

Programul “Dezvoltare locală, reducerea sărăciei și creșterea incluziunii romilor”
finanțat prin Granturile SEE și Norvegiene 2014-2021

CALL NO. 5 “HUMAN RIGHTS – NATIONAL IMPLEMENTATION”

- OPEN CALL FOR PROPOSALS -

Launched on: January 8, 2021

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Preamble

This document aims to provide the necessary information for potential applicants (Project Promoters – PP) under the call for proposals "Human Rights – National Implementation", a call launched on January 8, 2021, by the **Romanian Social Development Fund (RSDF)**, under the Programme "**Local Development, Poverty Reduction and Enhanced Roma Inclusion**" (hereinafter referred to as the Programme).

Before filling-in your application, we recommend that you make sure you have gone through all the information presented in this document and in the Guide for Applicants, and that you have understood all the aspects related to the specificity of the projects financed by EEA and Norway Grants 2014-2021 and the manner of their implementation¹.

1. General information on the Programme

The programme is financed by EEA and Norway Grants 2014-2021 and is implemented by RSDF (as Programme Operator – PO). The Norwegian Association of Local and Regional Authorities (KS), is the Donor Programme Partner and the Council of Europe (CoE) is the International Partner Organization.

The objectives of the EEA and Norwegian Grants 2014-2021 are to contribute to the reduction of economic and social disparities in the European Economic Area and to strengthen the bilateral relations between the Donor States (Iceland, Liechtenstein and Norway) and the beneficiary states by financing five priority areas:

1. Innovation, research, education and competitiveness
2. Social inclusion, youth employment and poverty reduction
3. Environment, energy, climate changes and an economy with low carbon emissions
4. Culture, civil society, good governance and fundamental rights and
5. Justice and home affairs

The Programme addresses 5 of the 23 Programme areas covered by the EEA and Norway Grants 2014-2021, respectively:

- Area no. 7 Roma inclusion and empowerment
- Area no. 8 Children and youth at risk
- Area no. 10 Local development and poverty reduction
- Area no. 16 Good governance, Responsible institutions, Transparency
- Area no. 17 Human rights – implementation at national level

The overall objective of the Programme is to actively contribute to strengthening the economic and social cohesion at national and local level in Romania and to strengthening the bilateral relations with the Donor States. In this respect, the PO facilitates and encourages the establishment of partnerships for the exchange of experience and good practices between entities from Romania and the Donor States Iceland, Liechtenstein and Norway.

The Programme has a total value of **86.941.176 Euro**, out of which:

- 25,000,000 Euro financing from EEA Grants 2014-2021
- 48,900,000 Euro financing from Norway Grants 2014-2021
- 13,041,176 Euro financing from the State budget (15% co-financing)

¹ An indicative list of documents is presented at the end of this call text, as well as the addresses of the web pages where these documents can be consulted.

During the implementation of the programme, the principles of cost-effectiveness, transparency and responsibility in the management of the funds should be observed to the highest degree, and also the principles aiming the good governance, sustainability of results, ensuring equal opportunities of gender, must be observed. All the projects shall apply the values and fundamental principles promoted by the European Union and the Council of Europe (e.g.: *respect for human dignity, freedom, democracy, equality, respect for the rule of law and human rights, including the rights of persons belonging to minorities etc.*). The program will be conducted in accordance with applicable national and European law, as well as the specific rules applicable to the EEA and Norway Financial Mechanisms 2014-2021.

2. The Context, the Objectives and the Areas of Intervention of the Call for Projects “Human Rights – National Implementation”

2.1. The Context of the Call

This call for proposals falls under the **programme area no. 17 “Human Rights – National Implementation”**.

In recent history, human rights have originated in the Universal Declaration of Human Rights, adopted by the United Nations in 1948, a document which, for the first time, stated that human rights were subject of international cooperation. Having the UN Declaration as a starting point, the European Convention on Human Rights was adopted in Rome in 1950 by the newly established Council of Europe, an institution which, over the years, will prove to be one of the most important in terms of promoting democratic values, the rule of law and human rights. In addition to the Universal Declaration, the European Convention on Human Rights established much clearer mechanisms for implementation and monitoring in this area and set up an international body that will play a key role in promoting and protecting them in the years to come: the European Court of Human Rights from Strasbourg. Today, the European Convention on Human Rights has become a basic document for both the Council of Europe and the European Union, the latter requiring both Member States and candidate countries to comply with its provisions². At the EU level, although human rights are perceived by citizens as a basic component of a just society, there is a need to better inform the general public on the nature and importance of human rights and how they are implemented by national authorities and institutions³. This need is more pronounced in the case of people with a vulnerable financial situation, the elderly and people with a low level of formal education⁴.

Romania became a full member of the Council of Europe on October 7, 1993, and the European Convention on Human Rights, together with all the additional protocols adopted up to that date, entered into force on June 20, 1994. In addition to the Convention, Romania voluntarily signed and ratified in the following years other international documents on special rights for vulnerable persons or groups, such as the Framework Convention for the Protection of National Minorities, the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), the UN Convention on the Rights of the Child, the UN Convention on the Rights of Persons with Disabilities, etc. Thus, by fully adopting these treaties and additional conventions, one can say that, from a legislative point of view, Romania has created a comprehensive and satisfactory system for the protection and promotion of human rights.

However, the implementation of the human rights standards of the Council of Europe often leaves much to be desired, and this results in unacceptable practices at various levels: from procedures

² The European Union legally binds all the joining states to adhere to the European Convention on Human Rights. In addition, consultations are currently taking place regarding the formal accession of the EU to the ECHR.

³ 7 out of 10 EU citizens believe that there are people who take unfair advantage of human rights and a significant percentage (33%) believe that only those who do not deserve human rights benefit from them, according to the „What Do Fundamental Rights Mean for People in the EU” study, published by the Fundamental Rights Agency in 2020, available here: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-fundamental-rights-survey-human-rights_en.pdf

⁴ Idem

and/ or policy documents applied by national/ local level authorities, especially when working with vulnerable groups to various verdicts pronounced by Romanian courts which are in blatant contradiction with the various treaties on human rights signed and ratified.

According to the updated statistics of the Council of Europe⁵, since ratification until now, the Strasbourg Court has issued judgments in 1496 cases against Romania, of which in 1329 it was found that there was a violation of at least one article of the Convention. Most cases in which Romania was convicted were related to the protection of private property (482), followed by the failure to ensure the right to a fair trial (451) and inhuman or degrading treatment (293). In 148 cases, Romania was convicted for the excessively long length of judicial proceedings, and in 122 the Strasbourg Court found that the right to liberty and security was violated.

Up to 2020, according to the Country Factsheet⁶ of the Department for the Execution of the Judgements of the European Court of Human Rights, Romania was subject to the supervision of the Committee of Ministers of the Council of Europe on the following main aspects:

- lack of protection measures against ill-treatment⁷: failure to develop a consistent judicial practice to provide protection to victims of rape and sexual abuse, including against children
- lack of effective investigations of cases of violence perpetrated by law enforcement officers and in case of disproportionate use of force by police
- inadequate conditions of detention and overcrowding in prisons and detention centres
- ill-treatment against people with psychiatric disabilities⁸: inadequate legal, medical and social protection for young people with mental health problems, shortcomings in the legislative system on forced hospitalization in psychiatric hospitals, inadequate management of cases of severe mental health disorders in prisons (placement of detainees with mental health problems in regular penitentiaries, lack of psychiatric care and treatment, lack of specialized medical evaluations, severe overcrowding etc.)
- extended duration of judicial proceedings
- lack of protection against domestic violence⁹: the failure of the Romanian authorities to address the issue of domestic violence and to implement a legislative framework to guarantee protection to victims
- violation of freedom of expression: unjustified conviction of a whistle-blower¹⁰
- inadequate protection of private life¹¹.

At general level, the Association for the Defence of Human Rights - Helsinki Committee (APADOR-CH) takes note in a 2015 report¹², of the poor implementation of ECHR decisions. According to its reports, this is partly due to the incoherent institutional system. APADOR-CH pointed out that "the implementation of ECHR decisions not only in Romania, but also in other European countries, is carried-out in an ad-hoc and improvised manner, without transparency and during a long period of time, as there are no pre-established rules of communication and cooperation between the various institutional actors involved in the process." At the time of publication of the report, the organization made recommendations on how to remedy these situations.

⁵ According to: https://www.echr.coe.int/Documents/Stats_violation_1959_2019_ENG.pdf

⁶ According to the updated country factsheet: <https://rm.coe.int/168070975f>

⁷ Case of MGC v. Romania

⁸ Case of Câmpeanu v. Romania

⁹ Case of Bălșan v. Romania and others

¹⁰ Case of Bucur and Toma v. Romania

¹¹ Idem

¹² "About the Implementation of ECHR Decisions. What Can Be Learnt by Comparing Romania and Norway", APADOR-CH, 2015

In addition to the European Court of Human Rights, Romania is part of other cooperation and monitoring mechanisms set-up by other Council of Europe bodies and working groups¹³, for all human rights treaties and conventions it has signed and ratified. Through these monitoring mechanisms, the Council has made several recommendations to improve the implementation of human rights, especially in relation to vulnerable groups. These recommendations will be detailed in the "Areas of intervention" section.

2.2. Areas of Intervention

According to the provisions of "Local Development", Program Agreement (hereinafter referred to as the Program Agreement), all the projects will generate systemic changes in the following areas of intervention and will directly combat unacceptable practices:

2.2.1. The Rights of the Child

The Council of Europe does not have a specific document on the children's rights, but its interventions and strategies are based on the UN Convention on the Rights of the Child, a document signed and ratified by Romania. Also, the Lanzarote Convention¹⁴ is in force in Romania, as the first international document that addresses child abuse in the family. In the jurisprudence of the European Court of Human Rights, cases against Romania involving children are related particularly related to Article 3 of the Convention, on the prohibition of torture and ill-treatment, and the Article 6, the right to a fair trial. In several relevant cases, the Strasbourg Court ruled that Romania violated the Convention by failing to provide protection to victims against physical, sexual and emotional abuse, and did not properly sanction such acts.

At a general level, the Court has urged States parties to make efforts to protect the dignity of children and stated that, in practice, this requires an effective legislative framework in protecting children from domestic violence. The ECHR also stated in its decisions that the manner in which the act of justice involving children (especially in the case of sexual offenses) are carried out shows that "some of the judges sitting on the panels in the courts for minors had not necessarily had special training on how to deal with cases involving children."¹⁵

2.2.2. The Rights of the Detainees

The main issues that have come to the attention of the European Court of Human Rights regarding detainees, are related to the conditions in prisons. Given the existence of a systemic problem with the functioning of the entire penitentiary system in Romania, the Strasbourg Court called for the introduction of measures to reduce overcrowding in prisons and to introduce effective remedies for those affected by these problems. This decision was issued on the basis of Article 3 of the Convention on the prohibition of torture and ill-treatment.

Following this decision, Romania adopted law no. 169/2017 on the compensatory appeal, as a way to reduce the overcrowding of penitentiaries. All subsequent cases on this subject that were tried by the ECHR were considered inadmissible, because the Court considered that, by the above-mentioned law, the Romanian authorities offered effective remedies.

In this area, Romania is also under the supervision of the Committee for the Prevention of Torture, which, in its latest country report, published in 2019, drew attention to multiple cases of abuse of detainees, as well as to violence in Romanian prisons.

2.2.3. National Minorities and Other Minority Rights

This area is not explicitly under the jurisdiction of the ECHR, but Romania is one of the signatory states of the Framework Convention for the Protection of National Minorities¹⁶ (hereinafter

¹³ An indicative list of relevant institutions can be found at the end of the present document.

¹⁴ Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680084822>

¹⁵ MGC v. Romania

¹⁶ Framework Convention for the Protection of National Minorities: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800c1314>

referred to as the Framework Convention), the European Charter for Regional or Minority Languages¹⁷ and is part of the monitoring mechanism of the European Commission against Racism and Intolerance (ECRI). The documents mentioned above imply positive obligations of the Romanian state regarding their implementation.

The mechanism for monitoring the implementation of the Framework Convention is implemented by an Advisory Committee¹⁸ appointed by the Council of Europe. The latest Opinion issued by this body (Opinion No. 4, published in February 2018) not only shows no improvements since the previous monitoring cycle, but also brought to the attention several set-backs regarding the rights of national minorities in Romania, with an important focus on the Roma minority and the Hungarian minority. The Roma minority, it remains vulnerable the hate speech and to abuses perpetrated by public authorities, while the Hungarian minority, faces the problem of hate speech, violations of linguistic rights and the right to freedom of expression.

A general concern of the Advisory Committee is related to legislation covering the protection of national minorities, which is "disjointed, piecemeal, full of grey zones and open to contradictory interpretation which on occasion needs to be resolved by the judiciary."¹⁹ Unfortunately, very often, the Romanian judiciary does not take into account the specifics of the rights of national minorities, there are a significant number of final sentences, which are in flagrant contradiction with the provisions of the Framework Convention.

At a more general level, ECRI also mentions in its reports²⁰ regarding Romania other minority groups vulnerable to discrimination and hate speech, such as: LGBTI, religious minorities, asylum seekers etc.

2.2.4. The Rights of the Persons with Disabilities

As in the case of children's rights, the Council of Europe does not have its own legislative instrument in this case but bases its interventions and strategies on the UN Convention on the Rights of Persons with Disabilities, which is mentioned as a minimum standard of the Council. In this context, the Strategy on the Rights of Persons with Disabilities 2017-2023, entitled "Human Rights, a Reality for All" was adopted, which defines the main measures needed to make the implementation of the European Convention on Human Rights relevant to people with disabilities. The priority areas of the Strategy are: equality and non-discrimination, public awareness, accessibility, equal recognition before the law and protection against exploitation, violence and abuse.

ECHR case law on the rights of persons with disabilities is particularly related to Article 3 and concerns the inappropriate conditions in the system of protection of persons with severe mental health problems. Other issues related to persons with disabilities that have appeared in the cases tried by the ECHR against Romania, are related to access to psychiatric treatments and specialized expertise, the lack of special procedures for incarceration of people with severe mental health problems.

An important case concerning the rights of persons with disabilities on which the Strasbourg Court issued a judgement is the case *Câmpeanu* (represented by the Centre for Legal Resources) v. Romania, which related to the death in a psychiatric hospital of a young Roma man with a severe mental illness and who was also HIV-positive. In this situation, the ECHR found that there had been a violation of Article 2 on the right to life and Article 13, the right to an effective remedy. This case-law triggered legal binding recommendations as Romania was put under on-going supervision procedures by the Council of Europe in order to provide better legal protection, medical and social care to young people with mental disabilities.²¹

¹⁷ European Charter for Regional or Minority Languages:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680695175>

¹⁸ The Country Reports and Opinions can be accessed here: <https://www.coe.int/en/web/minorities/romania>

¹⁹ The 4th Opinion of the Advisory Committee for the FCMN, para 29-30.

²⁰ <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/romania>

²¹ According to: <https://rm.coe.int/168070975f>

Regarding the rights of persons with disabilities, the Council for the Prevention of Torture has also found ill-treatment in detention centres for detainees with severe mental illness. The CPT explicitly recommended that Romania create a system through which detainees with these conditions have access to appropriate specialized treatments.

2.2.5. Protection against Abuse and Gender-based Violence

This is a special category of human rights, which is the subject of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (known as the Istanbul Convention²²), a document signed and ratified by Romania. This document sets out clear standards and measures that States Parties must take to combat gender-based violence, from ensuring a coherent legislative framework to developing an institutional system designed to address this need. With the entry into force of this Convention, Romania has become part of the mechanism for monitoring its implementation. Similar to the Framework Convention for the Protection of National Minorities the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) has been set up to monitor this Convention. The monitoring mechanisms are similar to those of the Framework Convention: States Parties send GREVIO country reports, which will be verified in the field by Strasbourg experts. Both public authorities and civil society working in this field are involved in the verification process. So far, Romania has submitted the first country report, which will enter the analysis process.

Regarding the ECHR case law on gender-based violence, the most important issues are related to the way in which adult sexual offenses against girls are prosecuted. Although since the ratification of the European Convention by Romania, only three cases concerning sexual offenses with minor victims (all three lost by the Romanian state) have reached the ECHR, in reality there are many other such cases. A journalistic investigation²³ published in November 2019 revealed that three quarters of cases involving sexual acts with minor victims are treated by the Romanian courts as consensual acts. These data were extracted from the ECHR Judgment in the case of *MGC v. Romania*, which states that, according to the Romanian Government, there is a consistent judicial practice of treating sexual acts between adults and minors (most often minor girls) as being consented to by the victims. Romania submitted documents to the ECHR showing that, between 2008 and 2013, out of 16 cases tried in Romanian courts, 12 were given such decisions, explicitly mentioning that it is a common judicial practice.

In other cases, related to domestic violence, ECHR judges found that Romania did not provide sufficient assistance and protection to victims, despite repeated complaints from them²⁴.

2.3. The Objectives of the Call

The general objective of this call is to improve **the implementation / execution of the decisions of the European Court of Human Rights in Strasbourg**, as well as other **country specific recommendations** issued by **other bodies/ institutions of the Council of Europe**.

This call will support the implementation of the European Convention on Human Rights and other treaties and conventions on human rights at **national level**. Therefore, the funded projects shall have impact at national level and/ or propose measures replicable at national level, and shall aim to generate fundamental changes in order to ensure the application and effective implementation of the Council of Europe standards on human rights. Piloting measures/ models at local level, the replication component shall include at least actions such as: partnership agreements concluded with at least one similar structure that validates the measure/ model and commits to further implement it.

²² The Istanbul Convention: <https://rm.coe.int/168046253e>

²³ Dreptate strâmbă: 3 din 4 cazuri de acte sexuale cu victime copii sunt judecate în instanțele românești ca fapte consimțite (Crooked Justice: in 3 out of 4 Cases the Romanian Courts Consider Sexual Relations with Children as Being Consent), Dela0.ro, 19 noiembrie 2019 (<https://beta.dela0.ro/acte-sexuale-victime-copii-judecate-fapte-consimtite/>)

²⁴ *DMD v. Romania*

Thus, all measures and actions proposed in the projects will **consider at least one of the specific objectives mentioned below:**

- better implementation/ execution at national level of the **decisions of the European Court of Human Rights in Strasbourg;**
- better implementation of the **country specific recommendations** made by **other institutions and working groups of the Council of Europe**, in the areas of intervention of this call, detailed in section 2.2. Areas of intervention;

The above-mentioned objectives may be achieved through the following means (list is not exhaustive):

- enhancing the capacity of national institutions to promote the ECHR decisions and other country specific recommendations;
- development and promotion at regional/ multiregional/ national level of mechanisms for the protection of the rights of vulnerable persons;
- promoting **the professionalization programs of judges, lawyers and prosecutors** regarding the implementation of international documents on human rights signed and ratified by Romania;
- **implementation/ piloting** of national strategies/ action plans/ public policies in order to implement international human rights documents in the areas of intervention of this call;
- **combating all forms of discrimination**, through human rights education programs, national information- education campaigns using modern communication channels;
- promoting **inter-ethnic dialogue** by training specialists working in the field of anti-discrimination and those working in **the field of national minority rights** and ensure the use of gained new skills during the project implementation;
- promoting **dialogue and partnership** between **public institutions and civil society** on human rights issues and implementing good practice, through consultation and participatory processes;
- creation of **efficient communication** mechanisms between various institutional actors with responsibilities in the process of implementing country decisions and recommendations on the subject of human rights;
- **increase cooperation** between Romania and Donor States in the field of promoting **human rights and good practices** in order to enhance the implementation of the **European Convention on Human Rights** and other **relevant international documents** by developing bilateral activities.

2.4 Expected results

The projects financed under the call "Human Rights – National Implementation" are expected to contribute to the achievement of the following expected results:

Number	Expected programme results	Indicator	Unit of measurement	Source of verification	Target value at programme level	Target value at call level
Outcome 6	Increased implementation of judgements and case law issued by the European Court of Human Rights (ECtHR) and of country specific recommendations on human rights put forward by other bodies of the Council of Europe	IP45 Number of ECtHR judgements and case-law and of country specific recommendations on children's rights put forward by other bodies of the Council of Europe, implemented under the Programme, at national level	Number	PP's records	1	1
		IP46 Number of ECtHR judgements and case-law and of country specific recommendations on detainees' rights put forward by other bodies of the Council of Europe, implemented under the Programme, at national level	Number	PP's records	1	1
		IP47 Number of ECtHR judgements and case-law and of country specific recommendations on minority rights put forward by other bodies of the Council of Europe, implemented under the Programme, at national level	Number	PP's records	1	1
		IP48 Number of ECtHR judgements and case-law and of country specific recommendations on rights of people with disabilities put forward by other bodies of the Council of Europe, implemented under the Programme, at national level	Number	PP's records	3	3
		IP49 Number of ECtHR judgements and case-law and of country specific recommendations on women's rights put forward by other	Number	PP's records	1	1

		bodies of the Council of Europe, implemented under the Programme, at national level				
Output 6.1	Mechanisms established to protect the rights of people from vulnerable groups	IP50 Number of mechanisms established to protect the rights of people belonging to vulnerable groups ²⁵	Number	PP's records	3	3
Output 6.2	Measures for combating discrimination and/or promoting human rights piloted at national level	IP51 Number of experts working with vulnerable groups trained (disaggregated by gender, Roma)	Number	List of participants	400	400
		IP52 Number of people from vulnerable groups reached by anti-discrimination or human rights pilot measures (disaggregated by gender, Roma)	Number	PP's records	600	600
		IP53 Number of measures for combating discrimination piloted	Number	PP's records	3	3
Bilateral outcome ²⁶	Enhanced collaboration between Beneficiary and Donor State entities involved in the programme	IP54 Level of satisfaction with the partnership (<i>data reported disaggregated by Beneficiary State, Donor State</i>)	Scale 1-7	Results collected by FMO from studies/surveys	≥ 4.5, and an increase in the baseline	-
		IP55 Level of trust between cooperating entities in Beneficiary State and Donor States (<i>data reported disaggregated by Beneficiary State, Donor State</i>)	Scale 1-7	Results collected by FMO from studies/surveys	≥ 4.5, and an increase in the baseline	-
		IP56 Number of letters of intent on future collaboration	Number	PP's records	25	-
		IP57 Share of cooperating organizations that apply the knowledge acquired from bilateral partnership (<i>data reported disaggregated by Beneficiary State, Donor State</i>)	Percentage	Results collected by FMO from studies/surveys	60%	-
Bilateral output 1	Exchanges ²⁷ between Beneficiary and	IP58 Number of participants ²⁸ from	Number	List of participants	250	-

²⁵ Mechanisms include public structure/entities, networks, sets of procedures

²⁶ Applicable in case an entity from Norway is the PP's partner.

²⁷ See FMO Guidelines "Core indicators 2014-2021" on the programmes/ activities considered "exchanges" <https://eeagrants.org/Media/Files/Core-Indicators-Guidance-14-21>.

²⁸ An employee of an entity in the Beneficiary State who participated in exchange of experience programmes/ activities between the Beneficiary State and the Donor State. The participants have to go through the entire programme/ activity.

	Donor State entities supported	Beneficiary State in exchanges				
Bilateral output 2	Professional exchanges with representatives of relevant entities from Romania and Donor States supported	IP59 Number of participants from Donor States involved in exchanges	Number	List of participants	30	-

While a single project must NOT necessarily contribute to all the above-mentioned programme indicators, its contribution to achieving programme results and indicators will be assessed in the content evaluation stage, as detailed in the relevant section of this call.

In addition, the PP will take into account that the project must have a satisfactory ratio between the expected results and the estimated costs, this ratio being taken into account during the evaluation of the project, as part of the Economic Efficiency and Sustainability criterion. In this respect, the contribution of the project to the achievement of the expected results must be proportionate to the amount requested.

2.5 Financial allocation

The total amount allocated to this call is **8,868,529 Euro**, coming from EEA Grants 2014-2021 (85%) and public co-financing (15%).

The minimum amount (grant) that can be requested for the implementation of one project is **500,000 Euro**, and the maximum amount is **2,500,000 Euro**.

2.6 Grant rate and private contribution

If the PP is a public entity the grant rate shall be 100% of the project eligible expenses of the project, and this shall apply to all project partners.

If the PP is a public entity, it may allocate additional funds for the implementation of the project other than those provided by the Grant, funds that will not be mentioned in its budget. In this case, RSDF will not be responsible for monitoring these expenses, and the proper implementation of the project must not be conditioned by the availability of other funds than those provided for in the Grant.

If the PP is a non-governmental organization (NGO), a waiver pursuant to Article 14.5. of the Regulation is granted for the co-financing requirements set in Article 6.4.3. of the Regulation and the project grant rate may be up to 100% of the eligible expenditure of the project. Co-financing may be brought in cash and/ or in kind in the form of voluntary work the grant rate may be up to 100% of the project eligible expenses. While co-financing is not mandatory and can be brought in cash and/ or in kind, in the form of voluntary work, it can be appreciated as a valuable contribution to the sustainability, if provided.

According to Art. 1.6.1 (n) of the applicable Regulation, a non-governmental organization is a non-profit voluntary organization established as a legal entity, having a non-commercial purpose, independent of local, regional and central government, public entities, political parties and commercial organizations. Religious institutions and political parties are not considered as NGOs.

The projects financed under this call shall not, under any circumstances, include activities that fall under the State and Minimis aid.

2.7 Project duration and implementation period

In determining the duration of the project, the PP shall take into account the limits set by the Programme (the minimum and/ or maximum duration of a project, the latest date for finalizing the implementation of the project), the application of procurement procedures, the specificity of the

reporting and payment system, but also the individual aspects of the project (types of activities and impact on target groups, types and level of estimated costs).

The recommended date for finalizing the implementation of projects financed under the Programme is November 30, 2023, and the recommended duration of a project is between 12 and 24 months.

2.8 Eligible Project Promoters

In compliance with the provisions of chapter 2 - Eligibility, of the Annex II – Operational rules, PA 17, of the Programme Agreement, under this call for proposals the eligible project promoters are legal persons established in Romania, according to the applicable national legislation, respectively:

1. national level **public entities with responsibilities in the area of human rights** (e.g. *central public authorities, ministries, state authorities under parliamentary control, including agencies, structures/ national universities, other bodies of central public bodies etc*);
2. **nongovernmental organisations** ²⁹ (NGOs), active and with proven experience in the field of human rights.

The eligibility of the PP (legal person, type of organisation, status etc.) shall be demonstrated with legal documents at the submission of the project.

The eligible PPs may submit in this capacity maximum two proposals under this call (provided they did not receive previous funding under the current program). In case the project does not fulfil this criterion, it shall be subject to further clarification during the formal verification stage, when PP shall be requested to choose which of the projects submitted is kept in competition and which one/ones is/are withdrawn.

In determining the number of proposals to be submitted, a PP must consider the rule that, at the level of the entire Programme, one PP can receive funding, in this capacity, for maximum two projects, submitted under the various calls and grant schemes³⁰. This represents an eligibility criterion. If, at the moment of project submission under this call, the PP has already been granted two projects in this capacity, the project application(s) received under this call shall be automatically excluded.

The legal persons that find themselves in one of the following situations are not entitled to receive a grant:

- *are bankrupt, are under the administration of a judicial authority or under liquidation procedures, have suspended their business activities, are the subject of proceedings concerning the above-mentioned matters, or are in any similar situation arising from a similar procedure applied under the provisions of the national legislation or regulations;*
- *are guilty of serious professional misconduct proven by any means, which the PO can reasonably justify;*
- *have not fulfilled its obligations relating to the payment of social security contributions or payment of taxes to the state budget, in accordance with the legal provisions of the country in which they are registered/established;*
- *are subject to a final legal judgement “res judicata”, for fraud, corruption, involvement in a criminal organization or any other illegal activity affecting the financial interests, without any evidence that they have taken in recent years corrective measures in this regard;*

²⁹ Under the present Call, an NGO is an entity fiscally registered in Romania that fulfils the conditions of the previously mentioned definition in para. 2.6.

³⁰ Projects submitted under the small grant scheme „Access to Funding”, irrespective of launching dates, in the framework of the Programme, are not considered.

- *they have been declared to be in a serious breach of the contractual obligations regarding procurement procedures or procedures for the award of grants;*
- *they are in a situation of a conflict of interest with the organization or persons directly or indirectly involved in the grant award procedure, regardless the moment when the PO ascertains this situation;*
- *they are guilty of serious misrepresentation occurred in the process of supplying the information required by the PO or fail to provide the requested information, regardless the moment when this situation occurs.*

In the case the PP does not fulfil this criterion, it shall be rejected during the formal evaluation stage.

2.9 Eligible partners

The partnership between public entities and non-governmental organizations is mandatory and, under this call, represents an eligibility criterion. In case the project does not fulfil this criterion, it shall be rejected during the formal evaluation stage.

The Programme aims to support initiatives to strengthen the cooperation at different levels between public entities, public entities and the civil society, entities in Romania and in the Donor States. In this respect, partnership projects with entities from Romania and/ or Donor States are encouraged and, depending on the value added to the project will receive specific points in evaluation.

The Partners (from Romania and/ or the Donor States) shall be actively involved and shall effectively contribute to the implementation of the project, sharing with PP the joint goal which is to be achieved through the implementation of the project. In this respect, it is recommended that partners have the capacity to act in the project's area, in accordance with the role assumed and in accordance with their legal responsibilities or status.

Under this Call, in compliance with the provisions of chapter 2 - Eligibility, of the Annex II – Operational rules, PA 17, of the Programme Agreement, the following public or private legal entities are eligible as partners:

- a. from Romania: public entities (central and local, for example: local public authorities, including agencies, structures/ other bodies subordinated to other public central bodies with responsibilities in the area of the project, educational institutions, universities etc), nongovernmental organisations, as previously defined in chapter 2.6 and Intergovernmental organisations or bodies or agencies thereof, fiscally registered in Romania.
- b. from the Donor States: any public or private entity, commercial or non-commercial, as well as nongovernmental organisations established as legal persons in the Donor States.

The eligibility of the partner (legal person, type of organisation, status etc.) shall be demonstrated with legal documents at the submission of the project.

In case of partners from Romania, the same entity can be project partner in maximum three projects submitted under this call (in case it has submitted one or two projects as PP, it can act as project partner in only two or one other project, as the case may be). This represents an eligibility criterion and shall be complied with. If during the formal verification stage, the above-mentioned criterion is not fulfilled, the project partner will be requested to choose which of the project applications submitted under this call remains in the competition and which one/ones is/are withdrawn, with due consequences in the content evaluation stage for the entire project application.

In deciding the participation in projects, applicants must consider the rule that, at the level of the entire Programme, one entity can receive funding (be it as PP or a partner) for maximum three projects, submitted under the various calls and grant schemes of the programme³¹ (in these cases, it must prove that it has the necessary capacity to carry out the assumed tasks, with the available financial, material and human resources, easily identifiable in the respective different projects).

The legal entities in one of the following situations are not entitled to be partners in the project:

- *are bankrupt, are under the administration of a judicial authority or under liquidation procedures, have suspended their business activities, are the subject of proceedings concerning the above-mentioned matters, or are in any similar situation arising from a similar procedure applied under the provisions of the national legislation or regulations;*
- *are guilty of serious professional misconduct proven by any means, which the PO can identify or reasonable justify;*
- *have not fulfilled its obligations relating to the payment of social security contributions or payment of taxes to the state budget, in accordance with the legal provisions of the country in which they are registered/established;*
- *are subject to a final legal judgement “res judicata”, for fraud, corruption, involvement in a criminal organization or any other illegal activity affecting the financial interests, without any evidence that they have taken in recent years corrective measures in this regard;*
- *they have been declared to be in a serious breach of the contractual obligations regarding procurement procedures or procedures for the award of grants;*
- *they are in a situation of a conflict of interest with the organization or persons directly or indirectly involved in the grant award procedure, regardless the moment when the PO ascertains this situation;*
- *they are guilty of serious misrepresentation occurred in the process of supplying the information required by the PO or fail to provide the requested information, regardless the moment when this situation occurs.*

Selection of partners

The creation and implementation of the partnership will comply with the applicable national and EU legislation on public procurement, Article 8.15 of the Regulation, as well as the provisions of Chapter V, Article 14 of Government Emergency Ordinance (GEO) No. 34/2017, applicable to Romanian public entities.

Article 14 of GEO No. 34/2017 stipulates that Romanian public entities acting as PP must, when selecting Romanian NGOs to act as project partners, apply a transparent and non-discriminatory partner selection procedure. The selection methodology has to be prepared by the PP and approved by the legal representative of the PP. The PP is entirely responsible for the partner selection procedure and will have to declare to the PO, in writing, that it has complied with the applicable legal provisions. Information about the minimum documents to be provided by PP at the contracting phase proving the respect of this requirement are provided in the Guide for Applicants.

Partnership agreement

The PP will sign a *Partnership Agreement* with the project partners (recommended template provided in the Guide for Applicants). The Partnership Agreement must clearly set out the roles, responsibilities and budget of the parties, coordinating bodies, financial arrangements between the parties etc. (see Article 7.7 of the Regulation). The draft of the Partnership Agreement shall

³¹ Projects submitted under the small grant scheme „Access to Funding”, in the framework of the Programme, are not considered.

be submitted as an Annex to the grant application and shall be finalized and signed by the partners before signing the project financing contract. If, for objective reasons, the PP cannot sign a single partnership agreement with all the partners, separate agreements may be concluded. In these situations, the PP is responsible for informing all the partners on the details related to the project implementation and of the other partners (e.g., their identity, role and attributions of each, the budget allocated to each etc).

In addition to the partnership agreement, a letter of intent is required for the partners from the Donor States (see the recommended template provided in the Applicant's Guide).

Partnership agreement(s) and letter of intent (as is the case for proposals involving partners from Donor States) are mandatory documents and constitute criteria for formal verification. Failure to meet any of them leads to project rejection.

Collaboration agreement

For other entities, that do not have the status of partners and do not have a budget allocated from the project grant, but support the project application elaboration and shall be involved in the project implementation (e.g. local or central public administration authorities, decentralized public services, schools, entities from other beneficiary state etc.), the PO recommends the conclusion of a Collaboration Agreement, either prior the submission of the application (to be attached to the grant application), or during the project implementation, after they are identified.

Should the project include training and/ or exchange of experience activities in collaboration with entities from other beneficiary states, the PP's and/ or partners are advised to sign a collaboration agreement with the cooperating organization and submit it as part of the project application. Should this requirement not be met, it shall be a subject of clarifications during the desk evaluation stage.

Funds for bilateral relations

During the project proposal preparation period, the PO can provide to entities from the Donor States and Romania that are eligible under the call, in the framework of a call for bilateral activities proposals, funds for the organization of bilateral activities with the purpose to facilitate partnership relations, respectively to prepare and/or conclude a partnership agreement for the project, and to prepare the project application effectively and jointly. Both Romanian potential partners and potential partners from the Donor States can apply for funding. The bilateral activities may be organized in the Donor States or in Romania. The maximum amount that may be claimed by an applicant for a bilateral initiative is 5,000 Euro. More details on how to access these funds can be found on Programme website: <https://dezvoltare-locala.frds.ro/>

2.10. Eligibility of target groups and beneficiaries

The target groups eligible under this call are professionals working in the field of human rights or people who are part of at least a vulnerable group mentioned as such section 2.2. Areas of intervention of this current call for proposals.

Consequently, **the primary target groups** are:

- Employees of public entities and non-governmental organizations, especially employees working with vulnerable groups;
- Magistrates (judges, prosecutors, etc.);
- Lawyers;
- Other professionals working with disadvantaged groups (e.g., psychologists, psychiatrist etc.);

- Employees of public order entities (police officers, gendarmes, local police officers, detention centres staff etc.);

Besides the primary target groups, the following **secondary target groups** can benefit from the project's activities:

- Pupils and students;
- Teachers, including managers of educational institutions;
- The general public;
- Other categories of persons who can contribute to increasing the project's impact (employers, people working in the field of public communication, influencers etc.).

All the projects will propose activities which will ultimately benefit the following **final target groups**, as mentioned in the section 2.2 of the present call:

- children
- persons deprived of their liberty/ detainees
- persons with disabilities
- persons belonging to national minorities, including Roma
- women
- other vulnerable groups mentioned in CoE documents, such as LGBTI, religious minorities etc.

2.11. Eligible activities

Indicative examples of eligible activities³²:

- Creation of networks/ working groups/ groups of experts from public institutions and civil society at large in order to develop public policy documents/ improved legislation/ action plans in the field of special/ group rights, such as: promoting children's rights, ensuring child-friendly justice, combating gender-based violence, promoting the rights of persons with disabilities, etc;
- Creation of interdisciplinary networks/ working groups/ expert groups in order to develop action plans in the field of the rights of persons with disabilities, including in order to promote an accessible environment for all by implementing the provisions of the Council of Europe recommendations³³ on ensuring full participation for all citizens;
- Piloting the measures included in the public policies/ action plans drafted during the implementation of the project or independently of it, in the field of interest of the call, including the investments (e.g., in an accessible infrastructure)/ equipment/ services necessary for these activities;
- Human rights training activities for the target groups of the project (experts working with vulnerable groups, magistrates, lawyers, police, gendarmes, detention centres staff etc.);
- Developing continuous training programs on human rights for the relevant professional categories;
- Activities to create mechanisms for immediate action in order to implement the recommendations made by Council of Europe bodies in their reports on Romania;

³² the below list is not exhaustive

³³ For further details, please consult the Recommendation CM/Rec(2009)8 of the Committee of Ministers of CoE to member states on achieving full participation through Universal Design

- Creating transparent mechanisms for informing the public about the recommendations issued by the ECHR and other Council of Europe institutions, respectively on country reports in the field of human rights;
- Communication campaigns on human rights targeting the general public
- Organizing conferences / round tables on specific topics;
- Legal assistance for victims of human rights violations, including for representation at the European Court of Human Rights in Strasbourg;
- Development of new intercultural education programs and good practices in promoting the rights of national minorities;
- Training/ exchange of experience in organizations from donor states and/ or other beneficiary states of the program and Romanian human rights entities;
- Creation of consultation mechanisms with representatives of the vulnerable groups mentioned as such in this call (see the section Intervention Area) in order to harmonize the national legislation with the international documents signed and ratified by Romania;
- Studies on the impact of national legislation and/ or domestic judicial practices on the implementation of the European Convention on Human Rights, respectively of other conventions and human rights treaties signed and ratified by Romania;
- Studies/ research on the human rights situation in Romania, especially in areas little explored so far (such as jurisprudence in the field of gender violence or violence against children, in the field of national minority rights, etc.)
- Development of transparent procedures for public entities that have responsibilities in implementing the recommendations and decisions of the European Court of Human Rights, respectively the recommendations issued by other institutions of the Council of Europe in the field of the thematic areas mentioned in this call.
- Capacity building activities aimed at improving the functioning of national public institutions with responsibilities in the field of human rights: improving the knowledge of staff members, improving the working procedures, the flow of information, and improving and adapting the way the institutions interact with members of the final target group of this call, etc.

General considerations on eligible activities:

In activities and methodologies, the projects will identify and valorise potential synergies with other EEA and Norway Grants 2014-2021 Programmes, in particular with Programme “Justice” (Programme Operator – Ministry of Justice) and Programme “Active Citizens Fund” (Fund Administrator – Civil Society Development Foundation), without limiting to these two programmes.

Under this call, in order to avoid overlapping and double funding with other similar initiatives, will not be eligible activities that have already been or are going to be carried out through other projects (financed from structural funds or other national non-reimbursable funds, EEA and Norwegian etc.) be it under implementation at the time of grant application submission or at the time of contracting the project (if the grant is awarded)³⁴.

Moreover, in order to avoid double funding, under the present call the activities which fall under the PP/ partners obligation to ensure sustainability of projects previously funded under RO10 Programme „Children and Youth at Risk and Local and Regional Initiatives to Reduce National Inequalities and to Promote Social Inclusion”, funded by EEA Grants 2009-2014, are not eligible.

These conditions shall be confirmed by the PP at the time of the grant application submission under this call by signing a specific Declaration and also at the time of contracting, when the PP

³⁴ The estimated date for contracting is the middle of the second semester of 2021.

will have to sign the Declaration of eligibility – Annex 10 of the Application Form once more. Non-fulfilling this eligibility criterion shall prevent the signing of the project contract.

2.12. Eligible costs

As a general implementation rule, the costs are eligible if they were made from the start date of the project (the date of signing the project financing contract, or otherwise specified in the project contract) to the final date mentioned in the financing contract, with the subsequent addenda, as might be the case, but not later than 30 November 2023 or another date set by the PO. At the closure of the project, all the project activities will be completed and all the expenses will be incurred. Further information on the general eligibility of costs can be found in the Regulation on the implementation of the EEA Financial Mechanism 2014-2021 (Chapter 8) and the Guide for Applicants.

The same rules on eligibility of costs apply to both PP and partner. All non-eligible costs shall be borne by the PP and/or its partners, as the case may be.

The budget of the project will be expressed in RON and EUR (using the Infor Euro exchange rate for January 2021, 1 EUR = 4.8681) and will include only eligible costs (direct costs, indirect costs and contingency costs) as the budget framework recommends.

Compliance with the budgetary limits for the requested grant (minimum 500 000 Euro, maximum 2 500 000 Euro) constitutes eligibility criterion. Failing to meet this criterion leads automatically to the rejection of the project.

The project budget shall include proportionate, necessary and accurate costs in relation with its planned objectives, activities and results. In this respect, as justification of the project proposed budget, the PP shall mandatorily present a detailed breakdown of the estimated costs (type of costs, unit prices are required). The budget, along with its detailed justification and breakdown of costs, shall be an important part of project evaluation and, if they deem as necessary, the evaluators may request additional information and could propose a budget revision as well as a lower scores for inconsistent and/or non-proportionate costs.

The main categories of eligible costs are:

Direct costs

- The cost of staff assigned to the project, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this corresponds to the Project Promoter's and project partner's usual policy on remuneration. The corresponding salary costs of staff of national administrations are eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the project concerned were not undertaken;
- Travel and subsistence allowances for staff taking part in the project. Having regard to the principle of proportionality, travel costs, including subsistence allowance, may be calculated as a lump sum, on the basis of applicable rules defined by the Programme Operator (see the applicable Annex to the Guide for applicants);
- Cost of new or second hand equipment. Where new or second hand equipment is purchased, only the portion of the depreciation corresponding to the duration of the project and the rate of actual use for the purposes of the project may be considered eligible expenditure. In case the Programme Operator determines that the equipment is an integral and necessary component for achieving the outcomes of the project, the entire purchase price of that equipment may, by way of exception³⁵ from the rule contained in paragraph 4 of Article 8.2 of Regulation, be eligible;

³⁵ In case of exceptions, specific conditions for sustainability will be established.

- Purchase of land and real estate under the conditions set in Article 8.6. (see applicable provisions of the Guide for Applicant). This purchase shall be fully analysed during the content evaluation stage and accepted only in fully justified and necessary cases;
- Costs of consumables and supplies, provided that they are identifiable and assigned to the project;
- Costs entailed by other contracts awarded by a Project Promoter for the purposes of carrying out the project, provided that the awarding complies with the applicable rules on public procurement and this Regulation; and
- Costs arising directly from requirements imposed by the project contract for each project.

The investment costs include equipment costs³⁶, construction works costs, land and real estate costs. Depending on the objectives and complexity of each project, the investment costs shall be reasonable and proportionate to the effectiveness of objectives achievement (they shall not exceed 40% of the total project value, meaning the grant + the private co-financing, where applicable). This is an eligibility criterion. Failure to comply will lead to the rejection of the project during the formal evaluation stage.

If the PP finds that, as a sole means to achieve the objectives of the project, it is necessary to purchase a plot of land and / or a building, it will take into account the provisions of art. 8.6 of the Regulation. The value allocated to the procurement will not exceed 10% of the total project expenditure (grant + private co-financing, where applicable) and is included in the category of investment costs at the project level. This is an eligibility criterion. Failure to comply will lead to the rejection of the project during the formal evaluation stage.

Under this call, costs related to studies, research and evaluation (to be budgeted under Chapter 6) shall be maximum 5% of the total eligible expenditures of the project, but not more than 50,000 EUR. The costs related to public campaigns (to be budgeted under chapter 6.7) shall be maximum 10% of the total expenditures of the project. These aspects shall be checked during the desk evaluation stage. Should these requirements not be met, the budget will be amended accordingly.

Indirect costs³⁷

For entities from Romania, the indirect costs of the project shall be determined either on the basis of actual costs and shall be justified by the analytical accounting system (Art. 8.5, lit. a) of the Regulation), or on the basis of a flat rate calculation (Art. 8.5, lit. c). The indirect costs calculation method shall be stipulated in the project financing contract and in the Partnership agreement (if applicable). The entities from the Donor States may identify their indirect costs according to one of the methods mentioned in the Regulation (Article 8.5 Indirect costs in projects - overheads). The indirect costs calculating method cannot be changed during the project implementation.

Contingency

The maximum amount for these costs is 5% of the eligible direct costs. The contingency can only be used with the prior approval of the PO, and the available amounts shall be re-distributed to the other budget headings as their utilization is approved.

³⁶ Equipment includes fixed assets (tangible and non-tangible, with an individual acquisition value of more than 2,500 lei and a service life longer than one year), inventory items of the nature of fixed assets (having an acquisition value of up to 2,500 lei and a service life longer than one year) and means of transportation.

³⁷ Costs that cannot be directly attributed to the project and cannot be identified by the PP and/or project partners as directly attributable to the project, but which can be identified and justified by the accounting system as committed in direct relation to the direct eligible costs attributed to the project.

2.13. Excluded costs

According to Art. 8.7 of the Regulation, costs such as the following are not considered eligible:

- interest on debt, debt service charges and late payment charges;
- charges for financial transactions and other purely financial costs, except costs related to accounts required by the FMC, the National Focal Point or the applicable law and costs of financial services imposed by the project contract;
- provisions for losses or potential future liabilities;
- exchange losses;
- recoverable VAT;
- costs that are covered by other sources;
- fines, penalties and costs of litigation, except where litigation is an integral and necessary component for achieving the outcomes of the project; and
- excessive or reckless expenditures.

2.14. Project durability

PP/ partners will have to demonstrate the capacity to use the results also after the project completion and to bear the cost of support services created/ developed by the project. In this regard, a plan on the sustainability of the project results shall be developed, according to the specifics of the project, and this plan shall assign specific roles to each partner, according to the Partnership Agreement. PP shall be guided by the aim of promoting sustainability of ensuring that the financial support provided to the project generates the maximum benefits to its target group and final beneficiaries. PP will also take into account the requirements of the Regulation (Art. 8.6 and 8.14).

Real estate and/ or land (including construction and/ or renovation): the minimum post-completion operation for projects that involve investment in land and/ or real estate (including those proposing rehabilitation works), is of at least five years after the project completion, period in which the real estate and/or the land shall be used for the purpose of the project, as described in the sustainability plan.

Purchase of equipment: in case of projects in which the entire price of the purchase of the equipment is determined as eligible by the PO, the minimum post-completion operation is also of at least five years after the completion of the project, period in which the PP/ partners shall keep the equipment in their ownership, shall use it for the benefit of the overall objectives of the project, shall ensure it against losses and shall set aside appropriate resources for its maintenance (according to Art. 8.3 paragraph 2 of Regulation).

Projects not involving investment in real estate and/or land (including renovation) and/or procurement of equipment for which the entire purchase price of equipment is determined as eligible by the PO, shall have a minimum post-completion operation of three years.

Details on durability of projects and applicable conditions are provided in the Guide for Applicants and shall be also regulated by grant contract provisions.

3. Projects verification, evaluation, selection and contracting

As PO, RSDF is responsible for collecting applications, organizing the selection process of the submitted applications and signing the project contracts.

All projects selection and approval operations shall observe the principles of confidentiality and impartiality.

Project proposals received during the call will be analysed against specific criteria, following several steps:

3.1 Formal verification

During the **formal verification stage**, 2 types of criteria are verified: administrative compliance criteria and eligibility criteria.

a) Observance of administrative compliance

Administrative compliance criteria refer to:

- **compliance with the method of application and the announced deadline:** the project proposal was submitted in the online system until the date and time announced as deadline;
All projects submitted in the online system after this deadline or arriving at RSDF through any means other than the ones specified in this call for proposals will be rejected and will not be considered as received during this call for proposals, whether submitted in person or sent by email, regular mail or courier services;
- **the project proposal folder is complete and compliant:** all the required and mandatory documents are attached, according to the list provided in the Guide for Applicants, and they comply with the formal requirements mentioned in the call documents. Important notice: for projects including construction works that require a building permit, the PP will mandatory attach the feasibility study / DALI);
- **the number of projects in which an entity is involved, either as PP or partner:** an entity has submitted as PP maximum two applications under this Call or maximum three as partner (in case it has submitted one or two projects as PP, it can act as project partner in only two or one other project, as the case may be). Failure to meet one of these conditions is subject to. If after clarifications, there is still a non-compliance with any of these two criteria, it shall lead to the rejection of the projects that exceed these limits, based on the registration number given by the PO;
- at the level of the entire Programme, one entity from Romania can receive funding for maximum two projects as PP or three projects as partner (or as the case may be, one project as PP and two as partner, two projects as PP and one other as partner), submitted under the various calls and grant schemes³⁸

Important notice: Failure to fulfil one of the administrative conformity criteria mentioned above automatically leads to the rejection of the application file at this stage. Therefore, the application is excluded from the next analysis stages.

b) Compliance with eligibility criteria

Eligibility criteria refer to:

- **financial allocation:**
 - the requested amount is within the specified limits (minimum 500,000 euro and maximum 2,500,000 euro) calculated at the InforEuro for January 2021, 1 EURO = 4.8681 RON;
- **project duration:**
 - is between the limits specified by this call documents (12 to 24 months);
 - the estimated date of finalizing the project is end of November 2023.
- **Project Promoter:**

³⁸ Projects submitted under the Small Grant Scheme "Access to financing" are not taken into account in this calculation.

- the PP is eligible (as described under 2.8 subchapter);
 - the NGO acting as PP (if the case) has had relevant experience in the past five years in the field of human rights, by having implemented projects/ activities/ initiatives etc. in the field, either funded by public funds and/ or by other private funds, including sponsorships and donations.
- **partners and partnership:**
 - the proposed project is implemented in a partnership between public entities and NGOs;
 - eligibility of the partners: all identified partners are eligible (as described under 2.9 subchapter);
 - partners' selection: in case PP falls under the category of authorities or institutions that are financed through public funding, the selection of private partners (Romanian NGO's) has been done in full accordance with the specific legislation (art. 14 of the GEO no 34/2017);
 - for all identified partners, draft Partnership Agreements are submitted (applies to all partners from Romania and Donor States – if the case);
 - in case of partners from the Donor States, a Letter of Intent is also submitted;
 - **project target group(s):**
 - are selected from those mentioned within subchapter 2.10 of the call;
 - **the project's activities:**
 - respects principle of “non-overlapping & avoiding double funding” (as described under 2.11);
 - the project activities have not been funded by other grants, according to section 2.11 Eligibility of activities (according to a statement on own responsibility);
 - do not overlap with sustainability activities of projects previously financed under the Programme RO10 “Children and Youth at Risk and Local and Regional Initiatives to Reduce National Inequalities and to Promote Social Inclusion” financed from EEA Grants 2009-2014;
 - **cost eligibility:**
 - the investment costs (comprising equipment costs³⁹, costs related to the accomplishment of construction works, purchase of land and real estate) do not exceed 40% of the project total value⁴⁰; costs of purchasing real estate (land, buildings) do not exceed 10% of the project's total expenditures⁴¹.
 - **project sustainability:** the sustainability is in accordance with section 2.14 and other provisions of the present call.

Important notice: Failure to fulfil one of the eligibility criteria mentioned above, automatically leads to the rejection of the application file, which is excluded from the subsequent selection stages.

The formal evaluation is performed by PO's specialists, observing the principles of confidentiality and impartiality and avoidance of conflict of interests.

³⁹ Equipment includes fixed assets (tangible and non-tangible, with an individual acquisition value of more than 2,500 lei and a service life longer than one year), inventory items of the nature of fixed assets (having an acquisition value of up to 2,500 lei and a service life longer than one year) and means of transportation.

⁴⁰ Grant + co-financing, where applicable

⁴¹ Idem.

If, during the formal verification, the information included within the project application is not sufficient and/ or clear enough to be able to make an objective decision on whether or not a certain administrative compliance or conformity criterion is fulfilled, the PO may send the PP requests for clarification and/ or ask for submission of documents that clarifies certain aspects/ bring additional information. The requests for clarifications are not mandatory for the PO.

The PP shall respond within the deadline (usually five working days) set by the PO (according to the type of clarifications / explanations requested).

Only the projects proposals that fulfil all the administrative conformity and eligibility criteria shall pass to the content evaluation stage.

The applicants with projects rejected as noncompliant or non-eligible shall be notified on the results of the formal evaluation after it was completed (usually, within 45 working days from the deadline for projects submission). In well-justified cases (e.g. when the number of received project proposals is high), the PO may decide to extend this deadline; in this respect, the PO shall publish an announcement on the programme's website.

The project proposals and all the documents related to the verification/ clarifications will be kept by the PO and relevant data will be recorded in the database (MIS).

3.2 Content evaluation

The content evaluation (desk evaluation) is performed by independent experts, selected and contracted by the PO.

Each project proposal that fulfilled the administrative and eligibility criteria is evaluated independently by two experts. If the difference between the scores given by the two evaluators is higher than 30% of the highest score, a third evaluator shall be appointed to perform an independent evaluation of the project. In such cases, the average of the nearest scores shall be considered for the final ranking the projects. In case the evaluated project cannot obtain the minimum score needed to obtain the financing (65/100), regardless of the score the third evaluator would have awarded, the third evaluation will no longer be performed.

The main criteria on which the projects shall be evaluated are:

No.	Evaluation criteria	Maximum score
1.	Relevance of the project	30
1.1	<i>Relevance to the programme</i> <i>The project properly explains the manner in which it contributes to improving the implementation of the recommendations made by the Council of Europe on human rights, including rights, specific to the vulnerable groups defined in this call by addressing unsolved issues at national level in relation to fundamental human rights; - max. 5 points</i>	5
1.2	<i>Contribution to achieving the programme's/ call's results</i> <i>The project directly contributes to at least one of the indicators related to the expected result of Outcome 6: "Increased implementation of judgements and case law issued by the European Court of Human Rights (ECtHR) and of country specific recommendations on human rights put forward by other bodies of the Council of Europe)"– max. 3 points</i>	5

	<i>The project properly explains and substantiates the proposed approach, by proving the direct correspondence with general recommendations and/ or country specific recommendations found in documents drafted by CoE institutions – max. 2 points</i>	
1.3	<i>Need for project implementation and relevance to the target groups</i> <i>The need/ the nature of the problem the project intends to address in relation to the target groups is clearly identified and described on the basis of the PP's own analysis, using sources such as: reports and recommendations made by CoE institutions and/ or existing statistics, own research, etc. - max. 5 points</i>	5
1.4	<i>Means of achieving the needs of the target group(s)</i> <i>The project establishes and pilots at least one mechanism to protect the rights of people belonging to vulnerable groups – max, 3 points</i> <i>The project properly explains and substantiate the proposed approach, by proving the direct correspondence with general recommendations and/ or country specific recommendations found in documents drafted by CoE institutions – max. 2 points</i> <i>or (and)</i> <i>The project implements at least one pilot measure for combating discrimination and/ or promoting human rights at national level – max. 3 points</i> <i>The project properly explains and substantiates the way in which the proposed measure(s) is/ are related to the general recommendations and/ or country specific recommendations found in documents drafted by CoE institutions – max. 2 points</i>	5
1.5	<i>Impact on target groups⁴²</i> <i>Number⁴³ of people from vulnerable groups (final beneficiaries) reached by anti-discrimination or human rights pilot measures – max. 3 points</i> <i>or</i> <i>Number⁴⁴ of experts working with vulnerable groups trained – max. 3 points</i> <i>Activities for at least one secondary target group are included, and are adequate and correlated with the activities for the main target groups–max. 2 points</i>	5
1.6	<i>Context/ coherence/ synergy with other initiatives</i>	5

⁴² The expected overall expenditure should be approximately 5000 EUR/ beneficiary.

⁴³ The following minimum values should be met in order to obtain maximum points: 100 persons for projects with budgets between 500,000 and 1,000,000 EUR; 200 persons for projects with budgets between 1,000,001 and 2,000,000 EUR and 300 persons for projects with budgets higher than 2,000,000 EUR.

⁴⁴ Idem

	<i>The project clearly identifies and describes the local and national context in which the project shall be implemented (other projects/ initiatives/ programmes, national or international previously and currently funded or to be funded and implemented during the project implementation, relevant in the field and/or addressing similar issues or the same target group); it presents a detailed analysis of the complementarity of these projects/ initiatives/ programmes and clearly demonstrates their correlation and complementarity and clearly proves that there are no overlaps – max. 5 points</i>	
2	Technical consistency/ methodology	35
2.1	<p>Project objectives</p> <p><i>The project objectives are properly identified and formulated (using the SMART approach⁴⁵) and directly contribute to the achievement of the overall objective of the call – max. 3 points</i></p> <p><i>There is a clear, correct and realistic correlation between objectives – activities – results – impact on the final target group – max. 2 points</i></p>	5
2.2	<p>Project activities and results</p> <p><i>The activities are well chosen, realistic, feasible, comply with the applicable legislation, are accessible to the identified target groups and contribute to the achievement of the project's objectives and results, are described in detail and their planning is logical/ adequate – max. 3 points</i></p> <p><i>The expected results are quantified and measurable by the provided indicators, the foreseen targets are realistic and describe real, achievable benefits during the project implementation; are correlated with both the project's objectives and activities and also with the programme indicators – max. 2 points</i></p>	5
2.3	<p>Methodology of the project</p> <p><i>The methodology of the intervention is clear, coherent and detailed. The balance among proposed interventions/activities is fair and leads to the proposed expected results, risks are properly identified and addressed by mitigation measures, visibility of the project is well described – max. 5 points</i></p>	5
2.4	<p>Benefits for the target group</p> <p><i>The activities that lead to significant improvements for the final target group (a proper methodology that shall be used and comparative analysis are provided, also clearly mentioning and detailing the intended improvements) – max. 3 points</i></p> <p><i>Adequate activities for promoting CoE values on human rights (using CoE materials/ publications and/ or specific guidelines) and in relation with identified project needs are included, in order to achieve the results – max. 2 points</i></p>	5
2.5	<p>Strategic/national character and stakeholders' consultation</p> <p><i>The project responds to national priorities in human rights area and addresses national issues in a strategic and comprehensive way – max. 3 points</i></p>	5

⁴⁵ A "SMART" objective is specific, measurable, realistic and achievable in the proposed time.

	<i>The project demonstrates that it has been developed in consultation with the relevant stakeholders (including members of the target group, professionals, experts belonging to the target groups, members of the community, etc.). The project has in view a continuous information/consultation plan with them during the project implementation – max. 2 points</i>	
2.6	<p>Innovation and added value</p> <p><i>The project includes new and/ or innovative approaches and/ or transfer of best practices and clearly demonstrates their added value; it details the extent to which the project contributes to improving the implementation of the country recommendations made by the Council of Europe institutions in the field approached by the project – max. 2 points</i></p> <p><i>The project contributes to the creation of efficient communication mechanisms between institutional actors with responsibilities in the process of implementing country decisions and recommendations on the subject of human rights – max. 3 points</i></p>	5
2.7	<p>Applicability of results</p> <p><i>The project contains a well described component of piloting the results with impact at national level and proves that the tools/mechanisms realised during the implementation are used/implemented by relevant entities with responsibilities in the area of protection of human rights – max. 5 points.</i></p>	5
3	Economic efficiency	15
3.1	<p>Budget justification and correlation with the planned activities</p> <p><i>The proposed costs are eligible and directly related to the activities and outcomes – the expenditure calculation manner is clearly and explicitly presented (unit price and number of units, frequency and total expenditure are mentioned, there are no calculation errors etc.), the applicable rules on costs for human resources, indirect costs, depreciation etc. are observed – max. 5 points.</i></p>	5
3.2	<p>Costs proportionality and necessity</p> <p><i>The proposed costs are realistic, not excessive in relation to the objectives, are indispensable for the achievement of the estimated results and the cost/ benefit ratio is positive (there are no cost over or sub-evaluated and the unit costs/ budget prices are within reasonable limits for the profile market at the respective moment, and also for the project specificity) – max. 5 points.</i></p>	5
3.3	<p>Material resources/ spaces (including private co-financing, if NGO) and ownership</p> <p><i>The allocated material resources and spaces are adequate as nature, structure and size relative to the proposed activities and expected results and the right for utilization for the purpose of the project is properly documented – max. 3 points</i></p> <p>NGO as PP - Private co-financing is provided -max. 2 points.</p> <p>or</p> <p>National level public entities as PP - own human resources are mobilised for the project implementation – max. 2 points</p>	5
4.	Implementation capacity, partnership and sustainability	20

4.1	Project team qualification/ experience/ expertise <i>The structure of the project team (management and implementation) is described in detail and adequate for the project implementation (number and types of positions, functional relationships etc.).</i> <i>Job requirements for the staff proposed in the project (qualification/ competencies, required experience) are adequate for the activities to be carried out by each; there are clearly defined responsibilities for each position satisfactorily defining each role, the assigned working hours are appropriate. – max. 5 points</i>	5
4.2	Partners experience and technical capacity for implementation <i>The PP and its partner/ partners significantly contribute to the project, demonstrating relevant previous experience and/ or expertise in the field/ area of intervention of the project (e.g. they have carried out similar activities from their own budget and/ or projects with external financing, they have involved experts with relevant competencies and experience etc.). The role and responsibilities of each partner are clearly delimited in the Partnership Agreement – max. 5 points</i>	5
4.3	Added value of the partnership <i>At least two entities that compose the partnership structure have responsibilities/ experience in the area of protecting human rights or is/ are (a) watchdog(s) organization(s) with previous experience – max. 3 points</i> <i>The project has at least one partner from the Donor States, and this partner contributes significantly to the implementation of the project, demonstrating relevant experience and / or expertise in the field / area of intervention of the project. – max. 2 points</i>	5
4.4	Sustainability of the results/ project <i>The project describes how the obtained results shall be maintained (identifies the activities that shall continue, specifies the service capacity after the end of financing, identifies resources for taking over the costs for services functioning, including the costs for ensuring the maintenance of buildings/ equipment etc.), and ensures that it continues to generate maximum benefits to its target groups and final beneficiaries. In addition to maintaining the project results, the project concretely identifies and describes possibilities for developing and/ or multiplying these results after the end of financing, explains and prove with documents the take-over at national level the results of the projects – max. 5 points</i>	5
Total score		100

Each criterion is divided into sub-criteria. For each sub-criterion, the evaluator shall award a score between 0 and 5 points, corresponding to the degree of meeting the respective sub-criterion and in full accordance with the maximum points indicated within the above evaluation grid.

In order to be taken into account for financing, the project proposal must cumulatively meet the following conditions⁴⁶:

⁴⁶ If, at any stage during the content evaluation, the project application does not meet any of these criteria it gets automatically rejected.

a. completeness of the application file – the PP has submitted at the POs request the additional required documents, if the case, according to Annex 2 of Guide for Applicants – section II – „Documents that shall be submitted after the publication by the PO of the list of the projects that were selected for content evaluation”.

b. minimum scores required:

- obtain at least 3 points for the following sub-criteria under criterion no. 1 Relevance of the project: 1.1., 1.2, 1.3 and 1.4.; The proposed measures that will be evaluated under sub-criteria 1.2. and 1.4 should be logically related. Should this requirement not be met, the project shall be rejected at Criterion no. 1 Relevance of the project
- obtain at least 3 points for the following sub-criteria of criterion no 3 Economic efficiency: 3.1 and 3.3;
- obtain at least 3 points for the sub-criteria 4.1, 4.2 and 4.4 under criterion no. 4 Implementation capacity, partnership and sustainability;
- obtain a total score⁴⁷ of at least 65 points out of the possible 100.

During desk evaluation, a technical expert may assess all documents/ information related to the infrastructure component and provide the independent evaluators with a technical opinion that shall be considered when scoring the project from the point of view of necessity, opportunity, feasibility, proportionality, cost efficiency and efficacy (sub-criteria/ criteria 1.3, 1.4, 2.1, 2.2, 2.4, 3, 4.1 and 4.4)

After finalizing the desk evaluation, the Ranking list of the project proposals (presented in descending order of the final scores), together with the most relevant remarks of the evaluators, shall be drawn up. The list will also contain the evaluators' recommendations regarding the field verification of the project and / or the technical verification of the construction component, if the case.

The PO shall submit the list to the members of the Selection Committee⁴⁸ (SC), and they shall decide on the strategy for on-site verification of the projects (including technical verification). Depending on this decision, the PO shall organize the on-site verification of the projects, on behalf of the SC.

The field verification may be performed either for all or for some of the projects proposed for financing. During the field visit, the independent evaluator shall verify the compliance between the information provided in the project file and the field reality. If deemed as necessary, the technical expert shall participate in the field verification, for the verification of the infrastructure component.

Upon the completion of the field verification, the *Ranked list of projects* shall be filled-in with the most relevant observations, additional identified risks and recommendations of the field evaluators and will be made available to SC members.

For the project applications selected for contracting, additional/ updated information may be requested at the contracting stage.

⁴⁷ The average between the two scores awarded by the independent evaluators.

⁴⁸ The Selection Committee (SC) consists of three persons with relevant experience in the field (out of which at least one is external in relation to the PO and its Board). Representatives of the National Focal Point (NFP) within the Ministry of Investments and European Funds, of FMO, of Norway Embassy in Romania and of Programme partners (KS and CoE) are invited to attend the SC meetings.

3.3 Projects selection and approval

The SC recommends to the PO the projects to be financed, and this may result in the modification of the projects ranking in justified cases. The justification for the change shall be detailed in the minutes of the meetings and all the affected applicants shall be informed in writing on the justification for the change.

The SC shall modify the ranking if the field verification report reveals important inconsistencies between the information provided in the file and the reality in the field, shall also seek to avoid double funding/ overlaps with other financed programmes and avoid duplication of projects by the same PP under different calls, shall take into consideration geographical distribution, innovative approaches, project impact at national level, necessity to meet program level indicators for program area 17 Human Rights – National Implementation etc. SC may also request that specific financing conditions, if the case, are fulfilled by PP, prior to grant contract signature.

The PO shall verify that the selection process has been carried out in compliance with the provisions of Regulation and that SC recommendations comply with the programme's rules and objectives. After these verifications, the PO, based on the decision of the SC, shall make a decision, through its Steering Committee, on the projects that will be financed/ rejected/ put on the reserve list, depending on the available funds. PO shall subsequently conclude financing contracts with PP.

The list of the projects approved for funding will be submitted also to the EEA Financial Mechanism Committee (FMC).

Until the final decision is taken, all the documents related to the projects' evaluation shall be confidential.

All persons involved in the evaluation process shall sign confidentiality and conflict of interest statements.

3.4 Applicants notification

All the applicants (except for those who submitted projects that were rejected during the formal verification stage and who have already received notifications) shall be notified on the results of the projects evaluation **within maximum 30 working days after the final decision of the PO**. In the case of projects approved for funding, the notification shall also comprise the conditions to be fulfilled for signing the project financing contract. In case of projects rejected, the notification shall comprise the position on the ranked list and the main reasons for rejection. If there are projects rejected as a result of SC's decision to change the initial or final ranking of the projects, the applicants affected by this change shall be informed in writing on the justification.

After finalizing the contracting stage, the final list of projects to be financed shall be published on RSDF's website at <http://www.frds.ro>.

3.5 Appeals on the procedure

The applicants may appeal the rejection of their project **proposal only during the formal evaluation stage**, in which case they may file an appeal **within maximum 30 calendar days** from the date of receiving the notification.

The PO will formulate and send a response within a maximum of 30 working days from the date of receipt of the appeal.

There is **no appeal procedure as concerns the SC's decision** (and consequently as concerns and consecutively as concerns the PO decision, if it corresponds to the SC decision).

3.6 Projects contracting

For each project approved for funding, the PO will conclude a *project financing contract (estimate for the fourth quarter of 2021)*.

During the project implementation, if necessary, the provisions of the financing contract/its annexes may be mutually amended within certain limits (without causing substantial changes to the initially approved proposal/ or changes that could modify the obtained score(s), leading to failure in approving). The amendments might be subject of addendums to the financing contract, as the case may be.

3.7 Reporting and payment system

As a rule, the PP shall submit interim reports to the PO, twice a year (for a period of 6-8 months). Also, progress reports (technical details showing progress in project implementation) shall be submitted at 3-4 months (in between interim reports). After finishing the project implementation period, the PP shall send the final report.

For each project, the planning of the reporting will be mentioned in the project financing contract.

The programme applies the pre-financing system. The payments to the PPs shall be made by the PO in the form of advance payments, interim payments and payment of the final balance, if the case. Depending on the duration of the project, the PP may require an advance between 20 and 40% of the project grant, as stated by the Programme Agreement, section 6.1 The interim payments shall be performed after the approval of the interim reports based on the supporting documents submitted by the PP (technical and financial), based on the estimate of expenses for the following period and by taking into account the existing financial resources (remained unspent from previous advance payment(s)).

The project funds (**in Lei**) shall be transferred to the accounts specifically opened by the PP for the project at the local treasury (in the case of public entities) or at a commercial bank (in case of NGOs/ intergovernmental organisations or bodies or agencies thereof).

4. Preparation and submission of the project proposal

If the PP calls on the services of a consultant for the preparation of the application/ preparation of the application file, the consultant's name shall be mentioned in the application form, in the specific field of the form.

4.1 Help-desk services and information seminars

During the period when the call for project proposals is open, the PO provides the potential PPs and their partners, upon request, with help-desk services (information and clarifications). These services are provided by specialists working in the main office and in the two branch offices of RSDF.

The potential applicants may submit questions and requests by e-mail (info@frds.ro) or, in exceptional cases, during direct meetings with PO representatives agreed upon in advance with help-desk operators.

Requests for information and clarifications related to the call may be submitted to the PO **no later than 10 working days before the deadline for submission of projects** within the call. Subsequent requests will no longer be answered.

The PO shall do its best to answer to the questions received from the potential applicants within 3 working days after receiving the message, or inform the potential applicants that more time is needed for a proper response. PO will not answer questions which suppose verification of eligibility or content evaluation of activities, results etc. referred to by the PP in the question.

The most frequent and relevant **Questions and Answers** on the call papers shall be published on the PO's website at <https://dezvoltare-locala.frds.ro/resurse/>. These shall be updated periodically, depending on the questions received from potential applicants. We also recommend periodic consultation of RSDF's site at <https://dezvoltare-locala.frds.ro/> in order to get access to additional and/ or updated information, respectively prior access to the Questions and Answers section, before calling the help-desk.

Also, after launching the call, the PO will organize (online) informative seminars, for the potential applicants under this call (estimated period for organizing the seminars is January 2021)⁴⁹.

In addition, PO will organise a **match-making seminar** for identifying possible future partners from the Donor States in order to commonly elaborate and implement projects under this call. (The estimative date of this seminar February 2021)⁵⁰.

More precise information on the date and format of these events shall be communicated by the OP on the webpage of the programme <https://dezvoltare-locala.frds.ro/> and on the [Facebook](https://www.facebook.com/dezvoltare.locala/) page of the Programme, <https://www.facebook.com/dezvoltare.locala/>.

4.2 Project proposal file preparation

The following requirements/ recommendations will be taken into account when preparing the project proposal file:

- Before preparing the project proposal, check all the information and conditions included in the Package of documents related to the project call; it can be found on the program's website, at <https://dezvoltare-locala.frds.ro/>. Please check both the present call document as well as the Guidelines of applicant along with all its annexes and related to Corrigendum.
- The project proposal file contains the grant application, annexes of the grant application, but also other additional documents (e.g., documents proving the legal status of the PP and partners, staff CVs, technical documentation for construction works, etc.). The composition of the project proposal file, including the list of documents that must be submitted together with the Funding Application can be found in Annex B of the Applicant's Guide.
- To fill out the grant application and its annexes, carefully follow all the instructions provided in the forms, as well as in the other call documents.
- The grant application and all its annexes shall be all drafted in Romanian, on the templates provided by the PO. In case one of the partners is from one of the Donor States, its documents (including for example the Letter of intent, CVs, legal status) shall be translated into Romanian language (not necessarily certified translation) and become part of the application.
- Before submitting the project proposal file, the PP will ensure that it complies with all the formal and content requirements mentioned in the documents of this call in Chapter 3.1, Formal Verification Stage. Otherwise, the application will be rejected at this stage.
- The project proposal file will be submitted exclusively in electronic format, through the online submission system, according to the online upload procedure described in Annex F of the Applicant's Guide.
- In order to submit the project proposal file in the online system, it is necessary to have an extended electronic signature, based on a qualified certificate, issued by an accredited certification service provider. The electronic signature must belong to the legal representative of the PP or to the person specially empowered by the legal representative to conclude documents in the name and on behalf of the legal person (PP) in order to submit projects within the Local Development program.

⁴⁹ Depending on the developments on the current pandemic situation, the seminars may be organized on-line.

⁵⁰ Depending on the developments on the current pandemic situation and the travel restrictions, the seminars may be organized on-line.

- Also, for the online submission of the project proposal file, it is necessary to create a user account in the name of the project promoter. An applicant can create a single account, being identified by the tax registration code.
- Account creation details are described in Appendix F of the Applicant's Guide.
- During the period in which the call is open, please follow the program website in case the PO publishes one/ more corrigendum/ corrigenda to the call documents. In this case, it is mandatory that all submitted forms be drawn up on the last approved version.

4.3 Project proposal submission

For the submission of the project proposal file, the following will be taken into account:

- The project proposal file will be submitted exclusively through the online submission system, following the registration and upload instructions presented in Annex F of the Applicant's Guide.
- The deadline for submitting/ registering the project proposal file in the online system is April 22, 2021, at 17:00.
- In order to avoid blocking the electronic system near the deadline, it is recommended to upload the project proposal in time, before the deadline. This responsibility belongs exclusively to PP, the PO cannot be held responsible for the PP's failure to meet the deadline.
- Files sent to the PO by other means / in a form other than the one indicated above, (for example, by post, courier, fax or e-mail services, submitted in person) will NOT be considered valid and, therefore, will not be considered as project proposals submitted to this call.
- Until the deadline for submitting the project proposal file expires, if an applicant wishes to modify a submitted and validated project, it will request the PO to cancel that project and will resume the upload process. The cancelled project proposal will not be taken into consideration when determining the maximum number of projects for the PP.
- After the deadline for submitting the project proposal file expires, the PP will no longer be able to initiate corrections or revisions of the project proposal file.
- At any time, before the approval by the PO, the PP may opt for the withdrawal of the project proposal from the competition, in which case the PP will send an official information to the PO. In this way, the PO will take note of the PP's decision on the withdrawal of the project proposal.

5. Further useful information

For better understanding the specificities of the interventions financed from EEA and Norway Grants 2014-2021 and the overall projects implementation framework, we recommend to consult the following documents (the list is not limited):

- [Memorandum of Understanding signed between the Kingdom of Norway and the Government of Romania on the implementation of the Norwegian Financial Mechanism 2014-2021](#)
- [Regulation on the implementation of the Norwegian Financial Mechanism 2014-2021](#)
- [Program Agreement signed between the NFP and the Donor States' representatives for the implementation of the Programme](#)
- [Regulation \(EU\) 2016/679 on the protection of individuals with regard to the processing of personal data and on the free movement of such data](#)
[Government Emergency Ordinance no. 34/2017 on the Financial Management of the Non-Reimbursable External Funds related to the EEA Financial Mechanism 2014-2021 and](#)

the Norwegian Financial Mechanism 2014-2021, as subsequently amended and supplemented

- Law 98/2016 on public procurement published in the Official Monitor no. 390/2016, as subsequently amended and supplemented and the Government Decision 395/2016 for the approval of the Methodological Norms for the application of the provisions regarding the award of the public procurement contract / the framework agreement in Law 98/2016, as subsequently amended and supplemented
- Government Emergency Ordinance no. 98/2017 on the ex ante control function of the process of awarding public procurement contracts/ framework sectoral contracts, and of works concession and service concession contracts
- Law 101/2016 on remedies and remedies in connection with the award of public procurement contracts, sectoral contracts and works concession and services concessions contracts, as well as for the organization and operation of CNSC, as subsequently amended and supplemented
- Order of the Minister of European Funds no. 1284 regarding the approval of the competitive procedure applicable to the private applicants / beneficiaries for the award of services or works supply contracts, financed from European funds, published in the Official Monitor no. 618 of August 12, 2016, as subsequently amended and supplemented
- Order MDRAPFE / ANAP no. 6.712 / 890/2017 regarding the approval of the procurement procedures for the projects with European financing implemented in partnership
- Order No 348/2018 on the approval of the rules for the application of lump sums for travel expenses financed from the Bilateral Relations Fund and Technical Assistance Fund of the EEA and the Norwegian Financial Mechanisms 2014-2021
- HCD Nr. 4/XI/SO-14.11.2019 of the PO Steering Committee regarding the approval of methodology for the calculation and payment of lump sums for travel expenses in localities from Romania, between localities or abroad, at programme and projects level, financed from the EEA and the Norwegian Financial Mechanisms 2014-2021
- Government Emergency Ordinance 66/2011 on the prevention, detection and sanctioning of irregularities in the obtaining and use of European funds and / or related national public funds, as subsequently amended and supplemented and Government Decision 875/2011 for approving the Methodological Norms for the application of the provisions of Government Emergency Ordinance no. 66/2011 on the prevention, detection and sanctioning of the irregularities in obtaining and using the European funds and / or the related national public funds
- Government Decision 519/2014 regarding the setting of the rates related to the percentage cuts / financial corrections applicable for the deviations provided in the Annex to GEO 66/2011, as subsequently amended and supplemented
- Guides adopted by FMC / NMFA in accordance with applicable Regulations (For more details use the following link:
https://eeagrants.org/resources?title=&field_resource_type_target_id=112&page=1)
- Project Implementation Guidelines (Romanian version): <https://dezvoltare-locala.frds.ro/resurse/>

All the program documents can also be found on the Program website: <https://dezvoltare-locala.frds.ro/resurse/>

6. Indicative list of Council of Europe institution/ working groups and other relevant programmes

- [Department for the Execution of Judgments of the European Court of Human Rights](#)
- [ECRI - Country monitoring in Romania \(coe.int\)](#)

- [European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment \(CPT\)](#)
- [Group of Experts on Action against Violence against Women and Domestic Violence \(GREVIO\)](#)
- [Advisory Committee of the Framework Convention for the Protection of National Minorities](#)
- [Committee of Experts of the European Charter for Regional or Minority Languages:](#)
- [The Lanzarote Committee](#)
- Council of Europe [Programme on Human Rights Education for Legal Professionals \(HELP\)](#). The HELP [on-line platform](#) also includes courses in the Romanian language.
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7. Indicative list of conventions and treaties on human rights signed and ratified by Romania

- European Convention on Human Rights:
https://www.echr.coe.int/documents/convention_ron.pdf
- The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment: <https://rm.coe.int/16806dbac4>
- The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention): <https://rm.coe.int/168046253e>
- Framework Convention for the Protection of National Minorities:
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016800c1314>
- European Charter on Regional or Minority Languages
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d358a>
- The Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse (The Lanzarote Convention):
<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806d358a>
- UN Convention on the Rights of the Child:
<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
- UN Convention on the Rights of the Persons with Disabilities:
<https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>