



EUROPEAN COMMISSION  
RESEARCH EXECUTIVE AGENCY



**Subject: Horizon 2020 Framework Programme**  
**Call: H2020-SU-SEC-2019**  
**Proposal:**   
**Proposal rejection letter**

Dear Madam/Sir,

I am writing in connection with your proposal for the above-mentioned call.

Having examined your proposal, we regret to inform you that we have to terminate grant preparation because — on the basis of the information you provided in your proposal and during the ethics review procedure — your proposal was rejected because it did not receive ethics clearance.

Please find enclosed the ethics summary report (EthSR).

In addition, as indicated in the final Ethics Summary Report (hereafter “fEthSR”) conclusions, communicated to you in our GAP termination pre-information letter (our ref. Ares(2020)2289279), the decision of the independent ethics experts panel to give no ethics clearance to the proposal  is based on the absence of exclusive focus on civil applications.

Following a careful assessment of the observations provided, it is concluded that the research foreseen does not meet the requirement of Article 19(2) of the Horizon 2020 Framework Programme that the “Research and innovation activities carried out under Horizon 2020 shall have an exclusive focus on civil applications” and shall therefore be terminated.

Accordingly, as the other ethics issues described in the fEthSR (i.e. Humans, Protection of personal data, Third countries, Environmental protection and safety, Dual use, and Misuse) were not part of the grounds for rejection of the proposal, your observations referring to those ethics aspects, including the establishment of ethics committee, and security advisory board, are not commented in this letter.

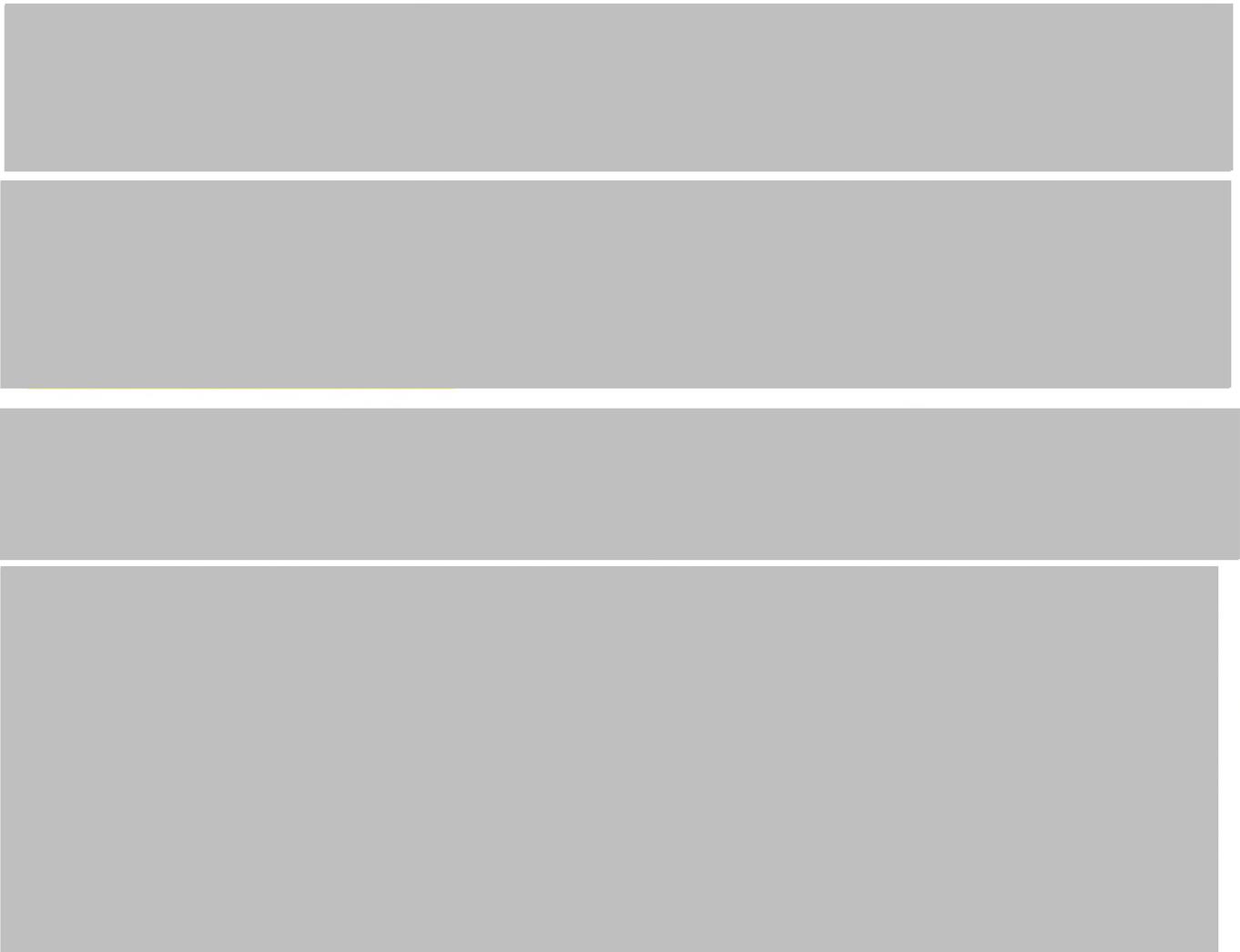
While your other observations such as the difference in the use of technology between  and  the setting up of a monitoring committee to ensure an exclusive civil purpose and on “Civil use cases, Dual use and defence partners”, are considered valuable to demonstrate that  covers also civil applications, they are not sufficient to demonstrate the ‘exclusive focus on civil applications’ and therefore are also not commented in this letter.

In light of the above, please find below the position of the Research Executive Agency regarding your comments on the core issue of the “exclusive focus on civil applications” of the submitted proposal.

As a reminder, following the Ethics Appraisal for the H2020 programme procedure applied by the Research Executive Agency, the consortium provided explanations to clarify the issue of the exclusive civil focus on two occasions. The first time by letter dated 20/11/2019 (Ares(2019)7186595) and the second time by letter dated 08/01/2020 (Ares(2020)215673). The independent ethics experts panel analysed the content of both letters and concluded in the fEthSR that “the applicant has failed to demonstrate the ways in which the project will have an exclusive focus on civil applications.”

In the subsequent observations you submitted last 12 May, you indicate that in your proposal the term “defence” should always be intended as referring to civil-related aspects, not to the military domain. However, the fact that the proposal specifies both security- and defence-related technologies confirms it addresses both civil and military domains.

You also claim in your latest observations that the term “defence” was “unfortunately chosen” and shall be intended as relating to “border security”. However, this term, which is used with extensive occurrence and meaningful use, is fully embedded in the proposal. Therefore, it is associated to the military sector or military terminology and may not qualify as a mere mistake or clerical error. For example (not exclusively):



Consequently, your additional observations are not sufficient to demonstrate the exclusive focus on civil applications as described in the fEthSR conclusions.

Notwithstanding the above, as indicated in the Online Manual Horizon 2020, “the grant agreement must not differ from the proposal.” According to the H2020 rules and procedures, the consortium may

propose changes to the proposal, but only in very limited cases, and in those cases the proposal may not be substantially changed. In particular, the implementation of substantial changes would undermine the fair and equal treatment of competing proposals.

In conclusion, following the assessment of the additional information provided in your letter of observations and in line with the fEthSR conclusions, the REA considers the [REDACTED] GAP as terminated on the grounds of the absence of an exclusive focus on civil applications following Article 19 (2) of Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 – the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC. This decision is final.

I would be grateful if you could inform the other members of your consortium (if any) of this letter.

Yours faithfully,

A large rectangular grey box redacting the signature and name of the official.

Enclosure: Ethics summary report (EthSR)

### **Information on the means of redress**

You may request a legal review of the procedural aspects (not the merits of your proposal) under Article 22 of Regulation No [58/2003](#) ('**Article 22 request**') — within 1 month of receiving this letter (via the following link: [RTD-FOR-APPEALS-UNDER-ART-22-OF-REG-58-2003@ec.europa.eu](mailto:RTD-FOR-APPEALS-UNDER-ART-22-OF-REG-58-2003@ec.europa.eu)).

You may bring an action for annulment under Article 263 of the Treaty on the Functioning of the European Union ('**Article 263 action**') against the Agency before the [General Court](#) — within 2 months of receiving this letter.

 Please do not take **more than one** formal action at a time. Wait for the reply to your complaint, and then take further action against that decision. **Deadlines** for further action will start to run as from when you receive the reply to your complaint (final decision).



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