

**Contracting Authority:** European Commission

**EUPA4BiH - European Union Police Assistance for Bosnia and Herzegovina**

**Guidelines for grant applicants**

Budget line(s): 22.020101

Reference:

**EuropeAid/178815/DD/ACT/BA**

Deadline for submission<sup>1</sup> of full application:

**20/10/2023 at 12:00**

(in order to convert to local time click [here](#)<sup>2</sup>)

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<sup>1</sup> 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.

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

## NOTICE

This is an open call for proposals, where all documents are submitted together (concept note and full application). In the first instance, only the concept notes will be evaluated. Thereafter, for the lead applicants who have been pre-selected, the full applications will be evaluated. 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

### Online submission via PROSPECT

**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.

#### Information session

A hybrid information session will be organised on **31/07/2023 at 10:00** . Should you be interested in this session, please send an email by 07/09/2023 to [delegation-bosnia-and-herzegovina-cfp@eeas.europa.eu](mailto:delegation-bosnia-and-herzegovina-cfp@eeas.europa.eu), indicating: name, surname, nationality and email address of the persons who are going to participate as well as their organisation (max. two participants per organisation). No costs incurred by the applicants for attending this information session are reimbursable.

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 PROSPECT<sup>3</sup>.

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<sup>3</sup> If PROSPECT is unavailable, the IT support can also be reached via email: [EuropeAid-IT-support@ec.europa.eu](mailto:EuropeAid-IT-support@ec.europa.eu)  
2021.1 Guidelines for grant applicant open (en)

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## 1. EUROPEAN UNION POLICE ASSISTANCE 4 BiH (EUPA4BiH)

### 1.1. BACKGROUND

Bosnia and Herzegovina presented its application for membership of the European Union on 15 February 2016. On 29 May 2019, the European Commission adopts its Opinion on Bosnia and Herzegovina's application for EU membership and on 15 December 2022 Bosnia and Herzegovina is granted candidate status. Some of the conclusions and recommendations in the Opinion relate to fulfilling the criteria related to the stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities, which are part of the Copenhagen criteria. The fight against organised crime in all its forms, proactive investigations including financial investigation and improving the capacities in the area of cross border crime remain important issues that need to improve to advance the EU integration process. Analysis and recommendations, to be taken into account, are set out in the EU opinion on the BiH application for membership, the Analytical Report<sup>4</sup> and Priebe report<sup>5</sup>.

Extract from EU Opinion: The fight against corruption and organised crime is hampered by a lack of harmonisation of legislation across the country fragmented policing environment with different jurisdictions and by weak institutional cooperation and coordination. Corruption is widespread and all levels of government show signs of political capture directly affecting the daily life of citizens. The policy, institutional and legal framework to prevent corruption is fragmented and has significant gaps. Law-enforcement agencies are fragmented and vulnerable to undue political interference. Prosecutors are not sufficiently proactive. Financial investigations and asset seizures are largely ineffective. Fight against money laundering needs to be stepped up. Final convictions in high-level corruption cases are very rare and sanctions are not deterrent enough. Prevention of violent extremism and counterterrorism policies and measures need to be strengthened. The coordination of migration-related measures among competent institutions across all levels of government is poor. Bosnia and Herzegovina needs in particular to ensure the effective functioning and coordination of anti-corruption bodies, align the legislation and strengthen capacities on public procurement, ensure effective cooperation among law enforcement bodies and with prosecutor's offices, demonstrate progress towards establishing a track record of proactive investigations, confirmed indictments, prosecutions and final convictions against organised crime and corruption, including at high-level, and de-politicise and restructure public enterprises and ensure transparency of privatisation processes.

Insufficient cooperation and coordination between law enforcement agencies and prosecution offices in Bosnia and Herzegovina have a significant impact on combating transnational serious and organised crime, which poses a high risk for fulfilling the recommendations of the European Commission.

Over the years the Ministry of security of BiH, the police agencies in Bosnia and Herzegovina, as well as other relevant agencies and institutions, have been supported by the EU in building their capacities, through different regional and country specific projects (Twinning and others, i.e. IPA 2010 "*Support to the Area of Law Enforcement*", IPA 2011 "*Support to the Law enforcement infrastructure*", IPA 2012 „*Strengthening law enforcement*“, IPA 2013 "*Support to the Fight Against Money Laundering*", IPA 2015 "*Support to Law Enforcement Agencies in BiH*", IPA 2017 "*EU support to home affairs to combat illegal acts*",

As complementary measure to this action, IPA 2020 has also foreseen the provision of supplies for the electronic data exchange system (EDES) and the already ongoing capacity building for the IT specialists of all the law enforcement agencies. A separate intervention under IPA 2024 is expected to provide Automated Fingerprint and Palmprint Identification System (AFIS/APIS) and Anti Money-Laundering System (AMLS). Two regional interventions in the area of cyber security were also launched in 2023, namely *EU Support to Cybersecurity Capacity Building in the Western Balkans* and *Enhancing protection of public spaces and critical infrastructures in the Western Balkans*.

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<sup>4</sup> [https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/bosnia\\_and\\_herzegovina\\_report\\_2020.pdf](https://ec.europa.eu/neighbourhood-enlargement/system/files/2020-10/bosnia_and_herzegovina_report_2020.pdf)

<sup>5</sup> <http://europa.ba/wp-content/uploads/2019/12/ExpertReportonRuleofLawissuesinBosniaandHerzegovina.pdf>

It is essential that the proposed action works in full complementarity and coordination with the ongoing and planned actions.

In order to meet recommendations set out in the EU Opinion on BiH application for membership, the Analytical Report, the Priebe report, 2022 Country Report and to be in line with EU applicable standards and best practices, further support from the European Union is highly needed.

BiH authorities conducted a comprehensive and inclusive needs assessment and are committed to enhance coordination among law enforcement agencies and their cooperation with the prosecution services, which are important and essential conditions to effectively fight transnational organised/serious crime.

## 1.2. OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES

The **global objective** of this call for proposals is to improve the security of citizens in Bosnia and Herzegovina

The specific objective(s) of this call for proposals is/are:

- To enhance the effectiveness of institutions involved in the fight against transnational organised crime, corruption, drugs, money laundering, cybercrime, trafficking of human beings, terrorism, radicalisation, violent extremism, corruption and ensure better institutional interoperability,
- To further improve the collection and data exchange, and data protection according to the EU applicable standards and best practices,
- To improve governance standards, to embed stability and progress towards EU membership, better identify and respond to threats, and strengthen capacities to prevent and fight crimes.

The priorities of this call for proposals are:

- to build compatible crime fighting infrastructure at all levels, in order to foster effective cooperation in criminal matters across the BiH jurisdictions;
- enhance capacity of LEAs to effectively prevent and fight transnational organised crime, corruption, terrorism, money laundering, drugs, cybercrime, radicalisation and violent extremism in BiH;
- align with European standards and improve police legislation and bylaws, Standard Operating Procedures (SOPs), Books of Rules (BoR), Guidelines, Memoranda of Understandings (MoUs) and other required legal documents to establish the legal basis for better and more effective utilization of police capacities;
- promote better use of Special Investigative Measures (SIMs) in line with EU best practices and standards as well as joint investigation teams;
- enhance effective internal and international coordination, cooperation and information exchange;
- support development of the country's personal data protection capacity and alignment with EU's *acquis* in the area;
- provide effective legal and investigative tools to Law Enforcement Agencies (LEAs) and prosecutors to timely investigate, prosecute and sanction severe crime and to utilize proactive investigations;
- support the LEAs to develop and implement human rights based approaches to policing, in full compliance with EU standards;
- support to the authorities in demonstrating progress towards establishing a track record of proactive investigations, confirmed indictments, prosecutions and final convictions against organised crime and corruption, including at high-level;

The action is foreseen **to be implemented through sectorial all-inclusive approach**. The below **indicative key sub-sectorial components** (which will be led by sector – specific experts) are pre-identified:

Component 1: Fight against transnational organised/serious crime, Trafficking of Human Beings (THB), drugs, corruption and cybercrime. This component needs to ensure that the necessary policy framework is in place by supporting the delivery of the sectorial strategies in order to increase impact and ensure full sustainability. The relevant sectorial strategies need to be accompanied by a realistic corresponding budget and relevant action plans that are monitored and reported on against concrete measurable indicators. Coordination mechanism will be facilitated within this component.

It is also required to establish an efficient Chapter 23 and Chapter 24 sector monitoring mechanism involving the relevant authorities.

Component 2: Prevention and Countering terrorism, P/CVE, ~~cybercrime~~

Component 3: Prevention and Countering Financial crime, Money Laundering

Component 4: Support the enhancement of effective cooperation among law enforcement bodies and with prosecutors; and judges

Component 5: Enhancing external cooperation and coordination, information exchange, as well as international cooperation and coordination with EUROPOL and Interpol

Component 6: Support for drafting legislation, in line with EU *acquis*, European standards and best practices (improve respective bylaws and police legislation, SOPs, BoR, Guidelines, MoUs and other required legal documents, including personal data protection area

Component 7: Support to the criminal justice authorities in demonstrating progress towards establishing a track record of proactive investigations, confirmed indictments, prosecutions and final convictions against organised crime and corruption, including at high-level

Component 8: Enhance border security, and fight cross border organised crime

Component 9: Complementary assistance to procure required equipment to support better use of Special Investigative measures (SIMs), effective investigations, forensic capacities and specialised IT equipment that will enhance the capacity of the LEAs and further strengthening of data security and exchange.

The grant agreement EUPA4BiH will contain limited scale of subcontracting (maximum 10% of the total cost of the action) for supplies/equipment that will be needed for relevant LEAs and specific authorities to increase their professional performance in regard to tackle serious and organised crime in a proactive manner.

Component 10: Communication and outreach to BiH citizens / EU Visibility according to the Guidelines 2.1.3

### **Assumptions and conditionality underlying this project**

- Availability of a Government Department, Public body, or relevant mandated body of Government Department or public body authority of a European Union Member State to take the lead and provide suitably qualified expertise for the project
- Fruitful sector collaboration and coordination with the other EU funded projects that builds synergies and avoids overlapping
- Full commitment from the main project beneficiaries/stakeholders to work towards the achievements of the project objectives
- The main project beneficiaries/stakeholders close cooperation with *EUPA4BiH project* and with each other in the widest possible sense. This includes making officials available for training and accepting to maintain them in the relevant posts, thereafter, providing all necessary information to advance the project objectives, and facilitating the work of the project staff

- The beneficiary state will host the project staff members in the premises of the Ministry of Security and other main project beneficiaries/stakeholders. This will include office accommodation and furnishings, and telephone equipment and lines with national and international access<sup>6</sup>
- The Ministry of Security will provide the necessary administrative assistance to the selected EU Member State public institutions, authority or administration vis-à-vis other competent authorities for the issuing of the necessary visas for its expatriate personnel, as well as for the customs clearance and inland transportation (from border point to final destination) for its imported equipment. The same assistance is expected to solve any unforeseen problem that the EU Member State beneficiary of the Grant may encounter during the installation, presence, and departure of the *EUPA4BiH* project in and from Bosnia and Herzegovina.

### **Governance of the project:**

The Action will be implemented through a Grant Contract with EU Member States and will include the mobilisation of a **Team Leader** and a minimum of four **Long Term Experts (core Team)** who will be responsible for key sub-sectorial components. The core team will be based for the entire duration of the action in Sarajevo and be complemented by the assistance of Short-Term Experts.

The Team Leader **must** be identified by enclosing the CV in the Description of the Action.

In addition, the applicant shall demonstrate that they have access to experts<sup>7</sup> with the required profiles. Introduction of other experts and any change in the Team Leader, if applicable shall be done in consultation with the EU Delegation. The EU Delegation can request changes within the grant beneficiary's experts if needed to ensure that the objectives of the Action are met.

Fluency in written and spoken English is mandatory for all project staff.

During the implementation the beneficiary should:

- Liaise with all relevant stakeholders and establish close working relations,
- Establish a 'donors mapping' of the projects in the field of the Action,
- Implement the work plan of activities which it will have to design during the inception phase (i.e. the first three months of the contract),
- Liaise with the EU Delegation and other projects and initiatives in the region.

During the implementation of the Action, a Project **Steering Committee** (PSC) will be established and comprised of representatives of relevant authorities of all levels of government. The participation of the EU Member State grant beneficiary and the EU Delegation is mandatory. Quarterly Steering Committee meetings will be organised by the EU Member State grant beneficiary (secretariat function) to steer the Action. In principle Steering Committee meetings will be chaired by the EU Delegation. Ad-hoc meetings can be requested by the EU Delegation at any time. The PSC meetings are not linked to the annual financial and narrative reporting obligations.

### **1.3. FINANCIAL ALLOCATION PROVIDED BY THE CONTRACTING AUTHORITY**

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<sup>6</sup> Nothing has been agreed at this stage. Therefore, the grant applicant should include the cost of the office rent and other related operational costs for the entire project duration in the budget for the action. Those costs would however not be eligible in case the Beneficiary Institution would provide an office space, including other operating costs, for the core project staff.

<sup>7</sup> A sufficient proof is a list of experts the applicant has the access to, with a short description of their profile/expertise. For components 1-8: 5-10 mid-term/short-term experts per component, as appropriate for the action. For components 9, 10: as appropriate but not less than 2 mid-term/short-term experts.

The overall indicative amount made available under this call for proposals is **EUR 10 000 000**.

The contracting authority reserves the right not to award all available funds.

Size of grants

Any grant requested under this call for proposals must not exceed:

- Maximum amount: EUR10 000 000

Total eligible costs of the action under this call for proposal

- 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 Fund<sup>8</sup>.

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.

## 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>).<sup>9</sup>

### 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).

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<sup>8</sup> 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.

<sup>9</sup> 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.



## **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,
- be a Public Body of a Member State of the European Union or of the United Kingdom or their mandated bodies<sup>10</sup>, entrusted with responsibilities related to the implementation of activities relevant to the call<sup>11</sup>

**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, provisionally selected 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) together with the full application.

In Annex A.2 Section 5 ('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 may act individually or 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.

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<sup>10</sup> Mandated body according to the list of bodies from the Twining Manual: [https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-05/List of Mandated Bodies \(Manual 2017\) 22.05.2023.pdf](https://neighbourhood-enlargement.ec.europa.eu/system/files/2023-05/List_of_Mandated_Bodies_(Manual_2017)_22.05.2023.pdf)

<sup>11</sup> For UK applicants: Please be aware that following the entry into force of the EU-UK Withdrawal Agreement\* on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014\*\* and Annex IV of the ACP-EU Partnership Agreement\*\*\*, are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom\*\*\*\*. Those persons and goods are therefore eligible under this call.

\* Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

\*\* Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.

\*\*\* Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)

\*\*\*\* including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU.

## **Co-applicant(s)**

Co-applicants are not obligatory, however, taking into account the size of the grant and the complexity of the task; lead applicants are encouraged to work with co-applicants, including respective public bodies from other eligible countries or their mandated bodies preferably specialised in the domain of the call. This could result in a wide range of qualified senior experts gathered from the public bodies or mandated bodies (pool of experts), provided that national approaches can be harmonized within this partnership and/ or components are divided by the applicants.

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:**

- relevant decentralised EU agencies (distinct bodies from the EU institutions – separate legal entities set up to perform specific tasks under the EU law) such as but not limited to: the European Union Agency for Law Enforcement Training (CEPOL), European Monitoring Centre for Drugs and Drug Addiction (EMCDDA), European Union Agency for Cybersecurity (ENISA), European Police Office (Europol), European Union Agency for Criminal Justice Cooperation (Eurojust).

Co-applicants must sign the mandate in Annex A.2 Section 5.

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 contract<sup>12</sup>.

## **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

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<sup>12</sup> The updated lists of sanctions are available at [www.sanctionsmap.eu](http://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.

- (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 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 Annex A.2 Section 5.

### ***2.1.2. 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 Annex A.2 Section 4 — ‘Associates participating in the action’.

- 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.

### ***2.1.3. 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 be lower than **48 months nor exceed 60 months**.

#### Sectors or themes

Home Affairs whereby the key subsectors or themes are inter alia as follows:

- Fight against transnational organized crime,
- Fight against corruption,
- Fight against terrorism, money laundering, prevention of radicalisation and violent extremism,
- Fight against drugs,
- Fight against trafficking of human beings,
- Fight against cybercrime,
- Fight against financial crime, Money laundering,
- Personal data protection,
- Data security and exchange,
- Corruption prevention within the LEAs,
- As a cross cutting sector: border security and fight cross border-organised crime.

#### Location

Actions must take place in the following country: Bosnia and Herzegovina (BiH). Specific activities relevant for the action such as specific trainings/study visits may, upon the approval of the competent EU Programme Manager, take place outside the country.

#### Types of action

Actions should cover all Sector/themes listed above (2.1.4).

The proposed action may include the indicative components identified under 1.2. OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES, but may propose another breakdown of key sub-sectors (led by component / subject specific expert(s)).

The action is expected to propose the most appropriate response to the pre-identified (indicative) 10 (eleven) components based on a sound sectoral problem analysis as well as on the available analytical reports (such as the EC Country Report on Bosnia and Herzegovina and the Experts' Report on Rule of Law issues in Bosnia and Herzegovina (the so called "Pribe report")). While proposing a concrete sectorial strategic response it is important to remain flexible and adaptable to the imminent needs of the Beneficiary.

The grant should mainly provide assistance to the relevant Bosnia and Herzegovina institutions (Ministry of Security BiH; The State Investigation and Protection Agency- SIPA; Border Police of BiH; Directorate for Coordination of Police Bodies of BiH; Service for Foreigner's Affairs; Forensic Examinations and Expertise Agency; Agency for Education and Professional Training; Police Support Agency; Indirect Taxation Authority; Personal Data Protection Agency in BiH; Agency for Identification Documents, Registers and Data Exchange of BiH; Agency for the Prevention of Corruption and Coordination of the Fight against Corruption; Ministry of Interior of Republika Srpska; Ministry of Interior of Federation Bosnia and Herzegovina and Federal Police Administration; Cantonal Ministries of Interior; Brčko District Police; Intelligence-Security Agency of Bosnia and Herzegovina)<sup>13</sup>.

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

As the action is using an all-inclusive approach, flexibility and adaptation to the imminent need is a key. However, still for better planning of the response, strategy and resources, and development of methodology, the indicative type of activities are listed under Components under the key sub-sectors described in section 1.2 and 2.1.4.

The project will serve as a peer-to-peer advisory capacity within the Home Affairs sector as well as the identified key sub-sectors. Resources should be made available to respond in a flexible manner to relevant developments throughout the implementation of the project.

During the implementation of activities, the project should also provide constant ad hoc analytical reporting to the EUD/EUSR Office and respond to requests for information related to the implementation of the reform.

For all of the activities the project will work in constant collaboration and coordination with other EU financed bilateral or thematic/ regional project as well as the EU financed flagship project within the justice sector called: "*EU4Justice phase IP*".

The project will need to be planned and organised taking into account the developing epidemiological situation and respecting the applicable protection measures, including distancing.

Moreover, the project is expected to work in constant collaboration and coordination with the other EU/Member states and other donors projects in the Justice and Home Affairs field in order to build synergies and to avoid overlapping.

The Ministry of Security will appoint a **Project Facilitator(s)** among its staff. The Project Facilitator will be the main contact point for the grant beneficiary for logistical issues, questions of day-to-day management of the project and coordination with relevant institutions on all levels of government.

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<sup>13</sup> List is not exhaustive.

While the project will work towards enhancing the capacities of the BiH Authorities, the ultimate final beneficiary will be the BiH citizens, who will benefit from a modern, more transparent and efficient police administration, a more developed legislation closer to EU standards, a better functioning and more transparent law enforcement system, which enables better protection and services for all the BiH citizens. Therefore, the project will contribute to the restoration of citizens' trust in their police and to foster democracy and rule of law in BiH.

Indicators to measure the impact of the Action are the verifiable gain in effectiveness, integrity, professionalism and transparency of the police. These results must be presented against S.M.A.R.T indicators that are based on the applicant's situational (problem) analysis using the logical framework approach (LFA) methodology. These results will be adequately reviewed and assessed during the project inception period, reporting and Steering Committee meetings.

#### Financial support to third parties<sup>14</sup>

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](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 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.

The co-applicants/affiliated entity **may not** submit more than 1 application under this call for proposals.

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

#### ***2.1.4. 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:

- 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.

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<sup>14</sup> These third parties are neither affiliated entity(ies) nor associates nor contractors.

- **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.

"other SCOs". is only applicable to pillar assessed entities, 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. In order to enable the use of these 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 SCO<sup>15</sup>
- make reference to the previously obtained ex-ante assessment for other/recurrent SCOs.

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.

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<sup>15</sup> 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.

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 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).

Salary costs of the personnel of national administrations may be eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the action were not undertaken.

#### 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. (except for personnel costs for the work carried out by volunteers under an action or an operating grant if so authorised).



Contributions in kind may not be treated as cofinancing. 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;
- credit to third parties.

### **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, abuse and harassment:**

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**<sup>16</sup> for lead applicants, co-applicant(s) and affiliated entity(ies).

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](http://ec.europa.eu/europeaid/pador_en)

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'<sup>17</sup> attached to these guidelines. This form must be sent **together with the application**, by the submission deadline (see section 2.2.2).

II Provide information about the action in the documents listed under section 2.2.2. Online submission via **PROSPECT is obligatory** for this call.

**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.**

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](mailto:EuropeAid-IT-support@ec.europa.eu) via the online support form in PROSPECT.

### 2.2.1. Application forms

<sup>16</sup> 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.

<sup>17</sup> Which corresponds to sections 3 and 4 of the full application form – Annex A.2.

Applications must be submitted in accordance with the instructions on the concept note and the full applications in 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.

Applicants must apply in English.

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

Any error or major discrepancy related to the points listed in the instructions on the concept note or any major inconsistency in the 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 the information provided is unclear and thus prevents the Contracting Authority from conducting an objective assessment. Please note that only the grant application form and the published annexes which have to be filled in (budget, logical framework) will be evaluated. It is therefore of utmost importance that these documents contain ALL the relevant information concerning the action.

If it is impossible to register online in PADOR for technical reasons, the lead applicant has to submit with the application the completed PADOR registration form (Annex F) for the lead applicant, each co-applicant (if any) and each affiliated entity (if any).

Please note that the following documents<sup>19</sup> shall be uploaded in PADOR by the application deadline or submitted together with the PADOR registration form with the application form:

1. The statutes or articles of association of the lead applicant, (if any) of each co-applicant and (if any) of each affiliated entity. 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 meantime. This obligation does not apply to international organisations which have signed a framework agreement with the European Commission.

2. Legal entity form (see Annex D of these guidelines) duly completed and signed by each of the applicants (i.e. by the lead applicant and by each co-applicant, if any), 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.

3. 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.

In addition, for the purpose of the evaluation of the financial capacity, the following documents should be submitted:

1. For action grants exceeding EUR 750 000 and for operating grants exceeding 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 lead 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 an applicant to the contracting authority in any one financial year.

The external audit report as well as the self-declaration certifying the validity of the accounts are not required from the co-applicant(s) or affiliated entities (if any).

**If eligible This obligation does not apply to pillar assessed entities.**

2. 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)<sup>21</sup>. A copy of the latest account is neither required from the co-applicant(s) (if any) nor from affiliated entity(ies) (if any).

The requested supporting documents (uploaded in PADOR or sent together with the PADOR registration 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. Originals should be kept on file for controls.

Where these documents are in an official language of the European Union other than 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 by the deadline for the submission of the application form, the application may be rejected.

No additional annexes should be sent.

### **2.2.2. *Where and how to send applications***

Applications **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 the application online, the lead applicant will receive an automatic confirmation of receipt in its PROSPECT profile.

**Please note that incomplete applications may be rejected.** Lead applicants are advised to verify that their application is complete by using the checklist (Annexes A.1 and A.2, Instructions).

### **2.2.3. *Deadline for submission of applications***

The deadline for the submission of applications is **20/10/2023 at 12:00 pm (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](#))<sup>18</sup> **The lead applicant is strongly advised not to wait until the last day to submit** their 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.

Any applications submitted after the deadline will be rejected.

### **2.2.4. *Further information about applications***

An hybrid information session on this call for proposals will be held on **07/09/2023 at 10:00 am**.

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

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<sup>18</sup> For example: <http://www.timeanddate.com/worldclock/converter.html>.

E-mail address: [delegation-bosnia-and-herzegovina-cfp@ec.europa.eu](mailto:delegation-bosnia-and-herzegovina-cfp@ec.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 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), 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 where the call was published: website DG International Partnerships [https://ec.europa.eu/international-](https://ec.europa.eu/international-partnerships/home_fr) partnerships/home\_fr or Funding & Tender opportunities (F&T Portal) <https://ec.europa.eu/info/fundingtenders/opportunities/portal/screen/home>. It is therefore advisable to consult the abovementioned website(s) 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 [INTPA-SUPPORT-SERVICES@ec.europa.eu](mailto:INTPA-SUPPORT-SERVICES@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 in English, French or Spanish should they wish to benefit from an optimum response time.

Please note that the contracting authority may decide to cancel the call for proposals procedure at any stage according to the conditions set out in Section 6.5.9 of the PRAG.

### **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.

## 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 application satisfies all the criteria specified in the checklist in Annex A.21, Instructions.. 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 Annex A.1.

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
<b>1. Relevance of the action</b>	<b>20</b>
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)?	5
<b>2. Design of the action</b>	<b>30</b>
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 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)?	5
<b>Maximum total score</b>	<b>50</b>

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

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 400% 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.

The evaluation committee will then proceed with the lead applicants whose proposals have been pre-selected.

## **(1) STEP 2: EVALUATION OF THE FULL APPLICATION**

Firstly, the following will be assessed:

- If the full application satisfies all the criteria specified in the checklist (Annex A.2, Instructions). 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.

### **Oral Presentation of the proposal**

Following the opening and administrative checks and the evaluation of the concept notes, as part of the evaluation of the full application, the Contracting Authority reserves the right to invite the pre-selected applicants to an oral presentation of their proposal. This oral presentation will be organised by using web conferencing tools. It should be recalled that expenditure incurred by the applicant prior to the signature of the grant agreement will not be eligible for financing (notably expenditure related to the preparation of proposals).

The presentation should be done by the designated Team Leader. Long Term Experts (core Team) should also participate at the presentation in case their contribution is needed for the specific component/activity.

**Key points for applicants to cover during the oral presentation:**

- Applicant's organisational and operational approach to achieve the overall and specific objectives identified in the Guidelines, including available expertise (this will address the Section 1 of the Evaluation Grid);
- Experience on similar projects (this will address points 1.1 and 1.2 of the evaluation grid) ;
- Short presentation of overall vision and underlying strategy (this will address Section 2 of the evaluation grid);
- Proposed activities and expected results and on how these results will lead to the attainment of the given objectives (this will address Sections 3 and 4 of the evaluation grid);

The questions from the Evaluation Committee will aim at clarifying any points raised by the Applicant during its presentation.



Any question from the evaluation committee should be answered as comprehensively as possible at the meeting.

The overall duration of the presentation, including questions and answers, shall not exceed a maximum of **60 minutes** . It is therefore recommended to limit the initial presentation to preferably 30 minutes maximum in order to allow for at least 30 minutes for questions from the evaluation committee.

*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
<b>1. Financial and operational capacity</b>	<b>20</b>
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
<b>2. Relevance of the action</b>	<b>20</b>
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)?	5
<b>3. Design of the action</b>	<b>15</b>
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
<b>4. Implementation approach</b>	<b>15</b>
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
<b>5. Sustainability of the action</b>	<b>15</b>
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
<b>6. Budget and cost-effectiveness of the action</b>	<b>15</b>
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**
<b>Maximum total score</b>	<b>100</b>

**\*\*:** 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.

## **(2) 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 5 of Annex A.2) 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**

The lead applicant should submit the documents listed in section 2.2.1.

In addition, 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:

1. Declaration on honour: 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) where the amount of the grant exceeds EUR 15 000. Please note that the declaration on honour shall be submitted via PROSPECT.
2. Self-evaluation questionnaire on SEA-H: the lead applicant as well as all co-applicants and affiliated entities shall fill in the self-evaluation questionnaire assessing the organisation's internal policy and procedure against sexual exploitation, abuse and harassment (SEA-H) (Annex L) where the amount of grant exceeds EUR 60 000 (see Section 2.5.6 of the PRAG)<sup>26</sup>. Please note that the self-evaluation questionnaire on SEA-H shall be submitted via PADOR.
3. List any other supporting documents required

If it is impossible for the lead applicants to supply the abovementioned documents via PROSPECT or PADOR for technical reasons, they must submit the requested supporting documents in a sealed envelope by registered mail, private courier service or by hand-delivery to the postal address described in section 2.2.2 and according to the instructions therein.

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, private courier or hand-delivery will be informed by e-mail 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. Please note that the lead applicant is the intermediary for all communications between applicants and the contracting authority during the procedure.

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.

Applicants and, if they are legal entities, persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations of early detection or exclusion, their 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. For more information, you may consult the privacy statement available on [http://ec.europa.eu/budget/explained/management/protecting/protect\\_en.cfm](http://ec.europa.eu/budget/explained/management/protecting/protect_en.cfm).

## 2.5.2. Indicative timetable

	DATE	TIME
<b>1. Information meeting (if any)</b>	07/09/2023	10:00
<b>2. Deadline for requesting any clarifications from the contracting authority</b>	30/09/2023	-
<b>3. Last date on which clarifications are issued by the contracting authority</b>	09/10/2023	-
<b>4. Deadline for submission of applications</b>	<b>20/10/2023</b>	<b>12:00</b>
<b>5. Information to lead applicants on opening, administrative checks and concept note evaluation (Step 1)</b>	20/11/2023 <sup>(*)</sup>	-
<b>Oral presentation indicative date</b>	Date to be defined <sup>(*)</sup>	Time to be defined
<b>6. Information to lead applicants on the evaluation of the full applications (Step 2)</b>	20/12/2023 <sup>(*)</sup>	-
<b>7. Notification of award (after the eligibility check) (Step 3)</b>	20/01/2024 <sup>(*)</sup>	-
<b>8. Contract signature</b>	January 2024 <sup>(*)</sup>	-

### \*Provisional date.

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> and EU Delegation to BiH website: europa.ba

## 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)

A.1 – Concept note

A.2 – Full application form

Annex B: Budget (Excel format)

Annex C: Logical framework (Excel format)

Annex D: Legal entity sheet<sup>19</sup>

Annex E: Financial identification form

Annex F: PADOR registration form

#### DOCUMENTS FOR INFORMATION<sup>20</sup>

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 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](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

[https://ec.europa.eu/international-partnerships/funding/managing-project\\_en](https://ec.europa.eu/international-partnerships/funding/managing-project_en)

##### The implementation of grant contracts A Users' Guide

<https://wikis.ec.europa.eu/pages/viewpage.action?pageId=48169235>

##### Financial Toolkit

[https://ec.europa.eu/international-partnerships/financial-management-toolkit\\_en](https://ec.europa.eu/international-partnerships/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.**

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

<sup>20</sup> These documents should also be published by the contracting authority.