



European Commission

1049 Brussels, Belgium

Ref. Ares(2013)3277299 - 17/10/2013

Enquiries to : [REDACTED]

Tel : (+32-2) 2969141
e-mail : [REDACTED]@EC.EUROPA.EU

DEBIT NOTE

ORIGINAL

Nr 3241311710

INSTITUT FOR MENNESKERETTIGHEDER - DANMARKS
NATIONALE MENNESKERETTIGHEDSINSTITUTION INSTITUTE
FOR HUMAN RIGHTS NATIONAL HUMAN RIGHTS INSTITUTE
WILDERS PLADS 8 K 000
DK-1403 KØBENHAVN
DANEMARK

Contract or file number

JUST/2012/PROG/AG/3720/AD-DANISH INSTITUTE OF HUMAN RIGHTS

Prior information

ares(2013)3142128

17/10/2013 (Thursday 17 October 2013)

Justification of the debit note

Following our letter dated 30.09.13 registered under Ares(2013)314128 related to the project JUST/2012/PROG/AG/3720 30-CE-0558758/00-17 INSTITUT FOR MENNESKERETTIGHEDER, The Commission will now proceed with a recovery order of 94 373 eur

Attachment

Deadline	Exclusively by banker's order to the account	Reference to be quoted	Currency	Amount
02/12/2013	of the European Commission BNP PARIBAS FORTIS Montagne du Parc,3 B-1000 BRUSSELS-BELGIE IBAN Code : BE70 0016 7694 8225 SWIFT BIC Code : GEBABEBB	3241311710	EUR	94,373.00

Terms of payment :

1. All bank charges are payable by you, except where Directive 2007/64/EC on payment services in the internal market applies.
2. Where the other party has claims on the Commission that are certain, of a fixed amount and due, the Commission reserves the right, after giving prior notification, to effect recovery by offsetting.
3. If the Commission's account is not credited by the deadline, interest will be payable on the entitlement established by the European Union at the rate applied by the European Central Bank to its principal refinancing operations as published in the C Series of the Official Journal of the European Union, in force on the first calendar day of the month in which the deadline falls, namely 12-2013 + 3.5 percentage points.
4. If the Commission's account is not credited by the deadline, the Commission will:
 - call in any financial guarantee lodged in advance;
 - enforce payment either by adopting an enforceable decision in accordance with Article 299 of the Treaty on the Functioning of the European Union or by taking legal action;
 - record the payment default in a database accessible to the authorising officers of the European Union budget until such time as the payment has been received in full;
 - publish the name of any debtor ordered to make a payment in a court ruling.

European Commission, B-1049 Bruxelles, Belgique, (+32-2) 2991111

Office : MO59 04/021 Telephone : direct line : (+32-2) 2962152

e-mail : RENATAS.MAZEIKA@EC.EUROPA.EU

RENATAS MAZEIKA



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Directorate A:
Unit A.4: Programme management

Brussels, 30 SEP. 2013
JUST/A4/[REDACTED]/Ares (2013) 3142128

COPY

[REDACTED]
Danish Institute for Human Rights
Wilders Plads 8 K
1403 COPENHAGEN K
DENMARK

REGISTERED LETTER
WITH ACKNOWLEDGMENT OF RECEIPT

Subject: JUST/2012/PROG/AG/3720-DK – Termination and pre-information before recovery order

Dear [REDACTED],

I hereby acknowledge receipt of your letter dated 7 August 2013 in which you requested the termination of the above grant pursuant to Article II.11 of the Agreement. Your letter was registered on 14 August 2013 under reference Ares (2013) 2876842.

The Commission has duly taken note of your arguments for terminating the grant and agrees with your request.

An amount of **94 373.00 EUR** corresponding to the pre-financing paid by the Commission on 16.04.2013 should be reimbursed by your organisation to the Commission. By email dated 09.09.2013 you informed us on request that you don't intend to claim any cost incurred. However, if you believe that the Commission should reconsider its position, you may submit any comments regarding the amount to be recovered within 30 days from the date of this letter.

If the debt is confirmed a debit note will be issued. It will specify the due date for the repayment. Should you fail to pay by the due date the principal of your debt will be increased by default interest at the rate specified in the debit note.

The Commission may recover the amount due, including default interest where applicable, either by offsetting it against a payment due to you or by enforcing payment, in accordance with Article 299 of the Treaty on the Functioning of the European Union.

Yours faithfully,

Renatas Mazeika
Head of unit

Contact: [REDACTED] Telephone: [REDACTED] [REDACTED]@ec.europa.eu



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Directorate A:
Unit A.4: Programme management

Brussels, 02 JUL 2013
JUST/A4/ [REDACTED] /Ares (2013) 2560203

COPY

[REDACTED]
Danish Institute for Human Rights
Wilders Plads 8 K
1403 COPENHAGEN K
DENMARK

By Registered Mail

Subject: Grant agreement JUST/2012/PROG/AG/ 3720

Dear [REDACTED],

Following your request for changes dated 6 June 2013 and registered in our services on 12 June under the reference number ARES (2013) 2037973 you were informed by email on 25 June 2013 that a substantial part of your request could not be accepted.

In response to your e-mail of 27 June 2013 requesting further explanations please find below the reasons underlying our decision to reject part of your change request:

- First of all the film on best practices on enterprises diversity that you intend to cancel was one of the strongest points of your proposal, as it was fully aligned with the thematic priorities of the call.
- Furthermore this film is one of the few actions of the project ensuring an EU dimension, as according to the proposal it would serve as inspiration for other countries.
- By eliminating this action the balance between activities focusing on different target groups (enterprises/young people) will be altered.
- Developing an app and the website is certainly interesting, but these are actions of very different nature than the ones initially foreseen and contractually agreed (a national photo competition).
- With all these proposed changes all together the proposal would have certainly been evaluated very differently and possibly not selected for funding. Consequently and in line with Art. II.13.2 of your grant agreement we have to reject your request.
- Last but not least it is difficult to understand that the changes are proposed "in order to cover the cost of a new project team member". In this context I would like to remind you that you were informed during the budget review in January 2013 of the following:

".....As stated in my email of 14 January 2013 we can accept the total amount of staff-costs for your permanent staff as they are now covered by your co-financing as the result of a sharp increase of your co-financing amount.

However, it is not acceptable to eliminate certain cost items and certain activities (21.505 Euro for production of diversity movie / one staff cost item : 3.155 Euro Financial Controller) and then to redeploy these amounts elsewhere in the budget.

You were asked for more details regarding Heading B and E cost items which does not include increasing the amounts initially foreseen in the estimated budget which forms part of your application....."

The fact that you now come back with the same "cancellation" is raising some concerns about your capacity to implement the project as foreseen.

In case you encounter difficulties to actually cover your staff costs (permanent staff) by your own contribution another solution should be envisaged.

In view of your contractual obligations (Art. I.1.2 and Art.II.13 of your grant agreement) I would like to request you to confirm whether you are still capable and/ or willing to execute the project as described in Annex I to your grant agreement or whether you wish to terminate the grant agreement (Art. II.11).

Yours sincerely,



Renatas Mazeika
Head of unit



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Directorate A:
Unit A.4: Programme management

25 MARS 2013

Brussels,
JUST/A4/ [redacted] /Ares (2013)

501038

[redacted]
BALLE
Danish Institute for Human Rights
Wilders Plads 8 K
1403 COPENHAGEN K
DENMARK

By Registered Mail

Subject: Grant agreement JUST/2012/PROG/AG/ 3720

Dear [redacted],

Following the specific call for proposals JUST/2012/PROG/AG/AD, we are pleased to inform you that your proposal has been selected for co-financing by the European Union.

Please find enclosed two copies of the above-mentioned grant agreement duly initialled, signed and dated by the Commission's authorised representative.

You are kindly requested to return one countersigned copy of the agreement and annexes, duly initialled, signed and dated by your authorised representative¹ no later than fifteen (15) calendar days from the date of this letter.

Please note that this copy, including the annexes, must be initialled in the bottom right hand corner of each page.

May I draw your attention to the following points:

- Article I.11.1 of the attached agreement contains a declaration of the co-ordinator that she/he has received the required mandates of the co-beneficiaries. Annex IV to the agreement contains a template of such mandates conferring powers of attorney from the co-beneficiaries to the co-ordinator. These documents must be signed by each of the co-beneficiaries and yourself and returned with the signed grant agreement. Once

¹ If the grant agreement is not signed by the person whose name appears in the grant agreement as the designated, legally authorised representative for signature, please inform the Commission immediately, communicating the full name and quality of the person authorised to represent your organisation for the purpose of signature of the present grant agreement.

the Commission is in possession of all signed documents, the pre-financing payment can be made

- In case of non-receipt – to the below-mentioned address – of the grant agreement dated and duly signed by the authorised representative within the deadline, the Commission reserves the right to cancel its commitment under the grant agreement; in the event of any alteration or modification made to the text of the grant agreement or its annexes, the Commission reserves the right to consider the agreement as null and void and as such the Commission will no longer be bound by the terms of this grant agreement.
- The Commission strongly recommends that you read the terms and conditions of the attached grant agreement in relation to the rules applicable to eligibility of costs as defined in part B of the grant agreement. In particular please note that only the costs incurred by the organisation legally indicated as "co-ordinator" or "co-beneficiary" of the grant agreement are eligible.
- Please note that it is an obligation to provide a full final report package (1 paper copy and 1 electronic copy) that shall consist of the final financial statement and the activity report prepared in accordance with the conditions of annex III to the grant agreement

Once completed, one signed copy of the grant agreement should be sent either by **registered mail, courier service or express mail** to the following address:

European Commission
Directorate-General Justice
Directorate A
Unit A4 : Programme Management
MO 59 - 4/016
B – 1049 Brussels

For the partner organisation specified below the Commission will also require to be provided with the legal entity form (LEF) duly completed together with the relevant annexes. The forms are available at:
http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

Please note that the legal entity form should be accompanied by the supporting documents indicated in the bottom of the template.


They should be provided for the following organisation:

Danish Board of Equal Treatment	DK
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We would like to take this opportunity to congratulate you and to wish you all success in implementing your work programme.

We are looking forward to a fruitful cooperation.

Yours faithfully,



Renatas Mazeika
Head of unit

Encl.: 2 originals (signed by the Commission) of grant agreement
JUST/2012/PROG /AG/3720 and annexes I-IV



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Directorate A: Civil justice
Unit A.4: Programme management

Brussels, 08/02/2013
JUST.A.4

Subject: Call for proposals JUST/2012/PROG/AG/AD

Dear Applicant,

Following the evaluation of requests for funding received in response to the call for proposals JUST/2012/PROG/AG/AD, the PROGRESS committee has now approved a draft list of potential beneficiaries. **Kindly note that the Commission decision on the award of grants has not been adopted yet.** The proposal of a grant agreement will be conditional upon the inclusion of your project in the Commission decision on the award of grants to support national activities aiming at combating discrimination and promoting equality, expected to be adopted shortly (and then published on the DG JUST website : http://ec.europa.eu/justice/newsroom/grants/restricted_call_for_proposals_progress_antidiscrimination_diversity_action_grants_2012_en.htm).

In order to accelerate the preparation of your grant agreements, the following information is now requested from you :

- Confirmation whether you are still prepared to implement the project as proposed
- Information about any changes as to the following aspects of your project:
 - the **starting date** of its implementation. If you wish to postpone the start date of your project, please respect the duration indicated in the original application.
 - the **names and willingness of partner organisations** to participate in the project. Please note that the Commission will require mandates signed by all partners before any pre-financing payment will be made - a template of the mandate may be found on the website of DG JUST - http://ec.europa.eu/justice/newsroom/grants/index_en.htm. The text of the mandates may not be changed in any way.
 - the **legal representative or official address** of your organisation, and the contact person(s).
 - the **bank account number** (in case of change, a new Financial Identity Form Financial signed by the bank and accompanied by a bank statement should be forwarded (the Financial Identity Form may be downloaded at : http://ec.europa.eu/budget/contracts_grants/info_contracts/financial_id_financial_id_en.cfm))

Kindly send us your reply **within 3 days of the date of this letter by e-mail** to the following address: JUST-PROGRESS@ec.europa.eu.

Yours sincerely,
Renatas Mazeika



EUROPEAN COMMISSION
DIRECTORATE-GENERAL JUSTICE

Directorate A: Civil justice
Unit A.4: Programme management

Brussels, 24 OCT. 2012
JUST/A4/RM/Ares (2012) 1257202

By E-mail

Subject: Call for Proposals JUST/2012/PROG/AG/AD

Dear Sir or Madam,

The European Commission is currently evaluating the proposal you submitted in response to the above call published by DG Justice with the deadline for submission of 30 August 2012. Please note that the evaluation process has not yet been completed and no decision has been made as to which proposals may or may not receive a grant.

Following a preliminary analysis of the budget annexed to your proposal some issues need to be clarified. These issues are highlighted and commented in the budget template in attachment. The objective of any remarks therein is to bring your proposed budget in line with the Financial Regulation. In this context some cost items (which cannot be considered eligible) may need to be eliminated from your original budget and/or clarifications regarding certain cost items/headings as well as foreseen income may be required. I would also like to draw your attention to the fact that VAT is not considered an eligible cost, unless the beneficiaries can show that they are unable to recover it according to the applicable national legislation. Furthermore, VAT paid by public bodies is not an eligible cost under any circumstances.

The attached budget template indicates the maximum amount that could be considered eligible, as well as the maximum total amount of EU contribution (grant) that could be awarded. Please note that the amounts corresponding to costs eliminated as ineligible cannot be reallocated elsewhere in the budget.

In view of the above, you are requested to confirm the changes and provide any requested clarifications, together with a revised balanced budget estimate within 10 days **by e-mail** to the following address: JUST-PROGRESS@ec.europa.eu.

Yours sincerely,

Renatas Mazeika