

**DECISION  
of the SASPRO 2 Programme Appeal Committee**

The SASPRO2 Programme Appeal Committee assembling of prof. PhDr. Darina Malová, Ph.D., prof. RNDr. Joseph Masarik, DrSc., Doc. Ing. Maximilián Strémy, PhD., Prof. PhDr. Matus Porubjak, PhD. and JUDr. Juraj Varga, PhD., being an appealing body against the decision having been made by the SASPRO2 Programme Evaluation Committee (hereinafter refers to as "the decision"), upon the appeal filed by ■■■■■ (hereinafter refers to as "the Proceeding Party"), delivered on 26<sup>th</sup> August 2021, has examined the impugned decision to its full extent, the relevant dossier and, within the prescribed deadline, at the appeal proceeding, it has decided as follows:

**the decision is being annulled and the case is referred back for reconsideration**

**Justification**

**I. The facts giving rise to the Decision**

1. On August 26, 2021 the Proceeding Party delivered to the Slovak Academy of Sciences an appeal against the decision having been made by the SASPRO2 Programme Evaluation Committee, by which a participant's application had been rejected for the SASPRO 2 scholarship Programme being implemented under the Horizon 2020 Marie Skłodowska - Curie Actions - COFUND. By filing the appeal the Party has requested examination of the impugned decision on the basis of his arguments given in his appeal file.
2. As part of the reasons stated in the introduction of appeal, the Proceeding Party points out that the project presented had received the Seal of Excellence mark, which, in opinion of the Proceeding Party, proves its quality. Regarding that reason, the Appeal Committee states that in a common practice such award alone does not automatically guarantee the further success: For this reason, the Appeal Committee considers the argument here-above to put forward as irrelevant to the evaluation process; as well as for the appeal proceeding.
3. In the further part of the appeal file, the Proceeding Party objects to the wording evaluation of one evaluator who was to use word phrases such as "journalistic", "debatable", "incomprehensible" and "unscientific". The Proceeding Party considers this has seriously affected overall evaluation of the project. The Appeal Committee has examined that objection and states that it is an assumption of the Proceeding Party which could not be identified in the final evaluation. In other words, the Appeal Committee considers that there is no cause and effect relation between the evaluator's alleged statements and the resulting final evaluation. For these reasons, the objection is overruled.
4. Next, in the appeal file, the Proceeding Party disputes the inconsistency of the evaluation in the criterion part of " Excellence". It refers to that the strong point of the project is its top methodology, however, at the same time the weaknesses of the project is "unfocused misleading questions-methods". The Appeal Committee hereby does not question the evaluation given, however, due to present inconsistency of the evaluation and absence of a proper rationale for the evaluation a decision in this section is not reviewable. The Appeal Committee's opinion is that it is required in the present case to supplement, add the rationale for the evaluation so that the Proceeding Party has a proper useful feedback, which is ultimately the meaning of the evaluation itself. In this section of appeal file the Proceeding Party objects to the use of the term "impressionistic criterion undertones", which he considers vague and difficult to understand. The Appeal Committee has examined the objection and agrees to it. The Appeal Committee considers that the rationale for the evaluation should be designed so as to avoid any doubts, which did not happen in the present case.

5. In the next part of the appeal file, the Proceeding Party objects the insufficient knowledge of the MSCA Rules referring to the term "non-experts audience" which is taken from the MSCA Rules. The Proceeding Party points out to the project evaluation, which defines a project weakness as "unfocused communication target ". The Appeal Committee has examined the given objection and considered that in the present case it is required to supplement, add the justification for the assessment given so that it is possible to understand clearly the essence of the evaluation. The Appeal Committee may only make presumption that using the term "unfocused communication target" was probably intended to point out to a target group being not defined within the research instead of a misuse of "non-expert audience", as the Proceeding Party assumes. The Appeal Committee considers that the rationale of evaluation reasons should be designed to rule out any doubts which did not happen in the present case.
6. In the final part of the appeal file, the Proceeding Party objects to the wording of the final project evaluation which contains a statement about a previous research which would have been considered as welcomed. The Proceeding Party justifies his objections by stating that in the SASPRO2 Call a previous research was not defined as a criterion. After examining the objection raised the Appeal Committee states that the given objection is well founded and identifies itself with it.

## **II. Conclusion**

With respect to the above mentioned facts, the Appeal Committee has decided as set out in the statement part of the present Decision herein.

The present Decision was taken by the Appeal Committee with a vote of 4: 1 / for: against.

## **III. Advice of remedies**

There may be no further appeal against the present Decision.

Bratislava dated 9<sup>th</sup> October 2021

JUDr. Juraj Varga, PhD., v. r.  
Chairperson of the Appeal Committee

sent to: [REDACTED]