the benefit of Armenian citizens.

The first Partnership Committee under CEPA was held on 27 November 2018 and discussed the **CEPA Implementation Roadmap**, developed by the new authorities in mid-November. The 10th EU-Armenia Human Rights Dialogue and the Sub-Committee Meeting on Justice, Freedom and Security were held on 8th and 9th April 2019 in Brussels.

The commitment of the EU to accelerate the preparation of its support in the fields of Justice Reform and fight against corruption has been reconfirmed. A comprehensive **strategic Justice Policy Dialogue** in support of the ongoing reform of the justice sector was launched in September 2018 with the aim to jointly define the priority reform areas and identify areas of further assistance to the Government of Armenia in its reform of the justice sector in close cooperation with other development partners (CoE, WB, etc.).

Enhancing independence, accountability, impartiality and efficiency of the judiciary, as well as increasing the transparency and rebuilding trust in it has been in the focus of the new government.

The basis for the policy dialogue is the **draft Strategy and Action Plan for Legal and Judicial Reforms for 2019-2024**. A **Working Group** has been set up by the Ministry of Justice including CSO representatives in charge with review and finalization of the strategy.

The 5 year Government Programme emphasises **Rule of law and equality before law as well as strong commitment to carry out far reaching reforms aimed at building solid institutional basis for the fight against corruption** – political will of government to ensure equality declared, strong commitment to independence of judiciary. Development of Judicial and Legal reform Programme and Action Plan is prioritised. The initial plan of the Government is to have the concept and Action Plan on justice reform, including elements of restorative justice, ready by end summer, while, according to initial planning, implementation of activities shall start in September 2019.

EU stands ready to provide technical and financial assistance to Armenia in its commitment to advance an on-going reform of the justice sector, in line with the Constitution of Armenia, as well as mutual commitments under CEPA and as part of a policy dialogue to support Armenia in designing a new Justice Strategy.

In the course of CEPA implementation, the approximation of domestic legislation with the EU legislation constitutes one of the main pillars leading Armenia closer to European integration and improving living conditions in Armenia. The Government of Armenia, aware of this very complex and challenging process, has been taking necessary measures and is committed to gradually align its legislation to become consistent with the one of the EU.

EU currently supports the MoJ with a TA project aimed at strengthening strategic planning processes and justice sector financial management through initial cost estimate of the reform measures as identified in the draft strategy and AP 2019-2024. The project will also focus on impact assessment of the past reforms in line

with priority needs in the justice sector in Armenia. Another ad-hoc TA project is provided to MoJ to strengthen the capacities for legal approximation to EU norms and standards in line with CEPA. EU funded regional WB Justice Survey project was launched in 2018 and will evaluate the quality of the justice systems of EaP and WB countries. Funding is provided to CoE under Partnership for Good Governance (PGG) to implement a number of national and regional projects tackling reform of judiciary, human rights, anti-discrimination, anti-corruption, women access to justice, etc.

The **AAP2017 programme "Consolidation of Justice System in Armenia"** aims to support Armenia's justice reform process and strengthen the independence, transparency, predictability, accountability and efficiency of the Armenian justice system in line with EU's best practices. In particular, it will seek (1) to support Armenia's justice reform process and (2) to increase the independence, accountability, predictability and efficiency of justice in line with **CEPA provisions** and the EU's best practices.

This **Call for Proposals (CfP)** is part of the AAP 2017 programme and will contribute to increasing the independence, accountability, predictability and efficiency of the justice system through enhancing the quality of judgements, efficiency of court proceedings, improving the governance of judiciary and implementation of organisational and procedural improvements within the justice system.

The CfP builds on the developments as well as past results of EU-funded projects and continues to support Armenia in its reform processes through providing technical assistance to the Ministry of Justice (MOJ), Supreme Judicial Council (SJC) and its Judicial Department (JD), the courts, the Prosecution, the Academy of Justice to improve the governance, organisational, administrative, technical and resource management capacities including planning and analytical capacities as well as the case management capacities.

The priorities of this Call for Proposals are also largely built on recommendations of the EU peer review commissioned by the EU in 2017 to analyse the situation in the area of judiciary, penitentiary and prevention of torture and ill-treatment that resulted in a number of important recommendations regarding further development of the sector.

1.2. OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES

The **global objective** of this call for proposals is to strengthen the independence, quality, efficiency, accountability and public trust in the Armenian judicial system in line with priorities as identified by the Comprehensive and Enhanced Partnership Agreement (CEPA) and EU's best practices.

The **specific objectives** of this call for proposals are:

1. To implement the Strategy on Judicial and Legal Reforms 2019-2024 through improving the independence, transparency, quality, management, efficiency and effectiveness of the Armenian judiciary, including courts, the Academy of Justice and of the Prosecution systems.
2. To improve the legislation related to civil and administrative justice to assist in de-blocking the system through increase in alternative dispute resolution mechanisms, adequate court fee structures and rules for admissibility of cases in first instance and for appeals.
3. To improve the planning, budgeting, case management, analytical and statistical, organizational and HR management capacities (including strategy implementation and monitoring capacities) of the MOJ, the Supreme Judicial Council (and its Judicial Department), penitentiary and probation systems, the Prosecution and training institutions in order to improve efficiency and transparency of the systems.

While the project will work towards enhancing the capacities of the Armenian authorities, the ultimate final beneficiary will be the Armenian population, who will benefit from a modern, trustful, more transparent and efficient justice administration, a more developed legislation closer to EU standards, a better functioning and more transparent judiciary system which enables better access to justice and justice services for all the Armenian citizens. Therefore, the project will contribute to the restoration of people's confidence in the justice system and to foster democracy and rule of law in Armenia.

This project will be implemented through a Grant Agreement with a Government department, public body, or relevant mandated body of a Government department or public body authority of a European Union Member State (individually or in partnership) and will include the mobilization of a team of local and international Long Term Experts (LTE) in Armenia. This core team will be complemented by the assistance of Medium Term Experts (MTE) and by Short Term Experts (STE).

The coordinator of the project will be the Ministry of Justice and project beneficiaries will be the following Armenian authorities: Ministry of Justice, the Supreme Judicial Council (including the Judicial Department), the Courts, the Prosecution and the Justice Academy.

1.3. FINANCIAL ALLOCATION PROVIDED BY THE CONTRACTING AUTHORITY

The overall indicative amount made available under this call for proposals is EUR 2,200,000. The contracting authority reserves the right not to award all available funds.

Size of grants

Any grant requested under this call for proposals must fall between the following minimum and maximum amounts:

- minimum amount: EUR 2,200,000
- maximum amount: EUR 2,200,000

Any grant requested under this call for proposals must fall between the following minimum and maximum percentages of total eligible costs of the action:

- Minimum percentage: 100 % of the total eligible costs of the action.
- Maximum percentage: 100 % of the total eligible costs of the action (see also Section 2.1.5).

The balance (i.e. the difference between the total cost of the action and the amount requested from the contracting authority) must be financed from sources other than the general budget of the Union or the European Development Fund⁴.

The grant may cover the entire eligible costs of the action if this is deemed essential to carry it out. If that is the case, the lead applicant must justify full financing in Section 2.1 of Part B of the grant application form. The validity of the justification provided will be examined during the evaluation procedure. The absence of any justification may lead to the rejection of the application.

⁴ Where a grant is financed by the European Development Fund, any mention of European Union financing must be understood as referring to European Development Fund financing.

2. RULES FOR THIS CALL FOR PROPOSALS

These guidelines set out the rules for the submission, selection and implementation of the actions financed under this call, in conformity with the practical guide, which is applicable to the present call (available on the internet at this address <http://ec.europa.eu/europeaid/prag/document.do?locale=en>).⁵

2.1. ELIGIBILITY CRITERIA

There are three sets of eligibility criteria, relating to:

(1) the actors:

- The **'lead applicant'**, i.e. the entity submitting the application form (2.1.1),
- if any, its **co-applicant(s)** (**where it is not specified otherwise the lead applicant and its co-applicant(s) are hereinafter jointly referred as 'applicant(s)'**) (2.1.1),
- and, if any, **affiliated entity(ies)** to the lead applicant and/or to a co-applicant(s). (2.1.2);

(2) the actions:

Actions for which a grant may be awarded (2.1.4);

(3) the costs:

- types of cost that may be taken into account in setting the amount of the grant (2.1.5).

2.1.1. Eligibility of applicants (i.e. lead applicant and co-applicant(s))

Lead applicant

(1) In order to be eligible for a grant, the lead applicant must:

- be a legal person **and**
- be non-profit-making **and**
- be a specific type of organisation such as: a competent Government Department, Public body, or relevant mandated body of a Government Department or public body authority of a European Union Member State in the fields related to this action, **and**
- be established in⁶ a Member State of the European Union

'For British applicants: Please be aware that eligibility criteria must be complied with for the entire duration of the grant. Unless sector-specific eligibility rules provide otherwise⁷, if the

⁵ Note that a lead applicant (i.e. a coordinator) whose pillars have been positively assessed by the European Commission and who is awarded a grant will not sign the standard grant contract published with these guidelines but a contribution agreement based on the contribution agreement template. All references in these guidelines and other documents related to this call to the standard grant contract shall in this case be understood as referring to the relevant provisions of the contribution agreement template.

⁶ To be determined on the basis of the organisation's statutes, which should demonstrate that it has been established by an instrument governed by the national law of the country concerned and that its head office is located in an eligible country. In this respect, any legal entity whose statutes have been established in another country cannot be considered an eligible local organisation, even if the statutes are registered locally or a 'Memorandum of Understanding' has been concluded.

United Kingdom withdraws from the EU during the grant period without concluding an agreement with the EU ensuring in particular that British applicants continue to be eligible, you will cease to receive EU funding (while continuing, where possible to participate) or will be required to leave the project on the basis of Article [insert reference to the Article allowing termination of the grant agreement (change of the legal situation of the beneficiary)] of the grant agreement' **and**

- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.
- (2) Potential applicants may not participate in calls for proposals or be awarded grants if they are in any of the situations listed in Section 2.6.10.1 of the practical guide;

Lead applicants, co-applicants, affiliated entities and, in case of legal entities, persons who have powers of representation, decision-making or control over the lead applicant, the co-applicants and the affiliated entities are informed that, should they be in one of the situations of early detection or exclusion according to Section 2.6.10.1 of the practical guide, personal details (name, given name if natural person, address, legal form and name and given name of the persons with powers of representation, decision-making or control, if legal person) may be registered in the early detection and exclusion system, and communicated to the persons and entities concerned in relation to the award or the execution of a grant contract. In this respect, lead applicants, co-applicants and affiliated entities are obliged to declare that they are not in one of the exclusion situations through a signed declaration on honour (PRAG Annex A14). For grants of EUR 60 000 or less, no declaration on honour is required.

In Part A, Section 3 and Part B Section 8 of the grant application form ('declaration(s) by the lead applicant'), the lead applicant must declare that the lead applicant himself, the co-applicant(s) and affiliated entity(ies) are not in any of these situations.

The lead applicant **must** act with co-applicant(s) as specified hereafter.

If awarded the grant contract, the lead applicant will become the beneficiary identified as the coordinator in Annex G (special conditions). The coordinator is the main interlocutor of the contracting authority. It represents and acts on behalf of any other co-beneficiary (if any) and coordinate the design and implementation of the action.

Co-applicant(s)

Co-applicants participate in designing and implementing the action, and the costs they incur are eligible in the same way as those incurred by the lead applicant.

Co-applicants must satisfy the eligibility criteria as applicable to the lead applicant himself.

In addition to the categories referred to in Section 2.1.1, the following are however also eligible:

- Co-applicants must include **at least: One (1)** competent Government Department, Public body, or relevant mandated body of a Government Department or public body authority of a European Union Member State in the fields related to this action (Co-applicant must be from a different Member States than the lead applicant).

⁷ For instance, Article 9(1)(f) of Regulation (EU) No 236/2014 provides for eligibility of member countries of the OECD, in the case of contracts implemented in a Least Developed Country or a Highly Indebted Poor Country, as included in the list of ODA recipients.

Co-applicants must sign the mandate in Part B Section 4 of the grant application form.

If awarded the grant contract, the co-applicant(s) (if any) will become beneficiary(ies) in the action (together with the coordinator)

- (3) Applicants included in the lists of EU restrictive measures (see Section 2.4. of the PRAG) at the moment of the award decision cannot be awarded the contract⁸.

2.1.2. Affiliated entities

Affiliated entity(ies)

The lead applicant and its co-applicant(s) may act with affiliated entity(ies).

Only the following entities may be considered as affiliated entities to the lead applicant and/or to co-applicant(s):

Only entities having a structural link with the applicants (i.e. the lead applicant or a co-applicant), in particular a legal or capital link.

This structural link encompasses mainly two notions:

- (i) Control, as defined in Directive 2013/34/EU on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings:

Entities affiliated to an applicant may hence be:

- Entities directly or indirectly controlled by the applicant (daughter companies or first-tier subsidiaries). They may also be entities controlled by an entity controlled by the applicant (granddaughter companies or second-tier subsidiaries) and the same applies to further tiers of control;
 - Entities directly or indirectly controlling the applicant (parent companies). Likewise, they may be entities controlling an entity controlling the applicant;
 - Entities under the same direct or indirect control as the applicant (sister companies).
- (ii) Membership, i.e. the applicant is legally defined as a e.g. network, federation, association in which the proposed affiliated entities also participate or the applicant participates in the same entity (e.g. network, federation, association,...) as the proposed affiliated entities.

The structural link shall as a general rule be neither limited to the action nor established for the sole purpose of its implementation. This means that the link would exist independently of the award of the grant; it should exist before the call for proposals and remain valid after the end of the action.

By way of exception, an entity may be considered as affiliated to an applicant even if it has a structural link specifically established for the sole purpose of the implementation of the action in the case of so-called 'sole applicants' or 'sole beneficiaries'. A sole applicant or a sole beneficiary is a legal entity formed by several

⁸ The updated lists of sanctions are available at www.sanctionsmap.eu.

Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

entities (a group of entities) which together comply with the criteria for being awarded the grant. For example, an association is formed by its members.

What is not an affiliated entity?

The following are not considered entities affiliated to an applicant:

- Entities that have entered into a (procurement) contract or subcontract with an applicant, act as concessionaires or delegates for public services for an applicant,
- Entities that receive financial support from the applicant,
- Entities that cooperate on a regular basis with an applicant on the basis of a memorandum of understanding or share some assets,
- Entities that have signed a consortium agreement under the grant contract (unless this consortium agreement leads to the creation of a 'sole applicant' as described above).

How to verify the existence of the required link with an applicant?

The affiliation resulting from control may in particular be proved on the basis of the consolidated accounts of the group of entities the applicant and its proposed affiliates belong to.

The affiliation resulting from membership may in particular be proved on the basis of the statutes or equivalent act establishing the entity (network, federation, association) which the applicant constitutes or in which the applicant participates.

If the applicants are awarded a grant contract, their affiliated entity(ies) will not become beneficiary(ies) of the action and signatory(ies) of the grant contract. However, they will participate in the design and in the implementation of the action and the costs they incur (including those incurred for implementation contracts and financial support to third parties) may be accepted as eligible costs, provided they comply with all the relevant rules already applicable to the beneficiary(ies) under the grant contract.

Affiliated entity(ies) must satisfy the same eligibility criteria as the lead applicant and the co-applicant(s). They must sign the affiliated entity(ies) statement in Part B Section 5 of the grant application form.

2.1.3. Associates and contractors

The following entities are not applicants nor affiliated entities and do not have to sign the 'mandate for co-applicant(s)' or 'affiliated entities' statement':

- Associates

Other organisations or individuals may be involved in the action. Such associates play a real role in the action but may not receive funding from the grant, with the exception of per diem or travel costs. Associates do not have to meet the eligibility criteria referred to in Section 2.1.1. Associates must be mentioned in Part B Section 6 — 'Associates participating in the action' — of the grant application form.

- Contractors

The beneficiaries and their affiliated entities are permitted to award contracts. Associates or affiliated entity(ies) cannot be also contractors in the project. Contractors are subject to the procurement rules set out in Annex IV to the standard grant contract.

2.1.4. Eligible actions: actions for which an application may be made

Definition:

An action is composed of a set of activities.

Duration

The initial planned duration of an action may not exceed 24 months.

Sectors or themes

The project will be organized in three components following the organization of the three specific objectives.

Location

Actions must take place in the following country: Armenia.

Types of action

The action should cover all the sectors listed in Section 1.2 above. The grant should mainly provide support to the relevant Armenian institutions working in the field of justice and implementing justice reform. The applicant may add other actions in addition to the actions listed below given that they are relevant and in line with the objectives and the expected results.

The following types of action are ineligible:

- actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences and congresses;
- actions concerned only or mainly with individual scholarships for studies or training courses;

Types of activity

The type of activities mentioned below are indicative and only aiming at clarifying the EU's expectation in terms of proposed description of the action including methodology, which will be at the discretion of the applicant. The list of activities below is **indicative** and **non-inclusive**: the applicant may add/suggest other activities given that they are eligible, relevant and in line with the objectives and the expected results.

1. Management, independence, quality and efficiency of the Judiciary and Courts and of the Prosecution

Activities in this area may include:

- Assist the government, Judiciary and Prosecution in reviewing the Judiciary and Prosecution governance arrangements to comply with European (incl. Venice Commission) recommendations and standards;
- Assist the SJC in implementation of priority reforms of the court administration for the efficient management of courts (including review and development of relevant legislative framework, regulations, studies, etc.) and ensure compliance of the Judicial Department functions with the corresponding institutions' functions in the EU Member states;
- Support the SJC and the Ministry of Justice in preparation of legislative reform to improve the Judicial Code (including the legal regulations of **disciplinary proceedings procedure**, regulations for judges transfer and promotion procedures (from regions to Yerevan and from first to higher instances) based on clear and objective criteria and in line with recommendations of Venice Commission;
- Assist the SJC in enhancement of the system of testing candidate judges and in formation and approval of list of judge candidates for nomination;
- Assist the SJC in the implementation of the **evaluation system for judges** and a true system of advancement in career with clear criteria in line with European standards. In cooperation with the SJC, develop the necessary basis for ensuring functional, systemic, material and social independence of judges and the court staff;
- Assist the SJC and all related institutions in further optimization of judicial areas (judicial map)

- Support to the SJC to ensure the appropriate role of the judicial system in the separation and balance of the power by creating the relevant legal basis (definition of justice administration quality standards, definition of professional standards for judges and justice managers);
- Propose action plan (practical steps and legislative amendments when appropriate) for reduction of case load and backlog in courts
- Support the SJC in development of the capacities of court staff
- Conduct series of events to develop collaboration between court annexed mediators and courts

Related to the Justice Academy

Activities in this area may include:

- Assist the Justice Academy in developing and delivering relevant trainings based on the training needs analysis
- Assist the Justice Academy in improving and accelerating provision of extensive training courses for new candidate judges with a view of filling existent and future vacant positions as well as those positions requested for alleviating backlog in courts;
- Support the Justice Academy in updating syllabus with particular focus on ECtHR case law and ethics, as well as developing new syllabus for corruption crimes, grave violation of Human Rights, asset recovery and restitution of infringed rights and freedoms in line with RA International Treaties;
- Provide assistance to the Justice Academy in developing and delivering training to judges in improving the reasoning, quality of decisions and management of trials; further develop the continuous training for judges and prosecutors on introducing the recent adopted national legislation as well as international legislation and case law;
- Organise and deliver trainings on budget planning, budget allocation and resources management to Judiciary Budget Administration Office and court administrations with a special focus on the implementation of the new strategy in the context of the judicial reform;
- Support National Chamber of Advocates/School of Advocates in the implementation of a training program for lawyers and the lawyer's candidates where relevant;
- Provide assistance to the SJC and Justice Academy in preparing training needs assessment and to develop and deliver a training program to the judges of Anti-Corruption Court that is planned to be established in 2020, the administrative court judges and the representatives of other courts, for example the bankruptcy court (recently established);
- Training to Legal Aid authorities, Judges and Prosecutors, providing for more support and more sensibility for vulnerable groups at local level;

2. Administrative and Civil justice:

Activities in this area may include:

Support the review of the administrative and civil codes and procedure codes;

- Support the review of the court fee system with a view to secure a reasonable level of cost recovery and rationalization of use of the court system still with access to justice concerns in mind;
- Develop Alternative Dispute Resolutions (ADR) and their increased use and awareness, e.g. administrative appeal boards, peace judges etc. following examples in EU and other OECD countries;
- Support to the capacity building of the newly established bankruptcy court

3. Develop planning, budgeting, analytical and statistical, organizational and HR management – (including strategy implementation and monitoring) capacities of Ministry of Justice (MoJ) and the justice institutions

Activities in this area may include:

- Provide assistance to the Ministry of Justice, in collaboration with the relevant judicial institutions, in implementing the Strategy on Judicial and Legal Reforms 2019-2024;
- Support in development/review of relevant legal framework/policy regulations;
- Support to MoJ in evidence-based policy making, planning and reporting through analytical research and statistical data analysis;

- Assist the MoJ and all related institutions to develop and implement the required monitoring indicators for the proper implementation and monitoring of the new Strategy and AP (including penitentiary and probation systems);
- Support the MOJ/Prosecution office/Judicial department in collection and analysis of relevant statistics and develop capacities for evidence-based policy making (including for penitentiary and probation systems);
- Support the MOJ in implementation of monitoring aimed at assessment of effectiveness of the institute of early conditional release or replacing the unserved term of punishment with milder penalty;
- Development and implementation of actions deriving from the anticorruption strategy, which include development of code of conduct, actions for ensuring transparency and accountability of the prosecution and judicial system.
- Support the MOJ, Judiciary and Prosecution in developing modern HR management tools;
- Support the MOJ, Judiciary and Prosecution in their work with program budgeting and use of performance indicators.
- Support the MOJ in introducing modern coordination mechanisms/platforms for international assistance and programmes/projects

The project will take into account the ongoing EU funded initiatives (EU bilateral technical assistance projects, COE/PGG and WB) and will work in coordination in order to build synergies and to avoid overlapping.

Financial support to third parties⁹

Applicants may not propose financial support to third parties.

Visibility

The applicants must take all necessary steps to publicise the fact that the European Union has financed or co-financed the action. As far as possible, actions that are wholly or partially funded by the European Union must incorporate information and communication activities designed to raise the awareness of specific or general audiences of the reasons for the action and the EU support for the action in the country or region concerned, as well as the results and the impact of this support.

Applicants must comply with the objectives and priorities and guarantee the visibility of the EU financing (see the Communication and Visibility Manual for EU external actions specified and published by the European Commission at http://ec.europa.eu/europeaid/funding/communication-and-visibility-manual-eu-external-actions_en).

Number of applications and grants per applicants / affiliated entities

The lead applicant may not submit more than 1 application(s) under this call for proposals.

The lead applicant may not be awarded more than 1 grant under this call for proposals.

The lead applicant may not be a co-applicant or an affiliated entity in another application at the same time.

A co-applicant/affiliated entity may not be the co-applicant or affiliated entity in more than 1 application(s) under this call for proposals.

A co-applicant/affiliated entity may not be awarded more than 1 grant(s) under this call for proposals.

⁹ These third parties are neither affiliated entity(ies) nor associates nor contractors.

2.1.5. Eligibility of costs: costs that can be included

Only 'eligible costs' can be covered by a grant. The categories of costs that are eligible and non-eligible are indicated below. The budget is both a cost estimate and an overall ceiling for 'eligible costs'.

The reimbursement of eligible costs may be based on any or a combination of the following forms:

- financing not linked to costs of the relevant operations based on:
 - (i) either the fulfilment of conditions set out in sector specific legislation or Commission Decisions;or
 - (ii) the achievement of results measured by reference to the previously set milestones or through performance indicators;
- actual costs incurred by the beneficiary(ies) and affiliated entity(ies);
- one or more simplified cost options.

Simplified cost options may take the form of:

- **unit costs:** covering all or certain specific categories of eligible costs which are clearly identified in advance by reference to an amount per unit.
- **lump sums:** covering in global terms all or certain specific categories of eligible costs which are clearly identified in advance.
- **flat-rate financing:** covering specific categories of eligible costs which are clearly identified in advance by applying a percentage fixed ex ante.

Simplified costs options (SCOs) are divided in two categories:

1/ "output or result based SCOs": this category includes costs linked to outputs, results, activities, deliverables in the framework of a specific project (for example the determination of a lump sum for the organization of a conference, or for the realisation of a determined output/activity). Where possible and appropriate, lump sums, unit costs or flat rates shall be determined in such a way to allow their payment upon achievement of concrete outputs and/or results. This type of SCO can be proposed by the Beneficiary (no threshold is applicable) at proposal's stage. In case the evaluation committee and the contracting authority are not satisfied with the quality of the justification provided reimbursement on the basis of actually incurred costs is always possible.

2/ "other/recurrent SCOs". This second category entails simplified cost options embedded in the cost accounting practices of the beneficiary, for which an ex-ante assessment is deemed necessary, considering the need of a consistent application of the conditions required. Examples are: an additional percentage on actual salaries to cover remuneration-related costs or the use of an allocation method to apportion costs of a project office foreseen in the Description of the Action. In order the use of systemic/recurrent SCOs, the beneficiary's cost accounting practices need to have been positively assessed by an audit firm based on standard ToRs provided by the Commission. To obtain reimbursement of this category of SCOs, the beneficiary shall make reference to the previously obtained ex-ante assessment in the budget justification sheet (annex B).

The amounts or rates have to be based on estimates using objective data such as statistical data or any other objective means or with reference to certified or auditable historical data of the applicants or the affiliated entity(ies). Determining SCO is possible also through 'expert judgement' provided by internally available experts or procured in accordance with the applicable rules. Experts must be either commissioned auditors or chartered accountants, or staff of the Commission but cannot be staff of the beneficiary. The methods used to determine the amounts or rates of unit costs, lump sums or flat-rates must comply with the criteria established in Annex K, and especially ensure that the costs correspond fairly to the actual costs incurred by

the beneficiary(ies) and affiliated entity(ies), are in line with their cost accounting practices, no profit is made and the costs are not already covered by other sources of funding (no double funding). Refer to Annex K for the details of the procedure to be followed depending on the type and amount of the costs to be declared as SCO.

Applicants proposing this form of reimbursement, must clearly indicate in worksheet no.1 of Annex B, each heading/item of eligible costs concerned by this type of financing, i.e. add the reference in capital letters to 'UNIT COST' (per month/flight etc.), 'LUMPSUM', 'FLAT RATE' in the Unit column (see example in Annex K).

Additionally in Annex B, in the second column of worksheet no.2, 'Justification of the estimated costs' per each of the corresponding budget item or heading applicants must:

- describe the information and methods used to establish the amounts of unit costs, lump sums and/or flat-rates, to which costs they refer, etc for output or result based SCO.
- clearly explain the formulas for calculation of the final eligible amount for output or result based SCO¹⁰
- make reference to the previously obtained ex-ante assessment for other/recurrent SCOs.

In case of output or result based SCOs the evaluation committee and the contracting authority decide whether to accept the proposed amounts or rates on the basis of the provisional budget submitted by the applicants, by analysing factual data of grants carried out by the applicants or of similar actions. In case the evaluation committee and the contracting authority are not satisfied with the quality of the justification provided reimbursement on the basis of actually incurred costs is always possible.

No threshold is set ex-ante for the total amount of financing that can be authorised by the contracting authority on the basis of simplified cost options. Other/recurrent SCOs can be declared only if previously successfully ex-ante assessed.

Recommendations to award a grant are always subject to the condition that the checks preceding the signing of the grant contract do not reveal problems requiring changes to the budget (such as arithmetical errors, inaccuracies, unrealistic costs and ineligible costs). The checks may give rise to requests for clarification and may lead the contracting authority to impose modifications or reductions to address such mistakes or inaccuracies. It is not possible to increase the grant or the percentage of EU co-financing as a result of these corrections.

It is therefore in the applicants' interest to provide a **realistic and cost-effective budget**.

The grant may take the form of a single lump-sum covering the entire eligible costs of an action or a work programme.

Single lump sums may be determined on the basis of the estimated budget, which should comply with the principles of economy, efficiency and effectiveness. Compliance with these principles shall be verified ex ante at the time of evaluation of the grant application.

When authorising single lump sums the authorising officer responsible shall comply with the conditions applicable to output or result based SCOs.

When using this form of financing, the description of the action shall include detailed information on the essential conditions triggering the payment, including, where applicable, the achievement of

¹⁰ Examples:- for staff costs: number of hours or days of work * hourly or daily rate pre-set according to the category of personnel concerned;- for travel expenses: distance in km * pre-set cost of transport per km; number of days * daily allowance pre-set according to the country;- for specific costs arising from the organization of an event: number of participants at the event * pre-set total cost per participant etc.

outputs and/or results.

The responsible authorising officer may consider that the usual cost accounting practices of the beneficiary are compliant with the conditions applicable to simplified cost options, if they are accepted by national authorities under comparable funding schemes. In this case the grant beneficiary shall demonstrate that the national authority accepted the cost accounting practices and will have to specify in which context this acceptance is given.

The evaluation committee and the contracting authority will assess if the funding scheme is comparable and in case of positive outcome will consider these practices as if they were ex-ante assessed by an external auditor.

Eligible direct costs

To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the general conditions to the standard grant contract (see Annex G of the guidelines).

Contingency reserve

The budget may include a contingency reserve not exceeding 5 % of the estimated direct eligible costs. It can only be used with the **prior written authorisation** of the contracting authority.

Eligible indirect costs

The indirect costs incurred in carrying out the action may be eligible for flat-rate funding, but the total must not exceed 7 % of the estimated total eligible direct costs. Indirect costs are eligible provided that they do not include costs assigned to another budget heading in the standard grant contract. The lead applicant may be asked to justify the percentage requested before the grant contract is signed. However, once the flat rate has been fixed in the special conditions of the grant contract, no supporting documents need to be provided.

If any of the applicants or affiliated entity(ies) is in receipt of an operating grant financed by the EU, it may not claim indirect costs on its incurred costs within the proposed budget for the action.

Contributions in kind

Contributions in kind mean the provision of goods or services to beneficiaries or affiliated entities free of charge by a third party. As contributions in kind do not involve any expenditure for beneficiaries or affiliated entities, they are normally not eligible costs.

As an exception, contributions in kind may include personnel costs for the work carried out by volunteers under an action or work programme (which are eligible costs).

Volunteers' work may comprise up to 50 % of the co-financing. For the purposes of calculating this percentage, contributions in kind in the form of volunteers' work must be based on the unit cost provided by the contracting authority. This type of costs must be presented separately from other eligible costs in the estimated budget. The value of the volunteer's work must always be excluded from the calculation of indirect costs.

When the estimated costs include volunteers' work, the grant shall not exceed the estimated eligible costs other than the costs for volunteers' work.

Other co-financing shall be based on estimates provided by the applicant.

Contributions in kind may not be treated as co-financing

However, if the description of the action as proposed includes contributions in kind, the contributions have to be made.

Ineligible costs

The following costs are not eligible:

- debts and debt service charges (interest);
- provisions for losses or potential future liabilities;
- costs declared by the beneficiary(ies) and financed by another action or work programme receiving a European Union (including through EDF) grant;
- purchases of land or buildings, except where necessary for the direct implementation of the action, in which case ownership must be transferred in accordance with Article 7.5 of the general conditions of the standard grant contract, at the latest at the end of the action;
- currency exchange losses;
- salary costs of the personnel of national administrations

Ethics clauses and Code of Conduct

a) Absence of conflict of interest

The applicant must not be affected by any conflict of interest and must have no equivalent relation in that respect with other applicants or parties involved in the actions. Any attempt by an applicant to obtain confidential information, enter into unlawful agreements with competitors or influence the evaluation committee or the contracting authority during the process of examining, clarifying, evaluating and comparing applications will lead to the rejection of its application and may result in administrative penalties according to the Financial Regulation in force.

b) Respect for human rights as well as environmental legislation and core labour standards

The applicant and its staff must comply with human rights. In particular and in accordance with the applicable act, applicants who have been awarded contracts must comply with the environmental legislation including multilateral environmental agreements, and with the core labour standards as applicable and as defined in the relevant International Labour Organisation conventions (such as the conventions on freedom of association and collective bargaining; elimination of forced and compulsory labour; abolition of child labour).

Zero tolerance for sexual exploitation and sexual abuse:

The European Commission applies a policy of 'zero tolerance' in relation to all wrongful conduct which has an impact on the professional credibility of the applicant.

Physical abuse or punishment, or threats of physical abuse, sexual abuse or exploitation, harassment and verbal abuse, as well as other forms of intimidation shall be prohibited.

c) Anti-corruption and anti-bribery

The applicant shall comply with all applicable laws and regulations and codes relating to anti-bribery and anti-corruption. The European Commission reserves the right to suspend or cancel project financing if corrupt practices of any kind are discovered at any stage of the award process or during the execution of a contract and if the contracting authority fails to take all appropriate measures to remedy the

situation. For the purposes of this provision, ‘corrupt practices’ are the offer of a bribe, gift, gratuity or commission to any person as an inducement or reward for performing or refraining from any act relating to the award of a contract or execution of a contract already concluded with the contracting authority.

d) Unusual commercial expenses

Applications will be rejected or contracts terminated if it emerges that the award or execution of a contract has given rise to unusual commercial expenses. Such unusual commercial expenses are commissions not mentioned in the main contract or not stemming from a properly concluded contract referring to the main contract, commissions not paid in return for any actual and legitimate service, commissions remitted to a tax haven, commissions paid to a payee who is not clearly identified or commissions paid to a company which has every appearance of being a front company.

Grant beneficiaries found to have paid unusual commercial expenses on projects funded by the European Union are liable, depending on the seriousness of the facts observed, to have their contracts terminated or to be permanently excluded from receiving EU/EDF funds.

e) Breach of obligations, irregularities or fraud

The contracting authority reserves the right to suspend or cancel the procedure, where the award procedure proves to have been subject to substantial breach of obligations, irregularities or fraud. If substantial breach of obligations, irregularities or fraud are discovered after the award of the contract, the contracting authority may refrain from concluding the contract.

2.2. HOW TO APPLY AND THE PROCEDURES TO FOLLOW

To apply for this call for proposals the lead applicants need to:

- I. Provide information about the organisations involved in the action. Please note that the registration of this data in **PADOR is obligatory**¹¹ for this call for proposals:

Concept note step: Registration is obligatory for lead applicants applying for EU contributions of more than EUR 60 000.

Full application step: Registration is obligatory for co-applicant(s) and affiliated entity(ies). Lead applicants must make sure that their PADOR profile is up to date.

- II. Provide information about the action in the documents listed under sections 2.2.2 (concept note) and 2.2.5 (full application). Please note that online submission via **PROSPECT is obligatory** for this call,

PADOR is an on-line database in which organisations register and update information concerning their entity. Organisations registered in PADOR get a unique ID (EuropeAid ID) which they **must mention** in their application. PADOR is accessible via the website: http://ec.europa.eu/europeaid/pador_en

It is strongly recommended to register in PADOR well in advance and not to wait until the last minute before the deadline to submit your application in PROSPECT.

If it is impossible to register online in PADOR for technical reasons, the applicants and/or affiliated entity(ies) must complete the ‘PADOR off-line form’¹² attached to these guidelines. This form must be sent **together with the application**, by the submission deadline (see sections 2.2.2 and 2.2.5).

¹¹ Natural persons who apply for a grant (if so allowed in the guidelines for applicants) do not have to register in PADOR. In this case, the information included in PROSPECT and the grant application form is sufficient.

¹² Which corresponds to sections 3 and 4 of the full application form – Annex A.2.

Before starting using PADOR and PROSPECT, please read the user guides available on the website. All technical questions related the use of these systems should be addressed to the IT helpdesk at EuropeAid-IT-support@ec.europa.eu via the online support form in PROSPECT.

2.2.1. Concept note content

Applications must be submitted in accordance with the concept note instructions in the grant application form annexed to these guidelines (Annex A).

Applicants must apply in English.

Please note that:

1. In the concept note, lead applicants must only provide an estimate of the requested EU contribution as well as an indicative percentage of that contribution in relation to the eligible costs of the action. A detailed budget is to be submitted only by the lead applicants invited to submit a full application in the second phase.
2. The elements outlined in the concept note may not be modified in the full application. The EU contribution may not vary from the initial estimate by more than 20%. Lead applicants are free to adapt the percentage of co-financing required within the minimum and maximum amount and percentages of co-financing, as laid down in these guidelines in Section 1.3. The lead applicant may replace a co-applicant or an affiliated entity only in duly justified cases (e.g. bankruptcy of initial co-applicant or affiliated entity). In this case the new co-applicant/affiliated entity must be of a similar nature as the initial one. The lead applicant may adjust the duration of the action if unforeseen circumstances outside the scope of the applicants have taken place following the submission of the concept note and require such adaptation (risk of action not being carried out). In such cases the duration must remain within the limits imposed by the guidelines for applicants. An explanation/justification of the relevant replacement/adjustment shall be included in an accompanying letter or email.

Own contributions by the applicants can be replaced by other donors' contributions at any time.

3. Only the concept note form will be evaluated. It is therefore of utmost importance that this document contains ALL relevant information concerning the action. No additional annexes should be sent.

Any error or major discrepancy related to the concept note instructions may lead to the rejection of the concept note.

Clarifications will only be requested when information provided is not sufficient to conduct an objective assessment.

Hand-written concept notes will not be accepted.

2.2.2. Where and how to send concept notes

The concept note together with the declaration by the lead applicant (Annex A.1 section 2) **must be submitted online via PROSPECT** <https://webgate.ec.europa.eu/europeaid/prospect> following the instructions given in the PROSPECT user manual.

Upon submission of a concept note online, the lead applicant will receive an automatic confirmation of receipt in its PROSPECT profile.

Please note that incomplete concept notes may be rejected. Lead applicants are advised to verify that their concept note is complete by using the checklist for concept note (Annex A.1, Instructions).

2.2.3. Deadline for submission of concept notes

The deadline for the submission of concept notes is 23/09/2019 at 12:00 (Brussels date and time). In order to convert this deadline to local time you can use any online time converter tool that takes into account timezones and winter/summer time changes (example available [here](#))¹³ **The lead applicant is strongly advised not to wait until the last day to submit** its concept note, since heavy Internet traffic or a fault with the Internet connection (including electricity failure, etc.) could lead to difficulties in submission. The Contacting Authority cannot be held responsible for any delay due to such afore-mentioned difficulties.

Any concept note submitted after the deadline will be rejected.

2.2.4. Further information about concept notes

Questions may be sent by e-mail [or by fax] no later than 21 days before the deadline for the submission of concept notes to the address(es) below, indicating clearly the reference of the call for proposals:

E-mail address: **delegation-armenia-fca-calls@eeas.europa.eu**

The contracting authority has no obligation to provide clarifications to questions received after this date.

Replies will be given no later than 11 days before the deadline for submission of concept notes.

To ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.

No individual replies will be given to questions. All questions and answers as well as other important notices to applicants during the course of the evaluation procedure will be published on the website of DG International Cooperation and Development: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and, as the need arises. It is therefore advisable to consult the abovementioned website regularly in order to be informed of the questions and answers published.

All questions related to registration in PADOR or the online submission via PROSPECT should be addressed to the IT helpdesk at EuropeAid-IT-support@ec.europa.eu **via the online support form in PROSPECT**: Please note that the working languages of the IT support are: English French and Spanish. Therefore users are invited to send their questions in English, French or Spanish should they wish to benefit from an optimum response time.

2.2.5. Full applications

Lead applicants invited to submit a full application following pre-selection of their concept note must do so using Part B of the grant application form annexed to these guidelines (Annex A). Lead applicants should then keep strictly to the format of the grant application form and fill in the paragraphs and pages in order.

The elements outlined in the concept note cannot be modified by the lead applicant in the full application. The EU contribution may not vary from the initial estimate by more than 20%, although lead applicants are free to adapt the percentage of co-financing required within the minimum and maximum amount and percentages of co-financing, as laid down in these guidelines under Section 1.3. The lead applicant may replace a co-applicant or an affiliated entity only in duly justified cases (e.g. bankruptcy of initial co-applicant or affiliated entity). In this case the new co-applicant/affiliated entity must be of a similar nature as the initial one. The lead applicant may adjust the duration of the action if unforeseen circumstances outside the scope of the applicants have taken place following the submission of the concept note and require such adaptation (risk of action not being carried out). In such cases the duration must remain within the limits

¹³ For example: <http://www.timeanddate.com/worldclock/converter.html>.

imposed by the guidelines for applicants. An explanation/justification of the relevant replacement/adjustment shall be included in an accompanying letter or email.

Lead applicants must submit their full applications in the same language as their concept notes. A copy of the lead applicant's accounts of the latest financial year (the profit and loss account and the balance sheet for the last financial year for which the accounts have been closed) must be uploaded in PADOR by the full application deadline. A copy of the latest account is neither required from (if any) the co-applicant(s) nor from (if any) affiliated entity(ies).

Please complete the full application form carefully and as clearly as possible so that it can be assessed properly.

Any error related to the points listed in the checklist (Part B, Section 7 of the grant application form) or any major inconsistency in the full application (e.g. if the amounts in the budget worksheets are inconsistent) may lead to the rejection of the application.

Clarifications will only be requested when information provided is unclear and thus prevents the contracting authority from conducting an objective assessment.

Hand-written applications will not be accepted.

Please note that only the full application form and the published annexes which have to be filled in (budget, logical framework) will be transmitted to the evaluators (and assessors, if used). It is therefore of utmost importance that these documents contain ALL the relevant information concerning the action.

With the full application the lead applicant also has to submit the completed PADOR form (Annex F) for the lead applicant, each (if any) co-applicants and each (if any) affiliated entities¹⁴.

No additional annexes should be sent.

2.2.6. Where and how to send full applications

Full application forms together with the budget, the logical framework and the declaration by the lead applicant must be submitted online via PROSPECT <https://webgate.ec.europa.eu/europeaid/prospect> following the instructions given in the users' manual.

Upon submission of the full application online, the lead applicants will receive an automatic confirmation of receipt in their PROSPECT profile.

Please note that incomplete applications may be rejected. Lead applicants are advised to verify that their application is complete using the checklist (Annex A.2, Instructions).

2.2.7. Deadline for submission of full applications

The deadline for the submission of full applications will be indicated in the letter sent to the lead applicants whose application has been pre-selected. This letter will appear online automatically in the PROSPECT profile of the lead applicant.

Lead applicants are strongly advised not to wait until the last day to submit their full applications, since heavy Internet traffic or a fault with the Internet connection (including electricity failure, etc.) could lead to difficulties in submission. The Contacting Authority cannot be held responsible for any delay due to such afore-mentioned difficulties.

¹⁴ Natural persons who apply for a grant (if so allowed in the guidelines for applicants) do not have to provide an organisation data form. In this case, the information included in the grant application form is sufficient.

Any application submitted after the deadline will be rejected.

2.2.8. Further information about full applications

Questions may be sent by e-mail [or by fax] no later than 21 days before the deadline for the submission of full applications to the addresses listed below, indicating clearly the reference of the call for proposals:

E-mail address: **delegation-armenia-fca-calls@eeas.europa.eu**

The contracting authority has no obligation to provide clarifications to questions received after this date.

Replies will be given no later than 11 days before the deadline for the submission of full applications.

To ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), or an action.

No individual replies will be given to questions. All questions and answers as well as other important notices to applicants during the course of the evaluation procedure, will be published on the website of DG International Cooperation and Development: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and, as the need arises. It is therefore advisable to consult the abovementioned website regularly in order to be informed of the questions and answers published.

All questions related to registration in PADOR or the online submission via PROSPECT should be addressed to the IT helpdesk at EuropeAid-IT-support@ec.europa.eu **via the online support form in PROSPECT**. Please note that the working languages of the IT support are: English French and Spanish. Therefore users are invited to send their questions in English, French or Spanish should they wish to benefit from an optimum response time.

2.3. EVALUATION AND SELECTION OF APPLICATIONS

Applications will be examined and evaluated by the contracting authority with the possible assistance of external assessors. All applications will be assessed according to the following steps and criteria.

If the examination of the application reveals that the proposed action does not meet the eligibility criteria stated in Section 2.1, the application will be rejected on this sole basis.

(1) STEP 1: OPENING & ADMINISTRATIVE CHECKS AND CONCEPT NOTE EVALUATION

During the opening and administrative check the following will be assessed:

- If the deadline has been met. Otherwise, the application will be automatically rejected.
- If the concept note satisfies all the criteria specified in the checklist in Section 2 of Part A of the grant application form. This includes also an assessment of the eligibility of the action. If any of the requested information is missing or is incorrect, the application may be rejected on that **sole** basis and the application will not be evaluated further.

The concept notes that pass this check will be evaluated on the relevance and design of the proposed action.

The concept notes will receive an overall score out of 50 using the breakdown in the evaluation grid below. The evaluation will also check on compliance with the instructions on how to complete the concept note, which can be found in Part A of the grant application form.

The evaluation criteria are divided into headings and subheadings. Each subheading will be given a score between 1 and 5 as follows: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

Evaluation Grid

Section	Maximum Score
1. Relevance of the action	20
1.1. How relevant is the proposal to the objectives and priorities of the call for proposals and to the specific themes/sectors/areas or any other specific requirement stated in the guidelines for applicants? Are the expected results of the action aligned with the priorities defined in the guidelines for applicants (section 1.2)?	5
1.2. How relevant is the proposal to the particular needs and constraints of the target country(ies), region(s) and/or relevant sectors (including synergy with other development initiatives and avoidance of duplication)?	5
1.3. How clearly defined and strategically chosen are those involved (final beneficiaries, target groups)? Have their needs (as rights holders and/or duty bearers) and constraints been clearly defined and does the proposal address them appropriately?	5
1.4. Does the proposal contain particular added-value elements (e.g. innovation, best practices) ? [and the other additional elements indicated under 1.2. of the guidelines for applicants]	5
2. Design of the action	30
2.1. How coherent is the overall design of the action? Does the proposal indicate the expected results to be achieved by the action? Does the intervention logic explain the rationale to achieve the expected results?	5x2**
2.2. Does the design reflect a robust analysis of the problems involved, and the capacities of the relevant stakeholders?	5
2.3. Does the design take into account external factors (risks and assumptions)?	5
2.4. Are the activities feasible and consistent in relation to the expected results (including timeframe)? Are results (output, outcome and impact) realistic?	5
2.5. To which extent does the proposal integrate relevant cross-cutting elements such as	5

environmental/climate change issues, promotion of gender equality and equal opportunities, needs of disabled people, rights of minorities and rights of indigenous peoples, youth, combating HIV/AIDS (if there is a strong prevalence in the target country/region)?	
Maximum total score	50

****:** this scores is multiplied by 2 because of its importance

Note: A score of 5 (very good) will only be allocated if the proposal specifically addresses more than the required minimum number of priorities as indicated in Section 1.2 (objectives of the programme) of these guidelines.

Once all concept notes have been assessed, a list will be drawn up with the proposed actions ranked according to their total score.

Firstly, only the concept notes with a score of at least 30 will be considered for pre-selection.

Secondly, the number of concept notes will be reduced, taking account of the ranking, to the number of concept notes whose total aggregate amount of requested contributions is equal to at least 200% of the available budget for this call for proposals. The amount of requested contributions of each concept note will be based on the indicative financial envelopes for each lot, where relevant.

Lead applicants will receive a letter indicating the reference number of their application and the respective results. This letter will automatically appear online in the PROSPECT profile of the lead applicant. Lead applicants who, in exceptional cases (see section 2.2), had to submit their application by post or hand-delivery will receive the letter by email or by post if no e-mail address was provided.

The pre-selected lead applicants will subsequently be invited to submit full applications.

(2) STEP 2: EVALUATION OF THE FULL APPLICATION

Firstly, the following will be assessed:

- If the submission deadline has been met. Otherwise, the application will automatically be rejected.
- If the full application satisfies all the criteria specified in the checklist (Section 7 of Part B of the grant application form). This includes also an assessment of the eligibility of the action. If any of the requested information is missing or is incorrect, the application may be rejected on that **sole** basis and the application will not be evaluated further.

The full applications that pass this check will be further evaluated on their quality, including the proposed budget and capacity of the applicants and affiliated entity(ies). They will be evaluated using the evaluation criteria in the evaluation grid below. There are two types of evaluation criteria: selection and award criteria.

The selection criteria help to evaluate the applicant(s)'s and affiliated entity(ies)'s operational capacity and the lead applicant's financial capacity and are used to verify that they:

- have stable and sufficient sources of finance to maintain their activity throughout the proposed action and, where appropriate, to participate in its funding (this only applies to lead applicants);
- have the management capacity, professional competencies and qualifications required to successfully complete the proposed action. This applies to applicants and any affiliated entity(ies).

For the purpose of the evaluation of the financial capacity, lead applicants must ensure that the relevant information and documents (i.e. accounts of the latest financial year and external audit report, where applicable) in their PADOR profile are up to date. If the information and documents in PADOR are outdated and do not allow for a proper evaluation of the financial capacity, the application may be rejected.

The award criteria help to evaluate the quality of the applications in relation to the objectives and priorities set forth in the guidelines, and to award grants to projects which maximise the overall effectiveness of the call for proposals. They help to select applications which the contracting authority can be confident will comply with its objectives and priorities. They cover the relevance of the action, its consistency with the objectives of the call for proposals, quality, expected impact, sustainability and cost-effectiveness.

Scoring:

The evaluation grid is divided into Sections and subsections. Each subsection will be given a score between 1 and 5 as follows: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

Evaluation grid

Section	Maximum Score
1. Financial and operational capacity	20
1.1. Do the applicants and, if applicable, their affiliated entity(ies) have sufficient in-house experience of project management?	5
1.2. Do the applicants and, if applicable, their affiliated entity(ies) have sufficient technical in-house expertise (especially knowledge of the issues to be addressed)?	5
1.3. Do the applicants and, if applicable, their affiliated entity(ies) have sufficient management in-house capacity (including staff, equipment and ability to handle the budget for the action)?	5
1.4. Does the lead applicant have stable and sufficient sources of finance?	5
2. Relevance of the action	20
2.1. How relevant is the proposal to the objectives and priorities of the call for proposals and to the specific themes/sectors/areas or any other specific requirement stated in the guidelines for applicants? Are the expected results of the action aligned with the priorities defined in the guidelines for applicants (section 1.2)?	5
2.2. How relevant is the proposal to the particular needs and constraints of the target country(ies), region(s) and/or relevant sectors (including synergy with other development initiatives and avoidance of duplication)?	5
2.3. How clearly defined and strategically chosen are those involved (final beneficiaries, target groups)? Have their needs (as rights holders and/or duty bearers) and constraints been clearly defined and does the proposal address them appropriately?	5
2.4. Does the proposal contain particular added-value elements (e.g. innovation, best practices) ? [and the other additional elements indicated under 1.2. of the guidelines for applicants]	5
3. Design of the action	15
3.1. How coherent is the design of the action? Does the proposal indicate the expected results to be achieved by the action? Does the intervention logic explain the rationale to achieve the expected results? Are the activities proposed appropriate, practical, and consistent with the envisaged outputs and outcome(s)?	5
3.2. Does the proposal/Logical Framework include credible baseline, targets and sources of verification? If not, is a baseline study foreseen (and is the study budgeted appropriately in the proposal)?	5
3.3. Does the design reflect a robust analysis of the problems involved, and the capacities of the relevant stakeholders?	5
4. Implementation approach	15
4.1. Is the action plan for implementing the action clear and feasible? Is the timeline realistic?	5
4.2. Does the proposal include an effective and efficient monitoring system? Is there an evaluation planned (previous, during or/and at the end of the implementation)?	5

4.3. Is the co-applicant(s)'s and affiliated entity(ies)'s level of involvement and participation in the action satisfactory?	5
5. Sustainability of the action	15
5.1. Is the action likely to have a tangible impact on its target groups?	5
5.2. Is the action likely to have multiplier effects, including scope for replication, extension capitalisation on experience and knowledge sharing?	5
5.3. Are the expected results of the proposed action sustainable? - Financially (e.g. financing of follow-up activities, sources of revenue for covering all future operating and maintenance costs)- Institutionally (will structures allow the results of the action to be sustained at the end of the action? Will there be local 'ownership' of the results of the action?)- At policy level (where applicable) (what will be the structural impact of the action — e.g. improved legislation, codes of conduct, methods) - Environmentally (if applicable) (will the action have a negative/positive environmental impact?)	5
6. Budget and cost-effectiveness of the action	15
6.1. Are the activities appropriately reflected in the budget?	5
6.2. Is the ratio between the estimated costs and the expected results satisfactory?	5x2**
Maximum total score	100

** : this scores is multiplied by 2 because of its importance

If the total score for Section 1 (financial and operational capacity) is less than 12 points, the application will be rejected. If the score for at least one of the subsections under Section 1 is 1, the application will also be rejected.

If the lead applicant applies without co-applicants or affiliated entities the score for point 4.3 shall be 5 unless the involvement of co-applicants or affiliated entities is mandatory according to these guidelines for applicants.

Provisional selection

After the evaluation, a table will be drawn up listing the applications ranked according to their score. The highest scoring applications will be provisionally selected until the available budget for this call for proposals is reached. In addition, a reserve list will be drawn up following the same criteria. This list will be used if more funds become available during the validity period of the reserve list.

(3) STEP 3: VERIFICATION OF ELIGIBILITY OF THE APPLICANTS AND AFFILIATED ENTITY(IES)

The eligibility verification will be performed on the basis of the supporting documents requested by the contracting authority (see Section 2.4). It will by default only be performed for the applications that have been provisionally selected according to their score and within the available budget for this call for proposals.

- The declaration by the lead applicant (Section 8 of Part B of the grant application form) will be cross-checked with the supporting documents provided by the lead applicant. Any missing supporting document or any incoherence between the declaration by the lead applicant and the supporting documents may lead to the rejection of the application on that sole basis.
- The eligibility of applicants and the affiliated entity(ies) will be verified according to the criteria set out in Sections 2.1.1, 2.1.2 and 2.1.3.

Any rejected application will be replaced by the next best placed application on the reserve list that falls within the available budget for this call for proposals.

2.4. SUBMISSION OF SUPPORTING DOCUMENTS FOR PROVISIONALLY SELECTED APPLICATIONS

A lead applicant whose application has been provisionally selected or placed on the reserve list will be informed in writing by the contracting authority. It will be requested to supply the following documents in order to allow the contracting authority to verify the eligibility of the lead applicant, (if any) of the co-applicant(s) and (if any) of their affiliated entity(ies)¹⁵:

Supporting documents must be provided through PADOR (see section 2.2).

1. The statutes or articles of association of the lead applicant, (if any) of each co-applicant and (if any) of each affiliated entity¹⁶. Where the contracting authority has recognised the lead applicant's, or the co-applicant(s)'s, or their affiliated entity(ies)'s eligibility for another call for proposals under the same budget line within 2 years before the deadline for receipt of applications, it should be submitted, instead of the statutes or articles of association, a copy of the document proving their eligibility in a former call (e.g. a copy of the special conditions of a grant contract received during the reference period), unless a change in legal status has occurred in the meantime¹⁷. This obligation does not apply to international organisations which have signed a framework agreement with the European Commission.
2. For action grants exceeding EUR 750 000 and for operating grants above EUR 100 000, the lead applicant must provide an audit report produced by an approved external auditor where it is available, and always in cases where a statutory audit is required by EU or national law. That report shall certify the accounts for up to the last 3 financial years available. In all other cases, the applicant shall provide a self-declaration signed by its authorised representative certifying the validity of its accounts for up to the last 3 financial years available.

This requirement shall apply only to the first application made by a beneficiary to an authorising officer responsible in any one financial year.

3. The external audit report is not required from (if any) the co-applicant(s) or affiliated entities.

This obligation does not apply to public bodies and international organisations provided that the international organisation in question offers the guarantees provided for in the applicable Financial Regulation, as described in Chapter 6 of the practical guide.

4. A copy of the lead applicant's latest accounts (the profit and loss account and the balance sheet for the last financial year for which the accounts have been closed)¹⁸. A copy of the latest account is neither required from (if any) the co-applicant(s) nor from (if any) affiliated entity(ies)).
5. Legal entity sheet (see Annex D of these guidelines) duly completed and signed by each of the applicants (i.e. by the lead applicant and (if any) by each co-applicant), accompanied by the justifying documents requested there. If the applicants have already signed a contract with the contracting authority, instead of the legal entity sheet and supporting documents, the legal entity number may be provided, unless a change in legal status occurred in the meantime.

¹⁵ No supporting document will be requested for applications for a grant not exceeding EUR 60 000.

¹⁶ Where the lead applicant and/or a co-applicant(s) and or an affiliated entity(ies) is a public body created by a law, a copy of the said law must be provided.

¹⁷ To be inserted only where the eligibility conditions have not changed from one call for proposals to the other.

¹⁸ This obligation does not apply to natural persons who have received a scholarship or that are in most need in receipt of direct support, nor to public bodies and to international organisations. It does not apply either when the accounts are in practice the same documents as the external audit report already provided pursuant to Section 2.4.2.

6. A financial identification form of the lead applicant (not from co-applicant(s)) conforming to the model attached as Annex E of these guidelines, certified by the bank to which the payments will be made. This bank should be located in the country where the lead applicant is established. If the lead applicant has already submitted a financial identification form in the past for a contract where the European Commission was in charge of the payments and intends to use the same bank account, a copy of the previous financial identification form may be provided instead.
7. The lead applicant as well as all co-applicants and affiliated entities shall fill in and sign the declaration on honour certifying that they are not in one of the exclusion situations (see Section 2.6.10.1 of the PRAG).

The requested supporting documents (uploaded in PADOR or sent together with the PADOR offline form) must be supplied in the form of originals, photocopies or scanned versions (i.e. showing legible stamps, signatures and dates) of the said originals.

Where such documents are not in one of the official languages of the European Union or in the language of the country where the action is implemented, a translation into English of the relevant parts of these documents proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, must be attached for the purpose of analysing the application.

Where these documents are in an official language of the European Union other English, it is **strongly** recommended, in order to facilitate the evaluation, to provide a translation of the relevant parts of the documents, proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, into English.

Applicants have to take into consideration the time necessary to obtain official documents from national competent authorities and to translate such documents in the authorised languages while registering their data in PADOR.

If the abovementioned supporting documents are not provided before the deadline indicated in the request for supporting documents sent to the lead applicant by the contracting authority, the application may be rejected.

After verifying the supporting documents, the evaluation committee will make a final recommendation to the contracting authority, which will decide on the award of grants.

NB : In the eventuality that the contracting authority is not satisfied with the strength, solidity, and guarantee offered by the structural link between one of the applicants and its affiliated entity, it can require the submission of the missing documents allowing for its conversion into co-applicant. If all the missing documents for co-applicants are submitted, and provided all necessary eligibility criteria are fulfilled, the above mentioned entity becomes a co-applicant for all purposes. The lead applicant has to submit the application form revised accordingly.

2.5. NOTIFICATION OF THE CONTRACTING AUTHORITY'S DECISION

2.5.1. Content of the decision

The lead applicants will be informed in writing of the Contracting Authority's decision concerning their application and, if rejected, the reasons for the negative decision. This letter will be sent by e-mail and will appear online automatically in the PROSPECT profile of the user who submitted the application. Lead applicants who, in exceptional cases (see section 2.2), had to submit their application by post or hand-delivery, will be informed by email or by post if they did not provide any e-mail address. Therefore, please check regularly your PROSPECT profile, taking into account the indicative timetable below.

An applicant believing that it has been harmed by an error or irregularity during the award process may lodge a complaint. See further Section 2.4.15 of the practical guide.

2.5.2. Indicative timetable

	DATE	TIME
1. Information meeting (if any)	Not applicable	Not applicable
2. Deadline for requesting any clarifications from the contracting authority	02/09/2019	12:00
3. Last date on which clarifications are issued by the contracting authority	12/09/2019	12:00
4. Deadline for submission of concept notes	23/09/2019	12:00
5. Information to lead applicants on opening, administrative checks and concept note evaluation (Step 1)	September 2019	-
6. Invitations to submit full applications	September/October 2019	-
7. Deadline for submission of full applications	November 2019	-
8. Information to lead applicants on the evaluation of the full applications (Step 2)	November 2019	-
9. Notification of award (after the eligibility check) (Step 3)	December 2019	-
10. Contract signature	December 2019	-

All times are in the time zone of the country of the contracting authority.

This indicative timetable refers to provisional dates (except for dates 2, 3, and 4) and may be updated by the contracting authority during the procedure. In such cases, the updated timetable will be published on the web site of DG International Cooperation and Development: <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome>

2.6. CONDITIONS FOR IMPLEMENTATION AFTER THE CONTRACTING AUTHORITY'S DECISION TO AWARD A GRANT

Following the decision to award a grant, the beneficiary(ies) will be offered a contract based on the standard grant contract (see Annex G of these guidelines). By signing the application form (Annex A of these guidelines), the applicants agree, if awarded a grant, to accept the contractual conditions of the standard grant contract. Where the coordinator is an organisation whose pillars have been positively assessed, it will sign a contribution agreement based on the contribution agreement template. In this case references to provisions of the standard grant contract and its annexes shall not apply. References in these guidelines to the grant contract shall be understood as references to the relevant provisions of the contribution agreement .

Implementation contracts

Where implementation of the action requires the beneficiary(ies) and its affiliated entity(ies) (if any) to award procurement contracts, those contracts must be awarded in accordance with Annex IV to the standard grant contract.

In this context, a distinction should be made between awarding implementation contracts and subcontracting parts of the action described in the proposal, i.e. the description of the action annexed to the grant contract , such subcontracting being subject to additional restrictions (see the general terms and conditions in the model grant contract).

Awarding implementation contracts: implementation contracts relate to the acquisition by beneficiaries of routine services and/or necessary goods and equipment as part of their project management; they do not cover any outsourcing of tasks forming part of the action that are described in the proposal, i.e. in the description of the action annexed to the grant contract .

Subcontracting: Subcontracting is the implementation, by a third party with which one or more beneficiaries have concluded a procurement contract, of specific tasks forming part of the action as described in annex to the grant contract (see also the general terms and conditions in the model grant contract).

3. LIST OF ANNEXES

DOCUMENTS TO BE COMPLETED

- Annex A: Grant application form (Word format)
- Annex B: Budget (Excel format)
- Annex C: Logical framework (Excel format)
- Annex D: Legal entity sheet¹⁹
- Annex E: Financial identification form
- Annex F: PADOR registration form

DOCUMENTS FOR INFORMATION²⁰

- Annex G: Standard grant contract
 - Annex II: general conditions
 - Annex IV: contract award rules
 - Annex V: standard request for payment
 - Annex VI: model narrative and financial report
 - Annex VII: model report of factual findings and terms of reference for an expenditure verification of an EU financed grant contract for external action
 - Annex VIII: model financial guarantee
 - Annex IX: standard template for transfer of ownership of assets
- Annex H: Declaration on Honour
- Annex I: Daily allowance rates (per diem), available at the following address:
http://ec.europa.eu/europeaid/funding/about-procurement-contracts/procedures-and-practical-guide-prag/diems_en
- Annex J: Information on the tax regime applicable to grant contracts signed under the call.
- Annex K: Guidelines for assessing simplified cost options.

Useful links:

Project Cycle Management Guidelines

http://ec.europa.eu/europeaid/aid-delivery-methods-project-cycle-management-guidelines-vol-1_en

The implementation of grant contracts

A Users' Guide

<http://ec.europa.eu/europeaid/companion/document.do?nodeNumber=19&locale=en>

Financial Toolkit

http://ec.europa.eu/europeaid/funding/procedures-beneficiary-countries-and-partners/financial-management-toolkit_en

Please note: The toolkit is not part of the grant contract and has no legal value. It merely provides general guidance and may in some details differ from the signed grant contract. In order to ensure compliance with their contractual obligations beneficiaries should not exclusively rely on the toolkit but always consult their individual contract documents.

* * *

¹⁹ Only applicable where the European Commission will make the payments under the contracts to be signed.

²⁰ These documents should also be published by the contracting authority.