



Brussels, 22.11.2012
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COMMISSION IMPLEMENTING DECISION

of 22.11.2012

**concerning the adoption of a financing decision for 2013 in the framework of the
Programme "Civil Justice"**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 1149/2007/EC of the European Parliament and of the Council of 25 September 2007¹, establishing for the period 2007 to 2013, as part of the General Programme "Fundamental Rights and Justice", the Specific Programme "Civil Justice" (hereinafter referred to as the "Programme"), and in particular Articles 2, 3 and 9(2) thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities² (hereinafter referred to as the "Financial Regulation"), and in particular Article 75 and 10 thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities³ (hereinafter referred to as the "Implementing Rules"), and in particular Article 90 thereof,

Whereas:

- (1) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.
- (2) In accordance with Article 110 of the Financial Regulation and Article 9(2) of Decision No 1149/2007/EC, the Commission shall adopt an annual work programme.
- (3) The 2013 work programme being a sufficiently detailed framework in the meaning of Article 90(2) and (3) of the Implementing Rules, the present decision constitutes a financing decision for the expenditure provided in the work programme for grants and procurement.
- (4) Under Article 168(1) d) of the Implementing Rules, grants may be awarded without a call for proposals in the case of bodies identified in the basic act.
- (5) This financing decision may also cover the payment of interest due for late payment on the basis of Articles 83 of the Financial Regulation and 106(5) of the Implementing Rules.

¹ OJ L 257, 3.10.2007, p.16.

² OJ L 248, 16.9.2002, p. 1.

³ OJ L 357, 31.12.2002, p. 1.

- (6) For the application of this decision, it is appropriate to define the terms "substantial change" within the meaning of Article 90(4) of the Implementing Rules.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Civil Justice Committee set up by Article 10 of Decision No 1149/2007/EC of the European Parliament and of the Council of 25 September 2007.

HAS DECIDED AS FOLLOWS:

Article 1

The annual work programme for the implementation of the Civil Justice Programme in 2013, as set out in the Annex, is hereby adopted. It constitutes a financing decision in the meaning of Article 75 (2) of the Financial Regulation.

Article 2

Without prejudice to the last paragraph, the maximum contribution authorised by this Decision for the implementation of the Civil Justice Programme is set at EUR 16 556 000 to be financed from the budgetary line no 33 03 05 of the General Budget of the European Union for 2013.

These appropriations may also cover interest due for late payment.

The implementation of this Decision is subject to the availability of the appropriations provided for in the draft budget for 2013 after the adoption of the budget for 2013 by the budgetary authority or provided for in the provisional twelfths.

Article 3

Cumulated changes of the allocations to the specific actions not exceeding 20 % of the maximum contribution set in Article 2 are not considered to be substantial provided that they do not significantly affect the nature and objective of the work programme. The increase of the maximum contribution may not exceed 20% of the maximum contribution set in Article 2.

The authorising officer may adopt such changes in accordance with the principles of sound financial management and of proportionality.

Article 4

Grants may be awarded without a call for proposals to bodies identified in Article 4 d) of Decision No 1149/2007/EC, in accordance with the conditions detailed in the annexed work programme.

Done at Brussels, 22.11.2012

For the Commission
Viviane Reding
Vice-President of the Commission

ANNEX

ANNUAL WORK PROGRAMME 2013

Specific programme Civil Justice

1. GENERAL CONTEXT

1.1. Policy and legal context

On 25 September 2007, the European Parliament and the Council adopted the Decision No. 1149/2007/EC⁴ (hereinafter referred to as the "Programme"), establishing for the period 2007-2013 the specific programme "Civil Justice" as part of the General Programme on "Fundamental Rights and Justice", in order to contribute to the strengthening of the area of Freedom, Security and Justice over the period of 2007 - 2013. This Decision specifies the general and specific objectives of the Programme and the specific activities to be implemented.

1.2. General objectives of the programme

The general objectives of the Programme as referred to in Article 2 of the Decision No 1149/2007/EC are:

- (a) to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in civil matters based on mutual recognition and mutual confidence;
- (b) to promote the elimination of obstacles to the good functioning of cross-border civil proceedings in the Member States;
- (c) to improve the daily life of individuals and businesses by enabling them to assert their rights throughout the European Union, notably by fostering access to justice;
- (d) to improve the contacts, exchange of information and networking between legal, judicial and administrative authorities and the legal professions, including by way of support of judicial training, with the aim of better mutual understanding among such authorities and professionals.

1.3. Target groups and beneficiaries

The Programme is targeted at, *inter alia*, legal practitioners, national authorities and the citizens of the Union in general.

⁴ OJ L 257, 3.10.2007, p.16.

2. BUDGETUDGET DISTRIBUTION FOR 2013

For 2013, the total annual budget available for the Programme is **EUR 16 556 000**⁵. The relevant budget line is 33 03 05. The annual programme consists of the following parts and types of action:

Types of actions	Envisaged budget
Grants	EUR 10 576 000
• action grants to specific transnational projects of Union interest (call for proposals)	EUR 8 776 000
• action grants for specific projects in the context of the implementation of European competition rules (call for proposals)	EUR 800 000
• operating grants to support the annual activity plan of non-governmental organisations or other entities (call for proposals)	EUR 500 000
• operating grants for organisations mentioned in the basic act	EUR 500 000
Public procurement contracts	EUR 5 950 000
Management of the Membership of the Union in the Hague Conference on Private International Law	EUR 30 000
Total:	EUR 16 556 000

3. ACTION GRANTS

3.1. Action grants to specific transnational projects of Union interest – general call

3.1.1. Priorities for 2013

The grants provided under this heading shall co-finance projects within the scope of the Programme. Projects may consist of studies and research or meetings and seminars, exchanges between judicial authorities and judicial cooperation networks, work experience placements, training, dissemination of information on access to justice, design, development and implementation of innovative IT solutions⁶ and exchange of good practice, or a combination of these activities.

The participants and/or target group of beneficiaries of the projects shall be legal practitioners, including judges, prosecutors, advocates, solicitors, notaries, academic and scientific personnel, ministry officials, court officers, bailiffs, court interpreters, members of

⁵ The appropriations arising from the internal assigned revenue (revenue from recoveries) carried over from 2012 to 2013 will be added to this amount. The total annual budget includes the contribution of the Republic of Croatia to the Programme to be paid based on a Memorandum of Understanding between the Republic of Croatia and the European Commission signed on 15 December 2011. The amount of the contribution is calculated pro rata temporis for the first 6 months of the year.

⁶ Priority will be given to projects that are aligned with the e-Justice Action Plan and take account of progress already achieved, as described in the May 2011 Roadmap. Any selected projects aiming at contributing to the Portal will be given instructions on how to comply with the Portal structure and content rules.

judicial cooperation networks and other professionals associated with the judiciary in the area of civil law, national authorities and citizens of the Union in general.

The call for proposals shall focus in particular on the annual priorities described below (under each of the four objectives of the Programme):

3.1.1.1. Promoting judicial cooperation in civil matters, with the aim of contributing to the creation of a genuine European area of justice in civil matters based on mutual recognition and mutual confidence.

Under this specific objective the Commission would fund projects addressing legislative instruments adopted on the basis of Article 81 of the Treaty on the Functioning of the European Union (hereinafter referred to as TFEU).

3.1.1.2. Promoting the elimination of obstacles to the good functioning of cross-border civil proceedings in the Member States.

Under this specific objective the Commission would fund projects related to succession and wills, insolvency proceedings and enforcement of decisions, as well as to the issue of matrimonial regimes. Projects concerning the use of electronic tools (e.g. on e-learning) in these fields will be encouraged. The projects must have strong emphasis on practical solutions regarding actual cross border procedural difficulties.

3.1.1.3. Improving the daily life of individuals and businesses by enabling them to assert their rights throughout the European Union, notably by fostering access to justice.

Under this specific objective the Commission would fund projects focusing on information for individuals and businesses on access to justice in situations involving a cross-border element.

3.1.1.4. Improving the contacts, exchange of information, best practices and networking between legal, judicial and administrative authorities and the legal professions, including by way of support of judicial training, with the aim of ensuring better mutual understanding among such authorities and professionals

Under this specific objective the Commission would fund projects pertaining to:

- improving of the functioning of the European Judicial Network in Civil and Commercial Matters and the functioning of national judicial cooperation networks;
- European Judicial training of European legal practitioners.

European Judicial training is being reinforced in conformity with the Commission Communication "Building trust in EU-wide justice, a new dimension to European judicial training" of 13 September 2011⁷. European judicial training concerns initial and continuous training, whether theoretical or practical, of legal practitioners: judges, prosecutors, judicial court staff, lawyers, bailiffs, mediators and notaries.

European judicial training activities can include development of training content; organisation of training events, including quality evaluation, impact evaluation and dissemination of results; as well as dissemination of innovative results and adaptation of innovative practice for use in new settings; organisation of multilateral exchange programme. These activities can take place in the context of continuous or initial training (induction-period) of the participants. All activities must involve participants (end-users) from different Member States.

European judicial training projects should clearly demonstrate how they will ensure participation of practitioners, European added-value, the use of practice-oriented learning

⁷ [COM\(2011\) 551 final](#)

methods and the use of innovative learning methods, including blended learning, e-learning, simulations, etc.

European judicial training projects should focus on EU legal instruments and policies, notably on the civil justice legal instruments and policies. In particular the following training should be organised:

- training for practitioners of justice in legislative instruments adopted on the basis of Article 81 of the TFEU;
- training for judges, central authorities and practitioners in the area of family mediation referred to in Regulation (EC) No 2201/2003 concerning divorce and parental custody matters "Brussels IIa Regulation"⁸ and in the area of mediation in civil matters (Directive 2008/52)⁹ on the operation of these instruments in relation to their judicial cooperation functions;
- promotion and training for practitioners related to mediation techniques, with a view to developing mediation in cross-border cases;
- training for professions dealing with insolvency and debt management, with particular regard to the respect of fundamental rights and to reconciliation of interests of debtors and creditors;
- training on the use of e-Justice tools regarding cross-border electronic communication between judicial authorities, legal practitioners and parties to proceedings;
- development of appropriate training modules and methodologies for linguistic training of judges (including administrative judges); these types of projects should cover the legal terminology used in the work environment of practitioners involved in cross-border cooperation in civil matters and involve participants from different Member States.

3.1.2. Financial provisions

The total amount foreseen for action grants is EUR 8 776 000.

The grant provided by the Programme should not cover the entire cost of the action; the EU contribution is limited to a maximum 80% of the total eligible cost of the action. Consequently, at least 20% of the total eligible costs must be covered by the applicant, the partners or by another fund provider. Contributions in kind cannot be included in the project budget as an expense and are not accepted as co-financing. Projects must be non-profit making.

The Commission may award a grant lower than the amount requested. Grants awarded shall be covered by a written agreement including the modalities for the reimbursement of a specified proportion of the eligible costs actually incurred. A grant agreement for an action with one beneficiary or with multiple beneficiaries will be used on a case by case basis, as appropriate. The agreement is a standard agreement, and its terms and conditions may not be altered or subject to negotiation.

⁸ Council Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, repealing Regulation (EC) No 1347/2000, OJ L 338, 23.12.2003.

⁹ Directive 2008/52/EC of the European Parliament and of the Council on certain aspects of mediation in civil and commercial proceedings, OJ L 136, 24.5.2008.

As a general rule, the co-funding is provided in two instalments: a pre-financing payment of up to 80% of the Commission grant on the signature of the grant agreement, and the balance on receipt and approval by the Commission of the final report and final financial statement. Based on individual risk assessment the Commission may lower the percentage of the pre-financing, introduce an interim payment or request additional financial guarantees from the applicant. These additional conditions should be set out in the grant agreement.

3.1.3. Selection procedure

Projects to be co-financed will be selected following a call for proposals. Proposals will be evaluated by an evaluation committee made up of Commission officials, possibly supported by external independent experts when needed. The essential exclusion, eligibility, selection and award criteria are described below and will be further detailed in the call for proposals.

3.1.4. Exclusion criteria

Applicants shall be excluded from participating in the call for proposals if they are in one or more of the situations listed in Articles 93 (1) and 94 of the Financial Regulation.

3.1.5. Eligibility criteria

To be eligible, grant applications must meet the following criteria:

Projects must

- (a) be submitted by authorities, public or private organisations duly established in one of the eligible countries¹⁰. Organisations of third countries may participate as associate partners but are not permitted to submit projects or be co-applicants (co-beneficiaries).

Bodies set up by the European Union falling under Article 185 of the Financial Regulation shall not be entitled to apply for a grant but may, if so defined in the conditions of the call for proposals be associated to the application. However, their costs cannot be co-funded by the grant;

- (b) be submitted by the deadline set in the call for proposals using only the online application tool of Directorate-General Justice (PRIAMOS) and must be presented on the standard forms, accompanied by all compulsory documents and annexes requested in the call for proposals;
- (c) be transnational and involve organisations from at least two eligible EU Member States or one Member State and one otherwise eligible country;
- (d) contain a balanced budget presenting the sources of co-financing other than the budget of the EU (the EU co-financing can be maximum up to 80% of the total eligible costs);
- (e) seek an EU grant that cannot be lower than EUR 75 000;

¹⁰ Eligible countries are the Member States of the EU. For the purposes of this annual work programme, the term "Member States" shall mean Member States with the exception of Denmark since, as mentioned in Recital 19 of the Decision N°1149/2007/EC, Denmark did not take part in the adoption of the aforementioned Decision and is therefore not bound by it or subject to its application. The Programme is also open to the participation of organisations from acceding and candidate countries to the EU and the Western Balkan countries included in the stabilisation and association process, but specific conditions for these countries must first be met before they can be funded (i.e.: these countries must have signed a Memorandum of Understanding (MoU) in order to participate in the Programme and must have contributed to the Budget of the European Union). The Republic of Croatia signed such a MoU on 15 December 2011.

- (f) not be completed or started prior to the date of submission of the grant application.

3.1.6. Selection criteria

In accordance with Article 115(1) of the Financial Regulation and Article 176 of the Implementing Rules, proposals for action which meet the eligibility criteria will be evaluated on the basis of the following selection criteria:

- (a) The applicant's operational and professional competencies to implement and/or coordinate the proposed action and to maintain its activities during the implementation of the proposed action;
- (b) The applicant's financial capability: the applicant should have stable and sufficient sources of funding to maintain its activity throughout the period during which the proposal is being carried out and to participate in its funding.

3.1.7. Award criteria

The award criteria aim to ensure the selection of actions with high inherent quality, which contribute as much as possible to the Programme objectives and the priorities set for 2013 in a cost-effective manner. All projects submitted must aim to generate an added value at EU level and be within the scope of the Programme. The proposals will be assessed against the criteria set out below and further detailed in the call for proposals.

- (a) Relevance to the objectives of the Programme and this annual work programme, complementarity with other Union activities, avoiding duplication with projects funded by other Union programmes. Ability of the project to attain the desired objective, particularly in terms of the relevance of the expected results and practical impact;
- (b) Quality of the proposed action in terms of its conception, organisation, clarity of presentation, methodology, allocation of resources and expected results;
- (c) Cost effectiveness: appropriateness of the amount requested for co-financing in relation to expected results (cost/benefit ratio);
- (d) European dimension: geographical scope of the project in terms of partners, participants and target group and/or its added value at European level;
- (e) Sustainability of the project, i.e. likely impact of the expected results, measures planned for the dissemination of the results and to ensure adequate follow-up of project outputs.

3.1.8. Approximate Timetable

The following indicative schedule of the call for proposals is envisaged:

Publication of the call for proposals on the Commission website:	Q4 2012
Deadline for submission of proposals:	Q2 2013
Opinion of the Programme Committee:	Q3 2013
Commission Award Decision:	Q3 2013
Commitments and grant agreements:	Q3-4 2013
Projects' starting date:	Q3-4 2013

The Commission may, depending upon the budget uptake from the call for proposal issue another call in 2013 and will produce a subsequent timetable for this, which shall be published widely.

3.2. Action grants for specific projects in the context of the implementation of European competition rules¹¹

3.2.1. Priorities for 2013

The grants under this heading shall co-finance projects that focus on

- ensuring coherence and consistency in the enforcement of the European competition rules by national courts, including Articles 101 and 102 of the TFEU and/or of the State Aid rules (Articles 107 and 108 TFEU); this includes the application of remedies for infringements of the EU competition law as determined by EU law or as influenced by EU law principles and the proper application of EU competition law in cases under national law;
- improving and encouraging the cooperation between national judges in the field of European competition law; this includes the application of specific cooperation mechanisms between national judges and competition authorities (including the European Commission and the specific cooperation rules under Regulation (EC) No1/2003 or under the State aid Enforcement Notice¹²), as well as networking and exchange between national judges;
- answering the specific training needs (in the case of projects concerning the training of judges) of the judges to take part in the training as specified in the call for proposals.

Scope: projects must cover the application of the EU competition rules including Articles 101 and 102 of the TFEU and/or the State aid rules by way of public and private enforcement.

Projects should cover at least one of the following aspects:

3.2.1.1. Improvement of knowledge, application and interpretation of EU competition law

Projects should consist of training activities in the form of conferences, seminars, colloquia, meetings or symposia, whether as short or long term training courses on EU competition law for the target audience as defined in point 3.2.1.5.

3.2.1.2. Support to National Judicial Institutions with regard to the improvement of Competition Law knowledge

Projects submitted under this category should be organised by one or more national judicial institutions, in particular as part of the initial training period of judges and prosecutors, and should relate to the application of EU competition law by national courts.

3.2.1.3. Improvement and/or creation of cooperation/networks

Projects should cover activities promoting the cooperation and/or networking between national judges, in particular between judicial authorities or other public or private organisations or associations active in the field of the application of EU competition law rules by national judges or responsible for encouraging or monitoring the correct application of EU competition law by national judges.

Projects may also cover the up-grading and/or interlinking of databases or web-based tools with EU cross-border relevance aiming to create or strengthen the cooperation and the dissemination of information among judges at national and European level.

¹¹ The implementation of this action will be **sub-delegated to Directorate-General for Competition of the European Commission.**

¹² Commission notice on the enforcement of State aid law by national courts, OJ C 85, 9.4.2009, p. 1–22.

Priority will be given to three above mentioned aspects. In case of residual funding available the evaluation committee may propose to award also projects focused on the following subject:

3.2.1.4. Development of legal linguistic skills of judicial staff (as defined in point 3.2.1.5)

Projects should cover the development of linguistic knowledge linked to the legal terminology used in the work environment of judicial staff involved in the application of competition law. Projects should consist of specific legal linguistic training activities in the form of short or long term training courses. The main goal of the projects should be the overcoming of the geographical/linguistic barriers to the benefit of the creation of a common European judicial knowledge.

3.2.1.5. Target group

The target audience comprises national judges dealing with competition cases on a national level, including apprentice national judges as well as prosecutors and the legal staff of the judges' offices or of national courts of the eligible countries.

3.2.2. Financial provisions

The total amount foreseen for the co-financing of projects as defined above for 2013 is EUR 800 000¹³. Costs for accommodation and meals/drinks shall be reimbursed as a fixed flat rate per day, based on the accommodation and daily allowance scale for missions of the staff of the European Commission. 50% daily rate will apply for half day seminars.

Other provisions laid down in section 3.1.2. shall apply accordingly.

3.2.3. Selection procedure

The provisions laid down in section 3.1.3. shall apply accordingly.

3.2.4. Exclusion criteria

The provisions laid down in section 3.1.4. shall apply accordingly.

3.2.5. Eligibility criteria

Projects must

- (a) be submitted by authorities, public or private organisations duly established in one of the eligible countries. Organisations of third countries may participate as associate partners but are not permitted to submit projects or be co-applicants (co-beneficiaries).

Bodies set up by the European Union falling under Article 185 of the Financial Regulation shall not be entitled to apply for a grant but may, if so defined in the conditions of the call for proposals be associated to the application. However, their costs cannot be co-funded by the grant;

- (b) be transnational and involve organisations from at least two EU Member States or one Member State and one otherwise eligible country. The requirement of involvement can be fulfilled through co-organisation of the action or participation, for example as speaker(s), participants etc.;

¹³ The appropriations arising from the internal assigned revenue (revenue from recoveries related to grants awarded under the previous relevant call for proposals) carried over from 2012 to 2013 will be added to this amount.

- (c) be submitted by the deadline set in the call for proposals and must be presented on the standard forms, accompanied by all compulsory documents and annexes requested in the call for proposals;
- (d) target the members of the target group as defined under point 3.2.1.5 of this annual work programme;
- (e) contain a balanced budget presenting the sources of co-financing other than the budget of the EU (the EU co-financing can be maximum up to 80% of the total eligible costs);
- (f) seek an EU grant that cannot be lower than EUR 10 000 or higher than EUR 400 000;
- (g) not be completed or started prior to the date of submission of the grant application.

3.2.6. Selection criteria

The provisions laid down in section 3.1.6 shall apply accordingly.

3.2.7. Award criteria

The award criteria aim to ensure the selection of actions with high inherent quality, which contribute as much as possible to the Programme objectives and the priorities set for 2013 in a cost-effective manner. All projects submitted must aim to generate an added value at EU level and be within the scope of the Programme. The proposals will be assessed against the criteria set out below and further detailed in the call for proposals:

- (a) Relevance to the objectives of the Programme and this annual work programme. Aspects which will be taken into account in this respect are whether the project in question attains the objectives of the Programme and helps to further the priorities described under section 3.2.1., by focussing on the specific needs (in terms of training or other activities) of the persons targeted (including having regard to the content of the action and of the selection of the persons to attend those sessions);
- (b) The intrinsic quality of the project as regards its design, presentation, organisation and implementation (detail and specificity of the proposed activities, quality of the speakers, choice and description of methodology and of the evaluation of the activities provided by the applicant);
- (c) Cost/benefit ratio of the activity proposed, in terms of economies of scale and cost-effectiveness.
- (d) Geographical scope of the project in terms of partners, participants and target group, in particular as regards underrepresented Member States, and/or its added value at European level.
- (e) Sustainability of the project, i.e. likely impact of the expected results, measures planned for the dissemination of the results and to ensure adequate follow-up of project outputs.

3.2.8. Approximate timetable

For 2013, the following indicative schedule of the call for proposal is envisaged:

Publication of the call for proposals on the Commission website:	Q1 2013
Deadline for submission of proposals:	Q1 2013

Opinion of the Programme Committee:	Q2 2013
Commission Award Decision:	Q2 2013
Commitments and grant agreements:	Q3 2013
Projects' starting date:	Q3 2013

4. OPERATING GRANTS

4.1. Operating grants following call for proposals

Following a call for proposals, operating grants may be awarded to non-governmental, non-profit making organisations and bodies pursuing one or several objectives of the Programme with a European dimension.

The aim of this grant is to support the implementation of the annual work programme of these entities for a period equal to their financial year starting in 2013 by co-financing the expenditure linked to their normal activities as approved in their annual work programme and the costs of the general administrative expenditure necessary for the running of the body.

The objectives of the activities included in their 2013 annual work programme should be in line with the objectives of the Programme.

4.1.1. Financial provisions

The total amount foreseen for operating grants is EUR 500 000.

The grant provided by the Programme should not cover the entire costs the applicant expects to incur in carrying out its activities during its financial year starting in 2013; the EU contribution is limited to a maximum of 80% of the total eligible operational budget of the organisation. Consequently, at least 20% of the total eligible operating costs must be covered by other sources. Contributions in kind cannot be included in the budget as an expense and are not accepted as co-financing.

The activities must be non-profit making. The same organisation may not benefit from more than one operating grant (for the same period) from the budget of the European Union.

The Commission may award a grant lower than the amount requested. Grants awarded shall be covered by a written agreement including the modalities for the reimbursement of a specified proportion of the eligible costs actually incurred. The agreement is a standard agreement, and its terms and conditions may not be altered or subject to negotiation.

As a general rule, the co-funding is provided in two instalments: a pre-financing payment corresponding up to 80% of the Commission grant on the signature of the grant agreement, and the balance on receipt and approval by the Commission of the final report and final financial statement. Based on individual risk assessment, the Commission may lower the percentage of the pre-financing, introduce an interim payment or request additional financial guarantees from the applicant. These additional conditions should be set out in the grant agreement.

4.1.2. Selection procedure

Operating grants to be co-financed will be selected following a call for proposals. Proposals will be evaluated by an evaluation committee made up of Commission officials, possibly assisted by external independent experts when needed.

The essential exclusion, eligibility, selection and award criteria are described here below and will be further detailed in the call for proposals.

4.1.3. Exclusion Criteria

Applicants shall be excluded from participating in the call for proposals if they are in one or more of the situations listed in Articles 93 (1) and 94 of the Financial Regulation.

4.1.4. Eligibility Criteria

4.1.4.1. Eligibility of the applicant

To be eligible for an operating grant, organisations must fulfil all of the following requirements:

- (a) the applicant organisation should have legal personality duly established in one of the eligible countries;
- (b) the applicant organisation must be non-governmental and non-profit making;
- (c) the applicant organisation must
 - be an organisation that has a corporate or organisational structure in at least 10 eligible countries through their own offices or branches; or
 - represent (as a joint secretariat or officially appointed coordinator) an established formal network or organisations that work through and with partner/member organisations in at least 10 eligible countries. Only the application submitted by the organisation appointed as the joint secretariat /coordinator may submit an application, the member/partner organisations are not eligible to apply; or
 - represent organisations that are active via an informal network of organisations that carry out work with a common objective in at least 10 eligible countries. In that case the activities of the represented entities during the financial year 2013 must result (among other things) in the formalisation of the network either by setting up a formal legal entity or by adopting a document appointing one of the member organisations or a joint secretariat to coordinate the work of the formal network that carry out work with a common objective in at least 10 eligible countries in the future.

4.1.4.2. Eligibility of the application

In order to be eligible proposals

- (a) must be submitted by the deadline set in the call for proposals using only the online application tool of Directorate-General Justice (PRIAMOS) and must be presented on the standard forms, accompanied by all compulsory documents and annexes;
- (b) must present an annual work programme, the aims and objectives of which is in line with the objectives of the Programme;
- (c) must seek co-financing for the costs to be incurred during the implementation of the annual work programme of the organisation approved for its financial year starting in 2013, the maximum duration of the grant is 12 months;
- (d) must contain a balanced budget clearly presenting the sources of co-financing other than budget of the EU (the EU co-financing can be maximum up to 80% of the total eligible costs);

- (e) must seek an EU grant that that must neither be higher than EUR 250 000 nor less than EUR 75 000.

4.1.5. Selection Criteria

In accordance with Article 115(1) of the Financial Regulation and Article 176 of the Implementing Rules, proposals for operating grants which meet the eligibility criteria will be evaluated on the basis of the following selection criteria:

- (a) The applicant's operational and professional competencies and capacities to implement the proposed activities;
- (b) The applicant's financial capability to carry out the proposed annual work programme and participate in its funding.

4.1.6. Award Criteria

The evaluation will be carried out against the following award criteria:

- (a) Consistency of the organisations proposed activities with the Programme objectives: the ability of the organisation to contribute to the relevant objectives of the Programme will be assessed. It should be demonstrated that the activities of the organisation clearly complement the activities of the EU on the fields, in particular in terms of relevance of the results and their practical impact;
- (b) Quality of the planned activities: in terms of their design, organisation, presentation and expected results. The consistency and the coherence between the activities proposed and the budget allocated to each of them; the ability of the proposed activities to attain the desired objective(s) especially within the proposed timeframe will be assessed;
- (c) Cost effectiveness: size and scope of the planned activities, in particular in terms of economies of scale and cost effectiveness, cost/benefit ratio of the proposed activities will be assessed;
- (d) European dimension: geographical scope of the applicant's activities, in terms of partners, participants and target group as well as citizen involvement in the organisation and/or its added value at European level;
- (e) Sustainability: sustainability of the expected results and the general activity of the organisation after the EU funding.

4.1.7. Approximate Timetable

The following indicative schedule of the call for proposals is envisaged:

Publication of the call for proposals on the Commission website:	Q4 2012
Deadline for submission of proposals:	Q4 2012
Opinion of the Programme Committee:	Q1 2013
Commission Award Decision:	Q1 2013
Commitments and grant agreements:	Q2 2013

4.2. Operating grants to bodies identified in the basic act

Grants awarded under this heading are intended to support the activities included in the 2013 annual activity programme of the European Network of Councils for the Judiciary and the Network of Presidents of the Supreme Judicial Courts of the European Union, specifically mentioned in the legal base of the Programme.

4.2.1. Financial provisions

The total planned budget under this heading is EUR 500 000. The maximum grant that can be awarded to a single entity is EUR 250 000.

As a general rule, the co-funding is provided in two instalments: a pre-financing payment corresponding up to 80% of the Commission grant on the signature of the grant agreement, and the balance on receipt and approval by the Commission of the final report and final financial statement. Based on individual risk assessment, the Commission may lower the percentage of the pre-financing, introduce an interim payment or request additional financial guarantees from the applicant. These additional conditions should be set out in the grant agreement.

4.2.2. Selection procedure

In accordance with Article 110(1) 2nd subparagraph of the Financial Regulation, Article 168(1) (d) of the Implementing Rules, grants may be awarded without a call for proposals to bodies identified by a basic act. According to article 4(d) of the basic act of the Programme, operating grants shall be provided to co-finance expenditure associated with the annual work programmes of the European Network of Councils for the Judiciary and the Network of Presidents of the Supreme Judicial Courts of the European Union.

The grants under this heading will be awarded following the receipt of a grant request from the above organisations accompanied by the annual work programme and the budgetary forecast for the financial year of the organization starting in 2013. The Commission will verify that the organisations satisfy the exclusion criteria and that their proposal are consistent with the objectives pursued by the Programme. The grants will be formalised by a grant agreement. Co-financing may concern only eligible costs incurred when pursuing an objective of general European interest.

4.2.3. Approximate timetable

The following indicative schedule is envisaged:

Submission of the grant request	Q4 2012
Evaluation of the grant request	Q4 2012
Commitment and grant agreement	Q1 2013

5. PROCUREMENT

In 2013 the Commission intends to undertake the following actions through contracts following public procurement (open calls for tenders and framework contracts) or administrative arrangements. Conferences, seminars may be held and studies and impact assessments may be undertaken as far as they are needed in order to prepare, or accompany new legislation or to respond to policy changes in the area of the of civil justice. The total budget envisaged for these types of actions is EUR 5 950 000. It will cover in particular the following actions:

5.1. European Judicial Cooperation in Civil Matters

5.1.1. Management of the European Judicial Network in Civil and Commercial Matters – EJM (EUR 800 000)

The European Judicial Network in Civil and Commercial Matters pursues the following fundamental objectives:

- (a) improving and facilitating judicial cooperation in civil and commercial matters between the Member States in all fields;
- (b) improving the effective and practical application of Union instruments and conventions in force between two or more Member States; and
- (c) promoting effective access to justice for the general public.

The activities to be implemented by the Commission during 2013 will include the organisation of meetings, publications and information measures.

5.1.2. Activities in the area of judicial cooperation in civil matters (EUR 2 800 000)

Actions in the area of judicial cooperation in civil matters. Scope: exploratory studies in the area covered by the Stockholm Programme to execute justice policy priorities defined therein and to improve the relevant tools like mutual trust, implementation and evaluations (including studies on the efficiency of justice/judicial reform monitoring in the Member States, minimum standards for civil procedures on court settlements in civil justice area, evaluation of the civil justice instruments like the European Payment Order Regulation, the Regulation on Small Claims Procedure, the Rome II Regulation/Insurance provisions, the Rome I Regulation as well as impact assessments on development of new civil justice legislation); maintenance and development of the system of exchange information on judgements required by the Lugano Convention (so called JURE database¹⁴); information actions, in particular related to European Day of Civil Justice.

5.2. Activities in the area of consumer and marketing law (EUR 600 000)

Actions in the area of consumer and marketing law. Scope: hosting and maintenance of Consumer Law Database; updating of the content for the Unfair Commercial Practices Directive Database; organising workshops with Member States on ensuring a stepped up enforcement of the consumer acquis, with a special focus on UCPD and MCAD.

5.3. Activities in the area of E-Justice (EUR 1 500 000)

Actions related to the e-Justice Portal. Scope: migration of European Judicial Atlas in civil matters, other release work, including interconnection of insolvency and other registers, maintenance, licensing, housing.

5.4. Activities in the field of general civil justice (EUR 250 000)

Contracting the services to conduct the ex-post evaluation report as required by Article 16(d) of the legal base of the Civil Justice programme.

5.5. Timetable

The following indicative schedule of approximately 15 procurement contracts concluded as a result of open call for tenders or based on framework contracts is envisaged:

Publication of the call for tenders:	Q1-2 2013
Deadline for submission of proposals:	Q1-2 2013
Commitments and contracts:	Q2-3 2013

6. MANAGEMENT OF THE MEMEBRSHIP OF THE UNION IN THE HAGUE CONFERENCE ON PRIVATE INTERNATIONAL LAW

On 5 October 2006 the Council of the European Union (EU) adopted a decision on the accession of the European Union to the Hague Conference on Private International Law

¹⁴ The implementation of this action will be **sub-delegated to the European Publication Office**

("HCCH")¹⁵. The purpose of this international intergovernmental organisation is to work for the progressive unification of the rules of private international law in the participating countries. Since 3 April 2007, the European Union has been a participant of the Hague Conference on Private International Law.

The contribution to HCCH amounting to EUR 30 000 shall cover the additional administrative expenses arising out of EU membership in the HCCH.

¹⁵ Council Decision (EC) No 2006/719 of 5.10.2006 on the accession of the Community to the Hague Conference on Private International Law, OJ L 297, 26.10.2006, p. 1.