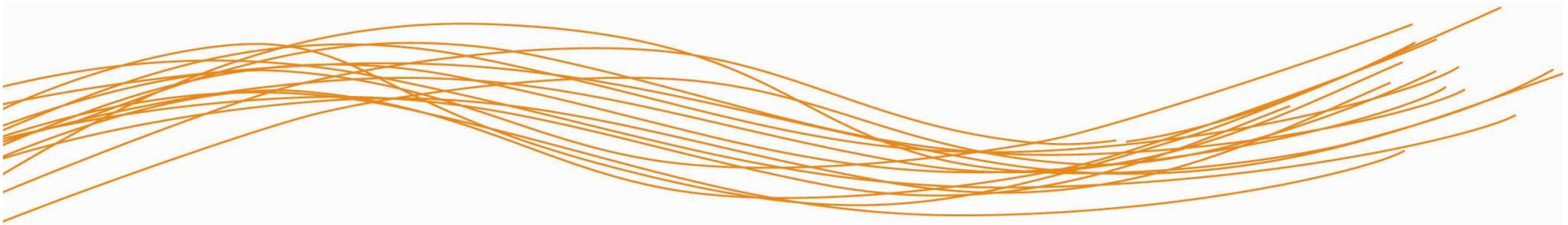


A redress procedure for participants (REDRESS II)





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Legal basis

Art. 16.3 RP The Commission shall provide information and set out redress procedures for applicants

(Euratom: idem art. 15.3)

= Redress I

Art. 18.8 RP The Commission shall set out redress procedures for participants

(Euratom: idem art. 17.8)

= **Redress II**





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Scope of Redress II

- **When does it apply ?**
 - Commission decisions
 - Terminate the grant agreement
 - Terminate the participation of one or more beneficiaries





Administrative process

1. AOSD (director) decision to terminate
 - Letter informing the beneficiary/ coordinator of
 - Decision to terminate
 - Ground(s) for termination
 - and possibility of redress within 15 days by e-mail
2. Participant or coordinator files a complaint
3. RTD redress II **contact point** (or alternate)
 - Registers complaint
 - Acknowledges its receipt
 - Composes and convenes the Redress II committee
4. Redress II **committee**
 - Examines the case
 - Makes recommendation to the AOSD
5. Final decision
 - by the AOSD if he agrees
 - or the AOD (DG) if AOSD disagrees
6. Termination becomes effective

15 days

45 days





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Composition of the Redress II Committee

- One contact point (and one alternate) by DG and agency
- One committee by DG and agency
- ☐
 - Work of the Committee
 - ☐ The Committee ensures beneficiaries are treated according to “due process” and in a consistent manner
 - In practice, the Committee verifies
 - Absence of factual errors
 - correct application of procedures
 - Conformity with well-established interpretation of the rules
 - ☐ The Committee does not question the scientific judgment of a P.O. nor the results of a technical review
 - ☐ The Committee review does not affect the AOSD responsibility





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the Redress II bodies

- ❑ **Secretariat:** one contact point (and one alternate) by DG and agency

- ❑ **The Redress II Committee**
 - ❑ One committee by DG and agency

 - ❑ The Committee ensures beneficiaries are treated according to “due process” and in a consistent manner

 - ❑ In practice, the Committee verifies
 - Absence of factual errors
 - correct application of procedures
 - Conformity with well-established interpretation of the rules
 - Does not question the scientific judgment of a P.O. nor the results of a technical review

 - ❑ The Committee review does not affect the AOSD responsibility





Findings of the Committee

1. Complaint non eligible
=> the AOSD will confirm termination
2. Inadequate evidence to support complaint
=> Committee recommends to confirm termination
3. Evidence to support complaint but Committee does not question the termination
=> Committee recommends to confirm termination possibly with additional/ amended justifications
4. Evidence to support complaint and Committee recommends to confirm termination
=> Committee recommends to withdraw the termination



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Final Decision

Like in Redress I

- The Redress Committee only makes recommendation to the AOSD (director)

- Two levels for the final decision
 - If AOSD agrees, he/she takes the decision

 - If AOSD disagrees: the case is referred to the AOD (DG)





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Effective date of termination

If no application for redress

- Termination of beneficiary : 15 days after reception of termination letter
- Termination of GA: 45 days after reception of termination letter

Reminder: Commission has 45 days to confirm/withdraw termination

If application for redress

- Termination of beneficiary: date of receipt of letter confirming termination
- Termination of GA: date of receipt of letter confirming termination (but at the earliest 45 days after the deadline to apply)

