

Annex III Additional Provisions

1.3 Specific outputs, activities and delivery timetables are specified in **Annex I**.

2. OBLIGATIONS OF THE PARTIES

2.1 The Parties shall perform and complete all obligations and responsibilities as determined in Annex I - Terms of Reference.

2.2 TI-S shall be responsible for transferring the agreed grant amount to the Partner as per Article 7 of this Agreement following signature of this Agreement by both Parties.

2.3 TI-S shall be responsible for providing technical support, which shall include monitoring of progress against obligations and activities set out in Annex I and budgets set out in Annex II. TI-S will make available to the Partner planning and reporting templates required for monitoring and reporting purposes. The responsibility for the financial management of the granted funds remains with the Partner.

2.4 Through the implementation of this project, the Partner commits to achieving the outputs and complying with the deadlines in accordance with Annex I, Terms of Reference.

2.5 The Partner shall implement the agreed activities set out in Annex I with the requisite care, efficiency, transparency and diligence in compliance with this Agreement, keeping TI-S informed of any delays in implementation.

3. PROCUREMENT

3.1 The Partner shall follow its own procurement guidelines and procedures in securing the supply of goods, works, or services for the delivery of the project.

3.2 The Partner's procurement guidelines shall be in line with generally accepted procurement practices and adhere to the principles of openness, transparency, fairness, non-discrimination, proportionality, accountability and value for money. The Partner is required to ensure that suitably qualified contractors are chosen without bias and that the best value for money is obtained, with the full transparency appropriate to the use of public funds.

3.3 If requested by TI-S, the Partner shall provide TI-S with all necessary information, such as relevant documents on decisions and actions taken, including details and copies of awarded contracts. TI-S may at any time conduct special audits of procurement processes carried out in relation to this Agreement.

4. LIABILITY AND SPECIAL PROVISIONS

4.1 The Partner shall be liable for any and all damages to persons, property or any financial loss caused by the Partner or any third party, hired by the Partner, in the performance of the obligations under this Agreement.

4.2 The Partner shall ensure that every contract with a third party contains a clause that any limitation or exclusion of liability to the Partner's benefit also applies to limit or exclude TI-S's liability.

4.3 The Partner shall be liable for any and all damages caused by any other kind of legal action resulting from the implementation of this Agreement.

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- 4.4 TI-S shall not accept any responsibility or liability for any claims, debts, demands, damage or loss arising from the implementation of this Agreement.

5. INTELLECTUAL PROPERTY RIGHTS AND OWNERSHIP

- 5.1 The results of the activities based on this Agreement, as well as any intellectual property rights, including copy rights (pertaining thereto), shall be considered the property of the Partner.
- 5.2 TI-S will be deemed the co-owner of these rights during the Agreement duration and for two years after its expiration. Upon request by TI-S, the Partner will issue the necessary license to TI-S free of charge and incorporate a clause to this end in any legal arrangements with third parties.
- 5.3 Any information containing personal data shall be handled in accordance with all applicable privacy laws and regulations, including without limitation the General Data Protection Regulation (GDPR) and equivalent laws and regulations. If for the performance of the project it is necessary to exchange personal data, the relevant Parties shall determine their respective positions towards each other (either as controller, joint controllers or processor) and the subsequent consequences and responsibilities according to the GDPR as soon as possible after the Effective Date and where required implement these in a separate written agreement.

6. CONFLICT OF INTEREST

- 6.1 The Partner shall immediately notify TI-S of any circumstances, which might place the Partner in an actual or perceived conflict of interest in relation to the obligations under this Agreement or the interests of TI-S and/or Transparency International in general.
- 6.2 A conflict of interest arises if the impartial and objective performance of the obligations of the Partner under this Agreement is compromised by – but not exclusively – family relationship, personal relationship, political or national affinity, and economic interests.
- 6.3 If the Partner is not legally associated with Transparency International as a National Chapter, National Chapter in formation, or a National Contact, a conflict of interest might also arise from the use of the title of and the association with Transparency International under this Agreement to secure other assignments and/or contracts to be performed under the Partner's own name. The Partner shall seek prior approval of TI-S to enter into such assignment and/or Agreements.

7. FINANCIALS

- 7.1 The total grant amount approved under this Grant Agreement is **EUR 24.860** (twenty-four thousand one hundred eleven Euro). The planned disbursement schedule is as follows:

Indicative date	Instalment Number	Amount
12/10/2022	1 instalment	11.000 EUR
01/03/2023	2 instalment	11.000 EUR
23/08/2023	3 instalment – balance payment of max up to the remaining grant amount.	2.860 EUR

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TI-S shall disburse the first instalment within **14** days of the date of this Agreement. TI-S shall disburse subsequent instalments **at the date/s indicated above “if necessary”** subject to the Partner:

- (a) Submitting narrative and financial reports as outlined under Article 8.1;
- (b) Having reported satisfactorily on expenditure covering at least 70% of the latest disbursement (and 100% from any previous disbursements);
- (c) Submitting a disbursement request, including confirmation that the funds are required and that they will be spent according to this grant agreement.

Without exceeding the total contract value, TI-S reserves the right to modify the amounts and timing of subsequent disbursements in line with the actual expenditure reported and planned on the project.

The amounts transferred under this agreement shall be treated as advances on TI-S books and held as open accounts, until settled by way of receipt and acceptance of a final narrative and financial report by TI-S.

- 7.2 The grant shall be used only for the purposes stated in this Agreement. Use and management of the funds shall comply with local regulations, generally accepted accounting practices and any specific donor requirements reflected in Annex III to this Grant Agreement.
- 7.3 TI-S reserves the right to suspend or cancel payments or claim repayment in part or in full, if the funds are found to be misused, not satisfactorily accounted for, and/or the stated project objectives and contractual requirements are not being met.
- 7.4 In case of an under-spend after implementation of the activities, such amounts shall be refunded to TI-S within 30 days after the end of the project.
- 7.5 Where co-funding is required to fund the project, the Partner is under an explicit obligation to independently raise these matching funds and provide evidence to TI-S regarding the amounts and sources. The Partner is required to inform TI-S in due course in case there is a risk for such obligation not being met and thus jeopardizing project implementation.
- 7.6 The project budget is in **EURO**, and the Partner is responsible for managing any foreign exchange risk arising from the conversion of the funds into local currency for project implementation. The foreign exchange rate for reporting purposes will be determined by TI-S based on the rate at which the grant is received in the local currency by the Partner or on any other rate deemed appropriate. When reporting to TI-S, the Partner must provide evidence of the relevant foreign exchange rate at which the grant was converted.
- 7.7 The grant will be transferred to the following bank account of the Partner:

**BANK DETAILS FOR PAYMENTS OUTSIDE THE SEPA
(Single Euro Payments Area)**

ACCOUNT HOLDERS NAME	Transparency International Espana
ADDRESS: STREET	c/Fortuny 53
TOWN	Madrid
POST CODE	28010
COUNTRY	Spain
BANK NAME IN FULL	Caixa Bank S.A.

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ADDRESS: STREET	Paseo General Martinez Campos 3
TOWN	Madrid
COUNTRY	Spain
ACCOUNT or IBAN NUMBER	ES5621006704040200100220
BIC / SWIFT CODE	CAIXESBBXXX

The Partner shall immediately inform TI-S of any change to the bank account details specified in this Agreement.

8. REPORTING

8.1 The Partner agrees to keep a record of all expenditures incurred under this Agreement and will provide TI-S with the following reporting:

(a) TI-S is required to report quarterly to the donor, at the start of April, start of July, start of October and start of January each year. The partner will be asked to contribute to these reports, so short quarterly narrative reports, highlighting main achievements and progress within the campaign, should be submitted around 6 January 2023, 6 April 2023, 6 July 2023, and 6 October 2023. Templates for both narrative, financial reporting, and timesheets, will be made available by TI-S.

(b) A final financial report, a final narrative report and simple copies of all related invoices are required no later than 30 days after the end date of the Agreement (see 9.2.), i.e. by 31 January 2024. Templates for both narrative and financial reporting will be made available by TI-S. Funds used in breach of the Agreement shall be accounted for and repaid within 30 days of TI-S' request for a refund funds.

8.2 TI-S reserves the right to exclude from the final report to the donor any item of expenditure reported by the Partner deemed, according to TI-S' own interpretation, not in compliance with the donor's rules. In any case, the Partner shall consult with the relevant financial management guidelines and advice as provided by TI-S to ensure best practice in the management of the funds.

8.3 TI-S reserves the right to hold back payments under this agreement in case of non-compliance by the Partner with requirements embedded in any other agreements between the Parties, particularly with regards to the submission of project interim or final financial reports, project audits or other documentary evidence.

8.4 The Partner is required to provide TI-S with the latest Financial Statements prior to the start of this Agreement; and then annually, within 3 months of their release, with the Financial Statements falling within the validity of this Agreement.

8.5 The Partner and TI-S also agree for project proposals, outputs and narrative reports (or parts of these documents) to be made available to other Partners and the broader TI Movement to encourage the sharing of knowledge, learning and good practice.

9. ENTRY INTO FORCE AND DURATION

9.1 This Agreement shall enter into force on 1 October 2022.

9.2 The Agreement shall remain in force until **31 December 2023**, unless it is terminated in accordance with provisions 10.2 or 10.3.

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10. AMENDMENTS AND TERMINATION


- 10.1 Any amendment or modification to this Agreement shall be agreed upon between the Parties in writing.
- 10.2 Both Parties are entitled to terminate this Agreement in writing at any time by observing a notice period of 30 days.
- 10.3 Both Parties are entitled to terminate this Agreement for good cause with immediate effect. Good cause includes, but is not limited to:
- a) breach of a provision to this Agreement, including provisions in Annex III, which remain without remedy for 30 days after written notice of breach has been served;
 - b) breach of a material provision to this Agreement, including provisions in Annex III, which are not capable of remedy.
- 10.4 In accordance with Annex III - Additional Provisions, any corrupt or illegal behaviour constitutes a violation of this Agreement and justifies its immediate termination.

11. DISPUTE RESOLUTION AND JURISDICTION

- 11.1 The Parties shall seek to resolve any conflict through mutual discussion and consultation.
- 11.2 In case of continued disagreement, the Parties shall refer the matter to a mutually agreed mediator, with the costs borne equally by both sides. The Parties may also choose to submit the matter to independent and binding arbitration, subject to a mutual agreement.
- 11.3 Failing the process above, the Parties may bring legal proceedings to the judicial authorities.
- 11.4 The place of jurisdiction for all disputes arising out of or in connection with this agreement shall be Berlin, Germany.

12. MISCELLANEOUS

- 12.1 This Agreement shall be governed by the laws of the Federal Republic of Germany.
- 12.2 If any of the provisions of this Agreement shall become or be held invalid or unenforceable, all other provisions hereof shall remain in full force and effect.
- 12.3 This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the Party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.

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For TI Spain


Madrid, _____
(Place) (Date)

For TI-S:

Berlin, _____
(Date)

Silvina Bacigalupo Saggese, Chair,
Transparency International Spain

Ravi Prasad, Head of Policy & Advocacy,
Transparency International Secretariat


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ANNEX I : Terms of Reference/ Campaign Advocacy plan

GLOBAL ANTI-CORRUPTION CONSORTIUM ADVOCACY GRANTS

UNDERSTANDING THE RISKS OF GOLDEN VISAS SCHEME:
TOWARDS THE NEED FOR ADEQUATE CONTROLS

Organisation	Transparency International España
Project title	<i>Understanding the risks of golden visas scheme: towards the need for adequate controls</i>
Project dates	October 2022- December 2023
Requested funding	[US\$ 24.860]
Contact person	David Martínez, Executive Director: David.martinez@transparencia.org.es Mobile phone: +34 692 843567 Daiana Bouzo, Integrity and Transparency in Public Sector Manager: daiana.bouzo@transparencia.org.es Mobile phone: +34 623 256690

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INDEX

1. BACKGROUND..... 10

2. PROBLEM ANALYSIS 12

3. ENVIRONMENTAL ANALYSIS..... 14

4. STAKEHOLDER MAPPING..... 19

5. GOAL, OBJECTIVES, TARGETS AND ACTIVITES 19


6. TENTATIVE PROJECT TIMELINE..... 25

7. PROJECT STAFF 26

ANNEX I: GOLDEN VISA FOIA REQUESTS MEDIA IMPACT **¡ERROR! MARCADOR NO DEFINIDO.**

ANNEX II: DETAILED INFORMATION PROVIDED BY THE MINISTRY OF INCLUSION, SOCIAL SECURITY AND MIGRATION..... **¡ERROR! MARCADOR NO DEFINIDO.**

ANNEX III: LEGAL FRAMEWORK IN SPAIN TABLE..... **¡ERROR! MARCADOR NO DEFINIDO.**

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1. BACKGROUND

Spain is one of the countries that has granted the highest number of golden visas in the EU¹. According to the report *'European getaway: inside the murky world of golden visas'*², presented by Transparency International and Global Witness, four Member States grant passports through this program, while twelve of them use this mechanism to offer residences. Spain, for example, is one of the countries that has granted the most golden visas -specifically residencies-, along with Hungary, Latvia, Portugal and the United Kingdom: from 2013 to April 2018, Spain approved 24.755 residencies to investors and their family members. The report also noted that Spain, Hungary, Latvia, Portugal and the United Kingdom (UK) have granted the largest number of golden visas - more than 10.000 each - to investors and their families, and that Spain, Cyprus, Portugal and the UK appear to be the highest earners, each receiving, on average, 976 million euros, 914 million euros, 670 million euros and 498 million euros, respectively. In this regard, Spain has been the country that has earned the most money annually through granting these golden visas.

In terms of demand for golden visas, Spain is the second country in the European Union (first Portugal and third Greece) with the highest number of applications (approximately 12,104 residence permits and an estimated investment of 2.74 billion euros according to various recent sources³). One of the main problems with these visas is that they become an attraction for the corrupt or launderers: through them, they can afford luxurious lifestyles, avoid the suspicions of banks -thanks to the security offered by European passports-, and more easily escape justice in their countries of origin. Moreover, in the specific case of Spain, the granting of this type of visa entails simplified processing times, which makes an unacceptable difference for people without means who are forced to resort to regular processing.

The aforementioned report also indicates that golden visas share three characteristics associated with high corruption risks. The first is the profile of the applicants and the large amounts of money needed to apply for them. In Spain, the figures to obtain a residency range from 500.000 euros to 2 million euros. The second characteristic is the lack of operational integrity in the governance of these programs, and the third is the absence of standards and practices across the European Union.

In this specific context, it is important to highlight as relevant background that on April 18th, 2022 TI-Spain submitted a request for access to public information in order to know the residence authorizations (or 'golden visas') granted in the framework of Law 14/2013, of September 27, on support for entrepreneurs and their internationalization⁴, including citizens of Russian nationality, as well as those granted by nationality to their family members, in order to have updated information on this subject⁵.

This request was addressed both to the Ministry of Foreign Affairs, European Union and Cooperation⁶, and to the Ministry of Inclusion, Social Security and Migration⁷, specifically, in the latter case, to the Large Companies and Strategic Groups Unit⁸, whose mission is to provide an agile response and expert

¹ <https://transparencia.org.es/espana-es-uno-de-los-paises-que-mas-visas-doradas-ha-otorgado-en-la-ue/>

² https://images.transparencycdn.org/images/2018_report_GoldenVisas_English.pdf

³ <https://www.epe.es/es/economia/20220415/espana-potencia-europea-golden-visas-13514505>

⁴ https://www.boe.es/diario_boe/txt.php?id=BOE-A-2013-10074

⁵ <https://transparencia.org.es/wp-content/uploads/2022/07/ESPAN%CC%83A-SOLICITA-ACCESO-A-LA-INFORMACIO%CC%81N-SOBRE-GOLDEN-VISAS.pdf>

⁶ To access the request for access to information made by TI-Spain to the Ministry of Foreign Affairs, European Union and Cooperation, click here: https://transparencia.org.es/wp-content/uploads/2022/04/001-067977_Solicitud_MAEC-1.pdf

⁷ To access the request for access to information made by TI-Spain to the Ministry of Inclusion, Social Security and Migration, click here: https://transparencia.org.es/wp-content/uploads/2022/04/001-067978_Solicitud_MISSM-2.pdf

⁸ To see more information about this Unit, please see: <https://extranjeros.inclusion.gob.es/UnidadGrandesEmpresas/index.htm>

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advice to the needs of companies and organizations that need to bring non-EU personnel with special characteristics to Spain. Through these requests for access to information, made under articles 12 and 13 of Law 19/2013 of December 9, 2013 on Transparency, Access to Public Information and Good Governance⁹, derived from Article 105.b) of the Spanish Constitution, TI-Spain has urged both entities to provide access to any information relating to:

1. Number of residence permits granted under Law 14/2013, of September 27, 2013, on support for entrepreneurs and their internationalization (arts. 61 and following, partially amended by Law 25/2015, of July 28, 2015)¹⁰, including citizens of Russian nationality, indicating the country of origin and disaggregating by nationality, during the last five years (specifically, from January 1st 2017 to the date of submission of the application).

2. Number of residence authorizations granted by nationality to family members of those indicated in point 1, during the last five years (specifically, from January 1st 2017 to the date of submission of the application).

3. In relation to the renewals of residence authorizations, and taking into consideration that the initial visa is issued for a period of two years and foreign investors may request the renewal of their residence permit for successive periods of 5 years, the number of renewed visas disaggregated by nationality, during the last five years (specifically, from January 1st 2017 to the date of submission of the application), is requested.

4. Number of residence permits for investors granted by administrative (pursuant to Article 76 of Law 14/2013, as amended in 2015), disaggregated by nationality, between January 1st 2017 and the date of submission of the application.

5. Details of visas suspended pursuant to the decision taken in coordination between the Ministry of Foreign Affairs, European Union and Cooperation; the Ministry of the Interior; and the Ministry of Inclusion, Social Security and Migration, in application of Law 14/2013, of September 27th, on the support of entrepreneurs and their internationalization, in favor of Russian nationals in the following visa categories codes: RIC, RIV, RVT, RPE, REP, REM, as well as visas for family members of the above mentioned and code RFI; as well as a copy of the resolution by which this decision was taken. As informed by the Ministry of Foreign Affairs, European Union and Cooperation, this decision is based on art. 27.4 of Organic Law 4/2000, of January 11th, on the rights and freedoms of foreigners in Spain and their social integration¹¹, in compliance with the purposes of the foreign policy of Spain¹².

6. Total income from Spain as a result of the residence authorizations granted to Russian investors (pursuant to Article 76 of Law 14/2013, as amended in 2015).

The *golden visas* subject has become an important focus of TI-Spain work and a topic of great interest to media and journalists, it is worth mentioning the wide media coverage regarding the presentation of the requests by TI-Spain, a total of 27 media impacts have been achieved¹³. Also, it should be noted that, on May 25th, 2022, the Ministry of Foreign Affairs, European Union and Cooperation replied to the aforementioned request, informing that it was unable to provide the requested information on golden visas, arguing that the matter is not subject to statistical monitoring and falls outside the scope of Law 19/2013. On the other hand, the Director of Migration of the Ministry of Inclusion, Social Security and Migration, replied to the aforementioned request on May 20th 2022, resolving to grant access to the requested information and providing a series of information, in a detailed and exhaustive

⁹ <https://www.boe.es/buscar/act.php?id=BOE-A-2013-12887>

¹⁰ https://www.boe.es/diario_boe/txt.php?id=BOE-A-2013-10074 and <https://www.boe.es/buscar/act.php?id=BOE-A-2015-8469>

¹¹ <https://www.boe.es/buscar/act.php?id=BOE-A-2000-544>

¹² https://www.exteriores.gob.es/Consulados/moscu/es/Comunicacion/Noticias/Paginas/Articulos/20220315_NOT1.aspx

¹³ See Annex I: Media impact.

manner, which is currently being analyzed by TI-Spain and want to make the most if it with this project proposal.

Based on the response received and the information provided by the Ministry of Inclusion, Social Security and Migration, TI-Spain has identified multiple potential areas for analysis of this information, as well as concrete lines of action to address the issue, both from a legal advocacy approach, as well as from a policy advocacy and public campaigning approach, which will be developed below. Despite the more exhaustive data analysis that TI-Spain would like to carry regarding the response and the information submitted, the following aspects of the response from the Ministry of Inclusion, Social Security and Migration should be highlighted¹⁴:

- Num. of residence authorizations regulated by Law 14/2013, granted from January 1st 2017 to March 31th 2022: **51,829** authorizations in the case of *holders* and **47,262** authorizations in the case of their *family members*, totaling **99,091**.
- Num. of residence authorizations for investors granted by **administrative silence** between January 1st 2017 and March 31th 2022: **484** authorizations, out of a total of 12,830 authorizations granted to investors, which means **3.8%** of the total number of authorizations granted. An analysis of these authorizations by nationals shows that **99** authorizations have been granted to *Chinese investors* and **99** authorizations to *Russian investors* by administrative silence, these two nationals being the highest. These nationals are followed by the United Kingdom (43), the United States (23) and Mexico (18).
- Total amount of investment made by investors authorized to reside in Spain (specifically of Russian nationality) since the entry into force of the Law amounts to **3,423,133,626** euros (approximately).
- in the case of the nationality of the *holders*, it should be noted that the largest number of residence authorizations were granted in Spain, during the period of time consulted, to citizens of the following nationalities: China (5,870), Russia (4,350), Colombia (3,520), India (3,474) and the United States (3,409).
- In the case of *family members*, it stands out that a greater number of residence authorizations were granted in Spain, during the period of time consulted, to citizens of the following nationalities: China (7,410), Russia (6,623), United States (2,860), Brazil (2,754) and Venezuela (2,713).
- With respect to renewals during the period consulted, there were 7,353 initial authorizations, 5,477 renewed, resulting in a total of 12,830 authorizations.

Based on the above, it is identified that there is ample potential in Spain to work with this updated and detailed information in order to develop a solid public campaign to achieve a change in practice and influence the behavior of the main stakeholders, as well as to propose activities and reforms from both the legal advocacy and policy advocacy approaches¹⁵.

2. PROBLEM ANALYSIS

¹⁴ In addition to this information, it should be noted that the Ministry of Inclusion, Social Security and Migration provided an Annex where the requested information is detailed and disaggregated. Relevant information of this Annex is included in this proposal as **Annex II: Detailed information provided by the Ministry of Inclusion, Social Security and Migration**.

¹⁵ In order to know the currently legal framework in Spain about this issue, see **Annex III: Legal framework**.

Core problem: Golden visa programme in Spain is open for potential abuse by corrupt and criminal actors.

Root causes:

1. Golden visa applications are not screened properly
 - 1.1. Fast-track nature of the scheme → Applications approved automatically following the administrative silence
 - 1.2. No checks on the source of funds
 - 1.3 Persons who apply for these visas and come from countries with dictatorial regimes, increases the likelihood of the facility hiding criminal record
 - 1.4. Residency is granted in a very high percentage of cases and the greater the amount invested in the country, the shorter the waiting time to obtain the permit.
2. Reforming the scheme currently not on the table
 - 2.1. There is no sustained pressure on the government from inside the country
 - 2.2. Little attention to the programme's challenges outside of Spain → The European Commission dragging its feet to regulate residency programmes across the EU
 - 2.3 Little awareness of the harmful effects that can result from granting this type of visas and permits of residence without performing adequate controls.

Effects:

- I. [Stemming from root cause 1.1] Individuals with suspicious background are approved for golden visas
 - Accountability efforts elsewhere being undermined [e.g., [Alicante case re: Tunisians; Mexico's ex-president](#) who's being [investigated for corruption](#)]
- II. [Stemming from root cause 1.2] Dirty money invested in Spanish real estate/economy
 - Pressure on real estate in cities like Barcelona [see [this article with Spanish MEP's calls](#)]
- III. [Stemming from root cause 2] Across the EU, race to the bottom in terms of standards continues (sustaining both root causes of the problem)

Despite the fact that four years have passed since the publication of the '*European getaway: inside the murky world of golden visas*' report, the same limitations and risks detected in this research regarding golden visas persist and still apply without a shadow of doubt to Spain. Of all of these problems, one stands out in particular, specifically, the continuing lack of transparency and awareness regarding basic information about golden visas (number of applications, number of concessions, controls, audits, follow-up, nationalities, etc.), as the report states: "Despite increasing public interest, secrecy continues to enshroud the most basic information about golden visas"¹⁶.

That is why this campaign aims to raise awareness of all the potential risks involved in granting golden visas without proper controls and supervision. Moreover, residence permits in exchange for investments open the door to possible money laundering, fraud or corruption, which ultimately results in the loss of public funds and weakens public confidence in public institutions. This generates also a situation of inequality, and precisely the golden visas are instruments that facilitate and expedite these residence permits, hence the importance of knowing how golden visas are given in Spain as a first step for the design of an advocacy strategy to prevent this from happening.

¹⁶ MARTINI, M. & BRILLAUD, L. *European getaway: inside the murky world of golden visas*. 2018, p. 2

Spain is one of the European countries that has granted the most golden visas in recent times. According to the previously mentioned report, the income generated in Spain as a result of these investments amounts to 976 million euros per year, which highlights the importance of addressing this complex issue. In this sense, TI-Spain and the European Commission have recognized that these visas can threaten the security and integrity of Europe due to the difficulty of finding out the origin of the invested capital. Thus, Manuel Villoria, member of the Board of TI-Spain and Professor of the Rey Juan Carlos University has mentioned that "The origin of the fortune of these investors is not clear. It may be the result of criminal activities such as drug trafficking"¹⁷.

In the case of Spain, the golden visas came into force after the approval of Law 14/2013 on support for entrepreneurs and their internationalization. Thus, it is a privilege for those non-EU residents who demonstrate having made a significant capital investment, either through the acquisition of public debt securities --more than two million euros--, the purchase of shares or the acquisition of one or more real estate worth half a million euros. At the national level, this program has seduced more than 24,000 non-EU citizens from 2013 to January 2020. Among the nationalities that have most requested this type of visa, Chinese citizens stand out in first place, followed by Russians.

One of the main issues to consider is that, once the investment has been made, the deadline for processing the visa application is 20 working days, although there have been cases in which the processing has been completed in only three working days. According to Manuel Villoria, residency is obtained in 90% of the cases and, the greater the amount invested in the country, the shorter the waiting time to obtain the permit. In other words, what ends up happening in practice is that if the person has enough money, the requirements are more lax and not at all comparable to those required of a refugee seeking political asylum, for example.

On the other hand, it is also important to note that although it is established that one of the requirements to obtain these visas is not to have a criminal record (within the last five years), it has been pointed out that respon, where it may be easier to hide such a record. "The risk profile of applicants should demand the strictest of due diligence and the strongest measures to protect the integrity of the EU. In spite of this, recent scandals show that applicants are not as carefully scrutinised as they should be."¹⁸ It is why all golden visa applicants and their family members should be subject to enhanced due diligence and strictest controls. In relation to this problem, it is important to highlight that although the response of the European Union should propose the same line to be followed by all the countries that offer this permit, Spain should act accordingly to avoid becoming a haven for launderers or tax crimes.

Therefore, a series of activities and outputs (covering three approaches, depending on the activity: legal advocacy, policy advocacy and public campaigning) are proposed in this campaign in order to push for the adoption of higher standards, stronger measures and strict controls to protect the integrity of Spain and the EU and increase transparency in this regard.

- 3. ENVIRONMENTAL ANALYSIS

- Political factors

¹⁷ https://www.consumidorglobal.com/noticias/analisis/espana-hace-vista-gorda-con-golden-visa_254_102.html

¹⁸ *Op. cit.* p. 3.

3.1.1 General political framework and territorial structure of the State

Spain is a constitutional monarchy based on a parliamentary democracy. Power is not fully centralized since the autonomous communities have a high level of legislative, executive and fiscal autonomy. The King is the head of state and commander-in-chief of the army; his role is mainly ceremonial. Following a legislative election, the leader of the majority party or majority coalition is appointed prime minister (or President) of the government by the monarch and then elected by parliament for a four-year term. His executive powers include the execution of laws and the management of the country's regular affairs. The Council of Ministers is appointed by the King on the recommendation of the President of the Government. There is also a Council of State, which exercises the role of supreme advisory body to the Government. However, its recommendations are not binding.

The President of each Autonomous Community belongs to the majority party of the majority coalition which has won the elections of the autonomous parliaments, which are held every four years. The president forms a government of councilors, supported by a cabinet, who are in charge of the departments for which the Autonomous Community has competences in substitution of the Spanish State (single administration).

The legislative branch is bicameral. The parliament, whose official name is “Cortes Generales” and is formed by:

- The Senate, which has 265 seats. It is in charge of representing the territories (Autonomous Communities and Departments). 208 senators are elected by proportional representation for four years. 57 senators are elected by the parliaments of the 17 autonomous communities.
- The Congress of Deputies, which has a minimum of 300 seats and a maximum of 400 (currently 350). Deputies are elected by universal suffrage for four years from departmental constituencies. They are assigned a minimum representation and the rest is proportional to their population. The D'Hont system is applied to avoid fractioning, which could affect the stability of the Chamber.

The executive power of the Government depends directly or indirectly on the support of the parliament, often expressed through a vote of confidence. Legislative power belongs to the Government and to both houses of parliament at the same time. The president of the Government has no authority to dissolve parliament directly, although he may suggest its dissolution to the King. The 17 Autonomous Communities also have legislative power exercised by their unicameral Parliament, within the limit of competences fixed by each of their statutes.

3.1.2. Spain's European policy

Spain's European policy It will be marked by the deployment of Next Generation EU funds, the debate on the reform of fiscal rules (including the possibility of the Recovery Instrument becoming a permanent mechanism), the culmination of the Conference on the Future of Europe and actions to defend the rule of law in Hungary and Poland.

On the Home Affairs agenda for 2022, the reform of the Schengen system will be the main focus. Schengen has long been showing signs of wear and tear. The persistence of border controls by some Member States outside the frameworks provided for in their codes has worsened during the pandemic. The widespread and disorderly closure of borders for public health reasons, but also for security

reasons (migratory pressures or terrorism) have called the system into question, accelerating the need for its reform.

The aim is to revitalize and update the system in all its dimensions: management of external borders, preparation for new crises (drawing lessons from the pandemic and the frequent pressures at the external border), speeding up the issuance of visas and the return of irregular migrants, and good governance of the European internal space, without borders. To this end, mutual trust between Member States must be strengthened through new cooperation and governance mechanisms. Most likely, this reform will incorporate elements of the asylum package, such as the procedures that the authorities of the Member States must follow at the border in the event of irregular arrivals. Spain, together with Italy and Greece, continues to have a vital interest in ensuring a fair balance of distribution for an agile process and to avoid overloading the States with external borders of the EU.

The Justice agenda is marked by its relationship with Artificial Intelligence and digitalization, demanding new balances between fundamental rights prerogatives and investigative needs in the face of new threats. For example, criminality through social networks raises questions about how these platforms are regulated, their content and the extent to which they should collaborate with the authorities. These issues had a precedent in the fight against the dissemination of terrorist content online, with a regulation approved in April 2021. An initiative on the sexual abuse of minors will be developed in 2022. This type of crime multiplied in the pandemic period and will be one of the most prominent issues for the coming year. As in the case of terrorism, Spain will follow this issue closely.

3.1.3 Current Spanish political context

The minority government led by the secretary of the Spanish Socialist Workers' Party (PSOE), Pedro Sánchez, with the support of Unidas Podemos, achieved the approval of the budget laws for 2022 in November 2021. Throughout the year, the political climate has been a little bit tense due to the ongoing COVID-19 pandemic and the results of the regional elections in Catalonia, in which pro-independence parties won a majority of votes for the first time in an election, increasing their parliamentary majority, demonstrating that unresolved Catalan autonomy remains an issue. In the autonomous communities, several parties form coalition governments to have more influence. The December 2015 elections put an end to bipartisanship.

The Government has until December 10, 2023 to hold general elections, after PSOE and Unidas Podemos managed to form the first coalition Executive in Spain's democratic history in early 2020, following the general elections of November 10, 2019. On May 28, 2023, there will be municipal elections throughout Spain and regional elections in 12 of the 17 autonomous communities, as indicated in the electoral law.

Three years have passed since the last multiple appointment with the polls and the political climate has changed substantially. Then, in the spring of 2019, the far-right party Vox obtained for the first time representation in Congress and in a multitude of autonomous parliaments. The arrival of the ultra-right to public life took advantage of and promoted a strong polarization of different parties that make up the same ideological bloc -as happened with Podemos in its beginnings-.

The Government is facing soaring inflation and an unprecedented energy crisis. In this sense, the Bank of Spain's forecasts for inflation in the months prior to the electoral super Sunday (2% compared to 8.4% this April) may serve as a boost for the left. Also the approval of a battery of progressive laws, although the dynamics of the government coalition and meeting the reforms demanded by Brussels for the granting of the next package of European funds could stress the partners.

This does not mean that the left will revalidate its current position in municipalities and autonomous regions, nor in the central government later on, but there are reasons to think that, despite the momentum of the right, the economic and political situation will be lighter and the elections more competitive.

The main parties in the last elections held in November 2019 were as follows:

- Spanish Socialist Workers' Party (PSOE): center-left, social democratic party, second oldest party.
- Partido Popular (PP): center-right.
- Vox: right-wing, Spanish nationalist party.
- Podemos: Left, against austerity measures, party born in 2014, increasingly popular.
- Ciudadanos (C's): center to center-right, liberal.

Other main political forces are:

- Republican Left of Catalonia- Catalunya Sí (ERC-CATSI): center-left, Catalan independence.
- Juntos por Cataluña (JxCat): center-right, Catalan independence.
- Partido Nacionalista Vasco (PNV): center-right, Basque nationalism.
- Partido Animalista Contra El Maltrato Animal (PACM): center-left party focused on animal and human rights, environment and social justice.
- Euskal Herria Bildu (EHB): left-wing, Basque independence.
- Coalición Canaria (CC-PNC): center to center-right, Canarian nationalism.

Next elections of Senate and Congress of Deputies: November 2023.

Indicator of freedom of the press: World ranking:29/180 Source: World Press Freedom Index, Reporters Without Borders.

Political Freedom Indicator: Ranking: FreePolitical freedom:1/7Individual freedoms:1/7 Map of freedom 2017. Source: Freedom in the World, Freedom House

All these political factors will have to be considered for the project. On the other hand, thanks to the work done on the Integrity Watch 2.0 project (and the one that will follow in IW 3), the chapter has already worked with congress and the senate, which may prove to be a strength or opportunity to facilitate the advocacy process with MPs.

3.2. Legal/regulatory factors

On May 17, the Council of Ministers approved the distribution to the Autonomous Regions of the 302,899,390 euros of European funds allocated for the years 2022 and 2023 by the Mechanism for Recovery and Resilience to the Ministry of Justice. The distribution will be approved by the Autonomous Regions within the Sectorial Conference.

A draft law to fight against digital fraud and counterfeiting in non-cash means of payment was approved in the Council of Ministers, which complies with the regulatory commitments acquired with the EU, to adapt the regulation to the new forms of crime and contribute to the harmonization of the legal systems of the different EU States.

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The Council of Ministers also approved the Preliminary Draft Law regulating the protection of persons who report regulatory infringements and fight against corruption, which transposes Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019, better known as Whistleblowers.

On the other hand, the three efficiency laws -organizational, procedural and digital-, the legislative basis of the Justice 2030 plan with the objective of transforming Justice into an accessible, efficient and sustainable public service, with the guarantees of a social and democratic rule of law, are already in the parliamentary process and in these six months, a long-awaited milestone has been reached: the interoperability of all the regional procedural management systems with the Supreme Court (Tribunal Supremo).

Regarding with the prevention of money laundering, the new European Authority will significantly evolve the AML/CFT supervision model established so far through local authorities. The AML fifth directive and some aspects of the sixth directive were finally transposed in April 2021 through Royal Decree-Law 7/2021, of April 27, on the transposition of European Union directives in the areas of competition, prevention of money laundering, credit institutions, telecommunications, tax measures, prevention and repair of environmental damage, posting of workers in the provision of transnational services and consumer protection. It is important to point out that the registry of beneficial owners at national level has not yet been created by the Ministry of Justice.

Important to consider that the Commission has to prepare a legislative proposal or justify its decision not to do so and also that residence and citizenship issues fall within the competence of the Member States.

3.3. Economic factors

Spain has experienced a balanced economic recovery in recent years; however, in 2020 the COVID-19 crisis caused the country to experience an unprecedented recession in economic activity; with the deepest contraction among EU member states. Nevertheless, despite the fact that the containment measures still in place dragged down the economy in the first half of 2021, Spanish GDP is estimated to have grown by 5.7% during the year (IMF). Tourism-related activities have been the mainstay of the recovery and private demand has been the main driver of growth. Spain is expected to continue growing in 2022 (6.4%) and to return to its pre-pandemic level in early 2023. The EU Recovery and Resilience Plan is expected to boost both public and private investment, as household consumption should remain strong over the forecast period.

Spain's public finances deteriorated rapidly as a result of the COVID-19 pandemic and the measures taken to contain its impact: in 2021, the general government deficit stood at 5.1% of GDP. As most of the measures will be phased out gradually, from 2022 the deficit should start to follow a downward trend (4.4% of GDP this year and 4.3% in 2023). Conversely, after rising by almost a quarter in 2020 (to 119.9%), the debt-to-GDP ratio increased only slightly in 2021 (120.2%) and is expected to fluctuate around 116% over the forecast horizon, thanks to sustained economic growth and containment of total current spending. Amid rising energy prices, headline inflation stood at 2.2% in 2021, despite some measures taken by the government (including the reduction in VAT rates). The sluggish Spanish labor market should help contain wages and inflationary pressures, so inflation is expected to moderate to 1.6% this year and to decline further to 1.4% in 2023 (IMF forecast).

Existing part-time work schemes were strengthened to cope with the COVID-19 crisis. However, the pandemic widened inequalities in the labor market, and particularly affected young people, lower-

skilled labor and temporary workers. Nevertheless, both the number of workers and the unemployment rate have roughly recovered to their pre-pandemic levels. The latter stood at 15.4% in 2021, but is expected to fall to 13.9% in 2023. Spain remains a country with strong inequalities: according to data from Spain's National Institute of Statistics, 26.4% of the population was at risk of poverty or social exclusion in 2020, an increase of more than 620,000 people in one year as a consequence of the pandemic-induced crisis.

In Spain, the GDP growth forecast for 2022 is maintained (4.1%), but growth for 2023 is revised downward, from 3.3% to 1.8%. Household consumption has been negatively affected by the increase in prices and some supply factors. Among the factors explaining the slower growth are the increasingly likely shortages of some raw materials and the impact of their higher prices on inflation. In addition, the financial burden on businesses and households is expected to pick up as the ECB withdraws monetary stimulus.

Going forward, growth will remain positive. Household accumulated wealth remains high. Exports will increase and strong growth in equipment investment could support them. Construction investment will accelerate over the coming months thanks to NGEU funds. But the short-term bias is to the downside. A gas tightening scenario in Europe is possible. In addition, the inflation trend is high, despite the measures taken, and could become entrenched, making it difficult to bring it down quickly. The implementation of NGEU-related funds needs to be accelerated. In the medium term, the bias will depend on the reforms to be implemented over the coming months¹⁹.

- TBC: Social factors

- 4. STAKEHOLDER MAPPING

- Specific ministries which are directly responsible for the scheme's running
 - Who would be (a) in favour of reform, if presented with evidence, (b) indifferent and (c) against? Can they be influenced by civil society pressure – and if so, in what way? How about if issues are raised by the European Commission?
- Spanish MPs -- any champions or specific parties/factions?
- Local government officials (e.g., Barcelona city government)
- Spanish MEPs (e.g., members of the LIBE committee)
- Other civil society organisations (e.g., working on housing issues)

To be done in the Activity 1.1.2

- 5. GOAL, OBJECTIVES, TARGETS AND ACTIVITES

General goal: Increase scrutiny over applicants to the Spanish golden visa programme

Objective 1. Generate greater demand for reforming the Spanish golden visa scheme

Target 1.1. Gather knowledge and evidence needed to give solid legal scientific content to the campaign and the project

¹⁹ According to BBVA research of the third quarter (<https://www.bbva.com/publicaciones/situacion-espana-tercer-trimestre-2022/>)

Activity 1.1.1: Research and data analysis with the following content:

- Data analysis of the information received by the Ministry,
- Legal framework and regime in Spain regarding golden visas (residence, citizenship and nationality, administrative silence, differences with the other residence applications, etc)
- Brief comparative analysis of golden visa regulations and controls in other countries,
- Analysis of the role and nature of intermediaries in Spain,
- Analysis of controls (pre-granting and post-granting)
- Identification of potential administrative or legislative reforms
- Analysis of EU regulations and tendencies and alignment on TI EU advocacy and TI Spain Advocacy plan regarding golden visas

Output: Policy paper with recommendations for the Spanish government and support the reform at the EU level.

Activity 1.1.2: Key stakeholders mapping

Output: Influence/interest stakeholders mapping matrix.

Target 1.2. Direct advocacy with top decision makers and key stakeholders in order to push for a reform of the Spanish golden visa scheme. With the following actions:

- Meetings with decision makers (deputies, senators, top decision makers) and other key stakeholders (at least 8 meetings).
- Letters to decisionmakers (at least 3, depending on the evolution of the advocacy process), including in Brussels
- Joint statement with TI EU and TI-S to pressure the European Commission for a holistic reform.
- Further FOI requests to the government on issues currently unclear (if applicable)

Output: Advocacy Campaign Plan for the project including all these actions

The basic content of the direct advocacy framework will be focused on:

- 1) *Reinforced due diligence of background checks of the applicants and their families (ensuring the existence of an adequate due diligence system interconnected with other authorities)*
- 2) *Checks on the source of the funds and other security checks (like possible links and close kinship and family ties).*
- 3) *Adequate regulation and control of intermediaries (adequate transparency, accountability and sanctions)*
- 4) *To include a specific monitoring mechanism for the ex post control of successful applicants and Member State reporting and not to include short deadlines for executing all the checks.*
- 5) *To ensure that administrative silence is not applied to this type of cases.*

Expected outcomes of objective 1: Generate greater pressure to push for a reform of the Spanish golden visa scheme and push for the adoption of these controls

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Objective 2. To promote and increase a general awareness about the potential risks of lack of adequate controls in granting golden visas in Spain and expose the current shortcomings of the Spanish golden visa scheme

Target 2.1. Dissemination of the updated information and data received from the Ministry of Inclusion, Social Security and Migration with key position messages activities/outputs:

- 2.1.1 Two press releases (one at the beginning and one at the end of the campaign).
- 2.1.2 15 social media posts,
- 2.1.3 Two posts in TI Spain blog “dirty money, clean cash”
- 2.1.4 One infographic/flyer
- 2.1.5 Two posts in TI Spain NL
- 2.1.6 One Op-ed in a Spanish newspaper

Target 2.2 Raise attention to the administrative silence rule through statements and/or a press conference, briefings of journalists, other stakeholders (e.g., MPs, MEPs), and call for government to:

- a. Explain to the public the reasoning behind this rule when the risks are so clear and across the EU countries are moving to strengthen checks
- b. Urgently scrap the administrative silence rule
- c. Review applications approved this way -- are some of them now Spanish citizens?
- d. Revoking/not renewing permits of problematic cases
- e. Wholly evaluate the scheme (corruption risks, abuses, social and economic impacts, money laundering and fraud risks, tax evasion risks)


Activity 2.2.1: Statement/press conference regarding the administrative silence rule

Target 2.3. Form a group or network of experts on the golden visa in Spain and **form strategic partnerships with investigative journalists and other key stakeholders.**

Activities:

- Working meetings with experts
- Meetings with investigative journalists/ specialized media officers (at least 5) in order to exchange information and assess possible alliances or partnerships that could strengthen the campaign or consider initiating further research ((Possible candidates: Newtral, InfoLibre, Malita.es, EL PAÍS, EL MUNDO, LaSexta).
- Final event (online) in order to present the Policy paper and increase dissemination of the campaign

Expected outcomes of objective 2: More knowledge and awareness-raising due to the publication of Policy Paper, strengthen links between TI Spain and investigative journalists, enhance transparency, boost more potential journalistic investigations and strengthen the campaign media impact.

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ACTIVITIES MATRIX

General goal: Increase scrutiny over applicants to the Spanish golden visa programme						
OBJECTIVES	TARGETS	ACTIVITIES/ OUTPUTS	OUTCOME	KPIs	BASELINE	TARGET
Objective 1. Generate greater demand for reforming the Spanish golden visa scheme	Target 1.1. Gather knowledge and evidence needed to give solid legal scientific content to the campaign and the project	Activity 1.1.1: Research and data analysis Output: Policy paper with recommendations for the Spanish government and support the reform at the EU level.	Improve our knowledge of golden visas scheme in Spain and gather enough evidence and knowledge to give solid legal scientific content to the campaign	-At least 50 downloads of the Policy Paper (three months later of the final event). -At least 3 press articles on golden visas support their analysis with our paper	No such information is currently available	General public, top decision makers, journalists.
		Activity 1.1.2: Key stakeholders mapping Output: Influence/interest stakeholders mapping matrix.				
	Target 1.2. Direct advocacy with top decision makers and key stakeholders in order to push for a reform of the Spanish golden visa scheme.	Activity 1.2.1- Meetings with decision makers (deputies, senators, top decision makers) and other key stakeholders (at least 8 meetings). Activity 1.2.2.- Letters to	Generate greater pressure to push for a reform of the Spanish golden visa scheme and push for the adoption of these controls	-8 meetings (at least) with top decision makers -3 letters (at least) to decisionmakers -One joint statement	No such information is currently available	Top decision makers.

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		<p>decisionmakers (at least 3, depending on the evolution of the advocacy process), including in Brussels</p> <p>Activity 1.2.3- Joint statement with TI EU and TI-S to pressure the European Commission for a holistic reform.</p> <p>Activity 1.2.4.- Further FOI requests to the government on issues currently unclear (if applicable). Output: Advocacy Campaign Plan for the project including all these actions??</p>	and more scrutiny.	-Another FOIA requests (If applicable)		
Objective 2. To promote and increase a general awareness about the potential risks of lack of adequate controls in granting golden visas in Spain and	Target 2.1. Dissemination of the updated information and data received from the Ministry of Inclusion, Social Security and Migration with key position messages	<p>2.1.1 Two press releases (one at the beginning and one at the end of the campaign).</p> <p>2.1.2 15 social media posts,</p> <p>2.1.3 Two posts in TI Spain blog “dirty money, clean cash”</p>	Strengthen the campaign media impact and awareness-raising increment	- Information of the press releases and the Open published in at least 20 newspapers or media)	Data from the Ministry of Inclusion, Social Security and Migration received, no data or 23 international received from the Ministry	General public, decision makers, journalists.

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<p>expose the current shortcomings of the Spanish golden visa scheme</p>	<p>activities/outputs:</p>	<p>2.1.4 One infographic/flyer</p> <p>2.1.5 Two posts in TI Spain NL</p> <p>2.1.6 One Op-ed in a Spanish newspaper</p>			<p>of Foreign Affairs, Cooperation and European Union</p>	
	<p>Target 2.2 Raise attention to the administrative silence rule through statements and/or a press conference, briefings of journalists, other stakeholders (e.g., MPs, MEPs), and call for government.</p>	<p>Activity 2.2.1: Statement/press conference to promote a legislative amendment so that administrative silence does not apply in the case of granting residence authorizations to investors under Law 14/2013, of September 27, to support entrepreneurs and their internationalization (arts. 61 et seq., partially amended by Law 25/2015, of July 28).</p>	<p>Increase awareness of how risky the application of this silence can be when granting this type of permits, gain more media attention to generate more pressure to push for the reform of the law, align our advocacy framework with TIS and TIEU in this regard</p>	<p>- Information of the statement published in at least 20 newspapers or media.</p> <p>-At least 10 specialized media assist to the press conference.</p>	<p>No such information is currently available</p>	<p>Top decision maker, journalist.</p>
	<p>Target 2.3. Form a group or network of experts on the golden visa in Spain and form strategic partnerships with investigative</p>	<p>Activities:</p> <p>2.3.1. Working meetings with experts</p> <p>2.3.2. To form a group or network of experts on the</p>	<p>More knowledge and awareness-raising, gain a collaboration between</p>	<p>-5 meetings with experts</p> <p>- To set-up a group of experts from different sectors (at least</p>	<p>First contacts with InfoLibre (Manuel Rico).</p>	<p>Experts, journalist.</p>

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	journalists and other key stakeholders.	golden visa issue 2.3.3.Meetings with investigative journalists/specialized media officers (at least 5) in order to exchange information and assess possible alliances or partnerships that could strengthen the campaign or consider initiating further research. 2.3.4.Final event (online) in order to present the Policy paper and increase dissemination of the campaign	TI Spain and investigative journalists or specialized media, enhance transparency, boost more potential journalistic investigations and strengthen the campaign media impact.	academia, NGO and journalists) -At least 5 meetings with investigative journalists/specialized media officers and one concrete collaboration. -Final event with at least 50 participants and published in Youtube TI Spain official channel		
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6. PROJECT TIMELINE

Project term: 1 year and 3 months (October 2022- December 2023) (5 quarters)

Tasks	1stQ	2ndQ	3rdQ	4thQ	5thQ
Activity 1.1.1 Research, analysis and policy paper publication	■				
Activity 1.1.2. Influence/interest stakeholders mapping matrix	■				
Activity 1.2.1 Meetings with top decision makers		■			
Activity 1.2.2. Letter to decision makers (TBD)			■		
Activity 1.2.3 Joint statement (TBD)			■		

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Activity 1.2.4 FOIA requests (if app)

Activity 2.1.1 Press releases

Activity 2.1.2. Social media posts

Activity 2.1.3. Posts in Blog

Activity 2.1.4. Flyers

Activity 2.1.5 NL posts

Activity 2.1.6. Op-ed

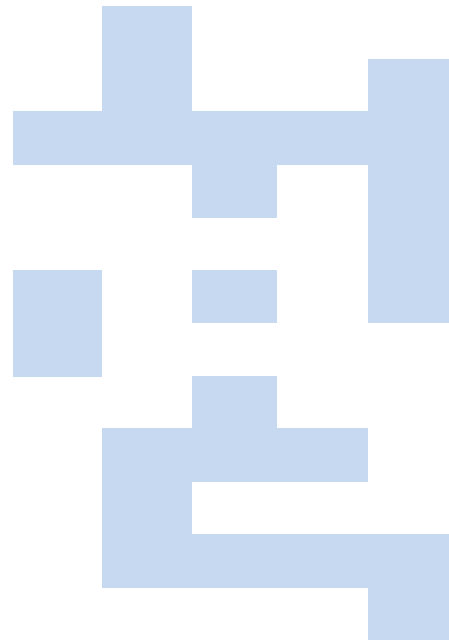
Activity 2.2.1. Statement/press conference

Activity 2.3.1 Meetings with experts

Activity 2.3.2. Experts network creation

Activity 2.3.3. Meetings with journalists

Activity 2.3.4. Final event (online)



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- **7.PROJECT STAFF**

- Project and Campaign Coordinator
- Researcher and Advocacy Officer
- Communications Officer
- IT and Web Developer
- External expert (consultant)

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ANNEX II: Budget

			Unit Cost				Requested Federal Funds
			Unit	Number	Amount	Rate	
A	Personnel		months		salary (month or year)	% effort	
A.1	<i>Personnel</i>						
A.1.1		CAMPAIGN AND PROJECT COORDINATOR	18	18	\$2,500	18%	\$ 8,100.00
A.1.2		RESEARCHER/ADVOCACY OFFICER	18	18	\$2,000	20%	\$ 7,200.00
A.1.3		COMMS OFFICER	18	18	\$1,500	18%	\$ 4,860.00
Subtotal Personnel							\$ 20,160.00
C	Travel		# people	# trips	unit cost	# days	
C.1							
Subtotal Travel							\$ -
D	Equipment (> \$5,000 per unit)			# units	unit cost		
D.1							\$ -
Subtotal Equipment							\$ -
E	Supplies (< \$5,000 per unit)			# units	unit cost		
E.1							\$ -
Subtotal Supplies							\$ -
F	Contractual (Consultant fees)		# people	# units	unit cost	# days	
F.1		POLICY PAPER LAYOUT DESIGNER	1	1	\$400	2	\$ 400.00
F.2		IT EVENT SUPPORT AND WEB DEVELOPER	1	1	\$500	1	\$ 500.00
F.3		EXPERT CONSULTANT	1	1	\$3,000	10	\$ 3,000.00
Subtotal Contractual							\$ 3,900.00
G	Construction						
G.1		None	0	0	0.00	0	\$ -
H	Other Direct Costs				unit cost		
		Specify, itemize					
H.2		WEB HOSTING, DOMAIN, EVENT PLATFORM, OTHER COSTS			\$800		\$ 800.00
Subtotal Other Direct Costs							\$ 800.00
K	Total Project Cost						\$ 24,860.00

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ANNEX III: Additional Provisions**ADDITIONAL PROVISIONS**

The following provisions reflect terms and conditions as set out in funding agreements between TI-S and its donors. Any recipient of sub grants, deriving from TI-S core and project resources is under the same obligation to comply with donor requirements and any breach thereof may result in suspension or termination of the grant funding.

1. ANTI - CORRUPTION


- 1.1 No offer, payment, consideration or benefit of any kind which could be regarded as an illegal or corrupt practice, shall be made, promised, sought or accepted – neither directly nor indirectly – as an inducement or reward in relation to activities funded under the Grant Agreement, including tendering, award, or execution of contract.
- 1.2 The Partner shall work actively to prevent corruption, illegal or improper handling or other form of misuse of funds. When planning and implementing activities under the Grant Agreement, the Partner shall take the risk of corruption into account and identify key risks and risk mitigation measures.
- 1.3 If at any stage the Partner becomes aware of, or suspects, any misappropriation or diversion of funds or possible fraud or corruption the Partner must report the matter immediately in writing to TI-S.

2. ANTI - TERRORISM

- 2.1 The Partner is committed to taking appropriate steps to ensure that funds are not used to provide assistance to, or otherwise support, terrorists or terrorist organizations.
- 2.2 No such funds, other financial assets and economic resources will be made available, directly or indirectly, to, or for the benefit of, a natural or legal person, group or entity associated with terrorism consistent with relevant United Nations resolutions, European Union measures and other international standards, relating to counter terrorism and in particular the financing of terrorism.
- 2.3 If, during the course of the Agreement, the Partner discovers a link with any organization or individual possibly considered a terrorist entity by international standards, the Partner must immediately inform TI-S in writing. A prompt response and action plan will be jointly devised in order to adequately mitigate potential risks.

3. EMPLOYMENT POLICY

The Partner shall comply with good corporate governance, assuring that employment policies/practices implemented comply with internationally recognized equality standards on disability, gender and child protection.

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4. ENVIRONMENTAL POLICY

The Partner shall pay due regard to the environmental impact of its activities under this Agreement.

5. REPORTING ON IRREGULARITIES

- 5.1 If any changes occur, which significantly impair the developmental value of the funding arrangement, the Partner shall inform TI-S immediately in writing.
- 5.2 The Partner is obliged to immediately inform TI-S in writing of any changes including major changes to planned project activities, or if irregularities in the management of funds are foreseen or have occurred. This also applies where a delay occurs in the envisaged progress of activities, or where other essential changes occur in relation to the original conditions of the grant.

6. RIGHT OF INSPECTION

- 6.1 TI-S is entitled to request all relevant information, which has a bearing on the implementation and progress of activities, and to carry out physical and financial inspections at any time in respect of activities undertaken with TI-S funds, also after termination of the Agreement. The Partner shall cooperate with and assist TI-S in the process of monitoring, evaluation, review, audits or similar activities. TI-S reserves the right to conduct unannounced inspections.
- 6.2 The right of inspection as outlined in 6.1 may also extend to TI-S' donors. The Partner shall render every assistance to the officials appointed by the donors to carry out such an inspection and shall allow them access to the documents relating to the grant.

7. PRESERVATION OF DOCUMENTS AND AUDITING

- 7.1 The Partner shall retain all records related to the Agreement until the end of the tenth year after TI-S' last payment. They shall be kept in a safe and orderly manner, preferably in digital form and must be easily accessible / retrievable.
- 7.2 The Partner must supply TI-S with a copy of their annual accounts, where applicable, audited by an independent firm of professional auditors. These will include a management assertion of the existence and satisfactory performance of procedures and controls to mitigate the major risks to which the Partner is exposed in administering its funds, including the funds received under this Agreement.

8. BRANDING

Upon request by TI-S, the Partner, when referring to activities, fully or partly financed in accordance with the Grant Agreement, shall recognize and make public that activities are financed by TI-S' donors.

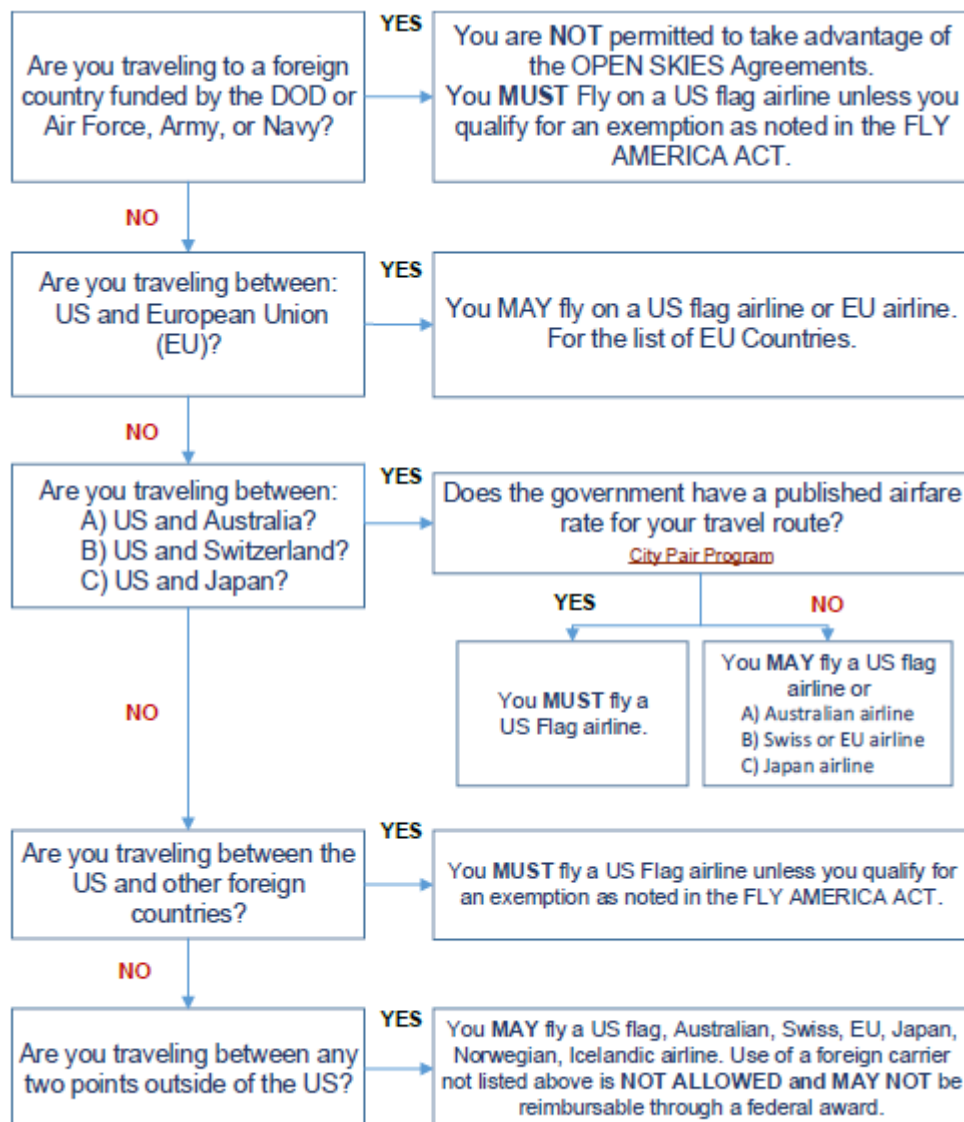
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ANNEX IV: Fly America Act

See enclosed the Fly America Act (FlyAmericaAct.pdf).

The biggest exception to the Fly America Act is the [Open Skies Agreement](#). On October 6, 2010, the United States and European Union (EU) Open Skies Air Transport Agreement was published by the U.S. General Services Administration. This multilateral agreement is in place so that qualifying travelers, whose travel is supported by federal funds, may travel on EU airlines as well as U.S. Flag Air Carriers. There are also Open Skies agreement with Australia, Switzerland, and Japan. For all amendments see here: <https://www.gsa.gov/policy-regulations/policy/travel-management-policy/fly-america-act>

Quick guidance:



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V. Cheat Sheet on grant compliance

SAM check	<p>All staff members, contractors and suppliers must be checked against the System for Award Management /SAM/ system before any funds can be released. This includes all individuals and legal entities.</p> <p>SAM system can be found at www.sam.gov . Once you open the page, go to 'Search Records'. In the box 'Quick Search' type in the individual or entity name and click on the 'Search' button. If there are no records of exclusion found go to Save PDF. Print the document and put on file so it can be audited. NOTE - If you are in doubt about the search results, please contact Deniz Sarkinovic at deniz@occrp.org</p>
Staff and contractors	<p>All staff members and contractors must have a written agreement.</p>
Time cards	<p>All staff members must maintain time cards. The time card must reflect the time spent on this grant and other grants - this is the basis for charging a salary to this grant and evidence of the percentage of time spent on it.</p> <p>Contractors must maintain a time card in case they are not invoicing the company for their work.</p> <p>Time cards should be maintained on a monthly basis - or correspond to pay periods.</p> <p>It must be signed by the person and the supervisor and kept on file.</p>
Procurement	<p>All purchases under this grant must be made in accordance with US Government rules and procedures, as stipulated in the Subgrant agreement.</p> <p>Please note that the following expenses are unallowable - Alcohol and tobacco,/ fines /traffic offenses and similar/, payments to any state institution of the Russian Federation.</p> <p>Bidding procedures are addressed in an attachment to the signed sub award contract.</p> <p>All items such as printers, laptops, cameras, scanners and similar devices are considered 'office supplies' as long as the unit price does not supersede the amount of 5000 USD. All mentioned devices must be registered in the inventory list of the company. Devices over 5000 USD are considered 'equipment', and the recipient should become familiar with the USG regulations pertaining to this category.</p>
Fly America Act	<p>Fly America Act is attached.</p>

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Financial Reporting to JDN	
	Deadlines for submission are fixed by the Sub-grant agreement
	Reporting forms are attached - in case of any doubts, please contact Conny Abel at cabel@transparency.org .

THE CODE OF FEDERAL REGULATIONS - GENERAL COMPLIANCE	
	It is the responsibility of an entity receiving a federal award /directly as an award or indirectly as a sub-award/ to make sure that all of their activities and transactions follow the full list of protocols set forth in the Code of Federal Regulations. The Code can be found at: http://www.ecfr.gov/ . An entity receiving Federal funds may be subject to an audit either by the USG or GACC (OCCRP partner). In case of any doubts please contact Conny Abel at cabel@transparency.org .

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