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ANNEX

ANNEX

to the

Commission Implementing Decision

**concerning the adoption of the work programme for 2018 and the financing for the
implementation of the Justice Programme**

Justice Programme - Work Programme for 2018

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Programme**

Justice Programme - Work Programme for 2018

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1. INTRODUCTION

The Annual Work Programme 2018 (AWP) for the Justice Programme aims to facilitate and support the further development and the implementation of actions in the European area of justice which is based on mutual recognition and mutual trust, in particular by promoting judicial cooperation in civil and criminal matters. It closely reflects the priorities established in the Commission's work programme for 2018.¹

Ensuring the correct application and enforcement of the considerable existing *acquis* relating to judicial cooperation in civil and criminal matters is key. In the area of civil justice, some of this *acquis* has now been revised in order to increase efficiency and better respond to the needs of citizens and practitioners. This requires a particular focus on the implementation and evaluation, both through specific Commission actions and support to key actors via action and operating grants.

For example, in 2018, preparatory work, including the impact assessment, relating to the revision of judicial cooperation instruments, the Regulation on service of documents and the Regulation on taking of evidence, and a feasibility study feeding into an impact assessment on the European Certificate of Succession (ECS) and the interconnection of ECS registers are foreseen. This also fully complies with the Better Regulation Agenda, the aim of which is to promote constant and consistent review of existing EU laws, so that EU policies achieve their objectives in the most effective and efficient way.

As shown by the Commission Report of March 2016², the European Judicial Network in civil and commercial matters is a very useful tool in this regard and plays a fundamental function when it comes to the implementation and effective application of available Union instruments in the area of civil justice.

As in the previous years, significant resources will be devoted to the training of judges, prosecutors and other justice professionals on civil and criminal law instruments and on fundamental rights. Training is key for the correct application of the already adopted instruments and building bridges between different justice systems. Moreover, judicial training is an important tool of the 10th priority of the European Commission's 2017 Work programme³, "A Union of democratic change", regarding the enforcement of EU law, and as highlighted again in the December 2016 Commission Communication on "EU law: Better Results through Better Application"⁴. In 2018, a new training of legal practitioners on anti-money laundering rules following Directive 2015/849⁵ and its amendments shall be supported.

¹ COM(2017)650 final

² <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0129&from=EN>

³ https://ec.europa.eu/info/sites/info/files/cwp_2017_en.pdf

⁴ http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.C_.2017.018.01.0010.01.ENG&toc=OJ%3AC%3A2017%3A018%3ATOC

⁵ Directive 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC

As far as the area of criminal justice is concerned, there is a need to support and monitor the proper implementation of Directive 2014/41/EU⁶ regarding the European Investigation order, transposed by May 2017, and to prepare the ground for the operational set-up of the European Public Prosecutor's Office (EPPO).

In addition, activities such as experts meetings required to implement actions on e-evidence and a platform for Mutual Legal Assistance requests regarding e-evidence - a follow-up to the Council Conclusions of 9 June 2016⁷ on improving criminal justice in cyberspace - need to be financed. New e-Justice Portal activities will include the development of the e-Evidence Reference Implementation and a new functionality of 'Find a lawyer 2'. Finally, depending on the progress made on the adoption of the ECRIS TCN legislative proposal, financial resources have been earmarked for the work regarding the extension of the ECRIS system to Third Country Nationals. The Commission also intends to pursue information collection exercise through the EU Justice Scoreboard.

The implementation and further development of procedural rights of suspects and accused and of victims of crime are relevant to achieve the objective of access to justice. The Directive 2013/48/EU on the right of access to a lawyer and to communicate upon arrest⁸ entered into application in November 2016 and calls for adequate financial support to ensure proper implementation. Also the Victims' Rights Directive⁹ which entered into application in November 2015 still faces difficulties in implementation in many Member States. Therefore compliance assessment studies to assess the functioning of existing instruments and information campaigns about victims' rights and about alternatives to detention will be launched. Many of the actions in the area of criminal law also contribute to the implementation of the European Agenda for Security of 28 April 2015.

OVERVIEW OF THE 2018 IMPLEMENTATION

Specific objectives – Budget lines	Total Amount	% of the 2018 Programme funds
Judicial cooperation – Budget line 33 03 02	€ 12 000 000	26.12 %
Judicial training – Budget line 33 03 01	€ 17 870 000	38.89 %
Access to justice – Budget line 33 03 01	€ 13 330 000	29.01 %
Drugs – Budget line 18 06 01	€ 2 749 000	5.98 %
TOTAL	€ 45 949 000	100.00 %

⁶ Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters.

⁷ *ibid*

⁸ Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (to be transposed before 27 November 2016).

⁹ Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

Grants/Procurement/Other	Total Amount	% of the 2018 Programme funds
Grants	€ 34 328 000	74.71%
Procurement	€ 11 586 000	25.21%
Other	€ 35 000	0.08%
TOTAL	€ 45 949 000	100.00%

OVERVIEW OF THE 2014-2020 ALLOCATION

Funds allocated to the Justice Programme

Art. 8 of Regulation 1382/2013	€ 377 604 000
2014 -2020 Total Amount	€ 377 604 000

At present, the countries participating in the Programme are all EU Member States with the exception of United Kingdom and Denmark. Albania partly joined the Programme as of 2017.¹⁰ Should third countries, i.e. EFTA States that are party to the EEA, or candidate countries, potential candidates and countries acceding to the Union, conclude an agreement with the Union on their participation in the Programme as of 2018, this will be announced in the relevant call for proposals and/or on the Programme's website.

The Programme shall finance actions with European added value. The European added value of actions, including that of small-scale and national actions, shall be assessed in the light of criteria such as their contribution to the consistent and coherent implementation of Union law, and to wide public awareness about the rights deriving from it, their potential to develop mutual trust among Member States and to improve cross-border cooperation, their transnational impact, their contribution to the elaboration and dissemination of best practices or their potential to create practical tools and solutions that address cross-border or Union-wide challenges.

All activities implemented under this work programme shall respect and shall be implemented in line with the rights and principles enshrined in the Charter of Fundamental Rights of the European Union and promote equality between women and men and the rights of the child.

Coordination of activities implemented under this work programme and related EU policy areas, including the EU legal and policy framework on trafficking in human beings, as relevant, shall be ensured.

Activities implemented under this work programme shall ensure consistency, complementarity and synergies with activities supported by other Union instruments including, inter alia: the Rights, Equality and Citizenship Programme; in the areas of home affairs, such as the Instrument for financial support for police cooperation, preventing and

¹⁰ The accession of Albania to the remaining budget line 18 06 01 is foreseen by the end of 2017.

combating crime, and crisis management, as part of the Internal Security Fund; in the areas of health and consumer protection, such as the third Programme for the Union's action in the field of health (2014-2020); in the areas of education, training, youth and sport, such as the Erasmus+ Programme, Erasmus for Young Entrepreneurs, MobiliseSME; in the areas of information society and research, such as the Connecting Europe Facility and the Horizon 2020 Framework Programme; and enlargement, in particular the Instrument for Pre-accession Assistance (IPA II).

ESSENTIAL SELECTION AND AWARD CRITERIA FOR ACTION GRANT CALLS

The essential selection and award criteria to be used for all action grant calls described in this work programme, unless specified otherwise in the specific call section, are as follows:

1. Grant applicants must meet the following **selection criteria**:

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

The verification of the financial and operational capacity shall not apply to International Organisations and public bodies.

2. Proposals will be assessed based on the following **award criteria**:

- (a) relevance to the priorities of the call;
- (b) quality of the proposed action;
- (c) European added value of the project;
- (d) expected results, dissemination, sustainability and long-term impact;
- (e) cost-effectiveness.

The essential eligibility criteria are specific to each call.

2. BUDGET LINE 33 03 02: FACILITATING AND SUPPORTING JUDICIAL COOPERATION IN CIVIL AND CRIMINAL MATTERS

2.1. Introduction

On the basis of the objective of **facilitating and supporting judicial cooperation in civil and criminal matters** covered by this budget line, this work programme contains the actions to be financed and the budget breakdown for the year 2018 as follows:

- action grants (1.2):	€ 4 440 000
- operating grants (1.3):	€ 1 395 000
- procurement (1.4):	€ 6 130 000
- other (1.5):	€ 35 000
TOTAL:	€ 12 000 000

2.2. Action Grants

2.2.1. Topic 1 – Call for proposals for action grants to support transnational projects to promote judicial cooperation in civil and criminal matters

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate and support judicial cooperation in civil and criminal matters

BUDGET LINE

33 03 02

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The main objective is to contribute to the effective and coherent application of the acquis relating to judicial cooperation in civil and criminal matters.

The priorities for 2018 are:

Judicial cooperation in civil matters

The aim is to promote judicial cooperation in civil matters and to contribute to the effective and coherent application and enforcement of EU instruments.

Priority shall be given to projects aiming in particular at:

- better enforcement of judicial decisions, in particular resulting from cross-border disputes;
- improving the situation of children involved in civil cases, e.g. through better procedures, case-handling and cooperation in the area of family law, in such areas as parental responsibility, international child abduction, protection of children and maintenance;
- improving and/or building-up data collection and statistics on the application of EU

civil justice instruments.

Judicial cooperation in criminal matters:

The aim is to promote judicial cooperation in criminal matters and to contribute to the effective and coherent application of EU mutual recognition instruments in criminal matters.

1. Priority shall be given to the implementation and practical application of the following mutual recognition instruments:
 - Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters;
 - Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States;
 - Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union;
 - Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions;
 - Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention;
 - Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties.

A specific priority regarding any particular instrument(s) listed above may be given in the call for proposals.

2. Priority shall also be given to:
 - the efficient contribution to the European Agenda on Security as regards the judicial responses to terrorism, notably on reinforcing the prevention of radicalisation, especially in prisons;
 - issues related to pre-trial detention, in particular raising awareness of case law of the European Court of Human Rights (ECtHR) in this field;
 - the functioning of Mutual Legal Assistance Treaties or other Treaties containing provisions on Mutual Legal Assistance with third States (e.g. EU-US MLA Agreement, Budapest Cybercrime Convention), in particular with respect to the exchange of electronic data.

Regarding proposals not in line with these priorities, they may still be awarded funding if applicants can justify this by the necessity to improve the implementation and application of the civil or criminal justice acquis on the basis of an evidence-based needs assessment, showing that more activities are required for the proper application of EU law in the field to be covered.

DESCRIPTION OF THE ACTIVITIES

This topic will cover the following activities:

- analytical activities, such as data collection, surveys, research activities, etc.;
- mutual learning, identifying and exchange of best practices, development of working methods which may be transferable to other participating countries;
- exchange and provision of information and development of information tools;
- capacity building for professionals;
- facilitating cooperation between competent authorities and agencies, legal practitioners and/or service providers (including multi-disciplinary networks at international, national, regional or local levels);
- dissemination and awareness raising activities;
- training activities can also be funded under this call, as long as they are of ancillary nature and not the main purpose of the project.

ESSENTIAL ELIGIBILITY CRITERIA

To be **eligible**, grant applications must comply with all of the following criteria:

- (a) the applicants must be public entities or private organisations, duly established in one of the countries participating in the Programme, or international organisation. Organisations which are profit-oriented must submit applications in partnership with public entities or private non-profit-oriented organisations;
- (b) the applications must be transnational and involve organisations from at least two participating countries;
- (c) the EU grant applied for cannot be lower than € 75 000.

EXPECTED RESULTS

- Increased capacity of national practitioners, courts and authorities to address issues related to judicial cooperation in civil and criminal matters, and to the application of the Union instruments on civil and civil procedural law as well as on criminal law and criminal procedural law;
- Strengthened cooperation and exchange of information between competent national authorities, including courts in relation to judicial cooperation in civil and criminal matters, including taking into account the relevant case-law of the Court of Justice of the European Union, CJEU;
- Improved knowledge on the legislation and administrative practices related to judicial cooperation in civil and criminal matters;
- Harmonisation of the administrative practices in relation to the relevant legislation in different Member States;
- Improved cooperation between judicial authorities in civil and commercial matters;
- The legal framework and regulations linked to judicial cooperation in civil and criminal matters are in line with EU acquis and relevant case-law of the CJEU;
- National authorities responsible for judicial cooperation in civil and criminal matters operate in cooperation and coordination with other responsible agencies and

institutions across the EU;

- Prosecutors and judges for the proceedings related to judicial cooperation in civil and criminal matters have further specialised knowledge and experience in respective fields;
- Acceleration of proceedings in relation to judicial cooperation in civil and criminal matters; less breaches of time-limits;
- Improved situation of persons subject to measures in the field of judicial cooperation in criminal matters, enhancement of their social rehabilitation and re-integrations, reduced risks of violation of their fundamental rights;
- Increased awareness of policy makers related to judicial cooperation in civil and criminal matters.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE PUBLICATION OF THE CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JCOO-AG-2018	Q2 2018	€ 2 900 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

2.2.2. *Restricted call to members of the European Judicial Network in civil and commercial matters and to the national authorities, courts and professional association*

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate and support judicial cooperation in civil and criminal matters

BUDGET LINE

33 03 02

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The main objective is to contribute to the effective and coherent application of the acquis relating to judicial cooperation in civil and criminal matters.

The priority shall be given to the following:

- Support setting up and strengthening of national networks under the European Judicial Network in civil and commercial matters in order to ensure better implementation and case-handling under the civil justice legislation.

The aim of strengthened national networks would be to promote better implementation of EU civil justice instruments through cooperation, dialogue, sharing of experience, exchange of information and training (where appropriate also in liaison with other national systems). Through these activities the national projects would promote full involvement of all national Network members, ensuring interaction at a national level as well as knowledge sharing and gathering of information. It can be expected that this would contribute to increasing the national substantial input to the Network's activities (in particular the Network meetings) and thereby strengthen the action and visibility of the Network as a whole. As a result, this would deepen EU-wide building bridges and mutual trust between different justice systems.

Regarding proposals not in line with these priorities, they may still be awarded funding if applicants can justify this by the necessity to improve the implementation and application of the civil or criminal justice acquis on the basis of an evidence-based needs assessment, showing that more activities are required for the proper application of EU law in the field to be covered.

DESCRIPTION OF THE ACTIVITIES

This topic will cover the following activities:

- analytical activities, such as data collection, surveys, research activities, etc;
- mutual learning, identifying and exchange of best practices, development of working methods which may be transferable to other participating countries;
- exchange and provision of information and development of information tools;
- capacity building for professionals;
- facilitating cooperation between competent authorities and agencies, legal

practitioners and/or service providers (including multi-disciplinary networks at international, national, regional or local levels);

- dissemination and awareness raising activities;
- training activities can also be funded under this call, as long as they are of ancillary nature and not the main purpose of the project.

ESSENTIAL ELIGIBILITY CRITERIA

To be eligible, grant applications must comply with all of the following criteria:

- (a) the application must be submitted by the officially appointed members of the European Judicial Network in civil and commercial matters, or by the national authorities, courts and professional associations that they are representing. Only one application per EU Member State will be accepted.
- (b) the EU grant applied for cannot be lower than € 30 000.

EXPECTED RESULTS

- Increased capacity of national practitioners, courts and authorities to address issues related to judicial cooperation in civil matters, and to the application of the Union instruments on civil and civil procedural law;
- Strengthened cooperation and exchange of information between competent national authorities, including courts in relation to judicial cooperation in civil matters, including taking into account the relevant case-law of the Court of Justice of the European Union, CJEU;
- Improved knowledge on the legislation and administrative practices related to judicial cooperation in civil matters;
- Harmonisation of the administrative practices in relation to the relevant legislation in different Member States;
- Improved cooperation of judicial authorities in civil and commercial matters;
- The legal framework and regulations linked to judicial cooperation in civil matters are in line with EU acquis and relevant case-law of the CJEU;
- National authorities responsible for judicial cooperation in civil matters operate in cooperation and coordination with other responsible agencies and institutions across the EU;
- Prosecutors and judges for the proceedings related to judicial cooperation in civil matters have further specialised knowledge and experience in respective fields;
- Acceleration of proceedings in relation to judicial cooperation in civil matters; less breaches of time-limits;
- Increased awareness of policy makers related to judicial cooperation in civil matters.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE PUBLICATION OF THE CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JCOO-EJN-AG-2018	Q2 2018	€ 1 240 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

90%

2.2.3. Direct grant to Council of Europe for SPACE report and EU network of prison monitoring bodies

LEGAL BASIS

Art. 4 (1) (a), 6 (1) and 7 (4) Regulation (EU) No 1382/2013

Specific objective: to facilitate and support judicial cooperation in civil and criminal matters

Article 190(1)(f) of the Rules of Application

BUDGET LINE

33 03 02

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

Cooperation with the Council of Europe covers two items: the SPACE report and the setting up of a network of prison monitoring bodies.

1. SPACE report

The Council of Europe produces an annual report on prison statistics since 1984, now referred to as the SPACE report I and II (*Statistiques Pénales Annuelles du Conseil de l'Europe*). It contains a first part on penal institutions and a second on non-custodial sentences and measures.

The cooperation between the Commission and the Council of Europe allows to produce a much more elaborate report, including data of particular interest to the EU, such as the number of prisoners for crimes linked with terrorism, the number of transfers of prison and alternatives sentences between EU Member States, the number of foreigners in prison (from EU and non-EU Member States), statistics related to the use of pre-trial detention and the use of alternatives (both in the pre- and post-trial stage) in the Member States.

2. EU network of prison monitoring bodies in the Member States

The grant to the Council of Europe covers activities aimed at the setting up of an EU network of independent prison monitoring bodies such as National Preventive Mechanisms (NPMs) which Member States have set up following ratification of the Optional Protocol to the UN Convention against Torture (OPCAT).

The activity has started in 2016. It allows bodies monitoring prisons in the Member States to meet regularly within an informal network to discuss detention matters and exchange best practice in this field. Among the subjects which could be discussed are the possible difficulties in relation to the application of Council Framework Decision 2008/909/JHA on the Transfer of Prisoners¹¹, issues related to radicalisation in prisons, and the importance of detention conditions on the proper functioning of the European arrest warrant (EAW) as a result of the judgment of the Court of Justice in joined Cases C-404/15 and C-659/15, Aranyosi and Caldáru.

¹¹ Council Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union

In this context, the EU NPM network could play a role in the mapping of detention conditions (both in the pre- and the post-trial stage) in the Member States and the development of common criteria and methodology of measuring detention standards in the Member States.

The cooperation between the Commission and the Council of Europe will enhance optimal use, in the context of EU judicial cooperation, of existing expertise in this field as the Council of Europe is already managing the main prison monitoring body, i.e. the European Committee for the Prevention of Torture (CPT), which has developed methodology and relevant contacts with EU NPMs in this field.

The objective is to organise (bi)annual meetings supported by a regular newsletter distributed to the EU NPM network members, the creation of good practice models to ensure effective follow-up of NPM recommendations and organisation of joint monitoring visits to exchange best practices.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THE GRANT

This grant will cover the following activities:

- analytical activities, such as data collection, surveys, research activities, etc;
- mutual learning, identifying and exchange of best practices, development of working methods which may be transferable to other participating countries;
- exchange and provision of information and development of information tools;
- dissemination and awareness raising activities.

EXPECTED RESULTS

- National authorities responsible for monitoring of detention conditions operate in cooperation and coordination with other responsible agencies and institutions across the EU;
- Improved standards for measuring detention conditions in the Member States in line with EU acquis, in particular the EU Charter of Fundamental Rights and international instruments such as the Council of Europe European Prison Rules;
- Approximation of the administrative practices in relation to monitoring of prisons in different Member States;
- Strengthened cooperation and exchange of information between competent national authorities in relation to detention conditions in the Member States;
- Improved knowledge on the legislation and administrative practices related to detention conditions in the Member States;
- Reduced risks of hampering judicial cooperation in criminal matters in proceedings related to the European arrest warrant and transfer of custodial sentences to other Member States.

ESSENTIAL SELECTION AND AWARD CRITERIA

The proposal of the Council of Europe will be assessed based on the following award criteria:

- (a) relevance to the priorities announced in the invitation from the Commission to submit a proposal;
- (b) quality of the proposed action;

- (c) European added value of the project;
- (d) expected results, dissemination, sustainability and long-term impact;
- (e) cost-effectiveness.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT A PROPOSAL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JCOO-COEU-AG-2018	Q1 2018	€ 300 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

2.3. Operating grants

2.3.1. Operating grants for 2019 under Framework Partnership Agreements in the area of facilitating and supporting judicial cooperation in civil and/or criminal matters

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate and support judicial cooperation in civil and criminal matters

BUDGET LINE

33 03 02

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

These grants aim to support the annual work programme of European networks active in the area of facilitating and supporting judicial cooperation in civil and/or criminal matters which have signed Framework Partnership Agreements with the Commission. The Commission will invite Framework Partners in writing to submit their proposal announcing the annual priorities.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THE CALL FOR PROPOSALS

These grants will fund operating costs and those activities of the network which have EU added value and contribute to the implementation of the objectives of the Programme among others: analytical activities, training activities, mutual learning, cooperation, awareness-raising and dissemination activities.

ESSENTIAL AWARD CRITERIA

The Commission will verify that the organisation satisfies the exclusion criteria, that the proposal is consistent with the objectives pursued by the Programme and will assess the proposal essentially on the basis of the following **award criteria**:

- (a) extent to which the proposed annual work programme of Framework Partners addresses the priorities announced by the Commission and is coherent with the outline work programme of the Framework Partnership Agreement;
- (b) quality of the annual work programme, which must be clear, realistic and well detailed;
- (c) European added value of the annual work programme;
- (d) expected results, dissemination, sustainability and long-term impact;
- (e) cost-effectiveness.

EXPECTED RESULTS

- Increased capacity of national practitioners, authorities to address issues related to judicial cooperation in civil and criminal matters, and to the application of the Union instruments on civil and civil procedural law and criminal law;
- Strengthened cooperation and exchange of information between competent national authorities in relation to judicial cooperation in civil and criminal matters, including taking into account the relevant case-law of the Court of Justice of the European Union, CJEU;
- Improved knowledge on the legislation and administrative practices related to judicial cooperation in civil and criminal matters;
- Harmonisation of the administrative practices in relation to the relevant legislation in different Member States;
- Improved cooperation between judicial authorities in civil and commercial matters;
- The legal framework and regulations linked to judicial cooperation in civil and criminal matters are in line with EU acquis and relevant case-law of the CJEU;
- National authorities responsible for judicial cooperation in civil and criminal matters operate in cooperation and coordination with other responsible agencies and institutions across the EU;
- Prosecutors and judges for the proceedings related to judicial cooperation in civil and criminal matters have further specialised knowledge and experience in respective fields;
- Acceleration of proceedings in relation to judicial cooperation in civil and criminal matters; less breaches of time-limits;
- Improved situation of persons subject to measures in the field of judicial cooperation in criminal matters; enhancement of their social rehabilitation and re-integrations;
- Increased awareness of policy makers related to judicial cooperation in civil and criminal matters.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT PROPOSALS AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JCOO-NETW-OG-2018	Q2 2018	€ 1 395 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

2.4. Procurement

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate and support judicial cooperation in civil and criminal matters

BUDGET LINE

33 03 02

SUBJECT MATTER OF THE CONTRACTS ENVISAGED (STUDY / TECHNICAL ASSISTANCE / EVALUATION / SURVEY / IT/ COMMUNICATION SERVICES/ETC.)

In 2018 the Commission intends to undertake several actions through contracts following public procurement (calls for tenders, and new and existing framework contracts) or administrative arrangements. Conferences, expert meetings, seminars, communication activities may be organised, development and maintenance of IT platforms and systems may be supported or surveys and studies and impact assessments may be undertaken as far as they are needed to monitor the proper implementation of existing legislation or to prepare, or accompany new legislation or to respond to policy changes in the area covered by the Programme.

It may cover in particular the following actions:

- Management, analytical and information activities of the European Judicial Network in Civil and Commercial Matters, including:
 - Meetings and workshops of the European Judicial Network (Q1- Q4, framework contract);
 - Update, printing and distribution of the brochure for legal practitioners on the EJM, and practice guides such as those on taking of evidence, European payment order, European enforcement order and the citizens' guide on successions (Q1-Q4, framework contract);
- Update and maintenance of the JURE database on the judgements in civil and commercial matters (Q1-Q4, sub-delegation to the EU Publication Office);
- Printing and distribution of the EJM practice guides (Q1-Q3, new framework contract);
- Update and distribution of the compendium on EU legislation in civil and commercial matters (Q1- 4, framework contract);
- Joint conference with CNUE on family law (Q1 2018, new framework contract);
- Joint Presidency conference (Q3-Q4, new framework contract);
- Expert groups and comitology meetings to prepare or implement EU law (Q1-Q4, new framework contract);
- Study for the impact assessment of the Judgments Convention;
- Study on access to justice in mass harm situations - follow-up to the Commission report on the practical implementation of the Commission Recommendation of

11 June 2013 on common principles for injunctive and compensatory collective redress mechanisms in the Member States concerning violations of rights granted under Union Law (2013/396/EU) (Q1-Q4, new framework contract);

- Feasibility study feeding into an impact assessment on the European Certificate of Succession and the interconnection of ECS registers;
- Study for the impact assessment of the revision of Regulation on service of documents and of the Regulation on taking of evidence;
- Studies/workshops/expert meetings to evaluate existing instruments and/or prepare new legislation in the field of judicial cooperation in criminal matters, assist Member States in the implementation of these instruments or exchange best practices including on pre-trial detention and material detention conditions, as well as on the criminal justice response to radicalisation, including radicalisation in prisons, and on access to electronic evidence (Q1-Q4 2018, new framework contract);
- Compliance assessment studies of mutual recognition instruments (Q1-Q4, new framework contract);
- Platform for MLA requests regarding e-evidence (Q2-Q3, new framework contract);
- EPPO development (Q3-Q4, new framework contract);
- Presidency conference on the establishment of the EPPO (Q1-Q2, framework contract);
- Maintenance contract for ECRIS (Q1-Q4, framework contract);
- ECRIS-TCN development (Q3-Q4, new framework contract);
- 1 intramuros for ECRIS.

Indicative number of new contracts envisaged:

Indicative number of specific contracts based on existing framework contracts envisaged:

IMPLEMENTATION

By DG JUST and, where indicated, by the Publication Office based on a cross sub-delegation and by DGT based on a co-delegation.

TOTAL BUDGET AVAILABLE

€ 6 130 000 (incl. experts meetings € 745 000)

2.5. Other Actions

2.5.1. EU membership fee in the Hague Conference of Private International Law

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate and support judicial cooperation in civil and criminal matters

Council Decision (EC) No 2006/719 of 5 October 2006 on the accession of the Community to the Hague Conference on Private International Law¹².

BUDGET LINE

33 03 02

AMOUNT

€ 35 000

DESCRIPTION AND OBJECTIVE OF THE IMPLEMENTING MEASURE

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 ("HCCH"). 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. Most of the conventions developed by the Hague Conference fall within exclusive or partial external competence of the EU and are part of the EU acquis. Since 2007, the EU, along with its Member States, is a Member of the Hague and has the obligation to contribute a membership fee, in accordance with Art. 9(2) of the Hague's Statute to cover additional administrative expenses arising out of its membership. The Union pursues its international action in relation to civil justice mainly through this international organisation. This covers both legislative action (in the form of civil judicial cooperation conventions as well as implementation of existing Hague Conventions to the benefit of EU citizens).

¹² Council Decision (EC) No 2006/719 of 5 October 2006 on the accession of the Community to the Hague Conference on Private International Law, OJ L 297, 26.10.2006, p. 1.

3. BUDGET LINE 33 03 01: SUPPORTING AND PROMOTING JUDICIAL TRAINING AND FACILITATING EFFECTIVE ACCESS TO JUSTICE FOR ALL

3.1. Introduction

On the basis of the two objectives of the Justice Programme covered by this budget line, this work programme contains the actions to be financed and the budget breakdown for the year 2018 as follows:

- action grants (2.2):	€ 12 450 000
- operating grants (2.3):	€ 13 794 000
- procurement (2.4):	€ 4 956 000

TABLE BREAKDOWN PER SPECIFIC OBJECTIVE

SPECIFIC OBJECTIVE	Amount
to support and promote judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture	€ 17 870 000
Action grants (2.2.1, 2.2.2)	€ 5 650 000
Operating grant to beneficiary identified in the legal base (2.3.2)	€ 11 000 000
Procurement (2.4)	€ 1 220 000
to facilitate effective access to justice for all, including to promote and support the rights of victims of crime, while respecting the rights of the defence	€ 13 330 000
Action grants (2.2.3, 2.2.4)	€ 6 800 000
Operating grants (2.3.3)	€ 2 794 000
Procurement (2.4)	€ 3 736 000
TOTAL	€ 31 200 000

3.2. Action Grants

3.2.1. Topic 2 – Call for proposals for action grants to support transnational projects on judicial training covering civil law, criminal law or fundamental rights

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to support and promote judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture

BUDGET LINE

33 03 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The objective is to contribute to the effective and coherent application of EU law in the areas of civil law, criminal law and fundamental rights, judicial ethics and the rule of law, by helping to address the training needs of justice professionals in these fields. It also targets the specific training needs of court staff and bailiffs, as well as prison and probation staff.

The priorities of 2018 will concentrate funding on training activities and tools for training providers, as described below, in order to:

1. tackle gaps in training for:
 - (a) court staff and bailiffs, for example by cross-border training activities or exchanges of good training practices, on all areas of EU civil, criminal and fundamental rights law relevant for their judicial work;
 - (b) prison and probation staff, for example by cross-border training activities or exchanges of good training practices, on EU law and fundamental rights relevant for their work, including on countering radicalisation to violent extremism in prison, on the minimum standards laid down by the Council of Europe, or on rehabilitation programmes;
2. support the training of justice professionals, in particular via:
 - (a) seminars with easy linguistic access (for example, by providing interpretation in the languages of all participants, national breakout groups or linguistic programme components) to attract also legal practitioners to cross-border training activities that are reluctant to participate in a seminar in a foreign legal language and therefore have not been reached by previous cross-border training activities;
 - (b) cross-border training activities for multipliers, such as judicial trainers or EU law court coordinators, where there are guarantees that the multipliers will pass on their knowledge to other legal practitioners in a systematic way;
 - (c) training activities with participants from at least two different justice professions, such as judges/prosecutors, judges/lawyers, lawyers/notaries, courts staff/bailiffs, court experts/court interpreters, prison/probation staff, in order to stimulate discussions across judicial professions about the application of EU law and contribute to a European legal culture across professional boundaries.

Topics

For priority area 2), the activities may cover EU civil, criminal and fundamental rights law, legal systems of the Member States, judicial ethics and the rule of law, knowledge of cross-border IT tools and linguistic skills of legal practitioners in areas with particular added value.

An evidenced-based training needs assessment for the topic of the training activity is always required.

Priority will notably be given to training on the following topics:

Civil law

- Legal instruments in civil and commercial matters, in particular:
 - Regulation (EU) 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters;
 - The Business Registers Interconnection System (BRIS), established in Directive 2012/17/EU of the European Parliament and of the Council of 13 June 2012 amending Council Directive 89/666/EEC and Directives 2005/56/EC and 2009/101/EC of the European Parliament and of the Council as regards the interconnection of central, commercial and companies registers, which started its functionality in June 2017;
 - Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast);
 - Regulation (EU) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation (EC) No 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure, applicable since July 2017, in particular the new provisions on service of documents and on oral hearings;
 - Regulation (EU) 2016/1191 of the European Parliament and of the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) No 1024/2012;
- Legal instruments in family matters, in particular:
 - Council Regulation (EC) 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility (Brussels IIa);
 - Council Regulations (EU) 2016/1103 and 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes and of the property consequences of registered partnerships;

Criminal law

- Judicial cooperation instruments in criminal matters:
 - Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters,

applicable since 22 May 2017;

- Council Framework Decision 2002/584/JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States, including the 2017 European Commission Handbook on the European Arrest Warrant and the evolving case-law of the Court of Justice of the EU;
- The Council Framework Decisions on detention and transfer of prisoners: Framework Decision 2008/909/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments in criminal matters imposing custodial sentences or measures involving deprivation of liberty for the purpose of their enforcement in the European Union; Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions and Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to pre-trial detention; as well as the case-law of the European Court of Human Rights on pre-trial detention;
- Instruments on procedural rights in criminal proceedings:
 - Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime;
 - Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty, applicable since November 2016; Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings, applicable from 1 April 2018; Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings, applicable from 25 May 2019 and Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings, applicable from 11 June 2019;

Anti-money laundering:

- Notably Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing (4th Anti-Money Laundering Directive);

Fundamental rights

- The scope and application of the Charter of Fundamental Rights of the EU;
- Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.

Proposals outside of these priority topics

Since the assessment of European judicial training needs cannot be solely conducted at EU level and is mainly done nationally and even locally, policy priorities mentioned in the annual work programme are indications of possible topics of supported projects. Regarding proposals not in line with these priorities, they may still be awarded funding if applicants can justify the suggested training topics by a convincing evidence-based training needs' assessment, showing that more training is needed for the proper application of EU law in the suggested field.

Target group

In general, this call supports training of members of the judiciary and judicial staff, meaning judges, prosecutors, court officers, other legal practitioners associated with the judiciary, such as lawyers, notaries, bailiffs, insolvency practitioners and mediators, as well as court interpreters and translators, prison and probation staff.

Distribution of financial support between different topics

When deciding on the allocation of grants, a fair balance between topics and/or target audience may be sought. Moreover, priority will be given to projects that do not duplicate existing training material or on-going projects but that act in complementarity or that innovate.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THIS TOPIC

Projects must be transnational and involve organisations from at least two participating countries. In addition the training activities implemented by each project must include participants (trainees) from different participating countries.

As far as nothing more specific is indicated in the priorities, this call will fund training activities such as:

- organisation of interactive, practice-oriented seminars (including implementation of training modules created by the European Commission on EU legislation in civil law¹³);
- multilateral exchanges between legal practitioners (except for judges and prosecutors whose training bodies are members of the EJTN and may thus take part in the exchanges organised by the EJTN);
- cross-border initial training activities (face-to-face activities or exchanges), covering as many Member States as possible, to create a common European legal culture from the start of entering a legal profession (except for newly appointed judges and prosecutors for whom the equivalent activity is funded via the operating grant of the EJTN),
- joint study visits to EU courts by legal practitioners (other than judges/prosecutors, already covered by the operating grant of the EJTN) from as many different Member States as possible;
- creation of training content, whether for presential learning, blended learning or

¹³ https://e-justice.europa.eu/content_civil_law-254-en.do

e-learning, ready-to-use either by trainers or by practitioners for self-learning;

- tools for training providers (for example: train-the-trainers events, tools to support the organisation of training in other Member States, etc.), including to facilitate their cooperation at EU-level (for justice professions other than judges/prosecutors, who are already covered by the operating grant of the EJTN).

If nothing else is indicated in the priority, the activities can take place in the context of initial training (induction-period) or continuous training of the participants (for example: training activities to familiarize newly appointed legal practitioners with EU legislation and judicial cooperation instruments; or more specialised training activities for practicing legal practitioners).

Projects targeting "legal systems of the Member States" (in priority 2) should cover the legal systems which have particular relevance for the participants and involve experienced legal practitioners who will be able to share experiences and compare practices of application of EU legal instruments.

Training methodology

Applications should notably take into account recommendations resulting from the Advice for training providers of the DG Justice and Consumers¹⁴ or expand good practices¹⁵ revealed by the EU pilot project on European Judicial Training to other Member States or justice professions.

Duration

The initial project duration should not exceed 30 months.

Dissemination strategy

The funded projects are expected to have a useful strategy of ensuring that the training developed can be taken up by other training providers and/or made accessible to other justice practitioners.

ESSENTIAL ELIGIBILITY CRITERIA

To be **eligible**, grant applications must comply with all of the following criteria:

- (a) applicants must be public entities or private organisations, duly established in one of the countries participating in the Programme, or international organisations. Organisations which are profit-oriented must submit applications in partnership with public entities or private non-profit-oriented organisations;
- (b) the applications must be transnational and involve organisations from at least two participating countries;
- (c) the EU grant applied for cannot be lower than € 30 000.

EXPECTED RESULTS

¹⁴ The Advice for training providers on the European e-Justice Portal: https://e-justice.europa.eu/content_training_material-252-en.do?clang=en

¹⁵ Good judicial training practices on the European e-Justice Portal: https://e-justice.europa.eu/content_good_training_practices-311-en.do

- Increased knowledge of EU civil, criminal and fundamental rights instruments among legal practitioners;
- Improved mutual trust between legal practitioners in cross-border judicial cooperation;
- Improved cooperation of training providers of the different legal professions;
- Increased awareness on the added value and scope of application of the EU Charter of Fundamental Rights among justice professionals thereby strengthening fundamental rights protection across the EU.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE PUBLICATION OF THIS CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JTRA-EJTR-AG-2018	Q2 2018	€ 5 350 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

3.2.2. *Call for proposals for action grants to support training of national judges in EU competition law and judicial cooperation between national competition law judges*

LEGAL BASIS

Art. 4 and 6(1) of Regulation (EU) No 1382/2013

Specific objective: to support and promote judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture

BUDGET LINE

33 03 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The objective is to contribute to an effective and coherent application of EU competition law in the Member States. This includes both antitrust rules (Articles 101 and 102 TFEU) and state aid rules (Article 107 and 108 TFEU).

The focus of this call for proposals is the improvement of knowledge, application and interpretation of EU competition law.

DESCRIPTION OF THE ACTIVITIES

This call will fund training activities aiming to ensure a coherent and effective application of EU competition rules.

Preference will be given to projects that:

- Provide for a training foreseeing consecutive levels, building up one on another;
- Do not simply duplicate/overlap existing/planned training material or existing/future projects but that act in complementarity or that innovate;
- Address judges from several member states in one training and thus encourage networking.

Financial provisions

Beneficiaries shall declare eligible costs for accommodation and meals/refreshments of participants/speakers/interpreters of the trainings on the basis of unit costs, the amounts of which are established in accordance with Commission Decision C(2008)6215 approving the General implementing provisions adopting the Guide to missions for officials and other servants of the European Commission, unless a specific ad hoc decision(s) is adopted in the meantime. These unit costs give a reasonable approximation of the costs typically incurred by persons staying in a different location than their own, no matter for what purpose.

50% daily rate will apply to meals/refreshments for half day seminars.

The use of unit costs is justified by the nature of the eligible costs covered by the unit costs (accommodation and subsistence costs for the participants/speakers/interpreters in the trainings requiring the extensive verification of actual costs incurred for relatively small amounts). The authorisation of unit costs will simplify the management of the grants by

alleviating the administrative and financial burden for the beneficiaries when reporting and for the Commission when verifying the costs actually incurred. Unit costs will also apply to accommodation and subsistence costs for project staff.

The majority of beneficiaries participating in this call will be public entities, thus the risk of fraud or irregularities is assessed as relatively low.

The compliance with the co-financing principle will be ensured by the application of the applicable co-financing rate to the eligible costs declared on the basis of unit costs.

The compliance with the no-profit principle will be ensured at the time of verification of the final financial statement of the beneficiary.

Avoidance of double financing is ensured by clear identification of the categories of costs covered by the unit costs (accommodation costs and meals/refreshments).

ESSENTIAL ELIGIBILITY AND AWARD CRITERIA

1. To be **eligible**, grant applications must comply with all of the following criteria:

- (a) applicants must be public authorities, public or private organisations duly established in one of the eligible countries, or an international organisation. Organisations which are profit-oriented must submit applications in partnership with public entities or private non-profit organisations;
- (b) the project must target the members of the target group as defined in the call for proposal;
- (c) the EU grant applied for cannot be lower than € 30 000 or higher than € 300 000;
- (d) the project must not have started prior to the date of submission of the grant application.

2. Proposals will be assessed based on the following **award criteria**:

- (a) relevance to the objectives, priorities and preferences of the call;
- (b) the intrinsic quality of the project as regards its design, presentation, organisation and implementation;
- (c) geographical scope of the project in terms of partners, participants and target group;
- (d) expected results, dissemination and sustainability;
- (e) cost-effectiveness.

EXPECTED RESULTS

- Improved coherent and consistent application of EU competition laws by national courts in the member states, including State Aid rules.
- Strengthened cooperation and networking possibilities among member states judges in relation to commonly applicable EU competition laws.
- Creation of a common understanding and a level playing field in the application of EU competition rules and relevant economic scrutiny in State Aid, cartel- and antitrust cases.
- Enabling national judges to strive for a coherent jurisprudence when confronted with developments at the interface between competition law and new legal or economic developments.

IMPLEMENTATION

By DG COMP based on a co-delegation

INDICATIVE TIMETABLE OF THE PUBLICATION OF THIS CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
COMP-2018	Q2 2018	€ 300 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80% as normal maximum rate.

90% in exceptional and duly justified cases, notably for:

- European, national or sub-national entities specifically created with the purpose of training "judicial staff" as defined in the Call for Proposals;
- European, national and sub-national associations of competition law judges;
- applicants originating from EU Member States under financial assistance in an economic adjustment programme or post-programme surveillance – currently Cyprus, Greece, Hungary, Ireland, Latvia, Portugal, Romania and Spain.

3.2.3. *Topic 3 – Call for proposals for action grants to support national or transnational e-Justice projects*

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate effective access to justice for all, including to promote and support the rights of victims of crime, while respecting the rights of the defence

BUDGET LINE

33 03 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The objective is to contribute to achieving the objectives of the European e-Justice Strategy 2014-2018. It will support the implementation of e-Justice projects within the European e-Justice Portal and at national level, in as far as they have a European dimension.

The priority is to support the implementation of a platform for Mutual Legal Assistance requests regarding e-evidence, in line with the Conclusions of the Council of the European Union on improving criminal justice in cyberspace, adopted on 9 June 2016 and the maintenance and evolution of the system for online exchange between judicial authorities – e-CODEX.

Moreover, priority will be given to projects aiming at joining or enhancing existing or on-going e-Justice portal projects, in particular:

- Interconnection of National Insolvency Registers (IRI);
- Find a Lawyer (FAL);
- Find a Notary (FAN);
- Find a Bailiff (FAB);
- Implementation of the European Case Law Identifier (ECLI) in case law repositories and interconnection with the e-Justice Portal;
- Land Registers Interconnection (LRI);
- European Court Database;
- Other e-Justice portal projects related to development of the relevant EU policies, such as victims' rights, rights of suspects and accused in criminal proceedings, and projects which are in advanced stage of development or already live on the Portal at the moment when the call is published.

Transnational projects will receive a higher priority than national ones. Other projects which support the implementation of the e-Justice Strategy 2014-2018¹⁶ and its Action Plan will not be excluded. Applications related to projects having an A-priority under the Council e-Justice Action Plan¹⁷ will be given priority over those having a B-priority.

¹⁶ [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52013XG1221\(02\)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52013XG1221(02))

¹⁷ [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52014XG0614\(01\)](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52014XG0614(01))

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THIS TOPIC

Project activities under this call would in principle include analytical, conceptual, design and elaboration work, IT software development, quality assurance and related auxiliary measures necessary for the establishment of new IT systems, as well as the expansion and adaptation of existing national and transnational solutions towards addressing the objectives of the call. The requirements of the eIDAS Regulation¹⁸ and the use of CEF Digital Building Blocks should be taken into account.

Activities relating to project management, content preparation, editorial work, communication, promotion and dissemination are also eligible for funding.

ESSENTIAL ELIGIBILITY CRITERIA

To be **eligible**, grant applications must comply with all of the following criteria:

- (a) applicants must be public entities or private organisations, duly established in one of the countries participating in the Programme, or an international organisation. Organisations which are profit-oriented must submit applications in partnership with public entities or private non-profit-oriented organisations;
- (b) the EU grant applied for cannot be lower than € 75 000.

EXPECTED RESULTS

- Implementation of a platform for Mutual Legal Assistance requests regarding e-evidence
- Improved participation with the aim of achieving full EU coverage concerning all voluntary e-Justice interconnection projects – Find a lawyer, Find a notary, ECLI, LRI, etc.;
- Reduced risks and possibility to allow Member States to achieve early compliance with the requirements of Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings;
- Possibility to launch potentially innovative projects and best practices concerning access to and the administration of justice at a national and in a cross-border context;
- Improved awareness of on-going and future e-Justice activities.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE PUBLICATION OF THIS CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JACC-EJU-AG-2018	Q2 2018	€ 2 200 000

¹⁸ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC.

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

3.2.4. Topic 4 – Call for proposals for action grants to support transnational projects to enhance the rights of persons suspected or accused of crime and the rights of victims of crime

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate effective access to justice for all, including to promote and support the rights of victims of crime, while respecting the rights of the defence

BUDGET LINE

33 03 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The aims of this call are:

- (a) to contribute to the effective and coherent application of EU criminal law in the area of the rights of persons suspected or accused of crime (procedural rights priority);
- (b) to contribute to the effective and coherent application of EU criminal law in the area of the rights of victims of crime (victims' rights priority).

In both priorities actions may include forward looking initiatives regarding gaps in EU legislation where further needs for EU actions are called for. Training activities can also be funded under this call, as long as they are of ancillary nature and not the main purpose of the project. Projects ensuring maximum practical benefits and impact for the target groups will be more favorably assessed than theoretical projects consisting mainly of research and other analytical activities. Successful project shall ensure easy access to and wide dissemination of its results.

(a) Procedural rights priority

The main legislative measures concerned within this priority include in particular:

- Directive 2013/48/EU of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty;
- Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings;
- Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings;
- Directive (EU) 2016/1919 of the European Parliament and of the Council of 26 October 2016 on legal aid for suspects and accused persons in criminal proceedings and for requested persons in European arrest warrant proceedings.

(b) Victims' rights priority

The main legislative measures concerned within this priority include in particular:

- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime;
- Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims;
- Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order¹⁹; and Regulation (EU) 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters²⁰;
- Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA²¹.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THIS TOPIC

The following activities can be covered under the priority (a):

- analytical activities, such as data collection and creation of data bases, surveys, research etc;
- mutual learning, exchange of good practices, development of working methods which may be transferable to other participating countries;
- exchange and provision of information and development of information tools;
- capacity building for professionals;
- facilitating cooperation between competent authorities and agencies, legal practitioners and/or service providers (including multi-disciplinary networks at international, national, regional or local levels);
- dissemination and awareness raising activities.

The following activities can be covered under the priority (b):

- mutual learning, exchange of good practices, development of working methods which may be transferable to other participating countries;
- exchange and provision of information and development of information tools;
- capacity building for professionals;
- facilitating cooperation between competent authorities, including national experts dealing with the aspects covered by this call, agencies, legal practitioners and/or service providers (including networks at EU, national, regional or local levels);
- communication activities including dissemination of information about victims' rights and activities aimed at raising awareness of the existing rules on victims' rights at EU

¹⁹ OJ L 338, 21.12.2011, p. 2–18.

²⁰ OJ L 181, 29.6.2013, p. 4–12.

²¹ OJ L 88, 31.3.2017, p. 6–21.

and national levels;

- training activities can also be funded under this call, as long as they are of ancillary nature and not the main purpose of the project;
- analytical activities, such as data collection and creation of data bases, surveys, research.

ESSENTIAL ELIGIBILITY CRITERIA

1. To be **eligible**, grant applications must comply with all of the following criteria:

- (a) applicants must be public entities or private organisations, duly established in one of the countries participating in the Programme, or international organisations. Organisations which are profit-oriented must submit applications in partnership with public entities or private non-profit-oriented organisations;
- (b) the application must be transnational and involve organisations from at least two participating countries;
- (c) the EU grant applied for cannot be lower than € 75 000.

EXPECTED RESULTS

Expected results under the priority (a):

- Increased capacity of national practitioners to address issues related to the rights of persons suspected or accused of crime;
- Strengthened cooperation and exchange of information between competent national authorities in relation to the rights of persons suspected or accused of crime;
- Improved knowledge on the legislation and administrative practices related to specific provisions of the EU acquis regulating the rights of suspects and accused in criminal proceedings;
- Harmonisation of the administrative practices in relation to the relevant legislation in different Member States;
- Reduced risks of breaches of fair trial rights;
- Compatibility of the national legal framework and regulations linked to the rights of persons suspected or accused in criminal proceedings with EU acquis;
- Improved cooperation of NGOs and professional organisations in the field of the rights of persons suspected or accused of crime;
- Increased awareness of the relevant policy makers on the rights of persons suspected or accused of crime.

Expected results under the priority b):

- Increased capacity of national practitioners to address issues related to the rights of victims of crime;
- Improved cooperation among the competent national authorities, NGOs and professional organisations in the field of victims' rights;

- Improved public awareness and knowledge about victims' rights at both EU and national level;
- Improved knowledge about specific provisions of the EU acquis regulating the issues such as referring victims to the relevant support services, victims' access to information in the area of victims' rights, individual assessment of victims' needs.
- Compatibility of the national legal framework and administrative practice related to victims' rights with the relevant EU acquis;
- Increased number of victims' support organisations providing general and specialist support services to victims of crimes and their family members, in particular in those Member States who currently do not provide such services or provide them in insufficient manner;
- Increased quality of the services provided by victims support organisations;
- Enhanced cooperation among the relevant national authorities responsible for compensation in cross-border cases under the Directive on compensation (Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims).

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE PUBLICATION OF THIS CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JACC-AG-2018	Q2-Q3 2018	€ 4 600 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

3.3. Operating grants

3.3.1. Operating grant to beneficiary identified in the legal base - EJTN

LEGAL BASIS

Art. 4 and 6(2) Regulation (EU) No 1382/2013

Specific objective: to support and promote judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture

Article 190(1)(d) of the Rules of Application

BUDGET LINE

33 03 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

Pursuant to Article 6 (2) of Regulation (EU) No 1382/2013, the European Judicial Training Network (EJTN) shall receive an operating grant to co-finance expenditure associated with its permanent work programme.

The work programme of the EJTN should be in line with the 2011 Commission Communication on European judicial training (COM/2011/551) and, in particular, strive to increase its number of activities and of participants as well as continue to develop the Aiakos exchange programme for new judges and prosecutors while increasing the number of exchanges for experienced practitioners.

The EJTN should also continue to promote high quality training methodologies and strive to make the most of its partnerships with European judicial networks.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED

The operating grant to the EJTN will finance activities which contribute to the implementation of the objectives of the Programme in particular training activities with EU added value.

ESSENTIAL AWARD CRITERIA

EJTN's proposal will be assessed on the basis of the following **award criteria**:

- (a) extent to which the proposed annual work programme addresses the priorities;
- (b) quality of the annual work programme, which must be clear, realistic and well detailed;
- (c) European added value of the annual work programme;
- (d) financial quality of the proposal, including the existence of a clear, detailed, and reasonable budget, which is coherent with the annual work programme.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT A PROPOSAL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JTRA-EJTN-OG-2018	Q4 2018	€ 11 000 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

96.5%

3.3.2. Operating grants for 2019 under Framework Partnership Agreements in the area of access to justice

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to facilitate effective access to justice for all, including to promote and support the rights of victims of crime, while respecting the rights of the defence

BUDGET LINE

33 03 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

These grants aim to support the annual work programme of European networks active in the area of facilitating and supporting access to justice which have signed Framework Partnership Agreements with the Commission. The Commission will invite Framework Partners in writing to submit their proposal announcing the annual priorities.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED

These grants will fund operating costs and those activities of the network which have EU added value and contribute to the implementation of the objectives of the Programme among others: analytical activities, training activities, mutual learning, cooperation, awareness-raising and dissemination activities.

ESSENTIAL AWARD CRITERIA

The Commission will verify that the organisation satisfies the exclusion criteria, that the proposal is consistent with the objectives pursued by the Programme and will assess the proposal essentially on the basis of the following **award criteria**:

- (a) extent to which the proposed annual work programme of Framework Partners addresses the priorities announced by the Commission and is coherent with the outline work programme of the Framework Partnership Agreement;
- (b) quality of the annual work programme, which must be clear, realistic and well detailed;
- (c) European added value of the annual work programme;
- (d) expected results, dissemination, sustainability and long-term impact;
- (e) cost-effectiveness.

IMPLEMENTATION

By DG JUST

INDICATIVE TIMETABLE OF THE INVITATION TO SUBMIT PROPOSALS AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-JACC-NETW-OG-2018	Q2 2018	€ 2 794 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

3.4. Procurement

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to support and promote judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture

Specific objective: to facilitate effective access to justice for all, including to promote and support the rights of victims of crime, while respecting the rights of the defence

BUDGET LINE

33 03 01

SUBJECT MATTER OF THE CONTRACTS ENVISAGED (STUDY / TECHNICAL ASSISTANCE / EVALUATION / SURVEY / IT / COMMUNICATION SERVICES/ETC.)

In 2018 the Commission intends to undertake several actions through contracts following public procurement (calls for tenders, and new and existing framework contracts) or administrative arrangements. Conferences, expert meetings, seminars, communication activities may be organised, development and maintenance of IT platforms and systems may be supported 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 covered by the Programme. It may cover in particular the following actions:

Specific objective: judicial training

- Meeting of the Expert group on European judicial training (Q1-Q2 2018, framework contract);
- Annual conference on European judicial training (Q3 2018, new framework contract);
- Training of legal professionals on anti-money laundering rules (Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for purposes of money laundering or terrorist financing and its amendments, Q2 2018, framework contract);
- Organisation of conferences with European, national and/or sub-national associations of competition law judges (Q2-Q4 2018, direct contract or framework contract);
- Provision of targeted training activities (seminars, workshops, conferences, electronic and paper publications and learning tools etc.) aiming to contribute to a coherent and effective application of EU competition rules. This includes both, antitrust rules (Articles 101 and 102 TFEU) and state aid rules (Article 107 and 108 TFEU) (Q2-Q4 2018, direct contract or framework contract).

Specific objective: access to justice

- Awareness raising campaign about victims rights (Q1 2018; framework contract);
- Expert meetings on the implementation of the procedural rights directives, including Directive (EU) 2016/343 of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings and the Directive (EU)

2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (Q1 2018; framework contracts);

- Studies/workshops/expert meetings to evaluate existing instruments and/or prepare new legislation in the field of access to justice including aspects related to the rights of individuals in criminal proceedings and the rights of victims of crime (Q1-Q4 2018, framework contract);
- Actions in the field of e-justice linked to access to justice (Q1-Q4 2018; framework contracts), such as necessary actions for the continued support and corrective and evolutionary maintenance of the e-Justice Portal and its sub-projects (such as intra-muros costs-providing expert services, web mastering, QA, et al; hosting and software licensing fees (including co-delegation to DIGIT);
- E-Justice expert group meetings (Q1-Q4 2018, framework contract);
- IRI 2.0 (Q1-Q4 2018, framework contract);
- Development of e-Evidence Reference Implementation (Q1-Q4 2018, framework contract);
- Informal expert group of contact persons of national justice systems (Q1-Q4, framework contract);
- Eurobarometer and/or study for the preparation of the EU Justice Scoreboard (Q1-Q2, framework contract);
- CEPEJ multiannual contract for the preparation of the EU Justice Scoreboard (4 years).

Indicative number of new contracts envisaged: 4

Indicative number of specific contracts based on existing framework contracts envisaged: 7

IMPLEMENTATION

By DG JUST and, where indicated, by DIGIT, DGT or DG COMP based on a co-delegation

TOTAL BUDGET AVAILABLE

€ 4 956 000 (incl. experts meetings € 476 000)

4. BUDGET LINE 18 06 01: SUPPORTING INITIATIVES IN THE FIELD OF DRUGS POLICY

4.1. Introduction

On the basis of the objectives given in the Justice Programme this work programme contains the actions to be financed and the budget breakdown for the year 2018 as follows:

- action grants (3.2):	€ 2 249 000
- operating grants (3.3):	n.a.
- procurement (3.4):	€ 500 000
TOTAL:	€ 2 749 000

4.2. Action grants

4.2.1. *Call for proposals for action grants to support transnational projects in the area of EU drugs policy*

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to support initiatives in the field of drugs policy as regards judicial cooperation and crime prevention aspects closely linked to the general objective of the Programme, in so far as they are not covered by the Instrument for financial support for police cooperation, preventing and combating crime, and crisis management, as part of the Internal Security Fund, or by the third Programme for the Union's action in the field of health (2014-2020)

BUDGET LINE

18 06 01

PRIORITIES OF THE YEAR, OBJECTIVES PURSUED AND EXPECTED RESULTS

The aim of this call is to contribute to the effective and coherent application of EU law and to support development of new approaches in the area of drugs.

The priorities are:

- to support activities in the area of epidemiology of use of new psychoactive substances, including potent synthetic opioids, as well as activities related to emerging drug problems;
- to support the civil society organisations by reinforcing their (i) advocacy function, (ii) capacity to make a difference at the local level, (iii) best practice sharing methods;
- to support key stakeholders by expanding their knowledge and skills in the context of implementing minimum quality standards in drug demand reduction, particularly in the area of social integration;
- to promote practical application of drug-related research, and, in particular, addiction research with a view of addressing current challenges and new threats.

DESCRIPTION OF THE ACTIVITIES TO BE FUNDED UNDER THE CALL FOR PROPOSALS

This call will fund activities on:

- data collection, surveys and research activities;
- training activities;
- mutual learning, network development, identification and exchange of good practices, cooperation;
- events, conferences, expert meetings;
- dissemination and awareness-raising activities.

ESSENTIAL ELIGIBILITY CRITERIA

In order to be **eligible** for a grant the applicant and co-applicants must:

- (a) be legal persons;
- (b) be a public body or a non-profit-making private entity or an international organisation. For-profit entities can only participate as co-beneficiaries. Union agencies cannot submit applications nor be co-applicants;
- (c) be established in a Member State of the European Union participating in the Justice Programme;
- (d) international organisations may be established outside of the Member States of the European Union participating in the Justice Programme;
- (e) international organisations cannot submit applications; however they may participate as co-beneficiaries;
- (f) applications must be transnational involving at least 2 entities. Conditions on composition of the partnership will be specified in the calls for proposals;
- (g) proposals seeking EU co-funding of less than € 250 000 will be rejected

EXPECTED RESULTS

- Improved knowledge on the identification and epidemiology of use of new psychoactive substances;
- Effective response to the online trade of drugs;
- Increased capacity of civil society organisations to act and interact, including in particular in the area of minimum quality standards in drug demand reduction;
- Improved implementation of minimum quality standards in drug demand reduction

IMPLEMENTATION

By DG HOME

INDICATIVE TIMETABLE OF THE PUBLICATION OF THE CALL AND INDICATIVE AMOUNT

Reference	Date	Amount
JUST-2018-AG-DRUGS	Q3 2018	€ 2 249 000

MAXIMUM POSSIBLE RATE OF CO-FINANCING OF THE ELIGIBLE COSTS

80%

4.3. Operating grants

n.a.

4.4. Procurement

LEGAL BASIS

Art. 4 and 6(1) Regulation (EU) No 1382/2013

Specific objective: to support initiatives in the field of drugs policy as regards judicial cooperation and crime prevention aspects closely linked to the general objective of the Programme, in so far as they are not covered by the Instrument for financial support for police cooperation, preventing and combating crime, and crisis management, as part of the Internal Security Fund, or by the third Programme for the Union's action in the field of health (2014-2020)

BUDGET LINE

18 06 01

SUBJECT MATTER OF THE CONTRACTS ENVISAGED (STUDY / TECHNICAL ASSISTANCE / EVALUATION / SURVEY / IT / COMMUNICATION SERVICES/ETC.)

In 2018 the Commission intends to undertake several actions through contracts following public procurement (calls for tenders and existing framework contracts) or administrative arrangements. Conferences, expert meetings, seminars, communication activities may be organised 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 covered by the Programme. It may cover in particular the following actions:

- Organisation of the 2018 plenary session of the Civil Society Forum on Drugs in the EU (Q4 2018; framework contract);
- Expert meetings, technical workshops, events/studies and communication activities.

Indicative number of new contracts envisaged: none

Indicative number of specific contracts based on existing framework contracts envisaged: 3

IMPLEMENTATION

By DG HOME

TOTAL BUDGET AVAILABLE

€ 500 000 (incl. experts meetings € 100 000)