



Contracting Authority: European Commission

**European Instrument for Democracy and Human Rights (EIDHR)
Country-Based Support Scheme for Vietnam 2016-2017**

Guidelines for grant applicants

Budget line: BGUE-B2017-21.040100-C1-DEVCO

Reference: EuropeAid/154464/DD/ACT/VN

Deadline for submission¹ of concept notes:

20/03/2017 at 12:00 (Brussels date and time)

(in order to convert to local time click [here](#)²)

¹ Online submission via PROSPECT is mandatory for this call for proposals (see Section 2.2.2). In PROSPECT all dates and times are expressed in Brussels time. Applicants should note that the IT support is open Monday to Friday from 08:30 to 18:30 Brussels time (except for public holidays). Applicants should take note of the weekly maintenance hours mentioned in the PROSPECT user manual.

² An example of a time converter tool available online: <http://www.timeanddate.com/worldclock/converter.html>

NOTICE

This is a restricted call for proposals. In the first instance, only concept notes (Annex A.1) must be submitted for evaluation. Thereafter, lead applicants who have been pre-selected will be invited to submit a full application. After the evaluation of the full applications, an eligibility check will be performed for those which have been provisionally selected. Eligibility will be checked on the basis of the supporting documents requested by the Contracting Authority and the signed 'declaration by the lead applicant' sent together with the full application.

SUSPENSIVE CLAUSE

The conclusion of grant contracts for actions selected under this Call for Proposals is subject to the adoption of the relevant financing decision.

The adoption of the afore-mentioned programme does not depend only on the European Commission. If the above-mentioned programme is substantially modified and/or does not provide adequate coverage for the proposed action or is not adopted, the present Call for Proposals or some of its allocations may be cancelled and/or replaced by other Calls for Proposals adapted to the finally approved Annual Action Programme.

To apply to this call for proposals organisations must register in PADOR and submit their application in PROSPECT (see section 2.2.2 of the guidelines). The aim of PROSPECT is to increase the efficiency of the management of the call for proposals and to offer a better service to civil society organisations through a new panel of functionalities such as the on-line submission and the possibility to follow up online the status of their application.

To help applicants familiarise themselves with the system before the online submission, an information session will tentatively be organised in Ho Chi Minh City on 21 February 2017 and another one in Hanoi on 23 February 2017 (final dates to be confirmed). The dates and venues of the sessions will be published on the website of the Delegation of the European Union to Vietnam once confirmed: <http://eeas.europa.eu/vietnam>

Should you be interested in this session, please send an email by 10 February 2017 to **delegation-vietnam-call-for-proposals@eeas.europa.eu**, indicating: name, surname, nationality and email address of the persons who are going to participate as well as their organisation (max. two participants per organisation). No costs incurred by the applicants for attending this information session are reimbursable.

All organisations can find the e-learning (Annex L) and the PROSPECT users' manual (Annex M) and the FAQ published together with the documents of this call. You may also contact our technical support team via the online support form in PROSPECT³.

The overall indicative amount made available under this call for proposals is EUR 800,000.- (allocation 2016 for Vietnam under the EIDHR Multi-Annual Indicative Programme 2016-2017). Subject to the adoption of the relevant financing decision an additional amount of EUR 900,000 may be allocated to this Call for Proposals from the 2017 budget. The Contracting Authority reserves the right not to award all available funds.

Please note that the awarding of the contracts is subject to the condition of the prior adoption of a financing decision regarding the 2017 allocation of funds.

³ If PROSPECT is unavailable, the IT support can also be reached via email: EuropeAid-IT-support@ec.europa.eu

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1. EUROPEAN INSTRUMENT FOR DEMOCRACY AND HUMAN RIGHTS (EIDHR) - COUNTRY-BASED SUPPORT SCHEME FOR VIETNAM 2016-2017

1.1 BACKGROUND

The European Union (EU) is founded on the principles of liberty, democracy, respect for human rights and the rule of law. Human Rights and democracy are important areas of EU co-operation, and activities in this sector are supported through a number of instruments.

The European Instrument for Democracy and Human Rights (EIDHR) is one of these instruments and was established by Regulation No.235 adopted by the European Parliament and the Council on 11 March 2014⁴. The EIDHR is designed to help civil society to become an effective force for political reform and defence of human rights. It also offers independence of action, which is a critical feature of cooperation with civil society organisations at national level. Other specific features of the EIDHR include great flexibility and increased capacity to respond to the rapidly evolving reality in third countries.

Non-discrimination on any ground, gender mainstreaming, participation, empowerment, accountability, openness and transparency are some of the principles highlighted by Regulation No.235. These principles should not only be taken into account during the implementation of projects but also guide them in direct relation to the specific situation of the country(ies) concerned.

Assistance under this Regulation is designed to complement various other tools for implementing the EU policies relating to democracy and human rights. Those tools range from political dialogue and diplomatic demarches to various instruments for financial and technical cooperation, including both geographic and thematic programmes.

1.2 OBJECTIVES OF THE PROGRAMME AND PRIORITY ISSUES

The **general objective of the EIDHR** is to contribute to the development and consolidation of democracy and the rule of law and respect for all human rights and fundamental freedoms, consistent with the European Union's foreign policy as a whole. It aims at enhancing the respect for and observance of human rights and fundamental freedoms, as proclaimed in the Universal Declaration of Human Rights and other international and regional human rights instruments in the area of civil, political, economic, social and cultural rights, and at promoting and consolidating democracy and democratic reform in third countries, mainly through support for civil society organizations, providing support and solidarity to human rights defenders and strengthening civil society active in the field of human rights and the promotion of democracy.

Overarching and working principles

The objectives of this call are aligned with the Policy Coherence for Development, reflecting the EU's priorities as identified in policies and regulations, notably the EU Action Plan on Human Rights and Democracy 2015-2019 as well as in the specific human rights guidelines adopted by the EU⁵.

Moreover, following the adoption in 2014 of the Tool-box "A Rights-Based Approach, encompassing all human rights, for EU development cooperation"⁶ and the subsequent adoption in 2014 of the related

⁴ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=urisrv:OJ.L_.2014.077.01.0085.01.ENG

⁵ http://eeas.europa.eu/delegations/council_europe/more_info/eu_human_rights_guidelines/index_en.htm

⁶ <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%209489%202014%20INIT>

Council Conclusions⁷, the European Commission committed to move towards a **Rights-Based Approach** for development cooperation. The EIDHR Regulation stipulates that in its implementation, the EU shall apply a Rights-Based Approach (RBA) encompassing all human rights, whether civil, political, economic, social or cultural. The implementation of the five RBA principles: (i) legality, universality and indivisibility of human rights, (ii) participation, (iii) non-discrimination, (iv) accountability, and (v) transparency must be applied in each step of the project cycle from identification, formulation, implementation, monitoring to evaluation. Therefore, all proposals under all lots of this call for proposals must be designed according to a Rights-Based Approach.

Furthermore, **gender equality** is an integral part of the RBA, encompassing the promotion, protection and fulfilment of all human rights. Gender equality constitutes a fundamental human rights principle and a common value of the European Union (EU Treaties, EU Gender Action Plan 2016-2020). Each selected proposal will have to report against relevant "SMART"⁸ sex-disaggregated indicators mentioned in the EU Gender Action Plan 2016-2020⁹.

The proposals shall also tackle, whenever relevant, **inter-sectoral discriminations** based on e.g. ethnicity, disability, age, gender identity and/or sexual orientation. In particular, attention should be given to actions empowering the most marginalised and vulnerable groups (indigenous peoples, refugees, cultural minorities, non-skilled workers, etc.) as well as taking into account the different risks and challenges that may be faced by women and men.

Proposals should, whenever relevant, propose **innovative approaches or methodologies**, focus on the needs and challenges faced by targeted groups living **outside the capitals and in remote areas**, and/or encourage the constitution and **capacity-building of networks of local organisations** and implementing actors, including at regional level. For this reason, **proposals presented as joint initiatives (in the form of consortia, platforms, networks, etc.) are encouraged**.

There are three lots/priorities in this Call for Proposals. Applications should focus principally on one of these lots/priorities and explicitly mention it in their submission so the application can be assessed in light of other similar thematic submissions (competitive procedure). It is the initial intention of the Contracting Authority to award at least one grant per lot/priority.

Lots/priorities under this Call for proposals:

Lot/priority 1: Elimination of gender-based violence

The **specific objective of Lot 1** is to promote gender equality via the elimination of gender-based violence (GBV) defined as a form of discrimination; violence that is directed against a woman/girl because she is a woman/girl or that affects them disproportionately. The fundamental cause of GBV is gender inequality, the persistent attitudes and beliefs that see women/girls as inferior to men/boys and less worthy of rights and control over their own lives. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty (1992 CEDAW Committee in its General Recommendation 19) exercised in public or private life. GBV can take many forms, such as sexual assault and rape (including marital rape); trafficking and forced prostitution; sexual harassment and intimidation at educational institutions, the workplace or the public space; traditional practices harmful to women and girls (i.e. child marriage); or a preference for boys over girls through sex-selective abortions. Although men and boys are also affected, women and girls predominantly suffer from GBV as are minority and marginalised communities such as transgender people¹⁰.

⁷ http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/foraff/142682.pdf

⁸ Specific, Measurable, Achievable, Relevant, Time-bound.

⁹ https://ec.europa.eu/europeaid/joint-staff-working-document-gender-equality-and-womens-empowerment-transforming-lives-girls-and_en

¹⁰ See (United Nations Viet Nam, 2014): From domestic violence to gender-based violence: Connecting the dots in Viet Nam. A UN discussion paper.

Activities prioritised:

- Advocacy for the full implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) ratified by Vietnam on 17 February 1982.
- Gathering of disaggregated information about the types of violence (specifically physical, sexual, emotional/psychological and economic violence), the socioeconomic context that enables GBV and the legislative framework for addressing GBV within the context of Vietnam.
- Promotion of networks, platforms and coordination and cooperation at all levels to break the silence in cases of GBV.
- Sensitisation campaigns highlighting unequal power relations and individual and social attitudes that condone GBV within the private and public spheres.
- Support for the proper implementation of the Law on Gender Equality, the Law on Domestic Violence Prevention and Control, and/or the Law on Suppression and Prevention of Human Trafficking.
- Advocacy and technical support for the revision of existing specific legislation (decrees, guidelines, directives, resolutions, circulars) to identify gaps and ensure clear, consistent and enforceable legislation addressing GBV (i.e. Civil Code, Civil Procedure Code, Law on Marriage and Family, Penal Code, Population Ordinance, etc.).
- Capacity building of relevant stakeholders to understand the interlinkages between forms of GBV that multiply gendered vulnerabilities to additional forms of violence.
- Support for advocacy towards better coordination across laws, policies and interventions for an effective multi-sectoral response that includes all forms of GBV.
- Innovative actions to engage men and boys for a proper strategy addressing the multiple forms of GBV.
- Support for the provision of comprehensive services (medical, psychological, legal, etc.) to survivors of GBV.

Lot/Priority 2: Freedom of artistic expression and creativity

The **specific objective of Lot 2** is to protect and promote the right to enjoy and access cultural values, participate in cultural life and make use of cultural bases as guaranteed by the Constitution of Vietnam in its Article 41. The most explicit provisions protecting the freedom of artistic expression and creativity are to be found also in article 15(3) of the International Covenant on Economic, Social and Cultural Rights (which Vietnam ratified on 24 September 1982) under which States "undertake to respect the freedom indispensable for...creative activity" and in article 19(2) of the International Covenant on Civil and Political Rights (ratified also by Vietnam on 24 September 1982) which states that the right to freedom of expression includes the freedom to seek, receive and impart information and ideas of all kinds 'in the form of art'.

Indicative and non-exhaustive list of activities prioritised:

- Activities promoting the right to freedom of artistic expression and creativity and to carry out, contribute, participate and engage in cultural life, artistic expressions and creations and enjoy the arts through individual or joint practices.
- Projects supporting forms of expression that carry an aesthetic and/or symbolic dimension, using different media including, but not limited to, painting and drawing, music, songs and dances, poetry and literature, theatre and circus, photography, cinema and video, architecture and sculpture, performances and public art interventions.
- Initiatives encouraging creative talents and cultural diversity, and disseminating creative activity and cultural expressions.
- Actions to protect, defend and assist artists and their freedom of creation.

- Actions defending the right of people to manifest their cultural identity and to access and enjoy their cultural heritage as well as that of others.
- Proposals promoting new independent spaces for arts and groups, including the use of public space(s) or engaging the business community.
- Plans and proposals to promote critical thinking, debate and discussions about the arts and creative industries, including educational programmes, residential schemes for artists and exchanges for art administrators, curators and managers.
- Support for the implementation of the National Strategy for the Development of Cultural Industries in Vietnam to 2020, vision 2030 (Approved by Prime Minister's Decision 1755/QĐ-TTg dated 08/09/2016).
- Promotion of linkages between Vietnamese and European organisations in the field of arts/culture/creative industries to exchange knowledge and techniques.

Lot/Priority 3: Business and human rights

The **specific objective of Lot 3** is to ensure human rights due diligence in global value chains through the promotion and implementation of the UN Guiding Principles on Business and Human Rights (UNGPs)¹¹ endorsed by the Human Rights Council in its resolution 17/4 of 16 June 2011, Corporate Social Responsibility in respect of human rights and the advocacy for the drafting and implementation of National Action Plans (NAPs) by partner countries. The reinforcement of their implementation is a key action of the 2015-2019 EU Action Plan for Democracy and Human Rights.

Indicative and non-exhaustive list of activities prioritised:

- Support to the private sector for the promotion and application of principles relating to human rights, labour standards, the environment, and anti-corruption in the framework of the UN Global Compact and other initiatives for corporate social responsibility.
- Promotion of the UN Guiding Principles on Business and Human Rights (UNGPs) for States and companies to prevent, address and remedy human rights abuses committed in business operations.
- Capacity-building activities of relevant actors (community leaders, lawyers, Human Rights Defenders, social partners) on the UNGPs in the context of corporate-related human rights abuses in the global value chain.
- Promotion and implementation of innovative engagement between non-governmental organisations, workers organisations, local communities and business to prevent and address adverse impacts of business on human rights in the global value chain (mediation sessions, negotiation, training, etc.).
- Gathering of disaggregated (including sex-disaggregated) data and development of studies on the human rights impact of private companies' activities.
- Ensuring access to judicial and non-judicial remedies to victims of corporate abuses at national, regional and international levels and organise consultations and follow-up actions with potentially affected groups (local non-governmental organisations, local communities, women organisations, worker organisations, independent researchers, etc.).
- Advice and advocacy for the revision of labour laws in Vietnam to guarantee their compliance with international labour standards in the context of free trade agreements (FTAs).
- Conducting evidence-based research and investigation on the conditions of work of migrant workers (especially women and members of ethnic minorities) and promoting rights and conditions of work for (internal) migrant workers.

¹¹ http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

- Conducting evidence-based research on forced labour and develop related campaigns for its elimination.

- **Overlapping of funding**

Every effort should be made to avoid overlapping of funding and duplication of work. The applicant should therefore properly take into account, when identifying the needs and constraints of the target groups, the work done previously or simultaneously by other stakeholders, under EU funding or in the scope of actions financed by other donors.

- **Other issues**

1. The timeline of the proposed action should take into account the Vietnamese legal requirements for the implementation of NGOs' activities and the time needed to obtain project approval at local level (province, district and/or commune). This might be reflected in the start date of implementation of the resulting grant contracts (Special conditions).

2. Please be informed that the Vietnamese authorities might apply conditions to be able to start implementation of an Action.

3. Logical framework: special attention should be paid to the elaboration of the logical framework of the proposed action, so as to ensure the effective planning and implementation of the project, the relevance and feasibility of the objectives and of the proposed activities and the achievability/measurability of the indicators and results.

4. The title of the proposal should be short and self-explanatory.

1.3 FINANCIAL ALLOCATION PROVIDED BY THE CONTRACTING AUTHORITY

The overall indicative amount made available under this call for proposals is EUR 800,000.- (allocation 2016 for Vietnam under the EIDHR Multi-Annual Indicative Programme 2016-2017). Subject to the adoption of the relevant financing decision, an additional amount of EUR 900,000 may be allocated to this Call for Proposals from the 2017 budget. The Contracting Authority reserves the right not to award all available funds.

The indicative allocation per lot/priority is as follow:

Lot/Priority 1: Elimination of gender-based violence: EUR 800,000.-

Lot/Priority 2: Freedom of artistic expression and creativity: EUR 450,000.-

Lot/Priority 3: Business and human rights: EUR 450,000.-

If the allocation indicated for a specific lot cannot be used due to insufficient quality or number of proposals received, the Contracting Authority reserves the right to reallocate the remaining funds to (an)other lot(s).

Size of grants

Any grant requested under this call for proposals must fall between the following minimum and maximum amounts:

- Minimum amount: EUR 300,000.-
- Maximum amount: EUR 450,000.-

Any grant requested under this call for proposals must fall between the following minimum and maximum percentages of total eligible costs of the action:

- Minimum percentage: 50% of the total eligible costs of the action.
- Maximum percentage: 90% of the total eligible costs of the action (see also section 2.1.5).

The balance (i.e. the difference between the total cost of the action and the amount requested from the Contracting Authority) must be financed from sources other than the European Union Budget or the European Development Fund¹².

2. RULES FOR THIS CALL FOR PROPOSALS

These guidelines set out the rules for the submission, selection and implementation of the actions financed under this call, in conformity with the Practical Guide, which is applicable to the present call (available at <http://ec.europa.eu/europeaid/prag/document.do?locale=en>)¹³.

2.1 ELIGIBILITY CRITERIA

There are three sets of eligibility criteria, relating to:

(1) the actors:

- The **lead applicant**, i.e. the entity submitting the application form (2.1.1),
- if any, its **co-applicant(s)** (**where it is not specified otherwise the lead applicant and its co-applicant(s) are hereinafter jointly referred as "applicant(s)"**) (2.1.1),
- and, if any, **affiliated entity(ies)** to the lead applicant and/or to a co-applicant(s). (2.1.2);

(2) the actions:

- Actions for which a grant may be awarded (2.1.4);

(3) the costs:

- types of cost that may be taken into account in setting the amount of the grant (2.1.5).

2.1.1 Eligibility of applicants (i.e. lead applicant and co-applicant(s))

Lead applicant

(1) In order to be eligible for a grant, the lead applicant must:

- be legal persons (i.e. having a distinct legal status), **and**

¹² Where a grant is financed by the European Development Fund, any mention of European Union financing must be understood as referring to European Development Fund financing.

¹³ Note that a lead applicant (i.e. a Coordinator) whose pillars have been positively assessed by the European Commission and who is awarded a grant will not sign the standard grant contract published with these guidelines but a PA Grant Agreement based on the PAGoDA template. All references in these guidelines and other documents related to this call to the standard grant contract shall in this case be understood as referring to the relevant provisions of the PAGoDA template.

- be non-profit-making, **and**
- be a specific type of organisation such as: (a) civil society organisations, including non-governmental non-profit organisations and independent political foundations, community-based organisations and private-sector non-profit agencies, institutions and organisations and networks thereof at local, national, regional and international level; (b) public-sector non-profit agencies, institutions and organisations and networks at local, national, regional and international level; **and**
- be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.
- Non-Vietnamese organisations must act with at least one local co-applicant.

International organisations (international public-sector organisations set up by intergovernmental agreements as well as specialised agencies set up by them; the International Committee of the Red Cross (ICRC) and the International Federation of National Red Cross and Red Crescent Societies) are not eligible applicants under this call for proposals.

- (2) Potential applicants may not participate in calls for proposals or be awarded grants if they are in any of the situations listed in section 2.3.3 of the Practical Guide;

In Annex A.2, section 5 ('declaration by the lead applicant'), the lead applicant must declare that the lead applicant himself, the co-applicant(s) and affiliated entity(ies) are not in any of these situations.

The applicant may act individually or with co-applicant(s) except for non-Vietnamese organisations who must act with at least one local co-applicant, as mentioned above (mandatory).

If awarded the grant contract, the lead applicant will become the beneficiary identified as the Coordinator in Annex E3h1 (Special Conditions). The Coordinator is the main interlocutor of the Contracting Authority. It represents and acts on behalf of any other co-beneficiary (if any) and coordinate the design and implementation of the action.

Co-applicant(s)

Co-applicants participate in designing and implementing the action, and the costs they incur are eligible in the same way as those incurred by the lead applicant.

Co-applicants must satisfy the eligibility criteria as applicable to the lead applicant.

Co-applicants must sign the mandate in Annex A.2., section 4.

If awarded the grant contract, the co-applicant(s) (if any) will become beneficiary(ies) in the action (together with the Coordinator).

2.1.2 Affiliated entities

Affiliated entity(ies)

The lead applicant and its co-applicant(s) may act with affiliated entity(ies)

Only the following entities may be considered as affiliated entities to the lead applicant and/or to co-applicant(s):

Only entities having a structural link with the applicants (i.e. the lead applicant or a co-applicant), in particular a legal or capital link.

This structural link encompasses mainly two notions:

- (i) Control, as defined in Directive 2013/34/EU on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings:

Entities affiliated to applicant may hence be:

- Entities directly or indirectly controlled by an applicant (daughter companies or first-tier subsidiaries). They may also be entities controlled by an entity controlled by an applicant (granddaughter companies or second-tier subsidiaries) and the same applies to further tiers of control;
- Entities directly or indirectly controlling the applicant (parent companies). Likewise, they may be entities controlling an entity controlling the applicant;
- Entities under the same direct or indirect control as the applicant (sister companies).

- (ii) Membership, i.e. the applicant is legally defined as a e.g. network, federation, association in which the proposed affiliated entities also participate or the applicant participates in the same entity (e.g. network, federation, association) as the proposed affiliated entities.

The structural link shall as a general rule be neither limited to the action nor established for the sole purpose of its implementation. This means that the link would exist independently of the award of the grant; it should exist before the call for proposals and remain valid after the end of the action.

By way of exception, an entity may be considered as affiliated to an applicant even if it has a structural link specifically established for the sole purpose of the implementation of the action in the case of so-called “sole applicants” or “sole beneficiaries”. A sole applicant or a sole beneficiary is a legal entity formed by several entities (a group of entities) which together comply with the criteria for being awarded the grant. For example, an association is formed by its members.

What is not an affiliated entity?

The following are not considered entities affiliated to an applicant:

- Entities that have entered into a (procurement) contract or subcontract with an applicant, act as concessionaires or delegates for public services for an applicant,
- Entities that receive financial support from an applicant,
- Entities that cooperate on a regular basis with an applicant on the basis of a memorandum of understanding or share some assets,
- Entities that have signed a consortium agreement under the grant contract (unless this consortium agreement leads to the creation of a "sole applicant" as described above).

How to verify the existence of the required link with an applicant?

The affiliation resulting from control may in particular be proved on the basis of the consolidated accounts of the group of entities the applicant and its proposed affiliates belong to.

The affiliation resulting from membership may in particular be proved on the basis of the statutes or equivalent act establishing the entity (network, federation, association) which the applicant constitutes or in which the applicant participates.

If the applicants are awarded a grant contract, their affiliated entity(ies) will not become beneficiary(ies) of the action and signatory(ies) of the grant contract. However, they will participate in the design and in the implementation of the action and the costs they incur (including those incurred for implementation

contracts and financial support to third parties) may be accepted as eligible costs, provided they comply with all the relevant rules already applicable to the beneficiary(ies) under the grant contract.

Affiliated entity(ies) must satisfy the same eligibility criteria as the lead applicant and the co-applicant(s). They must sign the affiliated entity(ies) statement in Annex A.2., section 5.

2.1.3 Associates and Contractors

The following entities are not applicants nor affiliated entities and do not have to sign the "mandate for co-applicant(s)" or "affiliated entities' statement":

- Associates

Other organisations or individuals may be involved in the action. Such associates play a real role in the action but may not receive funding from the grant, with the exception of per diem or travel costs. Associates do not have to meet the eligibility criteria referred to in section 2.1.1. Associates must be mentioned in Annex A.2., section 6 — 'Associates participating in the action'.

- Contractors

The beneficiaries and their affiliated entities are permitted to award contracts. Associates or affiliated entity(ies) cannot be also contractors in the project. Contractors are subject to the procurement rules set out in Annex IV to the standard grant contract.

2.1.4 Eligible actions: actions for which an application may be made

Definition

An action is composed of a set of activities.

Duration

The initial planned duration of an action may not be lower than 30 months nor exceed 42 months.

Sectors or themes

There are three lots/priorities in this Call for Proposals. Applications should cover only one of these lots/priorities and explicitly mention it in their submission so the application can be assessed in light of other similar thematic submissions. It is the initial intention of the Contracting Authority to award at least one grant per lot/priority:

- Lot/Priority 1: Elimination of gender-based violence.
- Lot/Priority 2: Freedom of artistic expression and creativity.
- Lot/Priority 3: Business and human rights.

Location

Actions must take place in Vietnam.

Types of action:

The actions which may be financed under this Call for Proposals must be aimed at supporting actions in line with the specific objectives and activities prioritised in the list above.

Actions should be self-contained operations and results-oriented indicating a coherent set of activities with clearly defined operational objectives, target groups and planned, tangible outcomes, within a limited timeframe. Proposed actions must be conceived to produce specific, measurable results which are in response to a particular issue. Actions must have clear objectives based on a strategy and methodology,

an integrated approach with various complimentary activities and be likely to directly address the issue in question.

The implementation methods should follow this approach and should contain objective and verifiable indicators to be defined for each individual activity proposed. Actions will be selected on the basis of their expected results as well as their potential effectiveness. Each action will present its own indicators of performance and success which must be objective and verifiable.

The following types of action are ineligible:

Actions concerned only or mainly with individual sponsorships for participation in workshops, seminars, conferences and congresses; actions concerned only or mainly with individual scholarships for studies or training courses.

Types of activities:

Activities should be designed to meet the specific needs of the target group(s) identified by the project. Under this call for proposals, the activities eligible for financing may include capacity building, advocacy and awareness raising events (conferences, workshops, trainings, etc.), peoples' exchanges, networking, community groups and stakeholders' consultations, studies/research, setting up of resource-sharing platforms, audio-video programmes, production of documentaries, networking, etc.

Financial support to third parties¹⁴:

Applicants may propose financial support to third parties in order to help achieving the objectives of the action.

The maximum amount of financial support per third party is EUR 60,000. Under this Call, financial support to third parties may not be the main purpose of the action.

In compliance with the present guidelines and notably of any conditions or restrictions in this section, the lead applicant should define mandatorily in section 2.1.1 of the grant application form:

- (i) the objectives and results to be obtained with the financial support
- (ii) the different types of activities eligible for financial support, on the basis of a fixed list
- (iii) the types of persons or categories of persons which may receive financial support
- (iv) the criteria for selecting these entities and giving the financial support
- (v) the criteria for determining the exact amount of financial support for each third entity, and
- (vi) the maximum amount which may be given.

In all events, the mandatory conditions set above for giving financial support (points (i) to (vi)) have to be strictly defined in the grant contract as to avoid any exercise of discretion.

Visibility:

The applicants must take all necessary steps to publicise the fact that the European Union has financed or co-financed the action. As far as possible, actions that are wholly or partially funded by the European Union must incorporate information and communication activities designed to raise the awareness of specific or general audiences of the reasons for the action and the EU support for the action in the country or region concerned, as well as the results and the impact of this support.

Applicants must comply with the objectives and priorities and guarantee the visibility of the EU financing (see the Communication and Visibility Manual for EU external actions specified and published by the European Commission at https://ec.europa.eu/europeaid/communication-and-visibility-manual-eu-external-actions_en).

¹⁴ These third parties are neither affiliated entity(ies) nor associates nor contractors.

Number of applications and grants per applicants / affiliated entities:

Applicant(s), co-applicant(s) and affiliated entities may only participate in one application under this Call for Proposals independently of the role they play in that application and the lot under which it is submitted.

2.1.5 Eligibility of costs: costs that can be included

Only 'eligible costs' can be covered by a grant. The categories of costs that are eligible and non-eligible are indicated below. The budget is both a cost estimate and an overall ceiling for 'eligible costs'.

The reimbursement of eligible costs may be based on any or a combination of the following forms:

- actual costs incurred by the beneficiary(ies) and affiliated entity(ies)
- one or more simplified cost options.

Simplified cost options may take the form of:

- **unit costs:** covering all or certain specific categories of eligible costs which are clearly identified in advance by reference to an amount per unit.
- **lump sums:** covering in global terms all or certain specific categories of eligible costs which are clearly identified in advance.
- **flat-rate financing:** covering specific categories of eligible costs which are clearly identified in advance by applying a percentage fixed ex ante.

The amounts or rates have to be based on estimates using objective data such as statistical data or any other objective means or with reference to certified or auditable historical data of the applicants or the affiliated entity(ies). The methods used to determine the amounts or rates of unit costs, lump sums or flat-rates must comply with the criteria established in Annex K, and especially ensure that the costs correspond fairly to the actual costs incurred by the beneficiary(ies) and affiliated entity(ies), are in line with their accounting practices, no profit is made and the costs are not already covered by other sources of funding (no double funding). Refer to Annex K for directions and a checklist of controls to assess the minimum necessary conditions that provide reasonable assurance for the acceptance of the proposed amounts.

Applicants proposing this form of reimbursement, must clearly indicate in worksheet no.1 of Annex B, each heading/item of eligible costs concerned by this type of financing, i.e. add the reference in capital letters to "UNIT COST" (per month/flight etc), "LUMPSUM" or "FLAT RATE" in the Unit column. (see example in Annex K).

Additionally in Annex B, in the second column of worksheet no.2, "Justification of the estimated costs" per each of the corresponding budget item or heading applicants must:

- describe the information and methods used to establish the amounts of unit costs, lump sums and/or flat-rates, to which costs they refer, etc.
- clearly explain the formulas for calculation of the final eligible amount¹⁵
- identify the beneficiary who will use the simplified cost option (in case of affiliated entity, specify first the beneficiary), in order to verify the maximum amount per each beneficiary (which includes if applicable simplified cost options of its affiliated entity(ies)).

At contracting phase, the Contracting Authority decides whether to accept the proposed amounts or rates on the basis of the provisional budget submitted by the applicants, by analysing factual data of grants carried out by the applicants or of similar actions and by performing checks established by Annex K.

¹⁵ Examples:- for staff costs: number of hours or days of work * hourly or daily rate pre-set according to the category of personnel concerned;- for travel expenses: distance in km * pre-set cost of transport per km; number of days * daily allowance pre-set according to the country;- for specific costs arising from the organization of an event: number of participants at the event * pre-set total cost per participant etc.

The total amount of financing on the basis of simplified cost options that can be authorised by the Contracting Authority for any of the applicants individually (including simplified cost options proposed by their own affiliated entities) cannot exceed EUR 60 000 (the indirect costs are not taken into account).

The cost estimates should be in line with Article 14.2 of the General Condition and the requirement of the UN-EU Guidelines for Financing of Local Costs in Development Cooperation with Vietnam. Please check the latest version (2015) of the UN-EU Guidelines for Financing of Local Costs in Development Cooperation with Vietnam at: http://eeas.europa.eu/delegations/vietnam/eu_vietnam/tech_financial_cooperation/publications/index_en.htm

Recommendations to award a grant are always subject to the condition that the checks preceding the signing of the grant contract do not reveal problems requiring changes to the budget (such as arithmetical errors, inaccuracies, unrealistic costs and ineligible costs). The checks may give rise to requests for clarification and may lead the Contracting Authority to impose modifications or reductions to address such mistakes or inaccuracies. It is not possible to increase the grant or the percentage of EU co-financing as a result of these corrections.

It is therefore in the applicants' interest to provide a **realistic and cost-effective budget**.

The simplified cost option may also take the form of an apportionment of Field Office's costs.

Field Office means a local infrastructure set up in one of the countries where the action is implemented or a nearby country. (Where the action is implemented in several third countries there can be more than one Field Office). That may consist of costs for local office as well as human resources.

A Field Office may be exclusively dedicated to the action financed (or co-financed) by the EU or may be used for other projects implemented in the partner country. When the Field Office is used for other projects, only the portion of capitalised and operating costs which corresponds to the duration of the action and the rate of actual use of the field office for the purpose of the action may be declared as eligible direct costs.

The portion of costs attributable to the action can be declared as actual costs or determined by the beneficiary(ies) on the basis of a simplified allocation method (apportionment).

The method of allocation has to be:

1. Compliant with the beneficiary's usual accounting and management practices and applied in a consistent manner regardless of the source of funding and
2. Based on an objective, fair and reliable allocation keys. (Please refer to Annex K to have examples of acceptable allocation keys).

A description prepared by the entity of the allocation method used to determine Field Office's costs in accordance with the entity's usual cost accounting and management practices and explaining how the method satisfy condition 1 and 2 indicated above, has to be presented in a separate sheet and annexed to the Budget.

The method will be assessed and accepted by the evaluation committee and the Contracting Authority at contracting phase. The applicant is invited to submit (where relevant) the list of contracts to which the methodology proposed had been already applied and for which proper application was confirmed by an expenditure verification.

At the time of carrying out the expenditure verifications, the auditors will check if the costs reported are compliant with the method described by the beneficiary(ies) and accepted by the Contracting Authority.

Adequate record and documentation must be kept by the beneficiary(ies) to prove the compliance of the simplified allocation method used with the conditions set out above. Upon request of the beneficiary(ies), this compliance can be assessed and approved ex-ante by an independent external auditor. In such a case, the simplified allocation method will be automatically accepted by the evaluation committee and it will not be challenged ex post.

When costs are declared on the basis of such allocation method the amount charged to the action is to be indicated in the column "TOTAL COSTS" and the mention "APPORTIONMENT" is to be indicated in the column "units" (under budget heading 1 (Human resources) and 4 (Local Office) of the Budget).

It has to be noted that the EUR 60.000 limit, otherwise applicable to costs declared on the basis of simplified cost options, is not relevant for costs declared following apportionment of Field Offices.

Eligible direct costs

To be eligible under this call for proposals, costs must comply with the provisions of Article 14 of the General Conditions to the standard grant contract (see Annex G of the guidelines).

Contingency reserve

The budget may include a contingency reserve not exceeding 5 % of the estimated direct eligible costs. It can only be used with the **prior written authorisation** of the Contracting Authority.

Eligible indirect costs

The indirect costs incurred in carrying out the action may be eligible for flat-rate funding, but the total must not exceed 7 % of the estimated total eligible direct costs. Indirect costs are eligible provided that they do not include costs assigned to another budget heading in the standard grant contract. The lead applicant may be asked to justify the percentage requested before the grant contract is signed. However, once the flat rate has been fixed in the Special Conditions of the grant contract, no supporting documents need to be provided.

If any of the applicants or affiliated entity(ies) is in receipt of an operating grant financed by the EU, it may not claim indirect costs on its incurred costs within the proposed budget for the action.

Contributions in kind

Contributions in kind mean the provision of goods or services to a beneficiaries or affiliated entities free of charge by a third party. As contributions in kind do not involve any expenditure for beneficiaries or affiliated entities, they are not eligible costs.

Contributions in kind may not be treated as co-financing. However, if the description of the action as proposed includes contributions in kind, the contributions have to be made.

Ineligible costs

The following costs are not eligible:

- debts and debt service charges (interest);
- provisions for losses or potential future liabilities;
- costs declared by the beneficiary(ies) and financed by another action or work programme receiving a European Union (including through EDF) grant;
- purchases of land or buildings, except where necessary for the direct implementation of the action, in which case ownership must be transferred, in accordance with Article 7.5 of the General Conditions of the standard grant contract, at the latest at the end of the action;
- currency exchange losses;
- credit to third parties;
- salary costs of the personnel of national administrations.

2.2 HOW TO APPLY AND THE PROCEDURES TO FOLLOW

To apply for this call for proposals the lead applicants need to:

- I. Provide information about the organisations involved in the action. Please note that the registration of this data in **PADOR is obligatory**¹⁶ for this call for proposals:

Concept note step: Registration is obligatory for lead applicants applying for EU contributions of more than EUR 60000.

Full application step: Registration is obligatory for co-applicant(s) and affiliated entity(ies). Lead applicants must make sure that their PADOR profile is up to date.

- II. Provide information about the action in the documents listed under sections 2.2.2 (concept note) and 2.2.5 (full application). Please note that online submission via **PROSPECT is obligatory** for this call,

PADOR is an on-line database in which organisations register and update information concerning their entity. Organisations registered in PADOR get a unique ID (EuropeAid ID) which they **must mention** in their application. PADOR is accessible via the website: http://ec.europa.eu/europeaid/pador_en

It is strongly recommended to register in PADOR well in advance and not to wait until the last minute before the deadline to submit your application in PROSPECT.

If it is impossible to register online in PADOR for technical reasons, the applicants and/or affiliated entity(ies) must complete the 'PADOR off-line form'¹⁷ attached to these guidelines. This form must be sent **together with the application**, by the submission deadline (see sections 2.2.2 and 2.2.5).

Before starting using PADOR and PROSPECT, please read the user guides available on the website. All technical questions related the use of these systems should be addressed to the IT helpdesk at EuropeAid-IT-support@ec.europa.eu via the online support form in PROSPECT.

2.2.1 Concept note content

Applications must be submitted in accordance with the concept note instructions in the grant application form¹⁸ annexed to these guidelines (Annex A.1). Applicants must apply in English.

Please note that:

1. In the concept note lead applicants must provide only an estimate of the **requested EU contribution**, as well as an indicative percentage of this contribution in relation to the total eligible costs of the action. A detailed budget is to be submitted only by lead applicants invited to submit a full application in the second phase
2. The elements outlined in the concept note may not be modified in the full application form. The EU contribution may not vary from the initial estimate by more than 20%. Lead applicants are free to adapt the requested EU contribution as a percentage of the total eligible costs within the minimum and maximum amounts and percentages provided in section 1.3. The lead applicant may replace a co-applicant or an affiliated entity only in duly justified cases (e.g. bankruptcy of initial co-applicant or

¹⁶ Natural persons who apply for a grant (if so allowed in the guidelines for applicants) do not have to register in PADOR. In this case, the information included in PROSPECT and the grant application form is sufficient.

¹⁷ Which corresponds to sections 3 and 4 of the full application form – Annex A.2.

¹⁸ The grant application form consists of Annex A.1 – concept note and Annex A.2 – full application form.

affiliated entity). In this case the new co-applicant/affiliated entity must be of a similar nature as the initial one. The lead applicant may adjust the duration of the action if unforeseen circumstances outside the scope of the applicants have taken place following the submission of the concept note and require such adaptation (risk of action not being carried out). In such cases the duration must remain within the limits imposed by the guidelines for applicants. An explanation/justification of the relevant replacement/adjustment shall be included in section 2.1.1 of the grant application form.

Own contributions by the applicants can be replaced by other donors' contributions at any time.

3. Only the concept note form will be evaluated. It is therefore of utmost importance that this document contains **all relevant information** concerning the action. **No additional annexes should be sent.**

Any error or major discrepancy related to the concept note instructions may lead to the rejection of the concept note.

Clarifications will only be requested when information provided is not sufficient to conduct an objective assessment.

2.2.2 Where and how to send concept notes

The concept note together with the declaration by the lead applicant (Annex A.1 section 2) **must be submitted online via PROSPECT** <https://webgate.ec.europa.eu/europeaid/prospect> following the instructions given in the PROSPECT user manual.

Upon submission of a concept note online, the lead applicant will receive an automatic confirmation of receipt in its PROSPECT profile.

If it is impossible for lead applicants to submit their concept note online via PROSPECT for technical reasons, they must send their proposal in a sealed envelope and attach the concept note together with the declaration by the lead applicant (**Annex A.1 section 2**). In particular, the lead applicant must send, in a sealed envelope as described below the following items:

- a. One original of the concept note. The signed declaration by the lead applicant (Annex A.1 section 2) must be printed and stapled separately and enclosed in the envelope
- b. One additional copy in A4 size, each bound.
- c. An electronic version (CD-Rom) of the items under point (a). The electronic file must contain **exactly the same** application as the paper version enclosed.

The envelope must bear the **reference number and the title of the call for proposals**, together with [the lot number and title] the full name and address of the lead applicant, and the words 'Not to be opened before the opening session' and "Không được mở trước lễ mở đề xuất".

To reduce expense and waste, we strongly recommend that you do not use plastic folders or dividers. Please also use double-sided printing if possible.

Concept notes must be submitted in a sealed envelope by registered mail, private courier service or by hand-delivery (a signed and dated certificate of receipt will be given to the deliverer) to the address below. Where lead applicants send several concept notes (if allowed to do so by the guidelines of the call), each one must be sent separately:

Postal address:

Delegation of the European Union to Vietnam
For the attention of Head of Finance, Contracts and Audit Section
24th floor West Wing, Lotte Centre, 54 Lieu Giai,
Hanoi, Vietnam

Not to be opened before the opening session / Không được mở trước lễ mở đề xuất

Concept notes sent by any other means (e.g. by fax or by e-mail) or delivered to other addresses will be rejected. Hand-written concept notes will not be accepted.

Please note that incomplete concept notes may be rejected. Lead applicants are advised to verify that their concept note is complete by using the checklist for concept note (Annex A.1, Instructions).

2.2.3 Deadline for submission of concept notes

The deadline for the submission of concept notes is 20/03/2017 at 12:00 (Brussels date and time). In order to convert this deadline to local time you can use any online time converter tool that takes into account time zones and winter/summer time changes (example available here)¹⁹ The lead applicant is strongly advised not to wait until the last day to submit its concept note, since heavy Internet traffic or a fault with the Internet connection (including electricity failure, etc.) could lead to difficulties in submission. The Contacting Authority cannot be held responsible for any delay due to such aforementioned difficulties.

In the exceptional case of submission by post or by hand delivery (see section 2.2.2), the date of submission is evidenced by the date of dispatch, the postmark or the date of the deposit slip. In the case of hand-deliveries, the deadline for receipt is at 18.00 hours local time as evidenced by the signed and dated receipt.

Any concept note submitted after the deadline will be rejected.

However, for reasons of administrative efficiency, the Contracting Authority may also reject any concept note sent in due time but received after the effective date of approval of the concept note evaluation (see indicative calendar under section 2.5.2).

2.2.4 Further information about concept notes

Information sessions on this call for proposals will tentatively be organised in Ho Chi Minh City on 21 February 2017 and another one in Hanoi on 23 February 2017 (final dates to be confirmed). The dates and venues of the sessions will be published on the website of the Delegation of the European Union to Vietnam once confirmed: <http://eeas.europa.eu/vietnam>

Questions may be sent by e-mail no later than 21 days before the deadline for the submission of concept notes to the address(es) below, indicating clearly the reference of the call for proposals:

E-mail address: delegation-vietnam-call-for-proposals@eeas.europa.eu

The Contracting Authority has no obligation to provide clarifications to questions received after this date.

Replies will be given no later than 11 days before the deadline for submission of concept notes.

To ensure equal treatment of applicants, the contracting authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), an action or specific activities.

No individual replies will be given to questions. All questions and answers as well as other important notices to applicants during the course of the evaluation procedure will be published on the EuropeAid website <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the Delegation to the European Union to Vietnam's website: <http://eeas.europa.eu/vietnam>, as appropriate. It

¹⁹ For example: <http://www.timeanddate.com/worldclock/converter.html>.

is therefore advisable to consult the abovementioned website regularly in order to be informed of the questions and answers published.

All questions related to registration in PADOR or the online submission via PROSPECT should be addressed to the IT helpdesk at EuropeAid-IT-support@ec.europa.eu **via the online support form in PROSPECT**: Please note that the working languages of the IT support are: English French and Spanish. Therefore users are invited to send their questions in English, French or Spanish should they wish to benefit from an optimum response time.

2.2.5 Full applications

Lead applicants invited to submit a full application following pre-selection of their concept note must do so using the full application form annexed to these guidelines (Annex A.2).

Applications must be submitted in accordance with the full application instructions at the end of Annex A.2. Lead applicants must submit their full applications in the same language as their concept notes.

Please note that:

1. The elements outlined in the concept note cannot be modified by the lead applicant in the full application form. The EU contribution may not vary from the initial estimate by more than 20 %, although lead applicants are free to adapt the percentage of co-financing required within the minimum and maximum amount and percentages of co-financing, as laid down in these guidelines under section 1.3. The lead applicant may replace a co-applicant or an affiliated entity only in duly justified cases (e.g. bankruptcy of initial co-applicant or affiliated entity). In this case the new co-applicant/affiliated entity must be of a similar nature as the initial one. The lead applicant may adjust the duration of the action if unforeseen circumstances outside the scope of the applicants have taken place following the submission of the concept note and require such adaptation (risk of action not being carried out). An explanation/justification of the relevant replacement/adjustment shall be included in section 2.1.1 of the grant application form.

2. A copy of the lead applicant's accounts of the latest financial year (the profit and loss account and the balance sheet for the last financial year for which the accounts have been closed) must be uploaded in PADOR by the full application deadline. A copy of the latest account is neither required from (if any) the co-applicant(s) nor from (if any) affiliated entity(ies).

3. Only the full application form and the published annexes which have to be filled in (budget, logical framework) will be transmitted to the evaluators (and assessors, if used). It is therefore of utmost importance that these documents contain **ALL the relevant information** concerning the action. **No additional annexes should be sent.**

Any error or any major inconsistency related to the full application instructions (e.g. if the amounts in the budget worksheets are inconsistent) may lead to the rejection of the application.

Clarifications will only be requested when information provided is unclear and thus prevents the Contracting Authority from conducting an objective assessment.

2.2.6 Where and how to send full applications

Full application forms together with the budget, the logical framework and the declaration by the lead applicant must be submitted online via PROSPECT <https://webgate.ec.europa.eu/europeaid/prospect> following the instructions given in the users' manual.

Upon submission of the full application online, the lead applicants will receive an automatic confirmation of receipt in their PROSPECT profile.

(a) If the lead applicant submitted the concept note by post / hand delivery (see section 2.2.3) it must send the full application by the same means (by post or hand delivery).

(b) If the lead applicant submitted the concept note online via PROSPECT but it is technically impossible for the organisation to submit the full application online:

In the above two cases the lead applicant must send by post the application, i.e the full application form, the budget, the logical framework and the declaration by the lead applicant. The lead applicant must send, in a sealed envelope as described below, the following items:

a. One original signed copy of the full application form, the budget and the logical framework. The declaration by the lead applicant (Annex A.2, section 5) must be printed and stapled separately and enclosed in the envelope

b. One additional copy in A4 size, each bound.

c. An electronic version (CD-Rom) of the items under point (a). The electronic file must contain exactly the same application as the paper version enclosed.

To reduce expense and waste, we strongly recommend that you use only paper for your file (no plastic folders or dividers). Please also use double-sided printing if possible

Applications must be submitted in a sealed envelope by registered mail, private courier service or by hand-delivery (a signed and dated certificate of receipt will be given to the deliverer) to the address below:

Delegation of the European Union to Vietnam
For the attention of Head of Finance, Contracts and Audit Section
24th floor West Wing, Lotte Centre, 54 Lieu Giai,
Hanoi, Vietnam
Not to be opened before the opening session / Không được mở trước lễ mở đề xuất

The envelope must bear the **reference number and the title of the call for proposals**, together with the number and title of the lot, the full name and address of the lead applicant, and the words 'Not to be opened before the opening session' and "Không được mở trước lễ mở đề xuất".

Applications sent by any other means (e.g. by fax or by e-mail) or delivered to other addresses will be rejected. Hand-written applications will not be accepted.]

Please note that incomplete applications may be rejected. Lead applicants are advised to verify that their application is complete using the checklist (Annex A.2, Instructions).

2.2.7 Deadline for submission of full applications

The deadline for the submission of full applications will be indicated in the letter sent to the lead applicants whose application has been pre-selected. This letter will appear online automatically in the PROSPECT profile of the lead applicant. Lead applicants who, in exceptional cases (see section 2.2.6) had to submit their application by post or hand-delivery, will receive the letter by email or by post if no e-mail address was provided.

Lead applicants are strongly advised not to wait until the last day to submit their full applications, since heavy Internet traffic or a fault with the Internet connection (including electricity failure, etc.) could

lead to difficulties in submission. The Contacting Authority cannot be held responsible for any delay due to such afore-mentioned difficulties. In the case of submission by post, (see section 2.2.6), the date of submission is evidenced by the date of dispatch, the postmark or the date of the deposit slip. In the case of hand-deliveries, the deadline for receipt is at 17.00 hours local time as evidenced by the signed and dated receipt

Any application submitted after the deadline will be rejected.

However, for reasons of administrative efficiency, the Contracting Authority may also reject any full application sent in due time but received after the effective date of approval of the full application evaluation (see indicative calendar under section 2.5.2).

2.2.8 Further information about full applications

Questions may be sent by e-mail no later than 21 days before the deadline for the submission of full applications to the addresses listed below, indicating clearly the reference of the call for proposals:

E-mail address: delegation-vietnam-call-for-proposals@eeas.europa.eu

The Contracting Authority has no obligation to provide clarifications to questions received after this date.

Replies will be given no later than 11 days before the deadline for the submission of applications.

To ensure equal treatment of applicants, the Contracting Authority cannot give a prior opinion on the eligibility of lead applicants, co-applicants, affiliated entity(ies), or an action.

No individual replies will be given to questions. All questions and answers as well as other important notices to applicants during the course of the evaluation procedure, will be published on the EuropeAid website <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the Delegation to the European Union to Vietnam's website: <http://eeas.europa.eu/vietnam>, as appropriate. It is therefore advisable to consult the abovementioned website regularly in order to be informed of the questions and answers published.

All questions related to registration in PADOR or the online submission via PROSPECT should be addressed to the IT helpdesk at EuropeAid-IT-support@ec.europa.eu **via the online support form in PROSPECT**. Please note that the working languages of the IT support are: English French and Spanish. Therefore users are invited to send their questions in English, French or Spanish should they wish to benefit from an optimum response time.

2.3 EVALUATION AND SELECTION OF APPLICATIONS

Applications will be examined and evaluated by the Contracting Authority with the possible assistance of external assessors. All applications will be assessed according to the following steps and criteria.

If the examination of the application reveals that the proposed action does not meet the eligibility criteria stated in section 2.1, the application will be rejected on this sole basis.

STEP 1: OPENING & ADMINISTRATIVE CHECKS AND CONCEPT NOTE EVALUATION

During the opening²⁰ and administrative check (including the eligibility check of the action) the following will be assessed:

- If the deadline has been met. Otherwise, the application will be automatically rejected.
- If the concept note satisfies all the criteria specified in the checklist in the instructions included in Annex A.1. This includes also an assessment of the eligibility of the action. If any of the requested information is missing or is incorrect, the application may be rejected on that **sole** basis and the application will not be evaluated further.

The concept notes that pass this check will be evaluated on the relevance and design of the proposed action.

The concept notes will receive an overall score out of 50 in line with the evaluation grid below. The evaluation will also check the compliance with the instructions on how to complete the concept note (Annex A.1).

The evaluation criteria are divided into headings and subheadings. Each subheading will be given a score between 1 and 5 as follows: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

Evaluation Grid

Section	Maximum Score
1. Relevance of the action	30
1.1. How relevant is the proposal to the objectives and priorities of the Call for Proposals?*	5x2*
1.2. How relevant to the particular needs and constraints of the target country(ies) or region(s) is the proposal (including synergy with other EU initiatives and avoidance of duplication)?*	5x2*
1.3. How clearly defined and strategically chosen are those involved (final beneficiaries, target groups)? Have their needs been clearly defined and does the proposal address them appropriately?*	5
1.4. Does the proposal contain specific added-value elements, such as environmental issues, promotion of gender equality and equal opportunities, needs of disabled people, rights of minorities and rights of indigenous peoples, or innovation and best practices [and the other additional elements indicated under 1.2. of these guidelines]?*	5
2. Design of the action	20
2.1. How coherent is the overall design of the action? In particular, does it reflect the analysis of the problems involved, take into account external factors and relevant stakeholders?	5x2*
2.2. Is the action feasible and consistent in relation to the objectives and expected results?	5x2*
Maximum total score	50

*these scores are multiplied by 2 because of their importance.

²⁰ Only where some applications have been submitted offline.

Concept notes with a score lower than 30 will be rejected.

Concept notes that reach the above threshold will be ranked by score. The highest scoring applications will be pre-selected until the limit of at least 300% of the available budget for each lot/priority for this call for proposals is reached.

The amount of requested contributions of each concept note will be based on the indicative financial envelopes for each lot, where relevant.

Lead applicants will receive a letter indicating the reference number of their application and the respective results. This letter will automatically appear online in the PROSPECT profile of the lead applicant. Lead applicants who, in exceptional cases (see section 2.2), had to submit their application by post or hand-delivery will receive the letter by email or by post if no e-mail address was provided.

The pre-selected lead applicants will subsequently be invited to submit full applications.

STEP 2: OPENING & ADMINISTRATIVE CHECK AND EVALUATION OF THE FULL APPLICATION

During the opening²¹ and administrative check (including the eligibility check of the action) for full applications the following will be assessed:

- If the submission deadline has been met. Otherwise, the application will automatically be rejected.
- If the full application satisfies all the criteria specified in the checklist in Annex A.2. This includes also an assessment of the eligibility of the action. If any of the requested information is missing or is incorrect, the application may be rejected on that **sole** basis and the application will not be evaluated further.

The full applications that pass this check will be further evaluated on their quality, including the proposed budget and the capacity of the applicants and affiliated entity(ies). The evaluation criteria used are presented in the evaluation grid below. There are two types of evaluation criteria: selection and award criteria.

The selection criteria help to evaluate the applicant(s)'s and affiliated entity(ies)'s operational capacity and the lead applicant's financial capacity and are used to verify that they:

- have stable and sufficient sources of finance to maintain their activity throughout the proposed action and, where appropriate, to participate in its funding (this only applies to lead applicants);
- have the management capacity, professional competencies and qualifications required to successfully complete the proposed action. This applies to applicants and to any affiliated entity(ies).

For the purpose of the evaluation of the financial capacity, lead applicants must ensure that the relevant information and documents (i.e. accounts of the latest financial year and external audit report, where applicable) in their PADOR profile are up to date. If the information and documents in PADOR are outdated and do not allow for a proper evaluation of the financial capacity, the application may be rejected.

²¹ Only where some applications have been submitted offline.

The award criteria help to evaluate the quality of the applications in relation to the objectives and priorities set forth in the guidelines, and to award grants to projects which maximise the overall effectiveness of the call for proposals. They help to select applications which the Contracting Authority can be confident will comply with its objectives and priorities. They cover the relevance of the action, its consistency with the objectives of the call for proposals, quality, expected impact, sustainability and cost-effectiveness.

The evaluation grid is divided into sections and subsections. Each subsection will be given a score between 1 and 5 as follows: 1 = very poor; 2 = poor; 3 = adequate; 4 = good; 5 = very good.

Evaluation Grid²²

Section	Maximum Score
1. Financial and operational capacity	20
1.1. Do the applicants and, if applicable, their affiliated entity(ies) have sufficient experience of project management?	5
1.2. Do the applicants and, if applicable, their affiliated entity(ies) have sufficient technical expertise (especially knowledge of the issues to be addressed)?	5
1.3. Do the applicants and, if applicable, their affiliated entity(ies) have sufficient management capacity (including staff, equipment and ability to handle the budget for the action)?	5
1.4. Does the lead applicant have stable and sufficient sources of finance?	5
2. Relevance of the action	30
2.1. How relevant is the proposal to the objectives and priorities of the Call for Proposals?	5x2*
2.2. How relevant to the particular needs and constraints of the target country(ies) or region(s) is the proposal (including synergy with other EU initiatives and avoidance of duplication)?	5x2*
2.3. How clearly defined and strategically chosen are those involved (final beneficiaries, target groups)? Have their needs been clearly defined and does the proposal address them appropriately?	5
2.4. Does the proposal contain specific added-value elements, such as environmental issues, promotion of gender equality and equal opportunities, needs of disabled people, rights of minorities and rights of indigenous peoples, or innovation and best practices [and the other additional elements indicated under 1.2. of these guidelines]?	5
3. Effectiveness and feasibility of the action	20
3.1. Are the activities proposed appropriate, practical, and consistent with the objectives and expected results?	5
3.2. Is the action plan clear and feasible?	5
3.3. Does the proposal contain objectively verifiable indicators for the outcome of the action? Is any evaluation planned?	5

²² Note that the relevance may be re-evaluated in the cases described in sections 6.5.7 and 6.5.8. of the Practical Guide.

3.4. Is the co-applicant(s)'s and affiliated entity(ies)'s level of involvement and participation in the action satisfactory?	5
4. Sustainability of the action	15
4.1. Is the action likely to have a tangible impact on its target groups?	5
4.2. Is the proposal likely to have multiplier effects (including scope for replication, extension and information sharing)?	5
4.3. Are the expected results of the proposed action sustainable?:(1) financially (how will the activities be financed after the funding ends?)(2) institutionally (will structures allowing the activities to continue be in place at the end of the action? Will there be local 'ownership' of the results of the action?)(3) at policy level (where applicable) (what will be the structural impact of the action - e.g. will it lead to improved legislation, codes of conduct, methods, etc?)(4) environmentally (if applicable) (will the action have a negative/positive environmental impact?)"	5
5. Budget and cost-effectiveness of the action	15
5.1. Are the activities appropriately reflected in the budget?	5
5.2. Is the ratio between the estimated costs and the expected results satisfactory?	10
Maximum total score	100

*these scores are multiplied by 2 because of their importance.

If the total score for section 1 (financial and operational capacity) is less than 12 points, the application will be rejected. If the score for at least one of the subsections under section 1 is 1, the application will also be rejected.

If the lead applicant applies without co-applicants or affiliated entities the score for point 3.4 shall be 5 unless the involvement of co-applicants or affiliated entities is mandatory according to these guidelines for applicants.

Note that (members of) the evaluation committee or internal assessors evaluating the full applications may re-evaluate the scores given for the relevance at concept note stage and transferred to the full application.

After the evaluation, applications will be ranked according to their score. The highest scoring applications will be provisionally selected until the available budget for this call for proposals is reached.

In addition, a reserve list will be drawn up following the same criteria. This list will be used if more funds become available during the validity period of the reserve list.

STEP 3: VERIFICATION OF ELIGIBILITY OF THE APPLICANTS AND AFFILIATED ENTITY(IES)

The eligibility verification will be performed on the basis of the supporting documents requested by the Contracting Authority (see section 2.4). It will only be performed for the applications that have been provisionally selected according to their score and within the available budget for this call for proposals.

- The declaration by the lead applicant (section 5 of Annex A.2) will be cross-checked with the supporting documents provided by the lead applicant. Any missing supporting document or any incoherence between the declaration by the lead applicant and the supporting documents may lead to the rejection of the application on that sole basis.
- The eligibility of applicants and the affiliated entity(ies) will be verified according to the criteria set out in sections 2.1.1, 2.1.2 and 2.1.3.

Any rejected application will be replaced by the next best placed application on the reserve list that falls within the available budget for this call for proposals.

2.4 SUBMISSION OF SUPPORTING DOCUMENTS FOR PROVISIONALLY SELECTED APPLICATIONS

A lead applicant whose application has been provisionally selected or placed on the reserve list will be informed in writing by the Contracting Authority. It will be requested to supply the following documents in order to allow the Contracting Authority to verify the eligibility of the lead applicant, (if any) of the co-applicant(s) and (if any) of their affiliated entity(ies)²³:

Supporting documents must be provided through PADOR (see section 2.2)

1. The statutes or articles of association of the lead applicant, (if any) of each co-applicant and (if any) of each affiliated entity²⁴. Where the Contracting Authority has recognised the lead applicant's, or the co-applicant(s)'s, or their affiliated entity(ies)'s eligibility for another call for proposals under the same budget line within 2 years before the deadline for receipt of applications, it should be submitted, instead of the statutes or articles of association, a copy of the document proving their eligibility in a former call (e.g. a copy of the Special Conditions of a grant contract received during the reference period), unless a change in legal status has occurred in the meantime²⁵. This obligation does not apply to international organisations which have signed a framework agreement with the European Commission.
2. An external audit report produced by an approved auditor, certifying the lead applicant's accounts for the last financial year available where the total amount of the requested EU contribution exceeds EUR 750 000 (EUR 100 000 for an operating grant). The external audit report is not required from (if any) the co-applicant(s) or affiliated entity(ies).

This obligation does not apply to public bodies and international organisations provided that the international organisation in question offers the guarantees provided for in the applicable Financial Regulation, as described in chapter 6 of the Practical Guide.

3. Legal entity sheet (see Annex D of these guidelines) duly completed and signed by each of the applicants (i.e. by the lead applicant and (if any) by each co-applicant), accompanied by the justifying

23 No supporting document will be requested for applications for a grant not exceeding EUR 60000.

24 Where the lead applicant and/or a co-applicant(s) and or an affiliated entity(ies) is a public body created by a law, a copy of the said law must be provided.

25 To be inserted only where the eligibility conditions have not changed from one call for proposals to the other.

documents requested there. If the applicants have already signed a contract with the Contracting Authority, instead of the legal entity sheet and supporting documents, the legal entity number may be provided, unless a change in legal status occurred in the meantime.

4. A financial identification form of the lead applicant (not from co-applicant(s), nor from affiliated entity(ies)) conforming to the model attached at Annex E of these guidelines, certified by the bank to which the payments will be made. This bank should be located in the country where the lead applicant is established. If the lead applicant has already submitted a financial identification form in the past for a contract where the European Commission was in charge of the payments and intends to use the same bank account, a copy of the previous financial identification form may be provided instead.

The requested supporting documents (uploaded in PADOR or sent together with the PADOR offline form) must be supplied in the form of originals, photocopies or scanned versions (i.e. showing legible stamps, signatures and dates) of the said originals.

Where such documents are not in one of the official languages of the European Union or in the language of the country where the action is implemented, a translation into English of the relevant parts of these documents proving the lead applicant's and, where applicable, co-applicants' and affiliated entity(ies)' eligibility must be attached for the purpose of analysing the application.

Where these documents are in an official language of the European Union other than English, it is **strongly** recommended, in order to facilitate the evaluation, to provide a translation of the relevant parts of the documents, proving the lead applicants' and, where applicable, co-applicants' and affiliated entity(ies)' eligibility, into English.

Applicants have to take into consideration the time necessary to obtain official documents from national competent authorities and to translate such documents in the authorised languages while registering their data in PADOR.

If the abovementioned supporting documents are not provided before the deadline indicated in the request for supporting documents sent to the lead applicant by the Contracting Authority, the application may be rejected.

After verifying the supporting documents, the evaluation committee will make a final recommendation to the Contracting Authority, which will decide on the award of grants.

NB: In the eventuality that the Contracting Authority is not satisfied with the strength, solidity, and guarantee offered by the structural link between one of the applicants and its affiliated entity, it can require the submission of the missing documents allowing for its conversion into co-applicant. If all the missing documents for co-applicants are submitted, and provided all necessary eligibility criteria are fulfilled, the above mentioned entity becomes a co-applicant for all purposes. The lead applicant has to submit the application form revised accordingly.

2.5 NOTIFICATION OF THE CONTRACTING AUTHORITY'S DECISION

2.5.1 Content of the decision

The lead applicants will be informed in writing of the Contracting Authority's decision concerning their application and, if rejected, the reasons for the negative decision. This letter will be sent by e-mail and will appear online automatically in the PROSPECT profile of the user who submitted the application. Lead applicants who, in exceptional cases (see section 2.2), had to submit their application by post or hand-delivery, will be informed by email or by post if they did not provide any e-mail address. Therefore, please check regularly your PROSPECT profile, taking into account the indicative timetable below.

An applicant believing that it has been harmed by an error or irregularity during the award process may lodge a complaint. See further section 2.4.15 of the Practical Guide.

2.5.2 Indicative timetable

	DATE	TIME
1. Information meetings in Hanoi and Ho Chi Minh City	Tentatively 21 February 2017 in HCMC 23 February 2017 in Hanoi	Morning HCMC Afternoon Hanoi
2. Deadline for requesting any clarifications from the Contracting Authority	27 February 2017	-
3. Last date on which clarifications are issued by the Contracting Authority	09 March 2017	-
4. Deadline for submission of concept notes	20/03/2017	12:00
5. Information to lead applicants on opening, administrative checks and concept note evaluation (Step 1)	Week of 15 May 2017 (*)	-
6. Invitations to submit full applications	Week of 15 May 2017 (*)	-
7. Deadline for submission of full applications	30 June 2017 (*)	-
8. Information to lead applicants on the evaluation of the full applications (Step 2)²⁶	Week 14-18 August 2017 (*)	-
9. Notification of award (after the eligibility check) (Step 3)	Week 14-18 August 2017 (*)	-
10. Contract signature²⁷	October – November 2017 (*)	-

All dates and times are expressed in Brussels time, where it is not specified otherwise.

(*) Tentative dates

This indicative timetable refers to provisional dates (except for dates 2, 3 and 4) and may be updated by the Contracting Authority during the procedure. In such cases, the updated timetable will be published on

²⁶ Note that according to the financial regulation, in direct management, applicants must be notified the outcome of the evaluation of their applications within 6 months following the submission deadline of the full application. This time-limit may be exceeded in exceptional cases, in particular for complex actions (including multi-beneficiary calls), large number of proposals or in case of delays attributable to the applicants.

²⁷ Note that according to the financial regulation, in direct management the grant contract must be signed within 3 months following the notification of the award decision. This time-limit may be exceeded in exceptional cases, in particular for complex actions (including multi-beneficiary calls), large number of proposals or in case of delays attributable to the applicants

the EuropeAid web site <https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?do=publi.welcome> and on the Delegation to the European Union to Vietnam's website: <http://eeas.europa.eu/vietnam>.

2.6 CONDITIONS FOR IMPLEMENTATION AFTER THE CONTRACTING AUTHORITY'S DECISION TO AWARD A GRANT

Following the decision to award a grant, the beneficiary(ies) will be offered a contract based on the standard grant contract (see Annex G of these guidelines). By signing the application form (Annex A of these guidelines), the applicants agree, if awarded a grant, to accept the contractual conditions of the standard grant contract. Where the Coordinator is an organisation whose pillars have been positively assessed, it will sign a PA Grant Agreement based on the PAGO DA template. In this case references to provisions of the standard grant contract and its annexes shall not apply. References in these guidelines to the grant contract shall be understood as references to the relevant provisions of the PA Grant Agreement.

Implementation contracts

Where implementation of the action requires the beneficiary(ies) and its affiliated entity(ies) (if any) to award procurement contracts, those contracts must be awarded in accordance with Annex IV to the standard grant contract.

2.7 EARLY DETECTION AND EXCLUSION SYSTEM (EDES)

The applicants and, if they are legal entities, the persons who have powers of representation, decision-making or control over them, are informed that, should they be in one of the situations mentioned in section 2.3.3.1 or 2.3.3.2 of the Practical Guide their personal details (name, given name (if natural person), address, legal form and name and given name of the persons with powers of representation, decision-making or control (if legal person)) may be registered in the EDES. For further information see section 2.3.3 and 2.3.4 of the Practical Guide.

3. LIST OF ANNEXES

DOCUMENTS TO BE COMPLETED

Annex A: Grant Application Form (Word format)

A.1. Concept Note

A.2. Full Application Form

Annex B: Budget (Excel format)

Annex C: Logical Framework (Word format)

Annex D: Legal Entity Sheet

Annex E: Financial identification form

Annex F: PADOR off Line Form (***ONLY IF IMPOSSIBLE TO REGISTER IN PADOR***)

DOCUMENTS FOR INFORMATION²⁸

Annex G: Standard Grant Contract

- Annex II: general conditions
- Annex IV: contract award rules
- Annex V: standard request for payment
- Annex VI: model narrative and financial report
- Annex VII: model report of factual findings and terms of reference for an expenditure verification of an EU financed grant contract for external action
- Annex IX: standard template for transfer of ownership of assets

Annex H: Daily allowance rates (per diem), available at the following address:
http://ec.europa.eu/europeaid/funding/about-procurement-contracts/procedures-and-practical-guide-prag/diems_en

Annex J: Information on the tax regime applicable to grant contracts signed under the call

Annex K: Guidelines and Checklist for assessing Budget and Simplified cost options.

Annex L: e-learning: <https://webgate.ec.europa.eu/europeaid/prospect/external/>

Annex M: User manual for PROSPECT: <https://webgate.ec.europa.eu/europeaid/prospect/external/>

²⁸ These documents should also be published by the Contracting Authority.

USEFUL LINKS

PROJECT CYCLE MANAGEMENT GUIDELINES

https://ec.europa.eu/europeaid/aid-delivery-methods-project-cycle-management-guidelines-vol-1_en

THE IMPLEMENTATION OF GRANT CONTRACTS - A USERS' GUIDE

<http://ec.europa.eu/europeaid/companion/document.do?nodeNumber=19>

FINANCIAL TOOLKIT

http://ec.europa.eu/europeaid/sites/devco/files/financial-management-toolkit-for-recipients-15112010_en.pdf

Please note: The toolkit is not part of the grant contract and has no legal value. It merely provides general guidance and may in some details differ from the signed grant contract. In order to ensure compliance with their contractual obligations beneficiaries should not exclusively rely on the toolkit but always consult their individual contract documents.

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