

III

(Notices)

COMMISSION

PROGRAMME FOR POLICE AND JUDICIAL COOPERATION IN CRIMINAL MATTERS

(PROGRAMME AGIS)

Annual work programme and call for applications for 2003

(2003/C 5/06)

1. OBJECTIVES OF THE AGIS PROGRAMME (2003 to 2007)

The aim of the AGIS framework programme, adopted on 22 July 2002 ⁽¹⁾, is to promote police and judicial cooperation in criminal matters and to support the efforts of practitioners to develop European policy in this area. Covering the period 2003-2007, the programme extends the work of the programmes that formerly operated under Title VI (TEU) ⁽²⁾, which expire in December 2002, and incorporates the activities previously funded under budget heading B5-831 (drugs).

The **general objectives** of the programme are ⁽³⁾:

- to develop, implement and evaluate European policies in the field of police and judicial cooperation in criminal matters,
- to promote and strengthen networking, mutual cooperation on general subjects of common interest to the Member States, the exchange and dissemination of information, experience and best practice, local and regional cooperation, and the improvement and adaptation of training and technical and scientific research,
- to encourage Member States to step up cooperation with the applicant countries, other third countries and appropriate regional and international organisations.

The AGIS programme supports projects and activities associated with the following **specific objectives**:

- the development of a European criminal judicial area and the introduction of European instruments to promote cross-border cooperation,
- improving the professional skills of practitioners in judicial services, police forces and customs authorities, through better knowledge of the legislation, procedures and strategies in operation in the different European States,

- developing methodologies, instruments and knowledge to support cooperation between authorities,
- promoting cooperation between similar types of authorities and the exchange of information between departments,
- developing multidisciplinary strategies and activities for cooperation between police or judicial authorities and other non-governmental authorities and organisations, civil society, the business sector, the professions and the world of science and research,
- studies and research, particularly into strategies and techniques for fighting particular types of crime, and evaluation of the policies pursued,
- the exchange of information and experience and the dissemination of best practice,

The general objectives will be pursued in the following areas:

- developing the European criminal judicial area,
- strengthening cooperation between the judicial authorities and between legal practitioners, judicial cooperation in general and criminal matters,
- strengthening cooperation between law enforcement authorities,
- preventing and fighting organised crime; partnerships and cooperation between public authorities and the private sector,
- preventing and fighting drugs trafficking,
- crime prevention,
- victim assistance,
- crime-proofing and threat assessment; comparability and circulation of information, and statistics.

⁽¹⁾ Council Decision 2002/630/JHA (OJ L 203, 1.8.2002, p. 5).

⁽²⁾ Grotius II Criminal, Oisin II, Stop II, Hippocrates, Falcone.

⁽³⁾ Article 2 of the Council Decision.

The financial reference amount for the AGIS programme in the period 2003 to 2007 is EUR 65 million. The budget for 2003 is EUR 11 780 000.

2. PROGRAMME ACTIVITIES AND TARGET GROUPS

The AGIS programme provides for financial support for projects (see Section 3) in the areas defined in Article 4 of Decision 2002/630/JHA and for non-governmental organisations that satisfy certain criteria (see Section 6).

The following types of project are referred to in Article 4 of the Decision:

- training,
- setting up and launching exchange and placement schemes,
- studies and research,
- dissemination of the results obtained under the programme,
- encouraging cooperation between law enforcement authorities, judicial authorities or other public or private organisations in the Member States involved in preventing and fighting crime, for instance by giving assistance for the establishment of networks,
- conferences and seminars.

Target group

The AGIS programme targets the following groups:

- legal practitioners: judges, public prosecutors, barristers, solicitors, law officials, court officials, bailiffs, court interpreters and other professionals associated with the judiciary in the field of criminal law,
- officials and officers of law-enforcement authorities (police, military police, customs) and of public bodies in Member States responsible under national law for preventing, detecting and combating criminal offences,
- officials in other government departments, especially those involved in projects to prevent crime,
- representatives of associations, professional organisations, research and business involved in fighting and preventing crime, organised or otherwise; services for the rehabilitation of offenders and criminals,
- representatives of victim assistance services, including public departments responsible for immigration and social services.

The programme is not open to students, but young professionals in training may be involved.

Participants in projects may come from the Member States, candidate countries, and possibly also from other non-EU countries if the project justifies it.

Eligible organisations

Grants can be awarded to national, regional or local public or semi-public administrations or institutions, private bodies, associations, professional organisations or organisations representing business, non-profit-making organisations or training or research institutes, with legal status and established in one of the EU's Member States, as well as to Eurojust and Europol.

Applications from natural persons are not eligible.

Administrations and organisations established in the candidate countries cannot directly benefit a grant under this programme, but their inclusion as partners in a project is desirable where justified by the subject matter of the project.

3. AREAS OF ACTIVITY AND SPECIFIC TOPICS

A. COOPERATION PROJECTS (MAXIMUM FUNDING 70 %)

I. DEVELOPING THE EUROPEAN CRIMINAL JUDICIAL AREA

Scope

The projects are intended to develop, implement and evaluate European instruments and policies. They may relate to substantive criminal law, procedural law, the amendments required in national legislation, the organisation and operation of services, the role and activities of the European cooperative structures (Europol, Eurojust, the European Judicial Network), mutual understanding of the Member States' legal systems, the development of complementary measures, based on requirements identified by practitioners, etc.

Projects covering the objective of improving mutual knowledge of the Member States legal systems may cover any of the aspects of judicial cooperation in criminal matters (procedural systems, the administration and operation of the justice system, penal sanction systems, the admissibility of evidence, etc.).

The activities may take the form of training seminars and training practices, exchanges, the production and dissemination of practical manuals, studies and research to implement systems for analysing processes and procedures) and information seminars.

Specific topics

A. Implementation of European instruments in the area of police and judicial cooperation in criminal matters

1. Cooperation with the structures of the European Judicial Network, Eurojust and Europol.
 2. Activities to raise awareness and provide information and training about the application of European Union instruments on mutual recognition of decisions in criminal matters, such as the forthcoming framework decisions on:
 - the application of the principle of mutual recognition to financial penalties (OJ C 278, 2.10.2001, p. 1),
 - the execution in the European Union of orders freezing assets or evidence (OJ C 75, 7.3.2001, p. 3),
 - the execution in the European Union of confiscation orders (OJ C 184, 2.8.2002, p. 8),
 - the implementation of the European arrest warrant (OJ L 190, 18.7.2002).
 3. Evaluation of the way the law enforcement services use EU instruments; identification and removal of obstacles to cooperation between law enforcement services in the area of combating organised crime.
 4. Developing instruments to assess and measure the application, effectiveness and impact of the instruments in force.
 5. Implementation of the conclusions of peer evaluation based on the Joint action of 1997.
 6. Training of persons in charge of training on the activities and working methods of Eurojust.
- B. *Promoting defence rights and procedural guarantees for suspects and defendants in cases throughout the European Union*
1. Activities connected with drafting, translating and publishing a letter of rights to be given to suspects/prisoners.
 2. Access to interpretation, translation and legal advice.
- C. *Improving mutual knowledge of the Member States' legal systems*
1. Improving the skills of legal professionals and their knowledge of legal systems, the working methods and procedures of the judicial, police and customs authorities of the Member States and applicant countries.
 2. Organising seminars and case studies comparing the application of principles such as:
 - the presumption of innocence,
 - the burden of proof,
 - the disclosure of evidence,
 - the admissibility of evidence,
 - the rehabilitation procedures for criminals and alternative sentencing models,
 - criminality relating to minors, including comparative research on national criminal legislation applicable to minors.
 3. Training by means of seminars and training practices; information visits ⁽¹⁾.
 4. Support for setting up and testing transnational exchange programmes (between Member States, and between Member States and applicant countries); exchanges of three to six months serving the specific needs of the departments concerned ⁽²⁾.
 5. On-site or virtual language and terminology training courses, including the development and testing of specialised modules ⁽³⁾.
 6. Specific information seminars on national policies involving the 15 Member States and applicant countries.
 7. Comparative studies of a majority of Member States and applicant countries with a view to suggesting improvements in legislation or procedure.
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- ⁽¹⁾ A visit of at least five days by a group of 10-12 individuals who are serving judges or public prosecutors in the sending country to at least two Member States, or by two groups, each visiting one Member State. The participants should be chosen for a specific project with the countries visited; a detailed programme must be sent with the application and must include at least one session devoted to a case study of a bilateral case. After the first visit a return trip of similar duration should be organised for up to 8-10 professionals from the two countries visited, under the same conditions. After the exchange each side must draw lessons from the experience, evaluate the benefits and consider how the contacts can be followed up. This type of project would be eligible for financial support of up to EUR 30 000.
- ⁽²⁾ The Commission must be informed of the candidate profile and the type of qualifications and experience being sought before the selection is made. A detailed description of the project to be carried out with the authority of the host country must be enclosed with the grant application.
- ⁽³⁾ Successful applicants will receive a grant of up to EUR 30 000 for developing a course and training modules. The modules must be developed in partnership with a training centre in a country of the language being taught and must be made available free of charge to training institutions in the areas of justice and the police that fall directly under the responsibility of a public authority or are directly funded from public resources.

II. STRENGTHENING COOPERATION BETWEEN LAW ENFORCEMENT AUTHORITIES

Scope

Projects in this category are intended to strengthen cooperation between the different law enforcement services (police, gendarmerie, customs ...) to promote the exchange of experience, to develop practical and operational projects and to improve practitioners' knowledge of the strategies and legislation in operation in the different European States.

Projects may also target the exchange of experience and practices between Member States and applicant countries and, where appropriate, certain other third countries.

The activities may comprise training, including seminars and training practices, the design of transnational training programmes, the production of modules and teacher training; exchanges and professional placements, the development of manuals for use in transnational inquiries, joint projects of fixed duration intended to develop innovative methods of investigation; studies and research; conferences and information seminars on national and Community developments.

Specific topics

1. Training in police and criminal investigation techniques in innovative or in highly specialised areas (NBCR risks, bank card fraud, synthetic drugs, identification of severely disfigured corpses, etc.).
2. Operational training exercises serving specific requirements, so as to develop the ability of professionals to participate in operations conducted by law enforcement services from different Member States.
3. Preparation for and training in the control and management of NBCR emergencies (of terrorist or incidental origin) and investigation capacity.
4. Techniques for criminal and terrorist profiling with practical applications (for example in airports, railway stations and international ports) and exchanging the results.
5. Meetings of experts in public security and exchange of liaison officers during major events; exchange of information, best practices and techniques concerning urban violence.
6. Practical cooperation between forensic departments (e.g. setting up methods for cooperation with forensic departments of other Member State known to have special expertise in a particular area, for the purpose of supporting crime investigation.

7. Improving cooperation between intelligence and law enforcement agencies in combating organised crime and terrorism.
8. Stepping up cooperation between customs and other law enforcement services in the Member States in order to improve the overall effectiveness of the EU in fighting crime.
9. Training connected with opening or developing joint police/customs posts at the frontiers; production and distribution of bilingual or trilingual practical guides for police officers in border areas and tourist locations.
10. Research into computer tools, procedures and organisational methods for reducing the administrative burden on law enforcement agencies to enable them to concentrate on their operational activities.
11. Joint customs surveillance operations (with a possible participation of other law enforcement services and Europol) in priority areas or on priority routes, targeting specific objectives (import/export of drugs, sensitive goods, arms, cigarettes, trafficking in migrants ...) and ability to repeat these operations on request.
12. Developing best practice in customs controls (e.g. producing practical guides and comparative analyses).
13. Application of the Naples II Convention as regards crime prevention and strengthening external frontiers.
14. Exchanges of three to six months in one of the areas referred to above, where specific requirements are identified in the departments involved ⁽¹⁾.

III. PREVENTING AND COMBATING ORGANISED CRIME; PARTNERSHIPS AND COOPERATION BETWEEN PUBLIC AUTHORITIES AND THE PRIVATE SECTOR

Scope

Projects in this category are intended to improve the response to certain types of crime through better knowledge of criminal circles and the techniques they employ; to improve the skills and operational methods leading to the arrest and punishment of the criminals; to develop multidisciplinary cooperation and cooperation between public authorities and the private sector ⁽²⁾.

These activities must involve practitioners and public authorities.

- ⁽¹⁾ The Commission must be informed of the candidate profile, the qualifications, experience and knowledge of languages being sought, before candidates are selected. A detailed description of the work to be carried out should be enclosed with the grant application.
- ⁽²⁾ Priority will be given to multidisciplinary projects and to activities leading to realistic proposals for projects and to activities aimed at defining procedures and arrangements to promote cooperation between public and private-sector partners.

Projects in this category may include information seminars; training activities, including the production of teaching modules or practical guides; studies and research; exchanges between practitioners; evaluations of the effectiveness of procedures and research to identify and evaluate best practice; the dissemination of the results.

Specific topics

1. Developing strategies, methods and good practices to prevent and fight activities of organised criminal groups; dissemination of results and evaluation of means for replication.

2. Trafficking in human beings and the sexual exploitation of children

- (a) Investigation techniques and procedures and types of evidence.
- (b) Research into and analysis of demand and ways of reducing it.
- (c) Coordination between police investigations and administrative control measures aimed at suspect organisations.
- (d) Support for and protection of victims who cooperate with the authorities as witnesses.

3. Preventing and fighting drugs trafficking

- (a) Developing measures to improve the effectiveness of the fight against trafficking in new synthetic drugs.
- (b) Preventing drug-related crime (see also point 5).
- (c) Strengthening measures and instruments for monitoring movements of chemical precursors from the pharmaceutical industry to the production of drugs in the Member States, the candidate countries and third countries.
- (d) Research into the links between drug trafficking and the funding of terrorism.
- (e) Research into the effectiveness of strategies for disrupting supplies to the drugs market.

4. Firearms

- (a) Improving cooperation and the exchange of information between the competent authorities (law enforcement authorities, intelligence services) of the EU Member States and third countries on the illegal arms trade, taking into account the UN Protocol on the Illicit Manufacturing of and Trafficking in Firearms.

- (b) Training and manuals for police and customs officers in the field of illegal arms trafficking, building on existing good practice and sharing it with other Member States or third countries.

- (c) Evaluating existing tools and technology for record-keeping and marking and tracing firearms with the aim of improving the availability and accessibility of data for use by law enforcement agencies and intelligence services. This should build on existing tools and give due regard to the provisions of the UN Protocol on the Illicit Manufacturing of and Trafficking in Firearms.

5. Computer crime

- (a) Enhancing the operational capacity of the law enforcement agencies fighting computer crime, particularly as regards specialised training.
- (b) Analysing the demand for and systems of emergency assistance in investigating computer crime and collecting electronic evidence.
- (c) Using and building on the results of successful pilot projects.
- (d) Encouraging private-public partnership for exchange of experiences as well as for exchange and processing of information on certain types of computer crime.

6. Financial crime

To facilitate investigation and improve law enforcement knowledge in the areas of company and banking legislation, tax legislation, company accounts/balance sheets and offshore companies. The ability to combat money laundering can be enhanced through improved cooperation between law enforcement authorities and the financial and other sectors responsible for detection. Measures to achieve this include:

- (a) developing mechanisms for the exchange of information and experience among compliance officers and between them and law enforcement authorities (FIU);
- (b) identifying best practice for institutions in the detection and prevention of money-laundering;
- (c) developing suitable training programmes for compliance officers;
- (d) developing specific programmes, including exchange programmes, to help the applicant countries implement anti-money-laundering standards.

7. Corruption

- (a) Fighting and preventing corruption by developing standards of integrity in public administrations, for example based on the resolution adopted by the EU heads of administration in Strasbourg in November 2000; introducing and supporting integrity programmes and exchanges on the results of such programmes.
- (b) Creating multidisciplinary teams specialised in anti-corruption inquiries and monitoring procedures for awarding contracts.
- (c) Research into links between organised crime and corruption.

8. Counterfeiting

- (a) Raising public awareness, information and training for practitioners in:
 - infringements of intellectual property rights, counterfeiting of trade marks, software piracy, protection of the film and music industry,
 - counterfeiting of products which poses a risk for the security of consumers (pharmaceutical products, industrial products, food, wine and spirits),
 - counterfeiting of the euro ⁽¹⁾ and of means of payment.
- (b) Encouraging public-private partnerships for the exchange and processing of information on certain types of counterfeiting.
- (c) Pilot study on methods to prevent the risk of counterfeited medicines and other products for consumers and the pharmaceutical industry.

9. Fight against criminal activities that threaten the environment (management of certain types of waste, degassing and oil discharges at sea)

Improving cooperation between law enforcement services and other administrations, drawing on experiences in other Member States.

⁽¹⁾ The applicants are invited to consider also possibilities existing under the Pericles programme.

10. Fight against criminal organisations and networks working in the area of illegal immigration in the Member States and neighbouring countries

- (a) Analysis to develop methodologies and formulas for assessment of risks and threats posed by illegal immigration and the criminal networks involved.
- (b) Developing cooperation and coordination between countries of origin, transit and destination (cf. action plan on illegal immigration elaborated under the auspices of the EU Police Chiefs Task Force and recommendation 10 of the Millennium Strategy on Prevention and Control of Organised Crime).
- (c) Examination and analysis of the money trail leading from the proceeds of criminal networks, in particular with a view to strengthening and improving parallel criminal investigations, including financial investigations, into the networks, companies and persons involved.

11. Illegal trade in cultural goods and stolen works of art

- (a) Examining the obstacles to cooperation between law enforcement agencies in the fight against the illegal trade in cultural goods and stolen works of art.
- (b) Evaluating and supporting the implementation of EU instruments as part of a multidisciplinary approach that also involves the private sector; networking with a view to prevention.
- (c) Feasibility study of a European database or a network linking existing European databases on cultural goods and works of art that have been stolen or illegally exported; support for the introduction of EU instruments and networks linking public and private organisations with a view to prevention.

12. Establishment of a registry to collect and transmit data of natural persons involved in the financing of terrorist activities and participating in the setting up or management of a legal person.

IV. CRIME PREVENTION

Scope

Projects in this category are intended to develop methods for identifying and exchanging best practice, as part of an analysis of prevention strategies and their impact; to improve the professional skills of the practitioners in the services concerned; to improve the response to certain types of crime by improving understanding of criminal circles and the techniques they use.

Such projects may include seminars to present, evaluate, publicise and build on good practice, case studies and research projects, cooperation projects presented by networks and training for public officials.

Specific topics

- (a) Examination of methods and procedures to implement best practice in crime prevention at European level.
- (b) Examination of the costs and benefits of crime prevention to promote cost effective approaches at European level.

1. Urban crime

- (a) Analysis of the role of the business world in the field of crime prevention and how it could be developed (i.e. public-private partnerships in controlling and preventing crime).
- (b) Research into workplace violence and strategies to prevent it and to increase the personal safety of employees.
- (c) Developing new prevention strategies in response to social change and the changing nature of crime; designing new approaches to crime and crime prevention to deal with developments in the future.
- (d) Systematic integration of design features in new products to make them less susceptible to crime.
- (e) Analysis of developments and trends in the field of public and private crime control and their respective roles in crime prevention at European level.

2. Drug-related crime

- (a) Examination of drug use among arrestees brought into police stations (arrestee drug abuse monitoring).
- (b) Research into the costs of drug-related crime by type of crime (e.g. acquisitive crime).
- (c) An overview of the effectiveness of harm reduction programmes in order to reduce the probability of drug-related crimes.
- (d) An overview of the effectiveness of substance abuse education programmes for young people.

3. Juvenile crime

- (a) Meta analyses of the economic value of early prevention programmes to promote the use of early intervention schemes for children to prevent future offending behaviour.
- (b) Analysis of the quantitative development of (criminal) victimisation as well as delinquent behaviour of second and third generation immigrants at European level.

V. VICTIM ASSISTANCE**Scope**

Projects in this category are intended to improve the professional skills of practitioners in the services concerned and to strengthen cooperation between public authorities and between them and the private sector.

These projects can include training, studies and research, meetings and seminars, the dissemination of the results obtained, activities to promote cooperation between law enforcement services, judicial authorities and other public and private organisations in the Member States providing aid to the victims of crime.

Specific topics

- 1. Public information on access to justice and monitoring proceedings.
- 2. Raising legal practitioners' awareness of victims' rights.
- 3. Information and training for law enforcement services on understanding the victim's situation and the use of appropriate techniques for conducting inquiries and collecting evidence.
- 4. Structures for assisting the victims of crime.
- 5. Mediation policies.

VI. CRIME-PROOFING AND RISK ANALYSIS; COMPARABILITY AND CIRCULATION OF INFORMATION; STATISTICS**Scope**

Projects in this category are intended to develop methodologies and instruments for analysing the susceptibility of proposed policies and measures to crime, to determine the technical and legal feasibility of regulations and standards for the collection, analysis and use of general or specific data required by the police services, the courts or other public or private partners associated with the prevention of certain types of crime.

These activities may take the form of seminars and conferences, studies of requirements and feasibility studies, evaluation and dissemination of results.

Specific topics**1. Crime-proofing and threat assessment**

- (a) Assessing the threat of crime and discussion of mechanisms to help Member States and the Commission focus their activities in this area.

(b) Analysis to establish methodologies and formulas for assessing the risks and opportunities which proposed legislation and policy initiatives may represent for organised crime. This may include a methodology for establishing a cost-benefit analysis of proposals.

(c) Reinforcing threat assessment mechanisms at EU level in the area of cybercrime:

1. analysis of the current situation and evaluation of existing data at national, EU, regional and international levels;

2. a feasibility study on setting up an EU correspondents' system as a basis for an EU monitoring and benchmarking mechanism;

3. using the results of research and technological development programmes in the area of statistical analysis; improving the quality of statistics on computer-related crime through the comparability of data and indicators, including the use of private-sector statistics;

4. designing a standard tool for the analysis of costs and benefits of deploying specific measures, given the potential security risk that information management poses for the police and national ministries.

(d) Analysis of long-term threats, including likely future trends as regards organised crime.

(e) Analysis of logistics of organised crime to obtain a better understanding of criminal strategies and tactics.

(f) Analysis of the feasibility of methodologies for the computer industry or specific areas to develop crime-proofing of products, including crime impact assessment, predictors of criminal behaviour and the introduction of systematic features to protect against crime in the development of new products.

(g) Encouraging the development of national forums on the challenges of organised crime, to assess the threats, exchange best practice, carry out national and cross-border research, define priorities (crime-proofing) for protecting against crime and terrorism. Assessing the feasibility and added value of such forums.

2. Comparability and circulation of information; statistics

(a) Developing an EU policy on data collection for the police and criminal investigations:

1. redefining what constitutes relevant data; use of data from external sources; better exploitation of internal

data through enhanced database networking and centrally coordinated data monitoring;

2. content, functioning, organisation, storage and exchange of data held by European and international police information systems and related questions such as central/decentralised organisation of computer and data exchange systems;

3. establishing guidelines for setting up police information systems, technical standards for the equipment and methods of data analysis;

4. feasibility study on the legal, operational, financial and technical aspects of information collection and exchange between the police forces of the Member States.

(b) Feasibility studies on the harmonisation/integration of EU law enforcement databases.

(c) Elaboration of a comprehensive approach to the production of criminal statistics and indicators, taking into account work done by Eurostat.

B. SPECIFIC PROJECTS AND COMPLEMENTARY MEASURES (PROJECTS QUALIFYING FOR FUNDING OF UP TO 100 %)

Projects in these two categories may qualify for Commission funding in excess of the ceiling of 70 % of the total budget. Applicants requesting 100 % funding will be asked to indicate why it is not possible or appropriate to find other sources of funding. The Commission reserves the right to contact the applicant to determine whether the project can receive funding of less than 100 %. The maximum grant for specific projects in 2003 is EUR 1 178 000 and for complementary measures EUR 589 000. Projects belonging to this category cannot contain 'indirect costs' and the personnel costs accepted for the organisation/general management of the project are limited to 5 % of the total eligible costs.

Scope

The specific projects and complementary measures identified by the Commission for 2003 relate to the topics indicated below with reference to the description made in Section 3 of this call for applications.

Unless stated otherwise, the type of projects that may be carried out may cover all types of projects as described in Section 2.

I. Specific projects

The activities and areas that qualify for funding under the heading of specific projects are those referred to in the following points of Section 3: A-I-A-1, 4, 5; A-I-B-1; A-II-2; A-II-3; A-III-4 b, c; A-VI-1 a, b, f, g; A-VI-2.

II. Complementary measures

The following activities that can be financed in 2003:

- (a) optimising on the results achieved under previous programmes;
- (b) aid for translating documents presenting good practices, based on an evaluation of such practices or statistics measuring their impact;
- (c) adapting manuals on cooperation procedures and practices, used by the national authorities of one Member State to the situation in another Member State and/or a candidate country, subject to prior assessment of their quality.

4. PRIORITIES OF THE PROGRAMME IN 2003

Taking into account the general work priorities of the Commission and the Union in the coming year, projects concerning the preparation of the enlargement and the strengthening of stability and of the safety of the Union will be specially considered.

The projects corresponding to the specific topics mentioned in Section 3 will benefit from priority points when:

- they associate and reinforce cooperation with the applicant countries in order to facilitate their integration and the implementation of the 'acquis communautaire'.

Projects can associate, all or certain applicant countries, according to the nature of the project and the covered topics. As a general rule, the number of Member States shall not have to be lower than that of the applicant countries, so as to allow developing mutual knowledge and real exchanges between participants and authorities.

- they contribute to strengthening stability and the safety of the Union and to fight against criminality, in particular:
 - when coping with international challenges in the area of organised crime and terrorism, including financing of terrorism,
 - when they consist in operational training activities for practitioners of the Member States and possibly from the applicant countries.

5. CRITERIA FOR THE ASSESSMENT AND SELECTION OF PROJECTS

Once the admissibility of the application has been examined, it will be examined on:

- the quality of the project and the bidders capacities to implement the project,

- the evaluation of the content of the project.

1. Criteria for the admissibility of the application

To be admissible, a grant application must meet the following criteria:

- it must relate to one of the specific objectives of the AGIS programme,
- it must involve at least three partners based in three different Member States (or two Member States and one candidate country). Each partner must complete and sign the 'declaration by a partner organisation' to be joined to the grant application form. It must describe its role in the design, implementation, dissemination of findings, and if appropriate, indicate its share in the project's expenditure and revenue,
- it must be submitted using the grant application form made available by the Commission in electronic format; no other form will be accepted; all sections of the form must be completed; all the annexes required must be attached,
- an application from an association must include supporting documents allowing verification of its legal status and a copy of its financial balance sheet of the previous year,
- the applicant must declare he/she is not in one of the positions listed in Article 93 and 94 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the budget of the European Union (OJ L 248, 16.9.2002) (see last page of application form); the Commission may require to provide proof if deemed necessary.

Any application that does not meet these criteria will not be considered.

2. Selection criteria

The following elements will be examined:

- the applicant's operational and professional capability to implement the proposed project, including evidence of its know-how and that of its partners to complete the project and to access the information or participants as planned,
- the applicant's financial capability,
- the existence of a clear description of the project's specific objectives and activities planned to meet these objectives, together with the information necessary to measure performance and achievement of the results,

- the existence of a detailed budget allowing for an assessment of all individual costs to be incurred in implementing the project; the amount of the Community grant applied for may not exceed 70 % of the total budget for the project (except for specific projects and complementary measures); the financial contribution of the applicant organisation and its partners must be at least 20 % of the total budget,
- compliance with the following conditions:
 - the project can have a maximum duration of two years,
 - the project cannot already be completed. It must be planned to start before 31 December 2003,
 - the project for which a grant is requested may not already have started; if it has, the applicant must give reasons why the grant is necessary for the project to be implemented in full; in this case, the period covered by the grant may not start before the deadline for submitting the application.

Only proposals which meet the above selection criteria will be examined in detail.

3. Evaluation criteria

Proposals will be assessed on the basis of the following criteria:

- quality and relevance of the activities and contribution to the programme's objectives, especially in terms of the relevance of the results and the practical impact,
- demonstration that the objectives meet a clearly identified need and that the proposed activities allow to meet the objectives and have measurable outputs,
- European dimension participation by candidate countries,
- compatibility with work undertaken or planned under the EU's policy priorities in the field of judicial cooperation on general and criminal-law matters; complementarity with other past, present or future activities,
- measures planned to ensure that the results and know-how acquired are disseminated,
- size of the action and cost-effectiveness.

In addition, priority points will be given in accordance with priorities indicated in Section 4.

6. **CO-FINANCING THE ACTIVITIES OF NON-GOVERNMENTAL ORGANISATIONS**

Under Article 3(5) of the Decision establishing the programme, the Commission can subsidise the activities of non-govern-

mental organisations whose main activity contributes significantly to the implementation of the EU's priorities in the areas covered under Title VI of the Treaty on European Union. It is intended to allocate a maximum of 5 to 7 % of the programme's total budget for this purpose.

Priorities for 2003

The organisations eligible for financial support for their activities must prove that they have a work programme geared to the following objectives:

- improving the professional skills of judicial practitioners and defining training curricula,
- cooperation between public authorities and associations in the field of victim assistance,
- cooperation between public authorities and associations in the field of rehabilitation of offenders,
- production and dissemination of information on how to access legal interpretation, translation and advice,
- development of restorative justice and mediation.

(a) **Who can submit a grant application?**

Grants made available under this heading are not intended to co-finance the implementation of a particular project, but to support the activities of organisations who are eligible on account of their 2003 programme, so as to help them implement the parts of their programme that fall under the priority topics.

Non-governmental organisations that meet the following criteria may apply:

- (i) they must be non-profit-making organisations;
- (ii) they must be constituted in accordance with the law of one of the Member States;
- (iii) they must pursue activities with a European dimension and involve, as a general rule, at least half of the Member States;
- (iv) The aims of their activities must include one or more of the objectives laid down in Article 2 of the Decision establishing the programme.

Only applications from organisations which can show they meet the above conditions and which are not in receipt of an operating subsidy or general grant for their activities under another heading of the Community budget will be eligible.

(b) General rules

The maximum rate of co-financing by the Commission is 80 % of the total eligible costs that the applicant expects to incur in carrying out its activities in 2003. The minimum financial contribution of the applicant organisation for the said activities is 20 %. Contributions in kind are not regarded as external co-financing, but information on such contributions is considered when examining the application.

Eligible costs are those which are necessary for the organisation to pursue its declared objectives. Non-eligible costs are the same as for the financing of projects, except that all reasonable overheads are eligible. Any expenditure leading to an increase in the applicant's capital is excluded.

An organisation which is already receiving operating funding under any other Community budget heading is not eligible.

If an organisation's revenue exceeds its expenditure at the end of the financial year, it may be required to reimburse part of the grant provided by the Commission.

The grant from the Commission will be paid in two instalments: the first in the form of an advance (generally 50 % of the total amount of the grant) on signature of the grant agreement, and the balance on receipt and approval by the Commission of the final activity report for the period covered by the grant and the final accounts. The final accounts must be certified by an auditor from outside the organisation.

Applications must be made using the specific form which the organisation can request from the address indicated under 'Practical information'.

(c) Selection and evaluation criteria

Proposals will be assessed on the basis of the following criteria:

- the respect of the conditions indicated above,
- the applicant's operational and professional capability,
- the applicant's financial capability and the existence of an organised accounting system,
- a sufficiently clear description of the field of action, specific objectives and activities planned by the organisation in relation to the selected field of activity,
- a sufficiently detailed budget allowing for an assessment of all individual costs that the applicant expects to incur in the implementation of his activity programme and the other revenue and expenditure of the organisation. The budget must demonstrate a satisfactory level of value for money. It must also show that the grant requested is the minimum necessary for completing the planned activities and that administrative expenditure is kept to a strict minimum.

7. GENERAL GUIDELINES FOR PROJECT APPLICATIONS

The following information gives initial guidance to applicants.

Applicants are also invited to consult the documents on the Commission's internet site:

http://europa.eu.int/comm/justice_home/jai/prog_en.htm

A. INFORMATION CONCERNING THE CONTENT OF THE PROJECT

- Any plan for setting up a documentation network, databases, etc. should state in detail the sources, the intended users of the information, the field covered, the methodological approach, the frequency of updates, etc.
- Research projects should not be limited to a description of the phenomena, legislation, structures or procedures in place and their findings should aim to produce a comparative analysis and, if possible, to include practical proposals for improving criminal-law systems, prevention work or, more generally, cooperation between police and judicial practitioners. If statistical data or work based on case studies is to be used, the applicant should show that he/she will have access to the necessary information.
- Information (upgrading) and awareness-raising seminar projects will be assessed in accordance with the number of participants, the proportion of national/non-national participants, participants from EU/non-EU countries and the applicant's strategy to disseminate the results of the project.
- For training, organisers should determine the number of participants and where they come from in accordance with the subject matter and the cooperation sought. Account will be taken of the innovative nature and quality of the programme proposed.
- Seminars and conferences aimed at presenting the state of play in a particular field and enabling contacts between professionals must, as far as possible, have a strong multidisciplinary dimension and a very strong European dimension. They will also have to take account of the findings of work and the results of conferences on similar topics, in order to avoid duplication and provide real added value.

- A detailed programme of the seminar indicating the subjects of the contributions, the participants' number by country, their profile, the (names and) positions of the speakers contacted and the way in which the seminars form part of the activities and work programmes of the applicant should be attached to the application for funding; an evaluation questionnaire will have to be completed by participants. The recipient must allow one representative of the AGIS programme manager to take part in the seminars, colloquia or conferences, if so requested.
- Unless otherwise requested by the Commission, any invitation, information, notice or publication of the recipient relating to the project, including in the case of conferences and seminars, must mention that the project has received financial support from the Commission as part of the AGIS programme.
- Any notice or publication by the recipient, in whatever form and by whatever medium, including the internet, must specify that it reflects the author's views and that the Commission is not liable for any use that may be made of the information contained in that notice or publication.
- Grant recipients are required to make available to the Commission the results, presented in a form that is usable and suitable for their dissemination: manuals, publications, videos, software, websites.
- Applicants should indicate how they intend to disseminate the results of their project.
- The European Community has the task of promoting equality between women and men and must aim in all its activities to eliminate gender inequalities (Articles 2 and 3 of the EC Treaty). In this context, women are particularly encouraged either to submit proposals or to be involved in their submission. As regards studies or research projects, the Commission would also like to draw your attention to the importance of a systematic breakdown by sex of all statistics used and of an analysis of the potentially different impact of policies on men and women, even if they appear at first sight to be gender neutral.

B. GENERAL INFORMATION ON FINANCING

Applicants are invited to consult the Commission's website where they will find the necessary information for drawing up their budget application:

http://europa.eu.int/comm/justice_home/jai/prog_en.htm

Preliminary information is given below.

Any project financed under the 2003 budget must have started before 31 December 2003.

Project duration may be up to two years maximum; if projects take longer than one year, the recipient must submit an interim report at the end of the first year and advance payments will be made in several instalments.

Expenditure committed during the period laid down in the contract can be financed up to 70 % maximum of the total budget, except in the case of specific projects and complementary measures.

If the number of applications pre-selected as specific projects is higher than the budget available for such projects, the Commission reserves the right to contact the pre-selected organisations to assess whether the project might receive a lower amount of funding than requested.

The budget submitted must identify:

- *under expenditure*, eligible costs, indirect costs (general project administration and support) and contributions in kind; the latter are not considered as eligible costs and cannot be covered by the grant but are taken into account for calculating the rate of subsidy granted,
- *under revenue*, financial revenue (contributed by the applicant, its partners, other sources of funding (grants, participation fees), the amount requested from the Commission and contributions in kind. Contributions in kind and financial contributions must be clearly identified.

The financial contribution of the applicant organisation and its partners shall be at least 20 % of the total estimated budget for carrying out the project; contributions in kind can be added so as to reach the minimum of 30 % of the total costs that has to be born by the beneficiary.

The maximum amount for indirect costs accepted in 2003 will be 3 % of eligible costs for authorities and public bodies, whereas non governmental organisations can apply for a maximum of 4 %. Indirect costs are paid as lump sum for costs such as general administrative, infrastructure and computer costs, personal for management of contract and payments, communication (telephone/fax etc.) costs.

The applicant is required to indicate the type of costs he/she intends to cover through the 'indirect costs'.

If an application includes indirect costs, expenses similar to the type of costs covered cannot be included in another section of the budget as eligible costs. Indirect costs do not need to be documented through invoices when the final account is sent to the Commission.

On the contrary, the applicant can decide not to apply for indirect costs and include an adequate estimate for print and dissemination expenses in the estimate budget. He/she will then have to justify these by invoices when submitting the final account, and give evidence that such invoices are attributable to the project.

Applicants must use the budget form made available by the Commission, which can be found on the latter's website.

It is presumed that applicants will pre-finance projects. The Commission may pay an advance on request, after signature of the contract (see standard contract on the website); final payment is subject to presentation of supporting documents for expenditure.

Indicative breakdown of the programme's budget

Grant amounts will be distributed in a balanced way between the various objectives, types of project and target group. As a guide, the budget could be distributed as follows:

AGIS programme 2003	EUR million
1. Developing the European criminal judicial area; implementation of European instruments to promote cross-border cooperation	1,800
2. Improving the professional skills of practitioners; training, exchanges and placements	4,300
3. Developing methodologies, instruments and know-how to support cooperation between authorities; networking	1,200
4. Promoting cooperation between the same type of authorities and the exchange of information between departments	1,000
5. Developing multi-disciplinary strategies for cooperation between police or judicial authorities and other non-governmental authorities and organisations and the business sector	0,800
6. Research into strategies and techniques for fighting particular types of crime; evaluation of the policies pursued	1,100
7. Exchange of information and experience and dissemination of best practice	0,800
8. Co-financing of non-governmental organisations	0,780
Total	11,780

8. PRACTICAL INFORMATION

A. WHERE TO OBTAIN FORMS AND ADDITIONAL INFORMATION AND HOW TO APPLY

Two separate forms exist, one for applications relating to the priorities listed in sections 3A and 3B (projects) and one for applications under section 6 (grants to organisations).

The forms can be downloaded from the following website:

http://europa.eu.int/comm/justice_home/jai/prog_en.htm

The applicant shall complete the indicated fields and send back the document on a diskette and in three paper copies.

Applications for direct subsidy to an organisation (Article 3(5)) must be sent only by post, using the form on the Commission's website (for the documents to be attached, see section 6). The budget form should not be used for this type of application. The financial identification form is the same for both categories.

Applications sent on a modified application form or on a previously used form, as well as forms completed by hand will be disqualified.

B. DOCUMENTS TO BE SUBMITTED

1. Application for a grant to a project

The following documents must be submitted in triplicate:

- the application form duly completed in one of the official languages of the European Community and signed by the person authorised to enter into legally binding commitments on behalf of the applicant (for information on where to obtain the form, see section 8, practical information),
- a summary of no more than one to two pages, in English or French, outlining the project's objectives, background, target groups, and expected results,
- a timetable for implementation of the project,
- in the case of studies and research, the CVs of those responsible for carrying them out,
- a forward budget, dated and signed, presented on the standard budget form for the programme, including a detailed breakdown of expected expenditure and revenue (the relevant budget form can be found on the Commission's website).

A single copy of the following documents is required:

- the financial identification form, dated and stamped by the bank,
- the applicant's articles of association or statutes (in the case of associations),
- the latest financial statements (balance sheet, profit and loss account), including audited accounts where available (not requested from public authorities and bodies).

2. Application for a grant to the activities of a non-governmental organisation

The following documents must be submitted in triplicate:

- the application form, duly completed in one of the official languages of the European Community and signed by the person authorised to enter into legally binding commitments on behalf of the applicant; any alterations made to the form will disqualify the application,
- the annual activity programme for 2003 describing the planned activities in detail,
- a report or description of the activities carried out or being carried out by the organisation in 2001 and 2002,
- an organisation chart and a description of the tasks of the staff, including the CVs of staff members responsible for carrying out the activities,
- the forward budget for 2003 showing a detailed breakdown of expected expenditure and revenue.

A single copy of the following documents is required:

- financial identification form, dated, signed and stamped by the bank,
- a complete list of other donors,
- proof of an organised accounting system,
- the last financial statements (balance sheet; profit and loss account, accounts audited by an external auditor),
- the applicant's articles of association or statutes as relevant, allowing for verification that it is properly constituted under the law,
- a document that the applicant organisation, its president and its administrative and financial directors are not in one of the positions listed in Article 93 and 94 of Council Regulation (EC) No 1605/2002 on the Financial Regulation applicable to the budget of the European Union (OJ L 248, 16.9.2002); if this document cannot be provided with the application, it must be sent to the Commission within five weeks after submitting the application.

Applicants are free to provide any other documentation, which they consider appropriate in support of their application.

Applications which are incomplete or are submitted on an altered form will not be considered.

C. DEADLINE FOR SUBMITTING APPLICATIONS

The deadline for submitting applications is **7 March 2003** (the postmark being taken as proof). They shall be sent to the following address:

(a) Postal address

European Commission
Directorate-General for Justice and Home Affairs
Directorate B: Fight against crime and terrorism;
enlargement, external relations
Unit B5: Management of Title VI programmes (Treaty on European Union)
For the attention of Mr Jean-Jacques Nuss
Office LX 46 3/159
B-1049 Brussels.

(b) In case of hand delivery or delivery by private courier service:

Applications have to be submitted by **7 March 2003 before 16.00** (local time) to:

European Commission
Directorate-General Justice and Home Affairs
AGIS 2003 call for proposals
Office LX 46 3/159
Mail Department
Rue de Genève 1
B-1140 Brussels-Evere.

The registered date and time of deposit or an acknowledgement of receipt dated and signed by the responsible official will serve as proof of the date of submission.

D. SEQUENCE OF WORK AND TIMETABLE

The Commission may contact applicants to request additional information at any time prior to taking its final decision. Failure to respond to such requests by the deadline set may lead to disqualification of the application. Applicants must take the necessary steps to ensure that they can be contacted rapidly up to the end of the selection process.

Where the Commission contacts an applicant, this does not in any way constitute or reflect a pre-selection of the proposal on the part of the Commission.

The Commission expects to complete pre-selection by the end of May 2003. After consulting the committee of representatives of the Member States set up by the Decision establishing the programme, it will take its final decision on the choice of projects at the beginning of the summer. All applicants will be informed in writing of the decision taken on their application by 31 July 2003 at the latest.

The Commission will not give any pre-information to applicants concerning the outcome of the selection before the final decision has been made.