



Ministry of
JUSTICE

EC Fundamental Rights and Justice funding guidance

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Introduction

The Fundamental Rights and Citizenship fund is a €542.9m programme that is running from 2007-2013. It is made up of five different streams, of which the Ministry of Justice focuses on three:

- Rights and citizenship
- Civil justice
- Criminal justice.

This document is an introduction to this source of funding and aims to help UK organisations avoid some common pitfalls as well as to clarify what can seem a somewhat complicated process.

1. What the Commission are looking for

Broadly speaking, successful bids to the 'Fundamental Rights and Justice' programme display the same qualities as any winning proposal. The Commission are looking for well-prepared projects from organisations with a proven track record and appropriate financial capacity. Those that set out realistic objectives with clear methodologies are always likely to do well.

It may seem obvious, but the first step in any successful project is getting the basics right. A surprising number of applications are declared as ineligible due to basic administrative errors or simply not reading the criteria properly.

Straightforward mistakes include:

- not submitting a signed budget
- requesting a higher percentage co-financing than is allowed
- missing the deadline
- not involving enough partners from eligible states
- not submitting a budget in Euros.

More specifically, it pays to study the aims of the particular programme. While the Commission do encourage original bids, they also outline their intentions for each of the funding streams in annual work programmes and so all bids should be written with these in mind (see section 2). It is also important to consider the criteria that the Commission use to judge proposals (see section 3).

Make sure that you:

- Apply for the correct or most appropriate funding stream. One UK project was rated highly but was felt to be more suited to another programme.
- Get all potential partners/stakeholders on board before submitting a proposal. One highly commended British project was rejected for this reason.
- Maintain a clear focus on justice and rights rather than focusing too much on economics. Several projects were thrown out last year for this reason.
- Do not have too parochial a focus. The Commission are very keen on projects having a strong European dimension and so many proposals are turned down for being too centred on one state.

2. EC's objectives for each of the funding streams

The EC outlines its general and specific objectives for the three programmes. Prospective applicants should make sure that their proposals adhere fairly closely to them.

Rights and citizenship

- to **promote the development of a European society** based on respect for Fundamental Rights and rights derived from citizenship of the Union
- to **strengthen civil society** and to encourage an open, transparent and regular dialogue with it in respect of fundamental rights
- to **fight against racism, xenophobia and anti-Semitism**
- to **improve the contacts, exchange of information and networking between legal, judicial and administrative authorities and the legal professions**, including by way of support of judicial training, with the aim of better mutual understanding among such authorities and professionals.

In 2009, the EC have also outlined specific priorities for action grants in the rights and citizenship funding stream. While projects which focus on other areas may be funded, the ones in the list below are the primary focus:

- protecting the rights of the child
- combating racism, xenophobia and anti-Semitism
- backing the fight against homophobia: enhanced/improved understanding and tolerance
- promoting active participation in the democratic life of the Union
- supporting training and networking between legal profession
- data protection and privacy rights.

Civil justice:

- to **promote judicial cooperation** with the aim of contributing to the **creation of a genuine European area of justice** in civil matters based on mutual recognition and mutual confidence
- to **promote the elimination of obstacles to the good functioning of cross-border civil proceedings** in the Member States

- to **improve the daily life of individuals and businesses** by enabling them to assert their rights throughout the European Union, notably by fostering access to justice.
- to **improve the contacts, exchange of information and networking between legal, judicial and administrative authorities and the legal professions**, including by way of support of judicial training, with the aim of better mutual understanding among such authorities and professionals.

In 2009, the EC have also prioritised eJustice within the civil justice action grant funding stream.

Criminal justice

- to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters based on mutual recognition and mutual confidence
- to promote the compatibility in rules applicable in the Member States as may be necessary to improve judicial cooperation
- to improve contacts and exchange of information and best practice between legal, judicial and administrative authorities and the legal professions (lawyers and other professionals involved in the work of the judiciary)
- to foster the training of the members of the judiciary, and to further improve mutual trust with the view to ensuring protection of rights of victims and of the accused.

In 2009, the EC have also outlined specific priorities for action grants in the criminal justice funding stream. These are:

- Judicial training (transnational)
- Judicial training (by national training institutions)
- Studies and Projects aimed at:
 - Improving judicial cooperation in criminal matters
 - Improving mutual knowledge and best practice
- Supporting victims of crime (Budget of approximately €2.2m)
- eJustice
- Criminal records (Budget of approximately €6m).

3. Criteria

The criteria which actions are judged fall into the following categories (with only a few exceptions).

- relevance to programme
- the quality of the proposed project
- cost to benefit ratio
- European scope
- sustainability.

Those writing proposals should make sure that they consider the above list very carefully as this is effectively the lens through which projects are evaluated.

While categories are weighted differently depending on the grant, it is safe to assume that the first two are generally the most important. However, the extent to which the proposed project is pan-European is also frequently cited by the Commission when rejecting or accepting proposals.

4. Timing

The EC publishes their annual work programme early in the year. This outlines the content of all calls as well as a rough timeline. Calls for proposals and tenders then follow throughout the year and so it is important to keep an eye on the FRC webpage (find the link on the Ministry of Justice EU funding page: www.justice.gov.uk/guidance/eu-funding.htm).

It is important that prospective applicants should not wait until the call to start preparing any bids. The deadline after publication is always very tight (one to two months) and the content does not differ greatly from either the annual work programme or from previous years.

5. Funding

Money is distributed in three principal ways:

Action grants

- These are specific projects that the EU will co-fund (generally up to 70% of the total cost). One of the conditions is that the project runs for not more than two years and cannot have started before the grant agreement is signed (unless this agreed).
- Action grants can also be awarded in a given framework partnership where organisations work on objectives specified by EC. Unlike the normal action grants they run for a maximum of three years.

Operating grants

- These are to support the running costs of organisation's annual budget. The annual budget for these grants is much smaller than for the action grants (€1-1.5m per year).

Tendered contracts/ Public procurement

- Money is available for undertaking specific projects outlined by the Commission. These include feasibility studies, organising conferences or building IT systems.

For action grants and operating grants the EU will typically fund 70-80% of the project. The exception to this is action grants within a framework partnership where 95% of the funding is on offer. Applicants have to be able to prove that they have found a non-EU source for the additional funding elsewhere.

Most of the grants stipulate a minimum size, which is typically €50-75,000. Some also specify a maximum award, which can be anything from €100,000 to €500,000.

Any successful bids will receive the funding in two tranches: an initial pre-financing payment (normally worth up to 70%) and the balance paid on the completion of the project.

In contrast, tenders are nearly always fully funded by the EC and have a fixed total cost attached to them.

6. Conditions and eligibility

A central condition of each of the funds is that organisations work with organisations from other member states or accession countries. This can simply be a question of finding a partner from another member state but it can be more demanding. For example, for the action grants within a framework partnership in the criminal justice stream, applicants must organise seminars in eight member states. If you are thinking of applying for a particular grant, it is crucial that you check the partner/member state requirements.

Applicants are unable to apply for funding if they contravene article 93 or 94 of EC Financial Regulation applicable to the general budget of the European Communities. The link to this document is on the EU funding guidance page: www.justice.gov.uk/guidance/eu-funding.htm.