MINISTRY OF ENVIRONMENT, WATERS AND FORESTS

Iceland Liechtenstein Norway grants

„Environment, Climate Change Adaptation and Ecosystems"

RO –Environment Programme

CALL FOR PROPOSALS

Restoration of wetlands and peatlands

GUIDELINES FOR APPLICANTS

Launch of the call for proposals: 14th of September 2020

Deadline for submitting Financing Applications: 15th of January 2021

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1. Specific information on the „Restoration of wetlands and peatlands" Call for proposal and expected results

The present call for proposals is addressed exclusively to the projects for "Restoration of wetlands and peatlands", supporting the *Ecosystems and biodiversity* component of the Programme, designed to respond to needs and problems identified during the stakeholder consultations in the previous implementation period. The key challenge identified at the stakeholder consultation was 'overexploitation of natural resources', 'degradation of ecosystems and habitats' and the measures recommended are in line with national and European policies and priorities.

Through "Restoration of wetlands and peatlands" call for proposals, the RO-Environment Programme aims to address restoration of the most severely degraded wetlands/peatlands and the expectations from the degraded peatlands/wetlands rehabilitationis to obtain the highest possible, positive impact on the environment within the strategic and financial framework of the EEA Grants.

The expected results of "*Restoration of wetlands and peatlands*" call for proposals refer to:

1 improveof ecological status in supported habitats

2 restore of targeted wetlands and peatlands

for the targeted areas specified in the present Applicant's Guide.

The RO-Environment Programme, namely the *Ecosystems and biodiversity* component, considered that the implementation of restoration scheme through the *"Restoration of wetlands and peatlands" call for proposals*, will ensure the long-term maintenance of these fragile ecosystems, and will enhance the measures taken for another componentof the Programme, adaptation to climate change, helping at the same time to reduce or prevents the release of carbon dioxide and methane into the atmosphere. Thus, the *Ecosystem and biodiversity* componentof RO-Environment Programme, by "*Restoration of wetlands and peatlands*" call for proposals, is therefore considered to have high relevance to the Programme areas objectives for both Programme areas 11 and 13 (more information on www.eeagrants.org and www.eeagrants.ro).

The total amount allocated from the RO-Environment Programme budget for the "*Restoration of wetlands and peatlands*" call of projects is 3,550,000 Euro, representing:

• 3,017,500 Euro (85%) - contribution of the EEA Financial Mechanism 2014-2021;

• 532,500 Euro (15%) - the national contribution.

The financial allocation for projects is between 700,000 Euro (minimum project value) and 900,000 Euro (maximum project value) with a grant rate of 90-100%.

The financial allocation on projects is established as follows:

The direct target groups are local municipalities or authorities and landowners. Indirect beneficiaries include the direct target groups as well as the general public using the rehabilitated wetlands/peatlands and its ecosystem services.

The eligible applicants (Project Promoters) are any entity, public or private, commercial or non-commercial and non-governmental organizations, established as a legal person in Romania.

According to Art. 4.5 of Regulation on the implementation of the EEA FM2014-2021 “projects may be prepared and implemented in cooperation with one or more legal entities in the Donor States. With reference to the objectives of the EEA Financial Mechanism 2014-2021 related to bilateral relations, the Programme Operator shall encourage and facilitate the establishment of such partnerships”, being considered a good example of experience and good practices transfer through project application.

The present Applicant’s Guide details below the specific technical and financial requirements for projects’ application which will be considered in the evaluation in order to be financed within RO-Environment Programme.

2. General information about the EEA grants and RO-ENVIRONMENT Programme

The Programme “Environment, Climate Change Adaptation and Ecosystems” (RO-Environment) is a part of the Financial Mechanism of the European Economic Area (EEA FM) 2014-2021.

The RO-Environment Programme is implemented in Romania by the Ministry of Environment, Waters and Forests as Programme Operator, through the Implementation Unit of the Programme "Environment, adaptation to climate change and ecosystems", in partnership with the Norwegian Environmental Agency (NEA), as Donor Programme Partner (DPP) from the Donor States (DS). The Programme was approved through the Programme Agreement concluded between the EEA Financial Mechanism Committee and the Ministry of European Funds, as National Focal Point, on 01.10.2019. The rules and principles on which the implementation of the RO-Environment Programme is based are in accordance with the EEA Grants rules and principles set out in the Regulation on the implementation of the Financial Mechanism of the European Economic Area 2014-2021 and its annexes. More information on the legal framework for the implementation of the EEA FM 2014-2021 can be found on www.eeagrants.org and www.eeagrants.ro.

RO - Environment Programme- "Environment, Adaptation to Climate Change and Ecosystems" will contribute to the achievement of the two general objectives of the Financial Mechanism of the European Economic Area (EEA FM) 2014-2021, as well as to the objectives of Programme area 11 "Environment and ecosystems", "Improving ecological status in ecosystems and reducing the negative effects of pollution and other human activities" and Programme area 13 "Improving climate change and adapting to climate change "," Climate change and reducing vulnerability to climate change ".

Relations between DS and beneficiary states will also be strengthened through the implementation of activities aimed at enhancing strategic cooperation, networks and knowledge exchange between entities in donor states and beneficiary states and through other joint initiatives beyond the Programmes, aimed at strengthening the relations between the DS and the beneficiary states.

The budget of the Programme is 23,529,412 euros, of which 20,000,000 euros represent non-reimbursable external financing, and 3,529,412 euros are provided by the state budget (national co-financing). An amount of 150,000 Euros is added to this budget, allocated to the Programme from the Fund for Bilateral Relations.

2.1 The objectives of the EEA FM2014-2021

The objectives of the EEAFM2014-2021 are:

• Reducing the economic and social disparities in the European Economic Area;

• Strengthening the bilateral relations between the Donor States and Romania.

2.2 The objectives of the RO - ENVIRONMENT Programme

The objective, outcomes, outputs, indicators and targets for the RO-Environment Programme are set out in the Programme Agreement.

The objective of the RO - EnvironmentProgramme is to improve the state of the environment in ecosystems and to reduce the adverse effects of pollution and other human activities.

This Programme supports the implementation of the objective of the EEA Financial Mechanism 2014-2021 by specific outcomes: (i) improving the ecological status of the supported habitats, (ii) improving the capacity to manage and address the risks from hazardous substance, and (iii) increasing the capacity at local level to mitigate and adapt toa changingclimate, (iv) improving geographic information tools for decision makers in place, and (v) enhancing collaboration between beneficiary and donor state entities involved in the Programme. The objective, outcomes, results and indicators of the RO-Environment Programme reflect the goals and priorities of the strategies and action plans recently adopted at European and national level. TheRO-Environment Programme will strengthen the capacity of public entities responsible for the implementation and application of European legislation and strategies on environmental protection, respectively in the areas of:(i) ecosystems and biodiversity through supporting the restoration of peatlands/wetlands, (ii) pollution with chemicals and hazardous waste by increasing the capacity to address the risks from waste pollution , (iii) adapting to climate change encouraging the implementation of adaptation and mitigation plans, and (iv) geographic information for environment and EU integration (improved geographic information tools for decision-makers in place).

The RO-Environment Programme aims to stimulate and to develop long-term cooperation between Iceland, Liechtenstein, Norway (hereinafter referred to as the "Donor States") and Romania, by encouraging project partnerships in the areas of interest previously mentioned.

2.3 Specific information on "Restoration of wetlands and peatlands "call for proposals

"Restoration of wetlands and peatlands" call for proposals support the *Ecosystems and biodiversity* component of the RO-Environment Programme.

The present call for proposals -"Restoration of wetlands and peatlands" - is addressed **exclusively** to the projects which contributes to the achievement of the indicators related to the following results of the Programme:

Programme Area (PA)	**Number**	**Results of the Program**	**Indicators**
PA 11 – Environment and	Outcome 1	*Improved ecological status in supported habitats*[1]	**40 habitats with improved ecological status**
			100.000 inhabitants (local

[1] Habitats include the species (flora and fauna)

Ecosystems			**population) benefiting from supported habitats** *)
	Output 1.1	Restoration of wetlands and peatlands	**11.22 km^2 of habitats restored**
			a number of 45 wetlands/ peatlands restored

*) The target no. of inhabitants benefiting from restoration is estimated taking into account a surface of approx. 50 km in the vicinity of wetlands/peatlands.

3. The institutional and legal framework

3.1 The institutional framework

The institutional framework for the RO - Environment Programme is in accordance with the provisions of the Regulation on the implementation of the Financial Mechanism of the European Economic Area (EEA FM) 2014-2021 and of the GEO No. 34/2017.

The **Ministry of European Funds** fulfills the function of **National Focal Point** and represents Romania in its relations with the Financial Mechanism Committee. The National Focal Point will have the general responsibility of meeting the objectives of the EEA Financial Mechanism 2014 - 2021 and their implementation in Romania.

The **Certifying and Paying Authority** within the Ministry of Public Finance acts as **Certifying Authority** (CA); it certifies the amounts included in the expenditure statements submitted to the Financial Mechanism Office and receives the EEA Grants amounts transferred to Romania.

The **Central Harmonization Unit for Public Internal Audit** (UCAAPI) of the **Ministry of Public Finance** acts as the Audit Authority and performs audits of the management and control systems, at Programme and individual projects level.

The **Ministry of Environment, Waters and Forests** acts as Programme Operator and is in charge with the preparation and implementation of the Programme in accordance with the principles of economy, efficiency and effectiveness. The Programme Operator mainly carries out the following activities:

a) ensures that the projects contribute to the general objectives of the Financial Mechanism of the European Economic Area (EEA FM) 2014 - 2021 and of the Programme;
b) receives the funding applications, evaluates them, selects the projects to be financed and signs the financing contracts for each project;
c) monitors the progress of the projects and the quality of their implementation;
d) verifies the compliance of the expenses declared by the Project Promoters, their compliance with the Regulation on the Implementation of the EEA Financial Mechanism, with the Programme Agreement as well as with the national and EU legislation;
e) promotes the EEA Financial Mechanism and Programme 2014 – 2021;
f) ensures that project grant payments are made on schedule.

For more details on the prerogatives of the Programme Operator, please consult the Regulation on the implementation of the Financial Mechanism of the European Economic Area (EEA FM) 2014 - 2021, available here: https://www.eeagrants.ro/documents.

3.2 Legal framework

a) The Memorandum of Understanding between Iceland, the Principality of Liechtenstein, the Kingdom of Norway (hereinafter referred to as "Donor States") and the Government of Romania regarding the implementation of the Financial Mechanism of the European Economic Area 2014-2021 signed on 13.10.2019, and modified on 19.10.2016;

b) Protocol 38c to the EEA Agreement on the EEA Financial Mechanism 2014-2021 (hereinafter referred to as the ”FM EEA”);

c) the Regulation on the implementation of the EEA Financial Mechanism 2014-2021, hereinafter referred to as the "Regulation", adopted by the Committee for the EEA FM in accordance with Article 10.5 of Protocol 38c;

d) The Programme Agreement of the EEA Financial Mechanism 2014-2021 for the financing of the Programme "Environment, Climate Change Adaptation and Ecosystems", dated 01.10.2019, hereinafter referred to as the ”Programme Agreement”, concluded between the Financial Mechanism Committee and the National Contact Point - Directorate General for Non-Refundable European Financial Mechanisms and Instruments, representing the Government of Romania;

e) Agreement for the Implementation of the Programme "Environment, Adaptation to Climate Change and Ecosystems" dated 26.11.2019, concluded between the Ministry of European Funds - National Contact PointC and the Ministry of Environment, Waters and Forests, as Programme Operator;

f) any other guidelines adopted by the FMC in accordance with the Regulation. In case of an inconsistency between the Programme Agreement and the Regulation, the Regulation shall prevail;

g) Order of the Minister of Environment, Waters and Forests No. 197/ 2020 regarding the establishment of the Unit for the Implementation of the Programme "Environment, adaptation to climate change and ecosystems" RO - Environment implemented by the Ministry of Environment, Waters and Forests as Programme Operator within the Financial Mechanism of the European Economic Area (EEAFM) 2014 -2021;

h) Government Emergency Ordinance No. 34 / 2017 regarding the financial management of the non-reimbursable external funds related to the Financial Mechanism of the European Economic Area 2014-2021 and the Norwegian Financial Mechanism 2014-2021, approved by Law No. 206/2017, as subsequently amended and supplemented;

i) Order of the Minister of Public Finance No. 2.840 / 2017 regarding the methodology of applying the Government Emergency Ordinance No. 34/2017;

j) Government Decision No. 518/1995 regarding some rights and obligations of the Romanian personnel sent abroad for the accomplishment of some missions of temporary character, with the subsequent modifications and completions;

k) Government Emergency Ordinance No. 66/2011 regarding the prevention, detection and sanctioning of the irregularities that appeared in obtaining and using European funds and/or the national public funds related to them, with the subsequent modifications and completions;

l) Government Decision No. 875/2011 for the approval of the methodological Norms for applying the provisions of the Government Emergency Ordinance No. 66/2011 regarding the

prevention, detection and sanctioning of the irregularities that appeared in obtaining and using the European funds and / or the national public funds related to them;

m) Law No. 98/2016 on public procurement, with the subsequent modifications and completions;

n) Government Emergency Ordinance No. 57/2019 regarding the Administrative Code, with the subsequent modifications and completions;

o) Government Emergency Ordinance No. 68/2019 regarding the establishment of measures at the level of the central public administration and for the modification and completion of some normative acts, with the subsequent modifications and completions;

p) Government Decision No. 43 /2020 on the organization and functioning of the Ministry of Environment, Waters and Forests.

r) Order of the Minister of European Funds no. 1284/2016 on the approval of the Competitive Procedure applicable to private applicants / beneficiaries for the award of supply contracts, services or works financed from European funds.

4. DEFINITIONS

- Applicant's Guide - the document that contains the necessary information for the applicant to ensure the preparation, development and implementation of the project.
- Audit Authority - a national public authority that is functionally independent from the National Focal Point, the Certification Authority and the Programme Operator, designated by the Beneficiary State and responsible for verifying the efficient functioning of the management and control system.
- Call for proposals - competitive way of submitting, evaluating and selecting projects that fall within the objective of the RO-Environment Programme and which comply with the provisions of the Applicant's Guide;
- Certifying Authority – a national public entity, functionally independent of the Audit Authority and the Programme Operator, designated by the Beneficiary State to certify financial information.
- Cooperation Committee - made up of representatives of the Programme Operator and of the Donor Programme Partner (s). The Cooperation Committee will advise on the preparation and implementation of the Programme. The Cooperation Committee will be chaired by a representative of the Programme Operator. Representatives of the FMC and of the National Contact Focal Point will be invited to participate as observers.
- Donor partnership project - a project implemented in close cooperation with a project partner whose primary location is in one of the Donor States.
- Donor Programme Partner - a public authority in a Donor State designated by the FMC advising on the preparation and / or implementation of a Programme and/or participating in the implementation of a Programme.
- Donor States - Iceland, Liechtenstein and Norway.

- EEA Financial Mechanism Committee - (hereinafter referred to as the FMC) - The committee established by the Standing Committee of the EFTA States to manage the EEA Financial Mechanism 2014-2021.
- Evaluation – a systematic, objective and independent assessment of a design, implementation and/or results achieved in Programmes and projects with the aim of determining the relevance, coherence and consistency effectiveness, efficiency, impact and sustainability of the financial contribution.
- Financial Mechanism Office (hereinafter referred to as the FMO) – the office assisting the FMC in managing the EEA Financial Mechanism 2014 – 2021. The FMO, which is administratively a part of the European Free Trade Association, is responsible for the day-to-day implementation of the EEA Financial Mechanism 2014-2021 on behalf of the FMC and serve as a contact point.
- International Partner Organization (hereinafter referred to as IPO) – international organization or body or an agency thereof, involved in the implementation of the EEA Financial Mechanism 2014-2021, designated by the FMC.
- Irregularities Authority – a national public entity designated by the Beneficiary State to be responsible for the preparation and submission of irregularities reports on behalf of the Beneficiary State.
- Monitoring - the observation of Programme and project implementation in order to ensure that agreed procedures are followed, to verify progress towards agreed outcomes and outputs and to identify potential problems in a timely manner so as to allow for corrective action.
- National Focal Point – a national public entity designated by the Beneficiary State to have the overall responsibility for reaching the objectives of the EEA Financial Mechanism 2014-2021 and implementing the MoU.
- Non-governmental organization - (hereinafter referred to as NGO): a non-profit voluntary organization, established as a legal entity, having a non-commercial purpose, independent of local, regional or central administration, public entities, political parties and commercial organizations. Religious institutions and political parties are not considered NGOs.
- Non-reimbursable financial support - the amount granted under the financing contract for the implementation of the project, consisting of the amount financed by the EEA Financial Mechanism 2014-2021 and the corresponding national public co-financing.
- Programme - a structure setting out a development strategy, with a coherent set of measures to be carried out through projects with the support of the EEA Financial Mechanism 2014-2021 and aimed at achieving the agreed objectives and outcomes.
- Programme Agreement - an agreement between the Financial Mechanism Committee and the National Focal Point regulating the implementation of a particular Programme.
- Programme Implementation Agreement - an agreement between the National Focal Point and the Programme Operator that regulates the implementation of a Programme. The Programme Implementation Agreement sets out the terms and conditions for the implementation of the Programme, the total amount allocated to the Programme and the sources for its financing /

co-financing, the specific elements of each Programme, including the duties and responsibilities of the parties.

- Programme Grant - the financial contribution of Donor States to a Programme.
- Programme Operator - a public or private body, commercial or non-commercial, as well as non-governmental organizations, having the responsibility for preparing and implementing a Programme.
- Programme Partner - a public or private entity, commercial or non-commercial, as well as non-governmental organizations, international organizations or agencies or bodies thereof, actively involved in, and effectively contributing to, the implementation of a Programme.
- Project - an economically indivisible series of works fulfilling a precise technical function and with clearly identifiable aims related to the Programme under which it falls. A project may include one or more sub-projects. Without prejudice to Article 6.5, projects are selected by the Programme Operator.
- Project (Financing) contract - an agreement between the Programme Operator and the Project Promoter regulating the implementation of a particular project.
- Project Grant - the grant provided by a Programme Operator to a Project Promoter for the implementation of a project.
- Project Partner - natural or legal person actively involved in, and effectively contributing to, the implementation of a project. It shares with the Project Promoter a common economic or social goal which is to be realized through the implementation of that project.
- Project Promoter – private person or public legal entity, with responsibility for initiating, preparing and implementing a project.
- Programme area - a thematic field within a priority sector, with a certain general objective and with specific measurable results.
- Regulation - in this case it is the Regulation on the implementation of the European Economic Area Financial Mechanism (EEA FM) 2014-2021, adopted by the Committee on the EEA Financial Mechanism according to Article 10.5 of Protocol 38c to the EEA Agreement.
- The Selection Committee - recommends the projects to be funded under the Programme. The Selection Committee will be made up of at least 3 people with relevant experience. At least one of these will not be related to the Programme Operator.The DPP (NEA) representative is invited to take part to the Committee meetings as a non-voting member. The FMC and the National Focal Point participate in the selection process as observers.
- Advance - part of the project grant awarded to the Project Promoters by the Programme Operator, based on the provisions of the Programme Agreement regarding payments and within the limit established in the financing project contract, to ensure financial resources and cover the part of the estimated justified expenses of project until the payment of the first interim payment.

- Interim payments - amounts representing interim payment installments granted during the implementation of the financing agreement to the Project Promoter by the Programme Operator, based on the provisions of the Program Agreement on payments, to ensure the financial resources necessary for the financing projects contracts, according to their provisions.
- Payment request - the totality of the documents submitted by the Project Promoter in order to obtain the advance payment, the interim payments or the final payment, as the case may be.
- National (public) co-financing - amount provided by the Programme Operator, corresponding to the total amount of eligible costs per Programme, established according to the Programme Agreement for the RO-Environment Programme.
- Own (private) co-financing - the total amounts, other than those provided for in national (public) co-financing, provided by Project Promoters and their Project Partners, other than public institutions, as appropriate, representing amounts related to eligible expenditure for implementation of projects, according to the financing contracts within the RO-Environment Programme.
- Direct costs - those costs identified by the Project Promoter and / or the Project Partners, according to their accounting principles and internal procedures, as specific costs directly related to the implementation of the project and which can be recorded directly in this purpose (art. 8.3 (1) of the Regulation).
- Indirect costs - all eligible costs which cannot be identified by the Project Promoter and / or the Project Partners as being directly attributed to the project, but which can be identified and justified under its own accounting system as being incurred in connection with the direct eligible costs assigned to the project. These may not include direct eligible costs.
- Double financing - financing costs that have already been covered / settled from the EEA Financial Mechanism or other sources of financing (public funds / external non-reimbursable funds) or financing the same activity from several sources.
- Conflict of interest - the situation where a financial actor or another person involved in a certain process / activities (eg in the selection process), has direct or indirect interests that are or appear to be incompatible with the impartial exercise and / or objective of the functions within that process / activity. These interests may be related to economic interests, political or national affinities, family or personal ties, other interests common to those of the applicant or his partner, or any other interests that may influence the impartial and objective activity of the person concerned. The provisions on conflict of interest in the relevant national legislation will also be taken into account.

5. Financial allocation

5.1 Total financial allocation of the „Restoration of wetlands and peatlands“call for proposals

The total amount allocated to the „*Restoration of wetlands and peatlands*“ call for proposals is 3,550,000 Euro, composed of:

• 3,017,500 Euro (85%) – contribution (grant) of the EEA Financial Mechanism 2014-2021;

• Euro 532,500 (15%) - the national contribution (co-financing).

5.2 Financial allocation on projects

The maximum rate of the project grant is calculated as a percentage of the total eligible costs of the project, according to the provisions of the Programme Agreement, as follows:

Minimum value*(Euro)	Maximum value*(Euro)	Project grantrate (as defined in Art. 1.6 of the Regulation)**
€700.000	€900.000	100% of the total eligible costs of the project in case the Project Promoter belong to public or private and non-commercial entities, other than non-governmental organizations.
		maximum 90% of the total eligible expenditure of the project in case the Project Promoter is a private entity having commercial purpose
		maximum 90% of the total eligible expenditure of the project in case the Project Promoter is an NGO

* In order to verify the inclusion in the maximum value of the non-reimbursable financial support, the applicant will consider the Infor Euro rate from the month of launching the call for proposals.

** The project grant rate shall in all cases be set at a level that complies with the State Aid rules in force and takes into account any/ and all other forms of public support granted to projects through the RO-Environment Program financed from the MoF SEE 2014-2021. Any remaining costs of the project shall be provided or obtained by the Project Promoter, respectively own (private).co-financing part

In the case of funding granted to NGOs, according to the commitments (Declaration of Commitment annexed to the Financing Application of the Project as an integral part thereof) and their responsibilities as Applicants (Project Promoters) they have the obligation to ensure their own (private) co-financing costs of the project eligible amounts, representing at least 10% of the eligible value of the project.

6. Eligibility of Project Promoters and Project Partners

For assuming the eligibility rules of the RO-Environment Programme, at the submission of their application, Project Promoters and Project Partners **must** fill-in and submit the statements and commitments according to the templates provided in the annexes of the present Guideline for Applicants, respectively the Annex 4.

6.1 Eligibility of the Project Promoter (project applicant)

An eligible applicant, as **Project Promoter,** within the present call for proposals is any public or private entity, commercial or non-commercial and non-governmental organization, which cumulatively fulfills the following criteria:
a. has the status of legal entity registered in Romania;

b. falls into one of the following categories:

- non-governmental organization, which:
  - is an NGO in the sense of the definition in section 5 of this Guide and is constituted on the basis of Government Ordinance No. 26/2000 regarding associations and foundations, approved by Law No. 246/2005, as subsequently amended and supplemented
  - was established at least 2 years ago (compared to the launch date of the call for proposals) and its activity, according to the statutory documents, is, among other things, **environmental protection and / or nature protection;**
- company, which:
  - is established on the basis of Law No. 31/1990 on companies (republished), as subsequently amended and supplemented, and falls into the category of SMEs (micro, small or medium-sized enterprises, as defined in Recommendation 2003/361 / EC) and
  - was established at least 2 years ago (compared to the launch date of the project call) and its activity, according to the statutory / constitutive documents, is, among others, **environmental protection and / or nature protection;**
- public institution whose responsibilities include, among others, **the protection of the environment and / or the protection of nature** (environmental protection agencies, National Agency for Protected Natural Areas, County Councils, Local Councils, etc.);
- research institution in the field of **environmental protection and / or nature protection**;
- educational institution that also has in its curriculum the fields of **environmental protection and/ or nature protection**

c. is directly responsible for the initiation, preparation, implementation and sustainability of the project, together with the project partners (if applicable);

d. has sufficient and stable financial resources, as well as the professional competences and qualifications necessary to implement the project and ensure its sustainability;

e. has the resources necessary to ensure its own co-financing / contribution from the eligible costs of the project, if any.

f. has the resources necessary to finance all ineligible costs (including related costs) related to the project, as well as to cover any financial corrections resulting from the implementation of the project, if any;

g. has not benefited and does not benefit from financial support from public funds / non-reimbursable external funds for the implementation of the project submitted within the present call for proposals (identity of objectives, results, activities, etc.) or of some activities related to the project;

h. assumes the obligation to immediately inform the Programme Operator in case the project / activities in the project is / are approved for funding from other public funds / external non-reimbursable funds after its submission in the present call for proposals.

i) is not in one of the following situations:

1) The applicant is in bankruptcy, insolvency or liquidation, his activities are under judicial administration, is subject to a preventive agreement, an ad-hoc mandate or other agreement concluded with the creditors, has suspended his commercial activity, is subject to procedures related to these aspects and are in any other similar situation that would arise from a similar procedure provided for by European and national legislation or regulations;

2) The applicant has not fulfilled his obligations regarding the payment of taxes and taxes to the local budgets and to the state budget according to the laws in force and does not benefit, according to the law, of their staggering or other facilities for their payment, including, where appropriate, any accrued interest or late payment penalties or fines. This condition does not apply when the value of the net payment obligations is less than 1/12 of the total obligations due to the state budget in the last 12 months, respectively the value of the payment obligations is less than 1/6 of the total obligations due to the local budget in the last quarter;

3) The applicant or legal representative has been the subject of a final judgment (res judicata) for fraud, corruption, participation in a criminal organization, money laundering or financing of terrorism, offenses related to terrorism or offenses related to terrorist activities, exploitation of children through labour or other forms of human trafficking or any other illegal activity that harms the financial interests of the European Union or international public donors, including definitive convictions in cases concerning obtaining and use of non-reimbursable funds (European and / or from international public donors) and the national public funds related to them;

4) The applicant or legal representative has been convicted by a final court decision (res judicata) for an offense related to their professional conduct;

5) The applicant or legal representative has been the subject of a court decision or final administrative decision (res judicata) regarding a serious professional misconduct, because they have violated laws, regulations or ethical standards of the profession to which the applicant belongs or because they are guilty of any abusive conduct that affects their professional credibility, when such conduct betrays a fraudulent intent or gross negligence;

6) The applicant or legal representative has tried, directly or through intermediaries, to obtain confidential information or to influence the evaluators of the Programme Operator during the process of evaluating the applications for financing within the present call for proposals or other calls for projects carried out within the RO -EnvironmentProgramme;

7) The applicant or legal representative has provided false information to the Programme Operator, does not provide or is not able to present the information / supporting documents requested for the project selection for financing;

8) the applicant or legal representative is in any sort of conflict of interest, defined in accordance with the national / European provisions in force, which could arise in connection with the present call for proposals (a conflict of interest could arise mainly as a result of economic interests, political or national affinities, family or emotional ties or any other relevant or common interest);

9) The applicant or legal representative did not inform the Programme Operator in a timely manner of any situation that would constitute a conflict of interest or could give rise to a conflict of interest.

6.2 Eligibility of Project Partners

The project can be implemented in partnership with one or more entities from Romania and / or the Donor States. Partners must have the capacity to carry out relevant activities within the project. The applicant must present, in the application for funding, the added value brought by the involvement of each party in the implementation of the project.

The resulting partnership cannot constitute a masked award of a public procurement contract, that is, it must not limit competition on the market of goods or services by entering into a partnership with a potential service provider and must not affect the efficient use of public funds from the perspective of the costs involved.

6.2.1 Nature and situation of the partner

Eligible Project Partners are public or private, commercial or non-commercial entities, as well as non-governmental organizations, which have the status of legal persons, either in the Donor States (Norway, Iceland, Liechtenstein) or in Romania, which are actively involved in the implementation of the project and effectively contribute to it. The project partner must cumulatively meet the following criteria:

a. has the status of legal person registered in the state of origin according to the applicable law;

b. falls into one of the following categories:

A. Project partners from Romania:

- non-governmental organization, which:
  - is an NGO in the sense of the definition in section 5 of this Guide and is constituted on the basis of Government Ordinance No. 26/2000 regarding associations and foundations, approved by Law No. 246/2005, as subsequently amended and supplemented was established at least 2 years ago (compared to the launch date of the call for proposals) and its activity, according to the statutory documents, is, among other things, **environmental protection and / or nature protection;**
- company, which:
  - is established on the basis of Law No. 31/1990 on companies (republished), as subsequently amended and supplemented, and falls into the category of SMEs (micro, small or medium-sized enterprises, as defined in Recommendation 2003/361 / EC) and

- was established at least 2 years ago (compared to the launch date of the project call) and its activity, according to the statutory / constitutive documents, is, among others, **environmental protection and / or nature protection ;**

• a public institution that has among its responsibilities **the protection of the environment and / or the protection of nature** (Environmental protection agencies, National Agency for Protected Natural Areas, County Councils, Local Councils, etc.);

• research institution in the field of **environmental protection and / or nature protection**;

• educational institution in which the curriculum includes the fields of **environmental protection and / or nature protection.**

B. Project partners from the Donor States:

• any public or private entity, commercial or non-commercial, including non-governmental organizations, as defined in section 5 of this Guide, with legal personality, established in one of the Donor States.

c. is actively involved in and contributes to the implementation of the project;

d. has sufficient and stable financial resources, as well as the professional competences and qualifications necessary to fulfill his responsibilities within the project (including in the sustainability period, if applicable);

e. has the necessary resources to ensure its own contribution from the eligible costs of the project, if any;

f. has the resources necessary to finance the ineligible costs (including related costs) related to the activities carried out, as well as to cover any financial corrections resulting from their implementation, if any;

g. has not benefited and does not benefit from financial support from public funds / non-reimbursable external funds for the implementation of the project submitted within the present call for proposals (identity of objectives, results, activities, etc.) or of some activities related to the project;

h. assumes the obligation to immediately inform the Programme Operator in case the project / activities in the project is / are approved for funding from other public funds / external funds that are non-reimbursable, after its submission in the present call for proposals.

i. it is not in one of the following situations:

1. the partner is in bankruptcy, insolvency or liquidation, his activities are under judicial administration, is subject to a preventive agreement, ad-hoc mandate or other agreement concluded with the creditors, has suspended his commercial activity, is subject to procedures related to these issues and are in any other similar situation that would arise from a similar procedure provided for by law or by European and national regulations;

2. the partner has not fulfilled his obligations regarding the payment of taxes and taxes to the local budgets and to the state budget according to the laws in force and does not benefit, according to the law, of their staggering or other facilities for their payment, including, where appropriate, any accrued interest or late payment penalties or fines. This condition does not apply to partners in Romania when the value of the net payment obligations is less than 1/12 of the total obligations due to the state budget in the last 12 months, respectively the value of

the payment obligations is less than 1/6 of the total obligations due to the local budget in the last quarter;

3. the partner or legal representative has been the subject of a final judgment (res judicata) for fraud, corruption, participation in a criminal organization, money laundering or financing of terrorism, offenses related to terrorism or offenses related to terrorist activities, exploitation of children through labour or other forms of human trafficking or any other illegal activity that harms the financial interests of the European Union or international public donors, including definitive convictions in cases concerning the obtaining and use of non-reimbursable funds (European and / or from international public donors) and the national public funds related to them;

4. the partner or legal representative has been convicted by a final court decision (res judicata) of an offense related to their professional conduct;

5. the partner or legal representative has been the subject of a court decision or remaining final administrative decision (res judicata) regarding serious professional misconduct, because they have violated the laws, regulations or ethical standards of the profession to which the applicant belongs or because they are guilty of any abusive conduct that affects their professional credibility, when such conduct betrays a fraudulent intent or gross negligence;

6. the partner or legal representative has tried, directly or through interruptions, to obtain confidential information or to influence the evaluators of the Programme Operator during the process of evaluating the applications for financing within the present call for proposals or other calls for projects carried out within the RO Environment Programme;

7. the partner or legal representative has provided false information to the Programme Operator, does not provide or is not able to present the information / supporting documents requested in order to select the project for financing;

8. the partner or legal representative is in any situation of conflict of interest, defined in accordance with the national / European provisions in force, which could arise in connection with the present call for proposals (a conflict of interest could arise mainly as a result economic interests, political or national affinities, family or emotional ties or any other relevant or common interest);

9. the partner or legal representative has not informed the Programme Operator in a timely manner of any situation that would constitute a conflict of interest or could give rise to a conflict of interest.

6.2.2 Selection of partners

Partnership with partners in the Donor States is encouraged.

In the process of selecting partners that are of the private entity type from Romania and/or the Donor States), the applicant will comply with the provisions of GEO No. 34/2017 and of the Order of the Minister of Public Finance No. 2840 / 31.10.2017, respectively:

- **For private entities project partners from Romania:**
  - Will make public the intention to establish a partnership with private entities in order to implement a project financed from the RO-Environment Programme, through national media channels or through the Internet;

- Will mention in the notice of intent the main activities of the project and the minimum conditions that the partners must meet;
- Will demonstrate that it has chosen the partners from the private entities that responded to the public announcement (by selection report or equivalent document);

• **For private entities project partners from the Donor States:**

- It will prove that the partners have been selected from the organizations that have fields of activity in accordance with the specific objectives of the project.

6.2.3 The Partnership Agreement

If a project is implemented in partnership with one or more entities, the Project Promoter (the Applicant) shall sign a Partnership Agreement with the Project Partners.

The Partnership Agreement shall contain the following information:

a) provisions on the roles and responsibilities of the parties;

b) provisions on the financial arrangements between the parties, including, but not limited to, which expenditure the project partners can get reimbursed from the project budget;

c) provisions on the method of calculating indirect costs and their maximum amount;

d) currency exchange rules for such expenditure and its reimbursement;

e) provisions on audits on the project partners;

f) a detailed budget; and

g) provisions on dispute resolution.

According to the provision of Art 7.7 (4) of Regulation, the Partnership Agreement shall be in English if one of the parties to the agreement is an entity from the Donor States.

The eligibility of expenditures incurred by a Project Partner is subject to the same limitations as would apply if the expenditures were incurred by the Project Promoter.

The creation and implementation of the relationship between the Project Promoter and the Project Partner shall comply with the applicable national and European Union law on public procurement as well as the provision of the FM 2014-2021 Regulation.

At least a Letter of Intent (Annex 7) will be submitted on the application submission, but the Partnership Agreement (Annex 8) is mandatory to be submitted to the Programme Operator before the signing of the project contract.

7. Eligibility of the project / activities

7.1 Preliminary information on wetlands and peatlands

Peat ecosystems are specific biological formations that occupy relatively small areas. They are particularly valuable, as they host many species of relic plants and animals that are strictly dependent on this type of habitat. Also, the turbid deposit is a true fossil treasure from which the history of vegetation, fauna and climate can be reconstructed. The typical and characteristic species of these systems have special demands on environmental factors, which make them particularly sensitive to

changes in abiotic limiting factors, including water supply, water and substrate pH and material quantity organic.

Drainage, transformation into agricultural land, intensive grazing and mowing, fire, peat extraction, etc. there are only a few of the anthropogenic factors that endanger the proper functioning of these particularly fragile systems, which are added to the abiotic factors mentioned above.

Globally, peatlands store about half of the soil's carbon reserve through the ability to absorb and store long-term atmospheric carbon dioxide. That is why they are considered to have a major role in moderating climate change. Peat drainage followed by the massive release of carbon dioxide and methane gas, can have a major impact on climate warming and climate change. Studies have shown that peat drainage from the temperate zone releases peat oxidation by approximately 25 tons of carbon dioxide per hectare annually (Șotropa, 2010). It is estimated that over the past 10,000 years atmospheric carbon dioxide stored in peatlands has reduced the global temperature by approximately 1.5-2˚C (Holden, 2005). Global estimates show that due to the drainage, 445,696 million tons of carbon dioxide were released into the atmosphere, of which 1298 million tons in 2008 alone (Joosten, 2009). Romania also contributed to this massive release, where it is estimated that the areas covered by peatlands have decreased in the last 10 years, due to the anthropogenic impact, by about 4% (Joosten, 2009).

At the national level, since 1955, the academic Emil Pop has drawn attention to the problem of protecting and conserving peat bogs, listing numerous marshes of great importance that have been destroyed. In the decades since then, the condition of most peat bogs has worsened considerably, some of them being completely drained and replaced by agricultural land. In this context, the effort of restoration (rehabilitation) and conservation on a national scale of these unique ecosystems is a timely, very important and very topical one

Within the project "*Restoration strategies of the deteriorated peatland ecosystems from Romania (PeatRO)*", implemented by the Bucharest Biology Institute of the Romanian Academy (IBB), project funded under the SEE Financial Mechanism 2007 - 2014, RO02 Programme - Biodiversity and ecosystems services, a number of 218 peatlands were evaluated and the National Programme for the restoration of degraded peatlands in Romania was elaborated. Within this project were developed 50 restoration schemes for peat habitats and alkaline marshes of community interest affected by drying.

Within the RO-Environment Programme - *Ecosystem and biodiversity* component, a number of 45 peatlands affected by the anthropic and / or natural drying of the 50 developed restoration schemes have been selected, which mainly require restoration of the water regime.

7.2 Eligible projects

The projects financed under this call must contribute in a relevant and consistent manner to achieving the objectives of the EEA FM 2014-2021, the objective of the Programme and the specific indicators of the Output 1.1 of the Programme.

To be eligible, the project must lead to the following minimum target values related to the Programme indicators through the proposed activities:

Number	Results of the Programme	Indicators
Outcome 1	*Improved ecological status in supported habitats*[1]	**40 habitats with improved ecological status**

[1] Habitats include the species

			100.000 population benefiting from supported habitats
Output 1.1	Restoration of wetlands and peatlands	NE1 area Project	12 wetlands / peatlands restored
			7,1881 km^2
			25,000 people benefiting from restored habitats*
		NE2 area Project	12 wetlands / peatlands restored
			1,9480 km^2
			25,000 people benefiting from restored habitats*
		Central area Project	11 wetlands / peatlands restored
			1,5361 km^2
			25,000 people benefiting from restored habitats*
		NV area Project	10 wetlands / peatlands restored
			0,5566 km^2
			25,000 people benefiting from restored habitats*

*) The target value of the inhabitants number benefiting from the restoration is estimated taking into account an area of approx. 50 km in the vicinity of wetlands/peatlands.

Within this call, a number of up to 4 projects will be financed, which will aim to restore the 45 wetlands/ peatlands selected. For a judicious implementation of the projects, the 45 peatlands were grouped by development regions of the country. Thus, the projects will aim at the restoration of 45 peatlands grouped in four regions, namely the North-East Region 1 & North – East Region 2 (Suceava and Botoșani counties), the Central Region (Covasna and Harghita counties) and the North-West Region (Bihor, Maramureș, Bistrița-Năsăud, Sălaj, Mureș and Buzău counties), centralized according to Annex 9. The total expected restored area is 11.22 km^2.

7.3 Eligible activities

To be eligible for funding, all 4 projects will focus exclusively on restoration work for the 45 wetlands / peatlands selected.

Eligible activities are:

- Works for the restoration of the 45 wetlands/ peatlands provided in Annex 9. In establishing the minimum works necessary for the restoration of the wetlands / peatlands, it should start from the restoration schemes that can be found in Annex 9. When developing restoration projects and proposing restoration works, the methods used in the restoration of degraded peatlands provided in the "Guide for the restoration of degraded peatlands in Romania" will be consulted - Annex 10; the mentioned Guide summarizes the results of activities carried out within the Project

"Restoration strategies of the deteriorated peatland ecosystems from Romania (PeatRO)", implemented by the Bucharest Institute of Biology of the Romanian Academy (IBB). Particular attention will be paid to the post-rehabilitation monitoring plans established for each wetland / peatland area, especially for activities to raise awareness on the need to preserve and improve the conservation status of wetlands and peatlands.

- elaboration of the preparatory documents necessary for the implementation of the measures dedicated to ecosystems, such as: feasibility studies, the documentation necessary for issuing environmental permits and agreements, the technical projects, the execution details, the environmental impact assessment study (EIA), the appropriate evaluation study (EA), support studies necessary for the elaboration of the water management documentation (hydrological, hydrogeological, etc.), studies necessary for technical building authorization documentation (architectural studies, geotechnical, etc.), any other studies or activities necessary to implement the activities, as the case may be.
- awareness-raising activities on the need to conserve and improve the conservation status of wetlands and peatlands.

General conditions:

- The central objective of a restoration action is to restore the functions within the ecosystem so that it can function autonomously, self-regulate and consequently become an active peat that accumulates peat. The key factors for restoring the functions within the ecosystem are a positive hydrological balance and the restoration of the vegetationassociations which are characteristic forpeatlands (usually those of *Sphagmun*);
- The effects of restoration actions on the ecological status of the ecosystems targeted by the project must be monitored throughout the project, and the result / effect of the project on the ecosystem status must be clearly demonstrated before its completion or, if this is not possible, during the period of the project sustainability;
- The applicant must demonstrate that the proposed activities have as their final objective the improvement / maintenance of the ecosystem functions for which the project was developed;
- The results of the projects must be evaluated periodically by establishing a monitoring system, in comparison with a reference state, historical images of the ecosystem (photos, maps, aero-photograms);
- **For the lands related to the ecological restoration activities belonging to the public domain of the state or to the territorial administrative units**, **the written agreement of the territorial administrative unit** regarding the execution of the activities within the project will be presented during the implementation period, including the life period of the objective funded, but not less than the sustainability period of the project, as well as compliance with all the other conditions of the applicant's guide regarding the sustainability of the project;
- **For land that is privately owned**, in compliance with the legal norms in force regarding the regime of private property, **the written agreement of the owner/s** regarding the carrying out of the activities within the project will be presented in the form of any legal act under which the applicant is granted access during the implementation period of the project, including for the lifetime of the funded objective, but not less than the sustainability period of the project, as well as compliance with all other conditions of the applicant's guide regarding the sustainability of the project.

IMPORTANT : Regarding the PERMITS/APPROVALS/AUTHORIZATIONS NECESSARY TO START THE PROJECT

During the implementation of the project, but not later than the first 6 months of implementation, for each peatlands/wetland, before the start of the reconstruction works, the following documents will be presented:

- *Feasibility study (if the case),*
- *Memorandum and estimate for infrastructure that does not require a building permit (if the case),*
- *regulatory acts related to the Environmental Impact Assessment process (EIA), Adequate Assessment (EA), the report on the environmental impact study (if the case),*
- *the technical project (if the case)*

The effective reconstruction works of wetlands and peatlands cannot be started without having these permits / approvals / authorizations according to the legal framework.

7.4 Other generally eligible activities

The activities specific to the actions eligible under the RO – Environment Programme will be supplemented with the following general activities:

- Information and publicity activities related to the project, according to the Visual Identity Manual (other than awareness raising related to biodiversity protection);
- Project management (activity carried out by the project team, different from the activities carried out by the personnel of the applicant organization);
- The project audit, for the certification of the expenses before the final payment (only for DS Project Partners);
- The purchase of equipment and software is eligible only if their actual contribution is justified to reach the specific indicators of the direct result Output 1.1 of the Programme.

7.5. Project sustainability

The sustainability of the project results is fundamental to ensure long-term benefits. Thus, it is necessary to ensure the sustainability of the project results, which may include monitoring activities or other types of activities aimed at ensuring the restoration of wetlands / peatlands undergoing reconstruction and achieving a favorable conservation status of habitats and species characteristic of these ecosystems etc.

The request for funding must include information on the concrete measures to capitalize on the results of the project during the sustainability period and the way in which the results of the project will be taken over / used / replicated subsequently either by the applicant / partners or by other entities.

The minimum period of sustainability of the projects is 5 years from the approval by the Programme Operator of the final report of the project.

7.6. Horizontal principles

Applicants will detail in the application form how the project contributes to respecting the horizontal principles and how they will be approached:

- **Good governance, transparency, equality and zero tolerance towards corruption;**
- **Sustainable development, long-term economic growth, social cohesion and environmental protection**.

7.7 Project implementation period

The first and final dates of eligibility of each project shall be stated in the project contract for that project (Art. 8.13 (2) of EEA 2014-2021 Regulation). The projects will last at least 12 months, starting from the date of signing the financing contract.

The period of eligibility of expenses extends throughout the period of implementation of the activities, but no later than the deadline foreseen in Art. 8.13 (3) of EEA 2014-2021 Regulation.

8. Eligibility of expenditures

8.1 General principles regarding the eligibility of expenses

The eligible expenses of the projects are those actually incurred within the project, which meet the following criteria:

a) they are incurred between the first and final dates of eligibility of a project as specified in the project contract;

b) they are connected with the subject of the project contract and they are indicated in the detailed budget of the project;

c) they are proportionate and necessary for the implementation of the project;

d) they are to be used for the sole purpose of achieving the objective(s) of the project and its expected outcome(s), in a manner consistent with the principles of economy, efficiency and effectiveness;

e) they are identifiable and verifiable, in particular through being recorded in the accounting records of the Project Promoter and/or project partner and determined according to the applicable accounting standards of the country where the Project Promoter and/or project partner is established and according to generally accepted accounting principles;

f) they comply with the requirements of applicable tax and social legislation.

Expenditures are considered to have been incurred when the cost has been invoiced, paid and the subject matter delivered (in case of goods) or performed (in case of services and works). Exceptionally, costs in respect of which an invoice has been issued in the final month of eligibility are also deemed to be incurred within the dates of eligibility if the costs are paid within 30 days of the final date for

eligibility. Overheads and depreciation of equipment are considered to have been incurred when they are recorded on the accounts of the Project Promoter and/or Project Partner.

Where new or second hand equipment is purchased, only the portion of the depreciation corresponding to the duration of the project and the rate of actual use for the purposes of the project may be considered eligible expenditure (Art. 8.2 alin. 4 of Regulation).

The Project Promoter's internal accounting and auditing procedures must permit direct reconciliation of the expenditures and revenue declared in respect of the project with the corresponding accounting statements and proper supporting documents.

The eligibility of the costs incurred by the project partners follows the same rules that apply to the costs generated by the Applicant / Project Promoter.

8.2 Procurement

The national and European Union legislation on public procurement will be respected at all levels of implementation of the projects financed under the RO-Environment Programme.

The national legislation applicable to Project Promoters and Project Partners in Romania is represented, inter alia, by Law No. 98/2016 regarding public procurement, with all subsequent amendments and the Order of the Minister of European Funds No. 1284/2016 regarding the approval of the Competitive Procedure applicable to private applicants / beneficiaries for the award of supply contracts, services or works financed from European funds.
The acquisitions made by foreign partners will be carried out in accordance with the law in force regarding public procurement in the country of origin and in accordance with the provisions of 8.15 of the EEA FM 2014-2021 Regulation.

8.3 Eligible direct expenditure categories in a project

The eligible direct expenditures for a project are those expenditures which are identified by the Project Promoter and/or the project partner, in accordance with their accounting principles and usual internal rules, as specific expenditure directly linked to the implementation of the project and which can therefore be linked directly to it, meeting the following criteria:

- they are incurred between the first and final dates of eligibility of a project as specified in the project contract;
- they are connected with the subject of the project contract and they are indicated in the detailed budget of the project;
- they are proportionate and necessary for the implementation of the project;
- they must be used for the sole purpose of achieving the objective(s) of the project and its expected outcome(s), in a manner consistent with the principles of economy, efficiency and effectiveness;
- they are identifiable and verifiable, in particular through being recorded in the accounting records of the Project Promoter and/or project partner and determined according to the applicable accounting standards of the country where the Project Promoter and/or project partner is established and according to generally accepted accounting principles;

- they comply with the requirements of applicable tax and social legislation.

The following direct expenses are especially eligible provided they meet the criteria set out in section 8.4.

(a) the cost of staff assigned to the project, comprising actual salaries plus social security charges and other statutory costs included in the remuneration, provided that this corresponds to the Project Promoter's and project partner's usual policy on remuneration. The corresponding salary costs of staff of national administrations are eligible to the extent that they relate to the cost of activities which the relevant public authority would not carry out if the project concerned were not undertaken;

(b) travel and subsistence allowances for staff taking part in the project, on the basis of defined rules approved by the Programme Operator;

(c) cost of new or second hand equipment. In case that the equipment is an integral and necessary component for achieving the outcomes of the project, the entire purchase price of that equipment may, by way of exception from the rule contained in section 8.4 (c) of the present guideline, be eligible;

(d) costs of consumables and supplies, provided that they are identifiable and assigned to the project;

(e) costs entailed by other contracts awarded by a Project Promoter for the purposes of carrying out the project, provided that the awarding complies with the applicable rules on public procurement and Regulation FM EEA 2014-2021;

(f) costs arising directly from requirements imposed by the project contract for each project, and

(g) non-recovarable VAT.

8.4. The conditions applicable to the categories of eligible expenditures

a) Staff expenses;

The personnel expenses will be calculated according to the actual time spent on the project. The time that each employee devotes to the activity within the project will be recorded periodically, using time sheets approved by the Promoters or Project Partners.

b) Travel expenses and daily allowances for the personnel nominated to participate in the project implementation, provided in line with the current practices regarding the travel expenses of the Project Promoter and the Project Partner, but not exceeding the relevant national limits for public institutions;

The Programme RO-Environment will cover the expenses of transport, accommodation, medical insurance.

c) Where new or second hand equipment is purchased, only the portion of the depreciation corresponding to the duration of the project and the rate of actual use for the purposes of the project may be considered eligible expenditure, as a general rule, if it is not justified with respect to the exception mentioned in section 8.3 (c) of this guide.

Equipment costs will be considered eligible only if the costs are related to the project.

Expenditures are considered to have been incurred when the cost has been invoiced, paid and the subject matter delivered (in case of goods) or performed (in case of services and works). Exceptionally, costs in respect of which an invoice has been issued in the final month of eligibility are also deemed to be incurred within the dates of eligibility if the costs are paid within 30 days of the final date for eligibility.

Overheads and depreciation of equipment are considered to have been incurred when they are recorded on the accounts of the Project Promoter and/or project partner.

Project promoters who are the subject of an exceptional provision regarding the total costs of the equipment will have to:

- keep the equipment in its ownership for a period of at least five years following the completion of the project and continues to use that equipment for the benefit of the overall objectives of the project for the same period;
- keeps the equipment properly insured against losses such as fire, theft or other normally insurable incidents both during project implementation and for at least 5 years following the completion of the project;
- sets aside appropriate resources for the maintenance of the equipment for at least 5 years following the completion of the project.

The Application Form will contain the following:

1. the nature of the equipment with the specific technical requirements;
2. unit cost and number of units;
3. the relevance within the project.

8.5. Unforeseen expenses (emergency)

The project budget may include some unforeseen expenses, without exceeding 5% of the direct eligible costs. These funds can only be used if they are the subject of a **prior written authorization** from the Programme Operator and only for expenses that cannot be foreseen at the time of drafting the project (for example: legislation changes, natural disasters, etc.).

8.6 Indirect expenses

The project promoters and the Partners can include the indirect costs in the project budget.

Indirect costs are all eligible expenses that cannot be identified by the Project Promoter and / or the project partner as being directly attributed to the project, but which can be identified and justified in the accounting system as being borne in direct relation to the directly attributable eligible project costs. These cannot include direct eligible costs. The indirect costs of the project represent a correct distribution of the general indirect costs of the Project Promoter or the Project Partner. For the present call of the RO-Environment Programme these are identified as a flat rate of up to 15% of direct eligible staff costs without there being a requirement for the Programme Operator to perform a calculation to determine the applicable rate.

The maximum value of indirect costs shall be established in the project financing contract. The method of calculating the indirect costs related to the Romanian Project Partner will be the same as the one established for the Promoter and will be stipulated in the Partnership Agreement between the Project Promoter and the Project Partner.

Special rules on eligibility of costs for „Restoration of wetlands and peatlands " Call for proposals:

In accordance with Article 8.5.4 of the Regulation, the indirect costs of entities from Romania acting as Project Promoters or Project Partners shall be calculated in accordance with Article 8.5.1 (c) of the Regulation EEA FM 2014-2021.

8.7 Ineligible expenses

The following costs shall not be considered eligible:

(a) interest on debt, debt service charges and late payment charges;

(b) charges for financial transactions and other purely financial costs, except costs related to accounts required by the FMC, the National Focal Point or the applicable law and costs of financial services imposed by the project contract;

(c) provisions for losses or potential future liabilities;

(d) exchange losses;

(e) recoverable VAT;

(f) costs that are covered by other sources;

(g) fines, penalties and costs of litigation, except where litigation is an integral and necessary component for achieving the outcomes of the project; and

(h) excessive or reckless expenditure.

Note: If an applicant is trying to obtain funding for activities already supported by another source of funding, there is a risk of double financing. The elements of double financing of an operation/ activity are not eligible and therefore will not be reimbursed.

8.8. Project budget

The budget of the project is drawn up in Lei, according to the template attached to this Guide. In order to verify the maximum value of the non-refundable financial support allowed, the applicant will consider the Infor Euro course from the month of launching the call for proposals.
The budget must cover the total eligible cost of the project, not just the non-reimbursable financial contribution (grant) of the project. All costs will be detailed on budget lines / sub-lines, in compliance with the instructions for completing the standard format (Annex 3).

9. Use of the euro

Contracting stage: The total value of the contracts concluded between the Programme Operator (PO) and the Project Promoters (PP), which are the object of the non-reimbursable financial grant, **is expressed in Lei and Euro, calculated at the Infor Euro exchange rate valid at the date of signing the**

contracts.

In the case of projects implemented in partnership with an entity from the Donor States, the Infor Euro course from the month in which the payments are made will be taken into account.

During the project implementation period, for the reporting of expenses in order to be validated by the Programme Operator: In the case of projects implemented in partnership with an external entity, **the exchange rate for reporting in Lei, by the Project Promoter**, of the expenses incurred by the external partners in Euro and justified by Audit reports, **is used the Infor Euro course from the month of registration in the Project Promoter's accounting of the Audit reports received from external partners. If the method of reimbursing the expenses incurred by external partners (the final report situation) is applied, then the conversion of the amounts spent from Euros to Lei is done at the Infor Euro exchange rate from the month of registration in the Project Promoter's accounting of the payment made to the external partner.**

10.State aid

Under this call for proposals, projects or activities that fall under the rules regarding the granting of state aid are not financed.

In accordance with the provisions of the Communication from the European Commission on the concept of State aid as referred to in Article 107 (1) of the Treaty on the Functioning of the European Union, in Section 2.6. Culture and heritage conservation, including nature conservation, heritage and nature conservation activities do not constitute State aid in the following situations:

- The results of the projects, including the infrastructure created by the project, do not represent an economic activity, not being exploited for commercial purposes, a fact demonstrated by:
  - Ensuring the accessibility of the general public to the results of nature and biodiversity conservation activities free of charge, without the existence of an economic character.
  - If a monetary contribution is to be received, together with other revenues realized on account of this activity / infrastructure, it must cover only a fraction of the real operating costs and not alter the non-economic nature of the basic activity, thus not representing a real remuneration for the service provided / the activity provided. In this situation, the project will be accompanied by the analysis of the revenues that can be generated by the project, related to the investment and operating costs. In addition, for projects through which, after their implementation, visitation fees will be charged, it is demonstrated that they do not cover operating costs and do not represent a real remuneration for the services provided.
- The results of the projects, including the infrastructure created by the project, used for both non-economic and economic activities, do not provide cross-financing of the economic activity of the applicant and / or the owner (if different), demonstrated by:
  - Keeping a separate accounting of the non-economic activity from the economic one, from an operational, legal and accounting point of view, including the related capital costs.
  - Limiting economic activity to a maximum of 20% of the total annual capacity of the infrastructure, if the infrastructure, goods, fixed capital and human resources are used

for both types of activities and ensuring that these activities are ancillary to the basic, non-economic activity.

In these situations, the applicant will submit a statement assuming the separation of activities, as well as a description of how the two activities are separated. The applicant will also assume that public funding for non-economic activities will not be able to be used to subsidize economic activities. The declaration will also be presented to the owner, if they are different entities.

The situations presented above are based on the premise that the infrastructure achieved through the project / project results are related to biodiversity protection objectives and do not represent an economically exploitable infrastructure / results that generate economic benefits to the landowner / administrator.

In situations where none of the above is applicable, and there is a likelihood of the presence of State aid, the project will not be selected for funding.

The implications for the incidence of state aid will be analyzed on a case-by-case basis.

11. Preparation and submission of projects

In order to propose a project for financing, **the applicant will complete an Application for Financing and its Annexes**. The standard template of the Application form including its annexes, presented in **Annex 1** to this Guide, are available free of charge in electronic format on the website: www.eeagrantsmediu.ro.

The Application for Financing must also include an opiate of the documents (indicating the number of pages of each document).

The Application for financing will be submitted to the Programme Operator, in 1 hard copy, in Romanian and English languages and 1 electronic copy (pdf form on CD/DVD etc.), accompanied by a cover letter, dated and registered within the institution/entity of the Applicant.

When submitted, the Application for financing will receive an unique registration number on the Ministry of Environment, Waters and Forests, so that the submitted Application can be tracked.

The submitted Application for financing must:

- be signed by a legal representative / authorized person on each page, in the right bottom and stamped on each page, in the central part, below;

- be filed, with the pages numbered in order from 0 (cover) to "n", at the bottom right of each page, where "n" is the total number of pages contained in the complete file, including the attached documents, to prevent the removal and / or the replacement of documents;

- contain a copy in electronic format (a CD / DVD that includes the Application for financing and its annexes in PDF format). Each component of the Application (form, annexes, and budget) will be the subject of a separate electronic document.

If there are differences between the paper version and the electronic version, the paper version will prevail. Also, if there are differences in content between the paper and electronic version (missing information, additional information, different values, etc.), the Programme Operator may decide to reject the project!

If the Applicant benefited of a consultant support in preparing the Application for financing, information on the consultant will be completed in section A.4 of Annex 1 - Funding Application.

The Application for financing will be submitted in a sealed envelope and can be mailed with acknowledgment of receipt, by courier or by direct delivery (the registration number will be gaved to the person who deliver the envelope) at the headquarters of the Ministry of Environment, Waters and Forests from Libertății Blvd., No. 12, Bucharest, Sector 5, Romania.

IMPORTANT: If the project proposal is mailed with acknowledgment of receipt, is taken into account the date and time of the registration at the Ministry of Environment, Waters and Forests headquarters from Libertății Blvd., No. 12, Bucharest, Sector 5, Romania. Therefore, to meet the submission deadline (date and time), the Applicants must also consider the delivery period of the project proposals until registration at the headquarters of the Ministry of Environment, Waters and Forests!

The Applications for financing received after the deadline will be rejected automatically, even if the post date indicates a date prior to the deadline or if the delay is due to the courier service.

Application for financing sent in another form (for example by fax or e-mail), sent to another address or after the deadline for submission of project proposals will be rejected!

The Programme Operator will receive the project proposals sent by the applicants and will ensure their management in an appropriate way. For any clarifications before submitting the project, applicants can contact the institutions mentioned above (using contact data provided on the Programme Operator website for this call).

On the envelope must bespecify the following information:

• reference to the number and date of the call for project proposals;

• the title of the project, the location of the project;

• contact details with the full name of the applicant and partners;

The period for submitting applications for funding is at least 4 months from the opening of the Call for proposals. The Call launching date is 14th of September 2020, 8:30 hours, respectively the deadline date for submitting Financing Applications is 15th of January 2021, 14:30 horus, effective registration deadline at the headquarters of the Ministry of Environment, Waters and Forests from Libertății Blvd., No. 12, Bucharest, Sector 5, Romania.

The deadline specified above is the one by which the Ministry of Environment, Waters and Forestry actually receives the submitted applications, but the applicants are advised not to wait until this moment to submit the financing Applications.

Summarizing, the Application for financing together with the mandatory annexes:

- **Will be elaborated in Romanian and English languages. Applications and attachments filled - in by hand or containing erasures and modifications will not be accepted;**
- **They will be numbered (starting from zero on the first page and continuing successively until**

the last);

- **To guarantee authenticity, each page of the application will be signed and stamped;**
- **Will be submitted in 1 printed copy (one original), together with 1 CD/DVD etc containing the electronic version (pdf format).**

ATTENTION!

- **Prior to submitting the Applications for financing, verify the compliance with administrative and eligibility criteria using the Checklists provided in Annex 11 and, Grid for verifying and assessing project from Annex 12.**
- **Particular attention will be paid in completing the funding Application to the existence of any errors/modifications to the Applicant's Guide documents posted on the Programme Operator's website.**
- **Further information regarding the present call for proposals can be found on the RO-Environment Programme dedicated web page on the Programme Operator's website (http://www.mmediu.ro/categorie/eea-grants/110).**

Applicants can submit questions regarding the present call for proposals using the following contact details:

- on e-mail, at the address: see2014-2021@mmediu.ro
- on fax, at the number 0040 21 408 9615.

Questions can be addressed at least 15 calendar days before the deadline for submitting projects. The replies to the queries will be communicated by the Programme Operator at least 5 calendar days before the deadline for the submission of proposals.

It is recommended that applicants regularly consult the Programme's web page in order to obtain updated information regarding this call.

Questions and answers of general interest will be published on the RO-Environment Programme dedicated web page on the Programme Operator's website.

12. Evaluation and selection of the projects

The procedure of evaluation and selection of projects includes 3 stages:

i) verification of the conformity of the application from the administrative point of view (admissibility criteria);

ii) Eligibility verification of the Applicant/Project Partners compliance with the eligibility criteria;

iii) Evaluation of the projects for technical and financial requirements, and

iv) Selection of the projects for financing.

12.1. Administrative and eligibility verification steps

On submission, the application will receive a unique registration number at the Programme Operator level. This number will be required in the subsequent correspondence of the applicant with the Programme Operator.

Administrative and eligibility requirements are mandatory and eliminatory criteria. The eligibility criteria from point (i) and (ii) are evaluated with YES / NO.

The verification of the administrative compliance will consist in verifying the compliance with the format of the Application for Financing, the existence of the annexes and the validity of the documents.

Verification of eligibility involves analyzing compliance with the requirements regarding:

a. Eligibility of Applicant/Partner

b. Eligibility of application

Administrative and eligibility verifications of projects' applications will be carried out in accordance with the checklists from Annex 12.

The administrative verification and the eligibility of the documentation of the project application is performed independently by two evaluators from the Programme Operator (named by the Programme OperatorDecision), in order to respect the principle of "the 4 eyes". Prior to the start of the evaluation, the experts nominated must sign a confidentiality and conflict of interest statement. Each of the two evaluators performs separate / independent checks, using the same template of administrative and eligibility checklists, which they sign and date.

If the documents submitted are incomplete and no decision can be made in this regard, applicants may be required, 2 times at most, by the Programme Operator, to provide further clarifications and / or completions by e-mail, fax, mail. The additional documents / information / clarifications will be sent by the applicant (by post, fax, e-mail or personal delivery) in compliance with the conditions and deadline specified by the Operator in the request for completion / clarification. Failure to comply with these conditions may result in the rejection of the application for funding.

While waiting for the response to the request for clarification, the evaluation of the project application is suspended.

As a result of the verification:

- The projects marked with "YES" will be subject to evaluation regarding the application eligibility (technical-financial), and the applicants will be notified in writing about the admission of the project in the next evaluation stage;
- The projects marked with "NO" will be rejected at this stage, and the applicants will be notified in writing about the rejection decision and the related reasons.

Only funding Applications that meet all the admission criteria are approved for the next stage of the evaluation process –technical-financial verification!

12.2. Project Application evaluation; methodology for evaluation project Applications for funding

To ensure transparency in the selection procedure, all applications that met the administrative and eligibility criteria are evaluated from the technical and financial criteria by two independent evaluators hired as external impartial experts, having expertise in the field of ecosystems restoration and biodiversity preservation contracted by the Programme Operator.

Before the start of the technical-financial evaluation, the external experts nominated must submit, on their own responsibility, a declaration of confidentiality and of avoiding conflict of interests.

The experts will score the projects separately, according to the established selection criteria (**Annex 12**). The projects will be classified according to the average score of the experts. If the score given by each of the two experts differs by more than 30% from the highest score, the Programme Operator will appoint a third expert who will award an independent score. In these cases, the average of the two closest scores will be used in the classification of project applications (financing applications).

If the application for funding (including annexes) includes issues that require clarification, the Programme Operator may request, 2 times at most, the applicant to provide additional documents or information within a reasonable time period of maximum 10 days from the official receipt of the request from the Programme Operator. For reasons of efficiency, the additional information/documents can be sent to the official e-mail address of Programme Operator, but the applicant will have to send the additional information in original, on paper, respecting the Programme Operator deadline set-out.

During the waiting period for the answer to the request for clarification, the evaluation of the project application is suspended. If the answer is not sent within the specified deadline, or a notification for the extension of the period of clarification transmission has not been sent having a well-justified reason for delay, the evaluation will continue in the absence of the requested documents.

In order to proceed to the selection stage, a project proposal must receive the minimum score set out in Annex 12.

Each evaluator is obliged to justify the score and to sign and date the evaluation checklist.

The technical and financial verification of the project application and evaluation process involves the assessing of the following **main criteria:**

- **relevance** (the contribution of the project to the results of the Programme, added value);
- **maturity** (the quality of the technical offer, the mechanism of project implementation and the quality of the financial offer);
- **sustainability.**

Project relevance. The project is considered relevant if it demonstrates its contribution to the achievement of the objectives of the Programme and to the implementation of other policies relevant to the environment (for example: restoring the ecosystem status).

The project must include actions that directly or indirectly contribute to the restoration of selected peatlands and wetlands, conservation actions of certain species / habitats of Community importance or protected by national law, and its benefits must result from the activities achievable through a balanced and realistic financial allocation. The resources of the project must be managed so as to obtain maximum benefits. The benefits of the project must be relevant for nature protection and biodiversity conservation.

The potential of the project in increasing the interest and awareness of local communities on the nature protection issues is also evaluated. The extent to which the project provides communication and a dissemination action with a broad and measurable impact that generates long-term favorable reactions is another aspect evaluated in order to determine the relevance of the project.

Project maturity. The maturity of the project is evaluated by the quality of the technical and financial offer, by the existence of an adequate project implementation framework (if the following are available for project management: human resources, logistics, equipment etc.), if the roles and responsibilities are clearly defined, if the areas are covered of expertise required for the coordination and implementation of the activities (for ex. the experience of the applicant and its capacity to implement the project should be highlighted) within the project (which is the responsibility of the applicant or its partners) as well as the support granted to the project by other relevant factors.

The objectives and activities of the project, as well as the justification of its importance and necessity, must be clearly specified, underlying the feasibility of the suggested activities and measures. The project must be viable; the proposed solution must have a long-term validity (the activity must continue after the project is completed). The project budget must be reasonable, justifiable and correlated with the proposed objectives and activities. The project must contain a set of indicators that quantify the expected results of the project, in relation to the indicators specified in the RO-Environment Programme. The risks and constraints that may be involved in the implementation of the project will be identified and measures will be proposed to prevent them. The existence of a risk reduction plan is an issue that must be evaluated in order to determine the maturity of the project. The applicant's experience in managing similar projects is an advantage. The applicant must demonstrate that has the technical and financial capacity to implement the project as well as to cover expenses other than the eligible ones, if the case.

Sustainability. The description of sustainability will reflect the way in which the results of the project (works, services, etc.) will be maintained / supported after the completion of the project.

The projects are evaluated under the prism of three main criteria - **relevance, maturity, sustainability**. Each criterion has a minimum and a maximum score; a cumulative minimum of total 60 points obtained for altogether criteria is required for the project qualification. If a sub-criterion obtains 0 points or a score lower than the minimum required, the project will automatically be proposed for rejection. Each evaluator will award a score, which, for the purpose of the evaluation and according to the selection criteria, may not be less than 60 points for each evaluator (each having its own evaluation table).

In case the project application does not meet the minimum qualification required score, the Programme Operator notifies the Applicant about the rejection of the project application.

From the moment of receiving the notification, the Applicant has the right to appeal to the Programme Operator within maximum 10 working days. The appeal is submitted to the Programme Operator registration office, it is transmitted to the Programme Operator manager and the re-evaluation procedure of the application by appointing 2 other external experts, other than those who performed the initial evaluation of the application will be applied. Before beginning the technical-financial re-evaluation, the external experts nominated by the Provider must submit a confidentiality and conflict of interest statement. The 2 new external experts perform the re-evaluation according to the procedure described above.

The appeal is formulated in writing and must include:

a) the identification data of the applicant (the contestant),

b) the unique application code and project title,

c) the object of the appeal,

d) the factual and legal reasons,

e) the special mandate for the empowered person, if applicable.

To be valid, the appeal must be signed by the legal representative of the applicant / authorized person. The appeals filed by persons other than the legal representative and / or the person expressly authorized by him shall not be analyzed. Appeals submitted by other natural or legal persons, including partners will not be analyzed and will be rejected.

If the contestant does not present the factual and legal reasons, the evidence on which the appeal is based, it has no object of analysis and will, therefore, be rejected as unfounded.

The contestant cannot submit new documents in support of the case and cannot change the content of the financing file.

The appeals will be resolved within maximum 30 calendar days from the date of registration at the Programme Operator's office.

The appeal may be withdrawn by the contestant until its resolution, by written request, with the loss of the right to file a new appeal.

During the resolution of the appeals, the list of projects will be updated with those projects for which a favorable decision has been taken.

The decision regarding the resolution of the appeals is final, and the contestant can no longer submit a new appeal regarding the same stage.

After the expiration of the contestation period or after receiving the re-evaluation results from the evaluators Programme Operator prepares the List with the final ranking of the project applications (in descending order) based on the final scores obtained from the technical and financial evaluation. The ranking is endorsed by the Programme Operator and is submitted for discussion and approval to the Selection Committee.

Within 3 days of receiving the re-evaluation the Programme Operator notifies the Applicants on the results.

12.3 The procedure for the selection of projects by the Selection Committee

The Programme Operator establishes a Selection Committee that recommends the projects to be funded under the RO-Environment Programme – call of proposals „Restoration of wetlands and peatlands". The Selection Committee consists of at least 3 persons with relevant expertise for the present call of projects. At least one of the Committee members is from outside the Programme Operator.

The Programme Operator will ensure that the selection process is carried out in accordance with the provisions of the Regulation for the Implementation of the Financial Mechanism of the European Economic Area 2014-2021, and that the recommendations of the Selection Committee comply with the rules and objectives of the RO-Environment Programme. Following this verification, based on the decision of the Selection Committee, the Programme Operator will determine which projects will be financed.

Following the completion of the technical and financial project application evaluation process, a ranking List for application proposed to be financed and a List of reserve project application (waiting list) will be elaborate and will be submitted to the decision of the Selection Committee for the approvalto be financed within the limits of the funds available for the present call of projects. The projects that comply with the financing requirements are recommended for funding in the descending order of the obtained score.

If two or more project Applications has the same score, the separation criterion is the score obtained for ***2.1 Quality of the technical proposal*** criteria from the Technical and Financial Assessment Grid (Annex 12).

The Selection Committee will analyze the list of projects ranked according to the obtained scores. The Selection Committee may modify this list in well-justified cases. The justification for these changes will be detailed in the Minutes of the Selection Committee meeting. If such a change leads to the rejection of the project, the related applicant will be informed in writing. The Selection Committee will send for approval to the Programme Operator the list of recommended projects.

Project applications that have obtained the required minimum qualification score which are included on the reserve list may be financed from the funds allocated to this call, by decision of the Selection Committee, **only** if the Applicant of the selected funding application waives the signing of the project contract[1].

If two or more projects have the same score, the Selection Committee will have the final decision in selection of the one which will be financed.

Following the completion of the selection process, the applicants are informed about the approval of the application and to prepare the documents necessary in the contracting stage (thus reconfirming their interest in signing the contract), or about the rejection of the application.

[1] The situation applies only to the area for which the project applications were submitted

The Programme Operator notifies the applicants regarding the results of the selection process within a maximum of 2 weeks from the Selection Committee approval!

The Programme Operator will publish the results of the proposals call on the official website of the Programme Operator.

Based on the report of the Selection Committee, a Financing Contract will be concluded for each project between the Ministry of Environment, Water and Forests, as a Programme Operator, and the Project Promoter.

NOTE: Any applicant will be excluded from the evaluation and selection process if it is proved that:

- He is guilty of grossly misleading the Programme Operator, by providing incorrect information about the eligibility conditions, or if the potential Project Promoter omits information in correspondence with the PO, in order to win the financing of a project.
- It tried to obtain confidential information or to influence the evaluating experts, the Selection Committee or the Programme Operator during the evaluation process.

Estimated duration of the evaluation and selection process

Phases	Estimated period
Submission of funding files	2-3 months
Verification of administrative compliance and eligibility	20 days
Technical and financial evaluation, including appeals	60 days
Selection of projects by the Selection Committee	2 weeks
Signing of financing (project) contracts	2 weeks

13. Contracting

In order to prepare and conclude the financing project contract, the selected applicants will receive a notification indicating the documents necessary to be submitted to the Programme Operator in order to sign the financing project contract. The notification will also specify the deadline for the submission of documents.

The financing project contract (Annex 13) sets the financing terms and conditions, as well as the roles and responsibilities of the Parties.The deadline for submitting the requested documents in the contracting stage is 5 working days. In duly justified cases, the Programme Operator may approve the extension of the response period only once.

If the applicant does not respond within the deadline communicated by the Programme Operator / refuses the submission of documents referring the Financing Contract signature/ the applicant's justifications are not accepted by the Programme Operator, the project application will be excluded from the financing and the financing contract won't be signed by the Programme Operator.

Any decision of the Programme Operator to exclude a project from the financing, taken after the decision of approval of the Selection Committee, will be communicated to the affected applicant.

The financing contract in the format transmitted by the Programme Operator to the Project Promoter in order to be signed is mandatory, as the Project Promoter it cannot propose modifications, except the identification data of the Project Promoter and / or the material errors.

The Programme Operator recommends that the financing contract be read carefully before it is signed it, as it contains all the conditions under which the non-reimbursable financial support is granted, and it'ssignaturerepresents the commitment to implement the project on its own behalf by the applicant and to achieve the objectives and the established results in the application for funding.

14. Payment flows and verification of payment claims

The Programme Operator shall ensure the payments to the Project Promoter, starting with the date of signing the project financing contract.

Payments of the project grant shall take the form of advance payments, interim payments and a final payment. The advance payment level to projects approved for financing under the *„Restoration of wetlands and peatlands*"call shall be set out in the project contract. The maximum level of advance payment is linked to the project implementation duration as follows:

Project implementation duration	Advance payment*)	Maximum value of interim payments**)	Final payment
Public entities			
12-18 Months	Up to 60%	40%	*N/A*
≥18 Months	Up to 30%	70%	*N/A*
Private entities			
12-18 Months	Up to 40%	50%	10%
≥18 Months	Up to 30%	60%	10%

*) upon submission of the advance payment request by the Project Promoter

**) at the request of the Project Promoter and the submission of the Interim Progress Report with the supporting documents

Pre-financing can be granted in one or more tranches. The advance and the pre-financing cannot total more than 100% of the total non-reimbursable financial support for public entities and cannot total more than 90% of the total non-reimbursable financial support for private entities, in this case 10% of the project budgets fall in the responsibility of the Project Promoters and Partners as co-financing part.

An advance payment of a percentage of the total grant amount shall be paid within 1 month from the submission of a request after signature of the project contract. The interim payments shall be paid within 1 month after the approval of project interim reports. Upon approval of the final project report a final balance payment, if applicable, shall be made within 1 month.

The approval of project interim and final reports shall take place within 2 months from the submission of the required information.

The periodicity of reporting periods, and deadlines for reporting are specified in Chapter 16- Reporting of the present guide.

Verification of payment claims

For verification of technical and financial progress and approval of payment claims, Project Promoters shall submit interim and final project reports containing information on project incurred expenditure.

In line with point I) of Article 5.6.2 of the Regulation incurred expenditure reported shall be subject to administrative verifications before the report is approved. Verifications to be carried out shall cover administrative, financial, technical and physical aspects of projects, as appropriate, and be in accordance with the principle of proportionality.

In order to manage the non-reimbursable financial support and its own contribution (if any), the Romanian Project Promoter and the Project Partners have the obligation to open special accounts for the project in the State Treasury system or in commercial banks, as the case may be, under the conditions established by the GEO No. 34/2017 and its implementing rules.

The amount of the advance will be paid within 1 month from the submission of a request after signature of the project financing contract. The interim payments shall be paid within 1 month after the approval of the project interim reports. Upon approval of the final project report a final balance payment, if applicable, shall be made within 1 month.

Pre-financing installments will be paid on the basis of an interim financial report submitted by the Project Promoter and approved by the Programme Operator and will be conditional on spending of the previous payments; if the Project Promoters/Project Partners did not spent/justified the amounts received previously for the reporting period, the unspent/unjustified amounts will be deducted from the next payment request, without diminishing the project budget.

The payments for the progress reports will be made based on the following verification steps:

• verifying the eligibility of the expenses declared by the Project Promoters, to ensure that they have been carried out correctly, in accordance with the legislation and procedures in force;

• verifying the implementation stage of the project, the values of the indicators and the correlation of the expenses with the implemented activities of the project;

• verifying the eligibility, correctness and conformity of the payment requests.

The approval of project interim and final reports shall take place within 45 days from the submission of the required documents and information.

Payments may be suspended if there are suspicions that the project is not implemented in accordance with the provisions of the financing contract.

15. Project implementation and monitoring

The Project Promoter will ensure, together with the partners, the implementation of the project under the conditions established by the financing contract, the request for financing (annex to it) and the Partnership Agreement, as well as by any other instructions / communications issued by the Programme Operator.

The Project Promoter and partners have the obligation to respect the legal framework applicable to the EEA FM 2014-2021, as well as the European and national legislation applicable in all phases of project implementation, including, but not limited to, environmental, public procurement and state aid.

Monitoring and control regarding the implementation of the project are performed by the Programme Operator, as well as by other structures with control / verification / audit tasks.

The Programme Operator shall monitor the project's implementation based on progress towards the programme's outcomes in accordance with the provisions contained in the legal framework. The Programme Operator shall ensure that suitable and sufficient monitoring arrangements (documents and/or site visits) are made by/to the Project Promoters in order to enable the Programme Operator and the National Focal Point to meet its obligations.Thus, throughout the implementation process, the Programme Operator will administratively and technically monitor the projects financed through, inter alia, the analysis of the progress reports accompanied by supporting documents, and on-site visits.

Additionally, in line with point ii) of Article 5.6.2 of the Regulation, on-the-spot verifications of projects (site visits), which will be carried out for all financed projects, shall be carried out. During the visits made to the locations of the project, the persons designated by the Programme Operator will verify the implementation of the projects activities in accordance with the provisions of the Regulations, the Programme Agreement and the financing contract.

The monitoring process includes the verification of the procurement procedures, the efficiency and effectiveness of the incurred expenses, the evaluation of the achievement of the objectives, results and impact of the project.

The Project Promoters and their Partners (where appropriate) are required to grant immediate and full access to any information, documents, relevant persons and locations related to activities carried out within the project, to representatives of the Programme Operator, of the National Focal Point, of the Audit Authority or to any entity designated by these organizations in order to carry out the monitoring, audit, control or evaluation of the project, without prejudice to the limitations resulting from the applicable national law.

In exceptional cases, if unclear issues will occur in the implementation of the project, the Project Promoter may be subject to further checks.

16. Reporting

Project Promoters are obliged, by the financing contract provision, to submit, as the case, **intermediary progress reports (RTF)** and a project **final report (RFP)** (templates are provided in Annexes of the project contract).

The Project Promoter will consider that the reporting periods[1] in the financing contract will be established as follows:

Reporting period (expenditures incurred during the reporting period)	Estimated period for payment request (estimated expenses during the period)	Deadline for submission of the Intermediary Technical-Financial Report (RTF)
1 January – 30 June	1 July – 31 December	15 July
1 July – 31 December	1 January – 30 June	15 January

In case Project Promoter has not sent the Programme Operator the Intermediary Technical-Financial Report (RTF)/Final Technical-Financial Report (RFP) within the deadline established by the contract, Programme Operator will notify the Project promoter by an address, specifying the 3 working days deadline for the Report transmission. If still the RTF will not be sent within the specified deadline to the Programme Operator, any new (interim) payment request of Project Promoter will be rejected!

The intermediary progress reports will contain at least the following:

- The stage of project implementation from the point of view of physical progress, respectively: implementation of activities, rateof indicators achievement, information on procurement procedures, implementation of communication plan, fulfillment of the requirements regarding the horizontal principles of the Programme, changes in the implementation (if applicable), supporting documents related to the progress of the project etc.;
- The stage of implementation of the project from a financial point of view, including: the list of expenses incurred during the previous reporting period, the request for pre-financing of the anticipated expenses for the next reporting period, supporting financial documents, the evaluation reports and / or financial audit, if applicableetc.

The final report will contain the same categories of information as the progress reports. Additionally, within this report, information regarding the achievement of the project objectives, the achievement of the project results, the approach of the horizontal principles relevant to the project, the fulfillment of the project conditions and the sustainability of the project will be included.

[1]The RTF submission is compulsory within the deadlines set in the table. For the first RTF, the period from the date of the signature of the project contract to the first calendar day of the mentioned deadlines from the table, will be taken into consideration, regardless of the fact that the reporting period is shorter than 6 months.

The intermediary progress reports and the final report will be accompanied by documents / evidence justifying the reality, legality and regularity of the expenses incurred (for example, invoices accompanied by payment documents, receipt, minutes or other supporting accounting documents with equal probative value, etc.), as well as the legality and reality of the reported activities and the degree of achievement of the results / objectives assumed by the project (for example, attendance lists, photos, video recordings, studies, etc.).

The justification of the expenses of the partners from the Donor States will be made exclusively on the basis of the audit report prepared in accordance with the provisions of art. 8.12.4 of the Regulation.

Failure to comply with the requirements for the preparation and submission of reports may lead to their rejection.

The reports will be sent within the term established by the financing contract, regardless of the technical or financial progress registered, in compliance with the provisions of the guides / instructions issued by the Programme Operator.

17. Irregularities

Any irregularity shall mean an infringement of:

a. The legal frameworks of the EEA Financial Mechanism 2014-2021 referred to in Article 1.5;

b. Any provision of European Union law, or

c. Any provision of the national law of the Beneficiary State

which affects or prejudice any stage of the implementation of the project financed by/EEA FM 2014-2021 in the Beneficiary State, in particular, but not limited to, the implementation and/or the budget of the RO-Environment Programme, project or other activities financed by the EEA FM 2014-2021.

Anyone who has information on the existence of irregularities in the development of the projects financed within the Programme can report the irregularities by notifying in writing in one of the following forms:

- by mail / courier services;
- by personal delivery at the Progamme Operator's office;
- by fax, to the number **004 021 408 9615**;
- by electronic mail, to the email address **see2014-2021@mmediu.ro** or communicated on the website of the Programme;

The reports regarding the irregularities will necessarily contain the minimum information provided by GEO no. 66/2011 with the subsequent modifications and completions, which will allow identifying the project and/or locating the Project Promoter, otherwise they will not be accepted for analysis and

verification. Notifications regarding the irregularities can be sent anonymously or under signature, without these notifications attract unfair or discriminatory treatment on the sender.

Confidentiality regarding the identity of the person who reported a potential case of irregularities will be strictly maintained.

18. Information and communication

Project promoters must disseminate information about the project to a wider audience, at national, regional and / or local level, including among relevant stakeholders.

In this respect, the Communication Plan for the project (part of the funding request) will be elaborated and implemented.

The purpose of the plan is to highlight the role of the EEA Grants and to ensure transparency and visibility of EEA Grants.

- By implementing the Communication Plan, the aim is to raise awareness of the existence, objectives and impact of the EEA Grants, as well as the cooperation with entities from the Donor States (in the case of the projects carried out in partnership).

The communication plan must contain the following:

a) the objectives of the plan and the target groups at national, regional and / or local level;

b) the strategy and content of the information and publicity measures, including the proposed activities, the means of communication and the period of their implementation, taking into account the added value and impact of the EEA Grants;

c) 2 (two) actions to inform the progress, respectively the results of the project. These may include: a seminar, a conference with the participation of the beneficiaries, a conference or a press event, including marking the beginning and / or completion of the project;

d) information measures online, through a page dedicated to the project on an existing website of the organization. If the promoter does not have a website, then he has the obligation to create and maintain a dedicated website throughout the implementation period of the project, as well as during the sustainability period. Updated information on the project will be published periodically in Romanian.

For the projects developed in partnership with an entity from the Donor States the information will be published on website of the Project Promoter or on the website specially created for the project, in bilingual version (RO/EN).

The information published online will refer to: project, progress, achievements and results, cooperation with entities from the Donor States, photos, contact details and clear references on the EEA Programme and Grants.

e) details on the administrative structures responsible for implementing information and communication measures, including the appointment of a contact person;

f) indicating the ways in which the information and publicity measures will be evaluated in terms of transparency, visibility of the project and the EEA Grants, their objectives and impact as well as the role of the Donor States.

All information and communication measures regarding the EEA Grants made by the Project Promoter must comply with the requirements set out in the *Communication and Design Manual EEA and Norway Grants 2014-2021*, which can be accessed at the address: https://www.eeagrants.ro/documente/pg/4.

The organizers of information events (conferences, seminars, etc.) on the implementation of projects financed through the EEA Grants should explicitly mention and make known the support provided by Iceland, Liechtenstein and Norway through the EEA Grants.

The project promoter must, throughout the implementation of the project, install a panel at the location / location of the project, in accordance with the requirements of Communication and Design Manual, if the project fulfills the following conditions:

- funding exceeds 50.000 €;
- is financed the purchase of endowments or the execution of the works of restoration / conservation of the natural heritage.

The Project Promoter will replace the panel with a permanent, visible, significant size plate, which complies with the *Communication and Design Manual EEA and Norway Grants 2014-2021* requirements, no later than six months after the project completion.

19. Processing of personal data

The processing of personal data will be carried out in accordance with the provisions of EU Regulation No. 679 of 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 / EC (General Regulation on data protection).

The Project Promoter/ Project Partners will ensure that they have the explicit consent of the members of the target groups/final beneficiaries regarding the processing of personal data, where appropriate.

The processing of personal data by the Programme Operator is carried out in order to fulfill the obligation of monitoring and control of the implementation of the project and the financing contract and these data can be transmitted by the Programme Operator to other structures with control / verification / audit attributions within the EEA Financing Mechanism.

The Programme Operator will keep your personal data such as:

1. three years after the approval of the final report of the RO-Environment Programme by the Financial Mechanism Committee, in case the project did not obtain financing;

2. three years from the approval of the final report of the RO-Environment Programme by the Financial Mechanism Committee OR five years from the approval by the Programme Operator of the Final Report of the project which provides intervention works for which no building and / or authorization is required which provides for the purchase of equipment under the conditions of art. 8.3.1 lit. (c) of the Regulation, any last intervention, if the project has obtained funding;

3. three years from the approval of the Final Report of the RO-Environment Programme by the Financial Mechanism Committee OR one year from the approval by the Programme Operator of the final report of the project which does not provide for intervention works and/or the purchase of equipment under the conditions of art. 8.3.1 lit. (c) of the Regulation, any last intervention, if the project has obtained funding.

For those documents or evidences for carrying out activities that involve the processing of personal data within the meaning of EU Regulation No. 679 of 2016, the Project Promoter will prove that he / she has the express data processing agreement for each affected person.

Programme Operator contact details:

Programme Implementation Unit

Ministry of Environment, Water and Forests

Address: Libertății Blv.no 12, Bucharest, România

E-mail: see2014-2021@mmediu.ro

Phone/Fax: +40 21 408 9587/ +40 21 408 9615

Website: https://www.mmediu.ro

Facebook: Granturile SEE - Ministerul Mediului@SEEMediu

Programme Partner contact details:

Norwegian Environment Agency

Email: post@miljodir.no

Phone: +47 73 58 05 00

Website: https://www.environmentagency.no

20. Annexes

Annex 1 - Financing Application

Annex 2 - Schematic maps on the main restoration/rehabilitation actions with their spatial location (the restoration/rehabilitation actions foreseen in the project will be figured according to the information presented in Annex 1 - Financing application)[1]

Annex 3 – Project budget – Project Promoter budget, Project partner budget, consolidated budget, budget by funding sources

Annex 4 – Statements and commitments

Annex 5 – Identification documents of the Applicant/Project Pertner(s)

Annex 6 - Information and supporting documents regarding the lands subject to ecological restoration necessary for the project implementation

Annex 7 – Letter of intent regarding the partnership

Annex 8 – Partnership Agreement

Supporting documents related to the Application for financing development

Annex 9 - Restoration schemes and areas of wetlands/peatlands

Annex 10 - Guide for the restoration of degraded peatlands from Romania

Annex 11 - Applicant's checklist for the submission of all required documents

Annex 12 – Grids for verifying administrative and eligibility compliance; Grid for technical-financial evaluation of the Financing Application

Annex 13 – Financing Project Contract

[1] The schematic maps will be **mandatory** when submitting the Application for funding for the "Restoration of wetlands and peatlands" call for proposals, being an eliminatory criterion

IMPORTANT!

Application for financing must comply with provided models & must include the information/documents requested according to the following queries:

Annex 1 of the Guideline for Applicants, including subsequent annexes
The application for financing **must be** accompanied by a letter of submission and an opiate of the documents containing all the information specified in the present Applicant's Guide (AG).
The application for financing on paper (including annexes) is submitted in 1 letric original (hard copy) in Romanian and in English versions
The application for funding, including the annexes, mustalso be submitted in electronic format on 1 CD/DVD (pdf format)
The application for funding (including annexes) should be numbered according to the Applicant's Guide (AG) instructions
The application for financing shall be signed by thelegal representative or an authorized representative (case for which must be included the empowerment decision too). The authenticated power of attorney is attached in the original (if applicable).