

**Appendix A: Correspondence with EC on Freedom of Information request
for documents on CWP funding**



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Ambassador Andrew Standley
Head of EU delegation to Israel
Tel Aviv

January 30, 2013

Dear Ambassador Andrew Standley,

Based on the principles of openness and transparency in government, and pursuant to Regulation (EC) No. 1049/2001 of the European Parliament and of the Council, NGO Monitor hereby requests copies of the minutes from European Commission meetings related to funding decisions for grants to the Israeli NGO known as Coalition of Women For Peace under the EIDHR and PfP programs.

- 1) EIDHR -- Coalition of Women for Peace for a project entitled “[Empowering Women, Building Peace](#)” (August 2011 – July 2013). EU funding € 247,668
- 2) PfP -- Coalition of Women for Peace is listed as a partner for the project entitled “Addressing fear: strengthening the nonviolent alternative (Contractor: NOVA –Centre per a la Innovació Social – Spain; Palestinian partners - The Popular Struggle Coordination Committee, and Al Quds (January 2013 to March 2014) – EU funding €355,130

In particular, this request refers to documents regarding meetings of the Selection Committees and their recommendations, the meetings to make final awards, and any other relevant sessions.

Additionally, if not included therein, we are requesting a copy of the “scores” and “grades” in order to understand the Commission’s decision making processes.

Similarly, we are requesting reports from the audits and evaluations of these projects.

We believe that in making these documents public, the EC will be acting in a manner consistent with the goals and requirements of “The European Transparency Initiative” (http://ec.europa.eu/commission_barroso/kallas/transparency_en.htm) and Regulation 1049/2001.

We look forward to continued cooperation and discussion with you on these important issues.

Sincerely,

Prof. Gerald Steinberg
President, NGO Monitor
Cc: Sandra de Waele, First Counselor



EUROPEAN UNION - Delegation to the State of Israel

האיחוד האירופי - המשלחת למדינת ישראל

الاتحاد الأوروبي - البعثة إلى دولة إسرائيل

The Head of Delegation

Ramat Gan, 13 March 2013

AS/gb D(144)

Subject: Request for documents pertaining to EU funding for an Israeli NGO known as Coalition of Women for Peace

Dear Professor Steinberg,

I refer to your letter dated 30 January 2013, received by email on 3 February, in which you request, pursuant to Regulation No 1049/2001 regarding public access to European Parliament, Council and Commission documents, access to the following documents:

- (1) Copies of the documents from the European Commission meetings related to funding decisions for grants to Coalition of Women for Peace, in particular documents regarding meetings of the Selection Committees and their recommendations, the meetings to make final awards, and any other relevant sessions;
- (2) A copy of the "scores" and "grades";
- (3) A copy of report related to the project "Empowering, Women, Building Peace".
- (4) A copy of report related to the project "Addressing fair: strengthening the non-violent alternative".

Please find the requested documents attached. However, pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, personal data have been expunged.

The withheld data are clearly personal data as defined in Article 2(a) of Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data^[1] (hereafter: Regulation 45/2001).

^[1] OJ L 8 of 12.1.2001, p. 1.

The Court of Justice has confirmed that "where a request based on Regulation No 1049/2001 seeks to obtain access to documents including personal data, the provisions of Regulation 45/2001 become applicable in their entirety, including Articles 8 and 18 thereof"^[2]. Pursuant to Regulation 45/2001, personal data must be processed fairly and lawfully. Any processing must be necessary for a specific purpose and proportionate to this purpose. Furthermore, pursuant to Article 8(b) of Regulation 45/2001, the Commission can only transmit personal data to a recipient subject to Directive 95/46/EC if the recipient establishes the necessity of having the data transferred and if there is no reason to assume that the data subject's legitimate interests might be prejudiced.^[3]

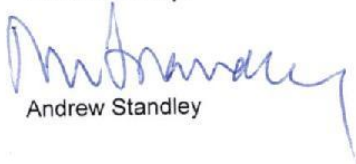
I see no elements in your request that would justify the necessity of having these data disclosed to the public.

To the extent that some data have been withheld in the documents that are being disclosed, you are entitled to make a confirmatory application pursuant to Article 7(2) of Regulation (EC) No 1049/2001, requesting the Commission to review this position. Such a confirmatory application should be sent within 15 working days upon receipt of this letter to the Secretary-General of the Commission, at the following address:

Secretary-General
Transparency unit
BERL 5/331
European Commission
B-1049 Brussels

Or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Andrew Standley

Professor Gerald Steinberg
President, NGO Monitor
1 Ben-Malman Blvd.
Jerusalem 92262
Israel

^[2] Judgement of 29.6.2010 in Case C-28/08 P, *Bavarian Lager*, paragraph 63.

^[3] *Bavarian Lager* judgement, paragraph 78.

Call reference DCI-HUM/129205-Strengthening the capacity of non-State actors to promote women's rights and gender equality in Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Occupied Palestinian Territory, Syria, Tunisia, and Mauritania **Lot number / phase** /-

Deadline for submission 2010-02-08

Proposal N°

234()

Reference of applicant COALITION OF WOMEN FOR PEACE ASSOCIATION
Empowering Women, Building Peace

Proposal Evaluation		W
	84 / 100	
1.	Financial and operational capacity	
1.1	Do the applicant and partners have sufficient experience of project management?	1
1.2	Do the applicant and partners have sufficient technical expertise (notably knowledge of the issues to be addressed)?	1
1.3	Do the applicant and partners have sufficient management capacity (including staff, equipment and ability to handle the budget for the action)?	1
1.4	Does the applicant have stable and sufficient sources of finance?	1
2.	Relevance	
2.1	How relevant is the proposal to the objectives and to one or more of the priorities of the call for proposals?	2
2.2	How relevant to the particular needs and constraints of the target country/countries or region(s) is the proposal (including avoidance of duplication and synergy with other EU initiatives)?	1
2.3	How clearly defined and strategically chosen are those involved (final beneficiaries, target groups)? Have their needs been clearly defined and does the proposal address them appropriately?	2
3.	Methodology	
3.1	Are the activities proposed appropriate, practical, and consistent with the objectives and expected results?	1
3.2	How coherent is the overall design of the action? (in particular, does it reflect the analysis of the problems involved, take into account external factors and anticipate an evaluation?)	1
3.3	Is the partners' level of involvement and participation in the action satisfactory?	1
3.4	Is the action plan clear and feasible?	1
3.5	Does the proposal contain objectively verifiable indicators for the outcome of the action?	1
4.	Sustainability	
4.1	Is the action likely to have a tangible impact on its target groups?	1
4.2	Is the proposal likely to have multiplier effects (including scope for replication and extension of the outcome of the action and dissemination of information)?	1
4.3	Are the expected results of the proposed action sustainable?	1
5.	Budget and cost-effectiveness	
5.1	Is the ratio between the estimated costs and the expected results satisfactory?	1
5.2	Is the proposed expenditure necessary for the implementation of the action?	2

Référence de l'appel à proposition restreint: EuropeAid/129-205/C/ACT/RMD Titre:
Renforcer la capacité des acteurs non étatiques à promouvoir les droits des femmes et
l'égalité entre les femmes et les hommes en Algérie, Egypte, Israël, Jordanie, Liban,
Libye, Maroc, Syrie, Territoire Palestinien occupé, Tunisie et Mauritanie.

RAPPORT D'EVALUATION

CONTRÔLE ADMINISTRATIF ET EVALUATION DES PROPOSITIONS COMPLÈTES

Contenu

- Calendrier
- Participants
- Evaluation
- Conclusions
 - Propositions recommandées provisoirement
 - Liste de réserve
 - Autres propositions

Annexes

- Déclarations d'impartialité et de confidentialité
- Grilles d'évaluation complétées

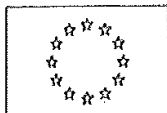
1. Calendrier

	Date	Heure
Réunion 1 - Contrôle Administratif	01/07/2010	09.30 - 17.30
Réunion 2 - Evaluation des Propositions	23/07/2010	09.30 - 13.30
Réunion 3 -- Réévaluations et décision sur les présélections	28/07/2010	13.30 - 16.30

2. Participants

Nom	Représentant	Rôle ¹
	AIDCO A 05	Présidence du Comité d'Evaluation

¹ Evalueur, assesseur, observateur, président, secrétaire, ...



Monitoring Report

Monitoring reference MR-144402.01
Report date 17/04/2012
Project title Empowering Women, Building Peace

I. Intervention data

Status FINAL
Report final date 17/04/2012
Report finalised by user
Monitoring Report Type Ongoing
Aid Modality Project approach
Project Single Country / National Project
Project Management Project managed by the Delegation
Financed via a thematic budget line Yes
CRIS Number C-266334
Project Title according to Financing Agreement/Financing Decision Empowering Women, Building Peace
Domain Development - Gender
DAC - CRS Sector 15170 - Women's equality organisations and institutions
Additional DAC - CRS code 15170 - Women's equality organisations and institutions
Geographical zone Israel
Keyword (for innovative interventions)
Date Financing Agreement/Financing Decision/Contract signed 29/06/2011
Person responsible at HQ

Person responsible at Delegation
Monitor
Project Authority Coalition of Women for Peace
Type of implementing partner Local NGOs/CSOs/Universities (at Partner country level)
Start date - planned 01/08/2011
End date - planned 31/07/2013
Start date - actual 01/08/2011
End date - likely 31/07/2013
Monitoring visit date from 12/03/2012 to 23/03/2012

II. Financial data

Primary commitment (EC funding) 247,668
Budget allocated for TA 0
Secondary commitment (funds contracted of EC contribution) 247,668
Other funding (government and/or other donors) 106,144
Total budget of operation 353,812
Total EC funds disbursed 133,387
Financial data on 23/03/2012



European Union
OFFICE OF THE EU REPRESENTATIVE (WEST BANK, GAZA STRIP AND
UNRWA)

Open call for proposals reference: EuropeAid/132-454/L/ACT/PMO
Title: EU Partnership for Peace Programme 2012

Type of procedure : OPEN

Evaluation Report

Step 3

FINAL ELIGIBILITY CHECK

Contents

- Timetable
- Participants
- Evaluation
- Conclusions
 - Recommended applications
 - Reserve list
 - Other applications

Annexes

- Declaration of impartiality and confidentiality
- Completed Declarations by the applicants (Section VI of application form) and assessment grid (Section VII of application form)

1. Timetable

	Date	Time
Administrative Check	23/05/2012	
Concept Note Evaluation	11/07/2012	
Full Application Evaluation	13/09/2012	
Eligibility	17/10/2012	

2. Participants

Name	Representing	Role
[REDACTED]	DELEG	Chair person, Evaluation
[REDACTED]	DELEG	Deputy Secretary
[REDACTED]	DELEG	Committee member
[REDACTED]	DELEG	Committee member
[REDACTED]	DELEG	Committee Secretary
[REDACTED]	DELEG	Committee member

3. Evaluation

The total available envelope for this call is 5,000,000.00 EUR.

The Evaluation Committee used the Declarations by the applicants (Section VI of the grant application form), the Checklist (part 2 of section V of Part B of the grant application form) and the assessment form (Section VII of the grant application form) to assess the eligibility of the applicants and their partners of the provisionally selected applications, and cross-checked them with the supporting documents provided. The

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1/5

Evaluation Committee subsequently deliberated on the basis of these assessments.

Out of the list of full applications recommended for provisional selection and the reserve list, both identified at the previous evaluation step, the Evaluation Committee, following the eligibility verification, established three lists. These lists are included below.

The evaluation committee has ensured that there is no detection of the proposed applicants (i.e. applicant + partners) in the Early Warning System (WS).

The check lists of all the full applications examined are annexed to this report.

4. Conclusions

4.1 Full applications recommended for selection for the award of a grant contract

The following applications are recommended for selection for the award of contract.

Please see the ranking according to the scores and the financial envelope in Annex 1 to the report.

Applic. N°	Applicant	Score	Recommended grant amount	Recommended % Comment
106	SAVE YOUTH FUTURE SOCIETY - West Bank and Gaza Strip	87.5	499775.2	80 %
113	ELAMONA FOR MEDIA RESEARCH AND DEVELOPMENT - West Bank and Gaza Strip	88	225907.65	80 %
17	TSOFEN HIGH TECHNOLOGY CENTERS - Israel	92	580000	70 %
24	ITACH-MAAKI WOMEN LAWYERS FOR SOCIAL JUSTICE - Israel	86	441202	80 %
26	PERES CENTER FOR PEACE - Israel	90	499243	80 %
37	THE CITIZEN'S ACCORD FORUM BETWEEN NEWS AND ARAB IN ISRAEL - Israel	88.5	500000	73.01 %
39	HAGAR: JEWISH ARAB EDUCATION FOR EQUALITY - Israel	92.5	317258	80 %
73	ASOCIACION NOVA CENTRE PER A LA INNOVACIO SOCIAL - Spain	87	355130	71.32 %
9	SAVE A CHILD'S HEART IN MEMORY OF DR. AMI COHEN ASSOCIATION - Israel	89.5	500000	50 %
92	CARE ÖSTERREICH VEREIN FÜR ENTWICKLUNGSZUSAMMENARBEIT UND HUMANITÄRE HILFE - Austria	87	499800	70 %
98	KONRAD-ADENAUER-STIFTUNG EV - Germany	86	500000	71.02 %

Number of selected applications: 11

Total requested amount of selected applications: 4,838,315.85 EUR.

Total available amount: 5,000,000.00 EUR

4.2 Reserve list of eligible applications

Experience shows that during the evaluation of the proposed budgets for the Actions, some proposals will have to be revised / reduced and this may leave room for additional awards. It is therefore appropriate to establish a reserve list of applications. The following applications are recommended for the reserve list:

Applic. N°	Applicant	Score	Recommended grant amount	Recommended % Comment
1	VAN LEEB JERUSALEM INSTITUTE LTD - Israel	82	389997	80 %
7	ISRAELI-PALESTINIAN CHAMBER OF COMMERCE AND INDUSTRY - Israel	79.5	227230.87	67.04 %
49	THE HEBREW UNIVERSITY OF JERUSALEM - Israel	85	500000	78.74 %
50	THE ABRAHAM FUND INITIATIVES FOR EDUCATION FOR JEWISH-ARAB COEXISTENCE IN ISRAEL NON PROFIT COMPANY - Israel	84.5	472386	80 %

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107	FUNDACION PARA LA COOPERACION APY - SOLIDARIDAD EN ACCION - Spzln	80	316215	78.53 %
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Number of applications on the reserve list: 5

Total requested amount on applications on the reserve list: 1,905,828.87 EUR

Please see the ranking according to the scores and the financial envelope in Annex 1 to the report.

4.3 Ineligible applications

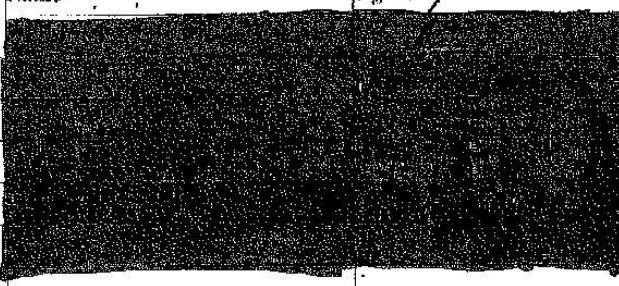
The following applications were found to be ineligible: N/A

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5. Signatures

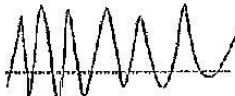
Name	Signature
Chairperson of the Evaluation Committee	
Committee Secretary	
Committee member	
Committee member	
Committee member	

Approved by Contracting Authority:

Name and Signature:

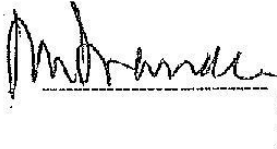
The EU Representative for the
West Bank, Gaza Strip and UNRWA

John Gatt-Rutter

Date: 8/11/12


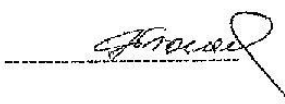
HoD of the EU to the State of Israel:

Andrew Standley

Date:


HoD of the EU to the State of the Hashemite Kingdom
of Jordan

Joanna Wronecka

Date:


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EuropeAid/132-454/1/ACT/PMO

5/5

April 18, 2013

The Honorable Ambassador Andrew Standley
Head of EU delegation to Israel
Tel Aviv

Re: Documents pertaining to EU funding for an Israeli NGO known as Coalition of Women for Peace

Dear Ambassador Standley,

The response to my request for documents pertaining to EU funding for the Israeli NGO “Coalition of Women for Peace” (CWP), dated 13 March 2013, included four items provided by the European Commission’s Transparency Unit. Three of the documents are related to the grant under EIDHR framework in the period 2011-3, and the fourth refers to the PfP framework (2013-4). According to the cover letter, only personal data was expunged before publication of these documents. As demonstrated below, the documents are incomplete, and do not provide a substantive response as stipulated by Regulation (EC) No. 1049/2001 of the European Parliament and of the Council, in accordance with the principles of openness and transparency in government.

In examining these four documents, I have the following observations, questions and requests:

- 1) Regarding the EIDHR funding for CWP - [“Empowering Women, Building Peace”](#) (August 2011 – July 2013, € 247,668): One of the documents consists of a 2 page table listing standard criteria used for proposal evaluation, accompanied by two narrow columns. The first column includes a single entry 84/100, while the other 35 lines are empty. The second table consists of a single digit entry— either a 1 or 2 – on each row. This table is not accompanied by any explanation and provides no illumination for the decision making process of the EU in making this grant to the CWP.
- 2) Document 2 (undated) consists of 13 pages which provide a brief evaluation of numerous proposals submitted to EIDHR. Page 6 includes a single entry mentioning CWP’s proposal, a score of 79, and a recommendation for funding. That is the only reference to CWP, and does not provide any information for analyzing the level of due diligence in EIDHR’s proposal evaluation process.

My letter of 30 January requested “copies of the minutes from European Commission meetings related to funding decisions for grants to the Israeli NGO known as Coalition of Women for Peace under the EIDHR and PfP programs.” The two documents related to EIDHR decision making prior to the grant does not provide minutes from meetings or any other useful information. Therefore, I am resubmitting my request for these documents.

- 3) The third document related to the EIDHR grant to CWP is a Monitoring Report dated 17/04/2012, and referring to a monitoring visit from 12/03/2012 to 23/03/2012. The first page consists of technical data regarding the grant and fund transfers. Pages 2 and 3 include heading but no text. The blank sections are headed “III. Grading” and “IV. Summary of conclusions (subheadings -- Relevance and quality of design, efficiency of implementation of data, effectiveness to date, impact prospects, potential sustainability, key observations and recommendations.”

As the cover letter from the European Commission's Transparency Unit referred only to removal of personal data from these documents, I conclude that the blank pages indicate that the main sections of the Monitoring Report were never provided in the evaluation process for the CWP project. This would be inconsistent with decision making process based on the principles of due diligence and good governance. (If these sections were included in the report and then expunged from the documents, this would be inconsistent with both the transparency requirements of the EC and the cover letter.) A response or explanation on this issue would be useful.

- 4) Document 4 refers to the CWP grant under the PfP framework, ("Addressing fear: strengthening the nonviolent alternative", January 2013 to March 2014 – EU funding €355,130). The document is entitled "Evaluation Report, Step 3, Final Eligibility Check, 2012", and consists of five pages (no date). This document lists the NGOs that are recommended for selection for the award of contract, including a project listed under NOVA –Centre per a la Innovació Social – Spain, through with CWP is funded. This document provides no information as to why or how this project was included for funding by the EU, or how this organization's request was evaluated. Annex 1 (ranking according to the scores and financial envelope) was removed from the document. There is however, no mention of CWP or of the other partners in this project, the Palestinian Popular Struggle Coordination Committee, and Al Quds.

From this single incomplete document and the absence of additional information, it would appear that in making their funding decision for PfP grants, the EC officials do not consider the partners that are involved or other factors required for due diligence. Alternatively, it is possible that this information is provided in additional documents (such as evaluation grids and expenditure verification) and protocols that or monitoring reports were excluded from the EC's response to my initial request.

Therefore, in addition to requesting any comments and responses to the above analysis that you and the EC might have, **I am again requesting all documents and protocols regarding meetings of the Selection Committees and their recommendations, the meetings regarding final awards, post-award evaluations and monitoring reports, and any other relevant material regarding the two grants (EIDHR and PfP) from the EU to CWP as specified.** This request is submitted pursuant to Regulation (EC) No. 1049/2001 of the European Parliament and of the Council.

Sincerely,

Prof. Gerald M. Steinberg
President, NGO Monitor



EUROPEAN UNION - Delegation to the State of Israel

האיחוד האירופי - המשלחת למדינת ישראל

الاتحاد الأوروبي - البعثة إلى دولة إسرائيل

The Head of Delegation

Ramat Gan, 3 May 2013
AS/ IB (2013) D 210

Subject: Your letter of 18th April requesting Documents pertaining to EU funding for project implemented by Women for Peace

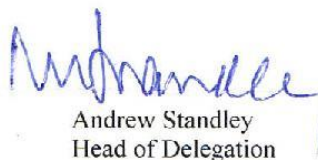
Dear Professor Steinberg,

I acknowledge receipt of your letter in which you ask for supplementary information concerning the documents sent to you following your previous request on 13th March.

This Delegation has carefully examined your request which refers to information that was redacted in the copies of the documents sent to you. It is our opinion that the information which you request is similar in nature to the information redacted in the documents which formed the basis of European Court Judgement T-17-10 (Steinberg v European Commission). It is the Delegation's opinion that there have been no changes to the legal or factual situation since that judgement was handed down and that the reasons for redaction which were upheld by the Court are still applicable.

In these circumstances therefore I do not consider it appropriate to supply the additional details which you ask for. As stated in my previous reply of 1st March you are entitled to make a confirmatory application pursuant to Article 7(2) of Regulation (EC) 1049/2001, requesting the Commission to review this position. Such a confirmatory application should be sent within 15 working days of the receipt of this letter to the Secretary General of the Commission at the correspondence and/or e-mail addresses provided in my previous letter.

Yours sincerely,



Andrew Standley
Head of Delegation

**Professor Gerald Steinberg
President, NGO Monitor
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Israel**

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13 May, 2013

The Secretary –General
European Commission
B-1049 Brussels

Subject: Request for Documents on EC funding for political organizations (EC) No. 1049/2001

Following Ambassador Standley's letter of 3 May, 2013 denying our request for publication of Commission documents under article 7(2) of EC Regulation 1049/2001, I am hereby officially requesting a review of this response.

The initial request of 30 January 2013, which is attached to this letter, requested "copies of the minutes from European Commission meetings related to funding decisions for grants to the Israeli NGO known as Coalition of Women for Peace under the EIDHR and PfP programs." On 13 March 2013, the European Commission's Transparency Unit replied (attached) by making four documents public -- three related to the EIDHR grant and the fourth to the PfP framework. None of these documents provided protocols or summaries from meetings or any other information that would comply with the principles of openness and transparency in government. In addition, while the EC's 13 March response claimed that in these four documents only personal data was expunged, examination of these items indicates otherwise.

My 18 April letter to Ambassador Standley (attached) provides the evidence and analysis demonstrating that the four documents were heavily redacted without justification, and that they do not provide a substantive response as stipulated by Regulation (EC) No. 1049/2001 of the European Parliament and of the Council, in accordance with the principles of openness and transparency in government.

Furthermore, Ambassador Standley's response of 3 May cited the ECJ judgment T-17-10 (Steinberg v European Commission) as the basis for withholding these documents on funding for CWP. However, this judgment is clearly not relevant to the current request and was not mentioned in the EC's initial 13 March response. The ECJ and the justifications used by the EC which were quoted in the decision, referred broadly to endangerment of "public security" that might result from transparency regarding EC grants to Palestinian and Israeli NGOs. This claim (for which no evidence has been offered, and which is not consistent with EC practice regarding grants to NGOs operating in other regions) does not apply to the CWP, which is an Israeli NGO whose reports to the Israeli non-profit regulator are public documents. Therefore, the publication of EC documents pertaining to the process by which two grants were awarded to this Israeli NGO can in no way be said to endanger "public security".

I look forward to your response,

Prof. Gerald M. Steinberg
President, NGO Monitor

Cc: Ambassador Andrew Standley, Head of EU Delegation to Israel, Tel Aviv