11.2.2. expertise in area A.1 and at least one other of the areas listed under point 3.3;

11.2.3. scope of survey possibilities in relation to the areas mentioned above;

11.2.4. value for money (among the proposals meeting the above criteria, those offering the lowest overall unit prices will be selected).

12. **Selection committee**

   The process of selecting the proposals and concluding the joint-financing agreements is likely to take place some time in February 2000. A selection committee is to be set up for this purpose under the authority of the Director-General for Economic and Financial Affairs. It will be made up of five members representing different specialised units and will have its own secretariat responsible for handling communication with the successful candidate following the selection procedure. Unsuccessful candidates will also be notified individually.

13. **Evaluation**

   The Commission intends to carry out an evaluation of the joint harmonised programme. Candidate bodies/institutes must undertake to assist the evaluation exercise by allowing the Commission access to their premises and to the staff responsible for carrying out the surveys.

14. **Inspection arrangements**

   The Commission will carry out checks on documents and on-the-spot inspections to ensure that proper use is being made of the Community money jointly financing the surveys.

15. **Important**

   This call for proposals does not constitute any sort of contractual obligation on the part of the Commission towards any body/institute submitting a proposal on the basis of it. All communication regarding this call for proposals must be in writing.

16. **Date of dispatch of this notice by DG ECFIN:** 10.1.2000.

17. **Date of receipt of this notice by the Office for Official Publications of the European Communities:** 10.1.2000.

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**GROTIUS**

**Annual programme and call for application for 2000**

(2000/C 12/11)


The programme covers the period from 1996 to 2000 and the financial reference amount for implementing it comes to EUR 8 800 000. The 2000 budget comes to EUR 2 000 000.

**Objectives of programme**

1. The general objectives of the Grotius programme are outlined in the Joint Action establishing the programme, Article 1, namely to foster mutual knowledge of legal and judicial systems and to facilitate judicial cooperation between Member States.

2. Projects to be financed from the 2000 budget may relate to all types of measures listed at 3 below and detailed in Articles 3, 4, 5, 6 and 7 of the Joint Action establishing the Grotius programme, may be directed at all the professional categories referred to in Article 1(2) of the Joint Action and may concern any topic relating to legal cooperation, whether civil, administrative or criminal (see paragraph 7).

**Excluded projects**

Apart from the criteria and guidelines in the text of the Joint Action establishing the programme, applicants should note that operations relating to training in existing secondary Community law and the proper application thereof do not fall within the remit of the Grotius programme, but should be referred to the Robert Schuman Programme.

Although the legal nature of measures previously taken under Article K.1(6) (or civil judicial cooperation) through the entry into force of the new TEU on 1/5-99 are now falling within the scope of Article 65 of the EC Treaty and...
thereby are considered to form part of Community law as well, for the purposes of this annual programme these issues will still be considered as falling within the remit of the Grotius programme. The distinction between Schuman and Grotius will thus be the same as in previous years, mutatis mutandis.

The following other programmes are administered by the Commission in the field of Justice and Home Affairs:

— STOP (incentive and exchanges programme for persons responsible for combating trade in human beings and sexual exploitation of children, OJ L 322, 12.12.1996);

— OISIN (common programme for the exchange and training of, and cooperation between, law enforcement authorities, OJ L 7, 10.1.1997);

— Odysseus (programme of training, exchanges and cooperation in the fields of asylum, immigration and external borders, OJ L 99, 31.3.1998);


In addition, the Commission is implementing the Daphne initiative (see http://europa.eu.int/comm/justice_home/project/daphne/en/index.htm), which provides support to non-governmental and voluntary organisations in the fight against violence against children, young persons and women.

The respective scopes of Phare and JHA programmes are addressed below. See under ‘Assessment of projects’.

Combined financing under these different programmes and the Grotius Programme is not permitted. It is imperative to address applications to the most relevant of these programmes. As some topics dealt with for example in the programmes STOP, OISIN and Falcone could also appear in the Grotius context, it is important to stress that the judicial cooperation element must be the central element in a Grotius project. If an application is sent to the wrong programme, there is a risk of disqualification, due to the deadlines applicable in the different programmes.

Eligible expenditure

3. Expenditure directly chargeable to the implementation of projects is eligible. The grant from the Community may never exceed 80 % of the cost of the project. The running costs of an organisation are not eligible, even where the organisation is pursuing one of the goals of the Grotius programme.

It is important to note that:

— no expenditure contracted before the date of the Committee meeting at which a positive decision is taken, may be eligible for reimbursement under the Grotius programme (it should be noted that the Committee meeting is likely to take place in mid-May 2000);

— a project financed under the 2000 budget must have started and be significantly under way before the end of the year 2000;

— a project must be finalised at the latest within a year of the date when the decision of granting was officially communicated, unless an extension has been granted (1).

Applicants should take note that due to the payment procedures of the Commission, pre-financing of projects is presumed: the pace of instalments will not enable applicants to cover expenditure directly out of the Grotius subvention.

Areas eligible for grants

Grants can be awarded in five areas (projects may cover combinations thereof), subject to the criteria and guidelines specified under points 5 and 6:

— the holding of conferences, seminars, meetings, colloquia;

— the coordination of research into subjects with a bearing on judicial cooperation;

— the distribution of information about foreign law and judicial cooperation;

— training in professional language and comparative law;

— the organisation of traineeships and visits abroad.

The budget for the year 2000 will consist of EUR 2 000 000. It will be indicatively allocated to the different thematic areas in the following way:

<table>
<thead>
<tr>
<th>Areas</th>
<th>EUR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Training</td>
<td>250 000</td>
</tr>
<tr>
<td>Exchange</td>
<td>400 000</td>
</tr>
<tr>
<td>Research/studies</td>
<td>250 000</td>
</tr>
<tr>
<td>Meetings (seminars, colloquia, conferences)</td>
<td>900 000</td>
</tr>
<tr>
<td>Documentation/Information</td>
<td>200 000</td>
</tr>
<tr>
<td>Total</td>
<td>2 000 000</td>
</tr>
</tbody>
</table>

(1) Once a subvention has been approved by the Grotius committee, any modifications to the original project proposal — such as an extension of the time estimated for the completion of the project — must be proposed to and agreed by the the President of the Committee, through an exchange of letters.
5. The criteria on which projects are selected for financing are as follows:

— the extent to which the project may contribute to the perceived needs of the citizen;

— the operational purpose, i.e. the extent to which stress is placed on passing on knowledge of immediate use in carrying on the professional activity concerned, without overlooking the need for thorough consideration of the cultural and sociological obstacles to cooperation;

— the degree of preparation and the standard of organisation, as well as clarity and precision as regards the objectives, design and planning of the project;

— the number of practitioners likely to derive some advantage from the project, either directly or through contact between those who have taken part and those who have not had the opportunity;

— the accessibility of the project, i.e. the approach taken, and the allowance which the organisational arrangements make for participants' existing knowledge and professional constraints;

— the involvement of different entities and the combined use of their particular expertise in the organisation of the project;

— the openness to practitioners from different countries and disciplines and the opportunity for them to benefit from each other's experience;

— the extent to which the projects complement each other, the way in which they contribute to creating a forward momentum rather than merely juxtaposing isolated operations;

— the relevance of the project, as it is especially topical for example in being linked to the implementation of legal cooperation instruments or programmes adopted by the Council;

— the particular need for the project, as it focuses closely:

— on an issue that has so far received little discussion, or

— on cooperation or improvement of mutual knowledge between Member States, that do not yet have frequent experience of judicial contacts;

— language training should be considered only where directly linked to professional needs, and not easily available in the absence of the submitted project;

— conferences on general legal topics should be considered only where the topic is particularly current, for instance if new legislation is envisaged in different countries.

Guidelines

6. In principle, projects should concentrate on situations where practitioners and citizens experience practical difficulties. They should focus first on correct implementation of existing law, and explore available means of ensuring this implementation, before addressing the issue, if necessary, of possible amendments to legislation or conventions. Special attention should be devoted to the reciprocal understanding of different judicial approaches and legal cultures in order to foster mutual confidence in cases requiring judicial cooperation.

The following guidelines, based on the above criteria, should be of assistance to applicants:

— ambitious schemes, schemes of long duration or those for which a large grant is being applied for should be supported by pilot projects or studies that justify and demonstrate their feasibility;

— any plan for setting up a documentation network, data bases etc. should state in detail the sources, the field of investigation, the methodological approach, the frequency of updates etc.;

— research projects should not be limited to study based purely on the legal literature but should be based on practical experience and aim to produce usable conclusions;

— the knock-on effect of a project will be assessed on the basis of the number of participants and in view of their status and capacity to disseminate the results of the project;

— justification will have to be shown as to the benefits likely to be derived from very small projects, organisation of traineeships or visits for a small number of participants. Projects likely to benefit only the applicant organisation will not be considered;

— meetings between institutions responsible for basic or continuing training should be considered only where they aim at a well defined purpose in relation to a particular project or policy;

— the standard of preparation will be assessed both objectively, as regards project design and planning, and subjectively, as regards the experience and reputation of the applicant organisation. Previous experience will be taken into consideration if a series of applications is received from the same organisation. Initiatives submitted by organisations or associations having neither well-established structures nor significant human and financial resources will also be considered;
— added value conferred by the involvement of several disciplines will be evaluated in terms of quality, not quantity, and will be assessed in terms of how the contributions from the various professional categories involved in a single project complement each other;

— a high degree of interaction between the project organiser(s) and the participants will be regarded as a positive feature of a project;

— related projects put forward as complementary should be presented together, with individual budgets identified, so that consideration can be given to support them either individually or grouped together.

Possible topics

7. In the selection of topics for projects deserving support from the programme, particular attention should be given to the conclusions of the Tampere summit. By way of example, the following topics are suggested as being at present of particular interest:

Judicial cooperation in criminal matters:

— implementation of applicable judicial cooperation instruments, including EU instruments, such as the 1995 and 1996 Conventions on extradition, as well as regional and bilateral instruments to the extent that the project contributes to the furthering of cooperation within the European Union;

— judicial cooperation aspects involved in the fight against certain types of crime, such as

— cyber crime,
— commercial counterfeiting,
— counterfeiting of currencies,
— driving offences,
— environmental crime,
— financial crimes,
— fraud and counterfeiting of non-cash means of payment,
— fraud and corruption,
— racism and xenophobia
— trafficking in human beings:

— special aspects of procedural law especially when they involve mutual assistance such as:

— hearing at distance,
— interception of telecommunication,
— judgments in absentia,
— limitation periods,
— obtaining of evidence, designation of experts,
— pre-trial detention,
— rights of victims,

— seizure and confiscation,
— warrants;

— coordination of proceedings in connected cases or where several courts have jurisdiction;

— transfer of proceedings;

— measures needed to allow the gradual removal of obstacles to mutual recognition of decisions and judgments;

— different types of sanctions (deprivation of liberty, fines, confiscation, disqualification, aggravated sanctions due to previous convictions, alternative sanctions, mediation;

— coordination of prosecution and support of criminal investigation through the setting up of a unit, composed of appropriate practitioners detached from Member States.

Judicial cooperation in civil matters:

— the need for new instruments to ensure smooth judicial cooperation and enhanced access to law;

— cooperation in the taking of evidence;

— cross-border service of judicial and extra-judicial documents;

— measures needed to allow the gradual removal of obstacles to mutual recognition of decisions and judgments;

— determination of jurisdiction and applicable law in the field of matrimonial property, wills and succession;

— bankruptcy and insolvency;

— determination of law applicable to contractual obligations and non-contractual obligations;

— enforcement measures;

— protection of children's rights;

— procedures with regard to small claims;

— procedures with regard to payment orders;

— provisional measures;

— possibilities for further approximation of civil substantial law to eliminate obstacles to the good functioning of civil proceedings.

General issues, such as:

— activities of liaison and contact magistrates;

— crime victims issues;
— comparison of material and procedural law aspects, analysis of difficulties created by potentially incompatible rules;
— conditions, criteria and procedures for granting legal aid;
— cooperation between judicial authorities and competent administrative services of the Member States in particular fields;
— data protection issues;
— dissemination of information about the law;
— linguistic interpretation in court proceedings;
— media and judiciary;
— procedures in cases brought before administrative bodies;
— treatment and standing of minors in justice;
— use of new technology in proceedings, judicial cooperation and the judiciary in general.

Assessment of projects

Projects will be assessed individually according to the above criteria and guidelines, but also globally so as to balance the programme between the most interactive forms of training, exchange and seminars, with more traditional activities such as meetings or research. Applications will be encouraged from organisations in EU Member States less well represented in the projects as a whole.

Special attention will be given to projects open to professionals less familiar with international contacts, and to projects open to practitioners from candidate countries, in accordance with the Commission's Agenda 2000. It must be emphasised, however, that the Grotius programme is not intended to provide assistance to Central and Eastern European countries, for which specific facilities are provided under PHARE (for more information on PHARE, please see: http://europa.eu.int/comm/enlargement/pas/phare/publications/publist.htm).

How to apply

8. Applications for grants must be submitted, not later than 31 March 2000 (date of post mark will count) to European Commission, Directorate-General for Justice and Home Affairs (attn: Mme Vanovermeire), Rue de la Loi/Wetstraat 200, LX 46 4/82, B-1049 Brussels, using the application form in one of the 11 European Union languages (a translation may be added in a second working language). Forms may be obtained by applying to the address above, by fax (32-2) 295 81 06, by e-mail at: viviane.vanovermeire@cec.eu.int, or by downloading the application forms from the website http://europa.eu.int/comm/justice_home/jai/program.htm. Note that the signed original application form has to be submitted (not by fax, followed by the original), together with a short memo (two or three pages) outlining the project. Alterations to the form or the use of earlier versions of the form, etc., will disqualify the application. The purpose of the project must be described as briefly and accurately as possible at point 9 of the form.

A detailed estimated budget in euro (preferably with cross-references to national currency indicated) must be sent in with the application. The budget must show the expected overall cost of the project. The grant applied for may not exceed 80 % of that final cost. The actual subvention may be for a lower amount than the percentage requested, or alternatively it may be decided to subsidise only part of the action envisaged. (It should be noted that the majority of subventions allocated so far have covered 50 to 60 % of the project budget.) The running costs of an organisation are not eligible, even where the organisation is pursuing goals similar to those of the Grotius programme. Applications which do not comprise a detailed financial statement which makes it possible to appreciate the adequacy of expenditure in relation to the different elements of the project will not be examined.

In summary, a valid application consists of
— the original application form, duly filled and signed,
— a short project description,
— the draft budget, containing a financial statement.

Beneficiaries are required to state in all advertising or published material that their projects are in receipt of financial support from the Grotius programme. They will be asked to make use of a questionnaire addressed to the participants. In the case of seminars, colloquia or conferences, they should allow on request for the participation of a representative of the Grotius programme manager. Within three months of the completion of their project, they must submit a report to the Directorate-General for Justice and Home Affairs, Rue de la Loi/Wetstraat 200, LX 46 4/82, B-1049 Brussels, on the execution of the project, any obstacles encountered, the assessment given by the participants, the results obtained, the dissemination of such results and the conclusions drawn.