



COMMISSION OF THE EUROPEAN COMMUNITIES

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2004/0219 (COD)

Amendend proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

**laying down general provisions establishing a European Neighbourhood and
Partnership Instrument**

**Adaptation following the agreement of 17 May 2006
on the Financial Framework 2007-2013**

(presented by the Commission in accordance with Article 250(2) of the EC Treaty)

2005/0219 (COD)

Amendend proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE
COUNCIL**

**laying down general provisions establishing a European Neighbourhood and
Partnership Instrument¹**

Article 29 is replaced as follows:

“Article 29

The financial reference amount for implementation of this Regulation over the period 2007-2013 is € 11 967 million. Annual appropriations shall be authorised by the budgetary authority within the limits of the financial perspectives.”

¹ COM(2004) 628, 29.9.2004.

LEGISLATIVE FINANCIAL STATEMENT

Policy area(s): EXTERNAL RELATIONS

Activit(y/ies):

MULTILATERAL RELATIONS AND GENERAL EXTERNAL RELATIONS MATTERS ²

EUROPEAN INITIATIVE FOR DEMOCRACY AND HUMAN RIGHTS (EIDHR) ²

RELATIONS WITH EASTERN EUROPE, THE CAUCASUS AND CENTRAL ASIAN REPUBLICS ²

RELATIONS WITH THE MIDDLE EAST AND SOUTHERN MEDITERRANEAN

POLICY STRATEGY AND COORDINATION FOR POLICY AREA ‘EXTERNAL RELATIONS’²

EXTERNAL ASPECTS OF INTERNAL POLICIES

TITLE OF ACTION: EUROPEAN NEIGHBOURHOOD AND PARTNERSHIP INSTRUMENT (ENPI)

1. BUDGET LINES

Administrative Expenditures

External Aspects of internal policies

06 01 04 09 Intelligent energy – Expenditures on administrative management (*partially*)

07 01 04 05 LIFE European Financial Instrument for the Environment — 2000 to 2006) — Operations outside Community territory — Expenditure on administrative management (*partially*)

External Relations policy area

19 01 ADMINISTRATIVE EXPENDITURE OF POLICY AREA “EXTERNAL RELATIONS”

19 01 04 06 MEDA (measures to accompany the reforms of the economic and social structures in the Mediterranean non-member countries) – Expenditure on administrative management

19 01 04 07 Assistance to partner countries in eastern Europe and central Asia – Expenditure on administrative management (*partially*)

² Partially, as some of the actions currently covered under this budget heading will be covered under the Economic Co-operation and Development Instrument and/or the Stability instrument.

- 19 01 04 11 Development and consolidation of democracy and the rule of law – Respect for human rights and fundamental freedoms – Expenditure on administrative management (*partially*)
- 19 01 04 12 Promotion of Community investment in developing countries of Latin America, Asia, the Mediterranean and in South Africa by economic co-operation and trade agreements – Expenditure on administrative management (*partially*)
- 19 49 EXPENDITURE ON ADMINISTRATIVE MANAGEMENT OF PROGRAMMES COMMITTED IN ACCORDANCE WITH THE FORMER FINANCIAL REGULATION
- 19 49 04 06 Assistance to partner countries in eastern Europe and central Asia – Expenditure on administrative management (*partially*)
- 19 49 04 10 Development and consolidation of democracy and the rule of law – Respect for human rights and fundamental freedoms – Expenditure on administrative management (*partially*)
- 19 49 04 11 Promotion of Community investment in developing countries of Latin America, Asia, the Mediterranean and in South Africa by economic co-operation and trade agreements – Expenditure on administrative management (*partially*)
- 19 49 04 12 MEDA (measures to accompany the reforms of the economic and social structures in the Mediterranean non-member countries) – Expenditure on administrative management

Operational expenditures

External Aspects of internal policies

- 06 04 02 Intelligent energy — Europe programme (2003 to 2006): external strand — Coopener (*partially*)
- 07 02 02 LIFE (European Financial Instrument for the Environment — 2000 to 2006 — Operations outside Community territory (*partially*))
- 14 03 02 Customs co-operation and international assistance (Customs 2007) (*partially*)

External Relations policy areas

19 02 MULTILATERAL RELATIONS AND GENERAL EXTERNAL RELATIONS MATTERS

- 19 02 02 Institutes specialising in relations between the European Union and third countries
- 19 02 03 Cooperation with third countries on migration (*partially*)

- 19 02 07 Promotion of Community investment in developing countries of Latin America, Asia, the Mediterranean and in South Africa by economic cooperation and trade agreements (*partially*)
- 19 02 11 North-South cooperation schemes in the campaign against drugs and drug addiction (*partially*)
- 19 04 EUROPEAN INITIATIVE FOR DEMOCRACY AND HUMAN RIGHTS (EIDHR)
- 19 04 02 Support for the victims of human rights' abuses (*partially*)
- 19 04 03 Development and consolidation of democracy and the rule of law – Respect for human rights and fundamental freedoms (*partially*)
- 19 04 04 Support for the activities of international criminal tribunals and the International Criminal Court (*partially*)
- 19 06 RELATIONS WITH EASTERN EUROPE, THE CAUCASUS AND CENTRAL ASIAN REPUBLICS
- 19 06 01 Assistance to partner countries in Eastern Europe and central Asia (*partially*)
- 19 06 02 Cross-border cooperation in structural matters (*partially*)
- 19 06 04 Rehabilitation and reconstruction operations in the partner countries of Eastern Europe and central Asia (*partially*)
- 19 08 RELATIONS WITH THE MIDDLE EAST AND SOUTHERN MEDITERRANEAN
- 19 08 01 01 First and Second Financial Protocols with the southern Mediterranean countries
- 19 08 01 02 Third and Fourth Financial Protocols with the southern Mediterranean countries
- 19 08 02 01 MEDA (measures to accompany the reforms to the economic and social structures In the Mediterranean non-member countries)
- 19 08 02 02 Community contribution to the Euro-Mediterranean Investment Facility and Partnership
- 19 08 03 Community operations connected with the Israel / PLO peace agreement
- 19 08 04 Aid to the United Nations Relief and Works Agency for Palestinian Refugees in the Near East
- 19 08 05 Rehabilitation and reconstruction operations in the Mediterranean and Middle Eastern countries (*partially*)
- 19 08 06 Other operations in favour of Middle East developing countries (*partially*)

2. OVERALL FIGURES

2.1 Total allocation for action (Part B): € 11 967 million

2.2 Period of application: 2007-2013

2.3 Overall multiannual estimate of expenditure: (current prices)

- (a) Schedule of commitment appropriations/payment appropriations (financial intervention) (see point 6.1.1)

€ million (to three decimal places)

	2007	2008	2009	2010	2011	2012	2013 and following ³	Total
Commitments	1.426	1.454	1.524	1.589	1.686	1.845	1.974	11.498
Payments	171	531	832	1.119	1.394	1.539	5.912	11.498

- (b1) Technical and administrative assistance: of which staff (see point 6.1.2):

Commitments	29	36	38	41	45	49	53	291
Payments	29	36	38	41	45	49	53	291

- (b2) Technical and administrative assistance of which support expenditure (see point 6.1.2):

Commitments	20	25	25	25	26	28	29	178
Payments	20	25	25	25	26	28	29	178

Subtotal a+b								
Commitments	1.475	1.515	1.587	1.655	1.757	1.922	2.056	11.967
Payments	220	592	895	1.185	1.465	1.616	5.994	11.967

- (c) Overall financial impact of human resources and other administrative expenditures (see points 7.2 and 7.3)

L'incidence globale sur les lignes opérationnelles est prise en compte aux points (b1) et (b2). Les dépenses administratives sont mentionnées au point 7.

2.4 Compatibility with financial programming and financial perspective

Proposal compatible with existing financial programming.

³ "Following years" only applies to payments

2.5 Financial impact on revenue

Proposal has no financial implications on revenue.

3. BUDGET CHARACTERISTICS

Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial perspective
Non-comp	Diff	YES	NO	NO	4

4. LEGAL BASE

Article 181a and Article 179 of the EC Treaty.

5. DESCRIPTION AND GROUNDS

5.1. Need for Community intervention

5.1.1. Objectives pursued

The European Council has repeatedly stated its determination that enlargement of the Union must not lead to new dividing lines at the external borders of the EU of 25. The European Neighbourhood Policy was conceived as a way to respond to this challenge and develop increasingly close relations with our neighbours to the East and South. The Commission has presented a “Strategy Paper on the European Neighbourhood Policy”⁴ (ENP) which spells out how the Union will continue to promote stability, security and prosperity beyond its borders by deepening political cooperation and intensifying economic relations with Russia, the Western NIS, the Southern Caucasus and the Southern Mediterranean countries. Regional and cross-border cooperation should be intensified.

The ENP covers a wide range of areas: political dialogue and reform; trade; measures preparing partners for gradually obtaining a stake in the Internal Market; justice and home affairs; energy, transport, information society, environment, and research and innovation; social policy and people-to-people contacts, including the opening of certain Community programmes; and cross-border and regional co-operation.

The ENP is aimed at developing the full potential of the Association Agreements and Partnership and Cooperation Agreements which for the time being continue to constitute the contractual frameworks for relations between the EU and the neighbouring countries concerned.

The main operational tools of the ENP are the Action Plans drawn up jointly with partner countries. Action Plans identify priority measures for political and economic reform, and enhanced co-operation in all the relevant areas. They will be a key point of reference for the country-specific programming of Community assistance (see 5.2).

⁴ European Neighbourhood Policy Strategy Paper COM(2004) 373 [and separate explanatory note?].

The development and consolidation of democracy and the rule of law, and respect for human rights and fundamental freedoms constitute key objectives of the European Union's external policies. Within the framework of the present Regulation and its geographical scope, the European Community will contribute to the implementation of operations advancing respect for human rights and fundamental freedoms, promoting and strengthening democratic processes, including where appropriate through election observation and assistance, and developing and consolidating the rule of law and good governance.

The proposed European Neighbourhood and Partnership Instrument (ENPI) will be the main financial instrument to support the implementation of ENP and it will focus in particular on supporting the implementation of the ENP Action Plans. Its scope will go beyond promoting objectives such as sustainable development or fighting poverty to encompass for example considerable support for measures leading to progressive participation in the EU's internal market. Legislative approximation, regulatory convergence and institution building will be supported through mechanisms such as the exchange of experience, long term twinning arrangements with Member States or participation in Community programmes and agencies.

The ENPI will improve the coherence and visibility of Community assistance and allow for simplified delivery mechanisms. A specific and innovative feature of the instrument is its cross border co-operation component. Under this component, the ENPI will finance "joint programmes" bringing together regions from Member States and partner countries sharing a common border. The instrument will bring a radical simplification in procedures and substantial gains in efficiency. It will use a "Structural Funds" approach, based on multi-annual programming, partnership and co-financing. The cross border co-operation component of the ENPI will be co-financed by the European Regional Development Fund (ERDF).

The EU and Russia have decided to develop their relations in the framework of a Strategic Partnership based on four common spaces, rather than through the European Neighbourhood Policy. However, the issues discussed in this framework are largely similar to those dealt with in the ENP context. For this reason the ENPI will also cover Community assistance to Russia.

The partner countries' ability to meet the commitments of the Action Plans and thus move to a more advanced stage of relations with the EU will constitute the main indicator of success for the proposed approach. Periodic reporting by the Commission on progress in the implementation of the Action Plans through the institutional framework already in place (sub-committees etc.) will provide a constant feedback.

5.1.2.and 5.1.3 Ex post and ex ante evaluation

a) The work of the Peace Group

The Commission carried out in the second half of 2003 an extensive high-level review of the whole range of European Community external instruments, in the context of the preparation of its proposals for the financial framework 2007-2013. The Commission established the “Peace Group” which was tasked with leading the identification of the future priorities for external relations and the instruments needed to serve those priorities. This Group functioned at both the level of the external relations Commissioners and the services. It met regularly between April and December 2003 and developed the principles, which were set out in the Communication “Building our Common Future, Policy Challenges and Budgetary Means of the Enlarged Union 2007-2013”⁵. The need to align objectives and instruments more closely to European Union values and interests was identified as being fundamentally important.

In particular, the “Peace Group” underlined that the European Union’s values, reflected by its democratic tradition, social model and integration experience, include human dignity, the rule of law, human rights, solidarity, equality between the sexes, adherence to the multilateral system of the United Nations and support, within the multilateral economic system, for regionalism as a force for development and stability. It emphasised that its interests drive the European Union to promote stable international growth founded on sustainable development. In this way it guarantees itself increasing outlets and quality jobs on competitive, open and regulated markets. Finally, the “Peace Group” recommended that the European Union promotes its values and interests by operating simultaneously as a continental power, and as a global economic and political player.

As far as external community instruments are concerned, the “Peace Group” recognised that the European Union's co-operation and assistance policy is the result of 50 years of successive sedimentation, which results in a multiplication of assistance instruments and a fragmentation of aid management both in terms of programming and implementation functions (even if recent policy and structural reforms have helped to improve coherence and consistency of the European Union's co-operation and assistance policy).

The “Peace Group” put forward that the European Union’s framework for external assistance should be rationalised and simplified by a reduction in the number of legal bases, the number of budget lines, and the number of programmes. More precisely, it recommended that:

- the complex structure of existing aid programs (EDF, ALA, MEDA, TACIS, CARDS, etc...) covering a wide range of interventions (peacekeeping and post-crisis operations; rehabilitation; economic reforms; projects; human rights programs; budgetary support) should be significantly streamlined;
- European Community and Member States policies and implementation should be harmonised.

⁵ COM(2004) 101 du 10 février 2004.

Furthermore, the “Peace Group” underlined the following points:

- Large geographic programmes based on the principles of ownership and partnership with partner countries and regions and thematic programmes allowing for policy initiatives by the Community should be maintained;
- Strategy papers, subject to regular reviews, are the right tool to ensure overall policy coherence and to respect external policy objectives in the different areas as well as in the external aspects of internal policies;
- Resources should be allocated to partner countries according to expected and measured performances and strategy papers process, backed up by stronger analytical capabilities, should confront goals and achievements;
- Performance-based allocations do not mean increased conditionality in the traditional sense and the issue of political conditionality should be approached cautiously, on the basis of lessons drawn from experience;
- Though this is not necessarily a solution in each and every case, such concerns for results, namely the political and economic reforms in the partner countries, leads the Commission to suggest, where possible, moving further financial and technical assistance from projects towards sector programmes, budget support and macro-economic financial assistance which facilitate both the absorption by the partner country since its own budgetary procedures are used, and donors’ co-ordination as well as quick disbursement subject to compliance though.

The current proposal also takes account of the vast literature of work on development, the practice of other international and bi-lateral donors, as well as of the principles and objectives of the reform of the management of external assistance launched by the Commission in May 2000.

b) Evaluation of existing instruments operating in neighbouring countries -introduction

The ENPI is a policy-driven instrument that will bring more coherence in the delivery of Community assistance to all countries covered by the ENP. It will replace TACIS, MEDA and a number of thematic programmes. It will also replace the cross-border cooperation programmes financed by TACIS and MEDA as well as by Interreg.

All these instruments have been in operation for some time, during which considerable evaluation work has been carried out.

Regarding MEDA II, this continuous evaluation and refinement process will culminate in a major overall evaluation to be reviewed by the Council in 2006. Its outcome will provide a major input to an ex ante evaluation for its successor instrument.

As far as TACIS is concerned, a proposal for a revision of the regulation currently in force has been elaborated for the period 2005-2006. This proposal is also based on a specific ex ante evaluation.

Cross border co-operation has been subject to considerable interim and ex post evaluation work outlining the difficulties that different budget lines and different programming and

implementing structures have created to the financing of truly joint projects operating on both sides of the Union's external borders.

A summary of the findings of this evaluation work is given below. Lessons learnt in this context have been used in the elaboration of the ENPI concept.

b) TACIS

A detailed *ex ante* evaluation has been carried out for a revised TACIS regulation for the period 2005-2006. It included detailed stakeholder consultation and ex post evaluation of lessons learnt.

The evaluation revealed that overall, the appropriateness of the TACIS approach has faded over time. At the time of initial design in the early 1990s, TACIS correctly identified the need to support to democratic and economic transition. More recently, partner countries display widely varying results in terms of growth, poverty reduction, democracy and credible reforms. In the face of this increased divergence, the focus on technical assistance is seen as far less appropriate.

While having achieved notable results, TACIS has consistently had difficulties in ensuring sufficient ownership by partner countries. It only had a moderate effect on overall reforms. The procedures have been criticised as heavy and slow, thereby putting obstacles in the way of responsiveness and flexibility, essential elements for technical assistance.

The evaluation has produced a list of recommendations including, inter alia: tailor assistance programmes better to country needs through greater differentiation; improve ability to support poverty reduction, pay more attention to capacity-building and the rule of law; conditionality should be linked to ongoing reform efforts; improve funding and coordination with Interreg and Phare CBC; improve the efficiency of the institutional set-up for implementation; and the strengthen ability to learn from experience and to disseminate lessons.

c) MEDA

The MEDA regulation currently in force provides for an evaluation to be done by 31 December 2005. This evaluation will provide further elements to improve programming and delivery of assistance under the ENPI.

Meanwhile, there is an ongoing programme of evaluations, whose recommendations prepare the ground for the ex ante evaluation. Most recently an evaluation was conducted in 2003/04 covering economic cooperation with seven MED partners: Algeria, Egypt, Jordan, Lebanon, Morocco, Syria and Tunisia. The main recommendations were:

- *At strategic level:* Continue and improve the practice of designing (and regularly updating) an explicit strategy at country level. Assist partner countries in identifying their strengths and weaknesses with respect to social and economic development, and in designing their own strategies and programmes to prepare the establishment of the Euro-Mediterranean Free-Trade-Area.
- *At programming level:* Link Structural Adjustment Facilities and technical assistance projects. Develop complementarities with regional programmes and with EIB lending activities. Adopt a comprehensive approach to the financing of

SMEs. The newly created Facility for Euro-Mediterranean Investment and Partnership (FEMIP) is a very important step in this direction. Devote more attention to the enhancement of trade and external economic relations.

- *At implementation level:* Generally speaking the process of “deconcentration” should favour more efficient management of the projects. Project preparation and monitoring should be strengthened. Where conditions are met, full responsibility for the management should be given to local authorities. Support to the development of local consultancy capacities should be considered.

d) Cross-border cooperation (CBC)

The CBC component of the ENPI builds on the experience of promoting cross-border cooperation within the Phare, Tacis and Interreg programmes. Starting with the Communication on the “New Neighbourhood Instrument”, the reflection leading to the present proposal drew heavily upon the lessons learnt from these current programmes. Therefore, although a formal *ex ante* evaluation has not been made yet, all the points that should be covered by such an evaluation as specified in the Financial Regulation and its Implementing Rules have been addressed at the reflection stage. Meetings were held with evaluators and experts, and input received from NGOs.

Interreg II (1994 – 99) was recently subjected to an ex-post evaluation commissioned by DG Regio (December 2003). The results are in general satisfactory with an extensive added value generated by the programmes of all its strands. Among the shortcomings identified were Member States’ programme management and difficulties in establishing functioning cross-border partnerships. These issues deserve of course special attention when it comes to implementing a new instrument like the ENPI and fostering a “cooperation culture” in border regions where the new Member States have limited experience of CBC and the Partner Countries no previous direct experience at all.

CBC programmes have also been subject to audits in the past by the Court of Auditors. The CoA remarked the absence of strong co-ordination mechanisms for CBC projects which involved funding under different instruments such as Interreg, Phare and Tacis. This problem has also been identified in the Commission’s evaluations and addressing it is one of the primary objectives of the ENPI. As regards Phare CBC, the existence of different Phare and Structural Funds rules for project selection, tendering, contracting and monitoring proved to be a deterrent to joint projects across the borders. The ENPI, as a unified instrument stressing joint ownership, should overcome the obstacles to joint programmes and projects.

Other observations relevant for the ENPI included that the allocation of funds between countries did not adequately take into account their absorption capacities. The distribution of funds between larger and smaller projects and their cross-border impact was also questioned. Another observation concerned delays in the implementation of projects due to lengthy procurement procedures and problems with customs clearance in the beneficiary countries.

The observations and recommendations resulting from the various evaluation work referred to above have been taken into account for the drafting of the ENPI regulation here proposed.

e) Conclusions - Added value of Community intervention

Effective support is needed to underpin a policy of contributing to a peaceful, stable, democratic and prosperous neighbourhood. This new policy driven instrument is specifically designed for that purpose.

There is also a gap to be bridged between the level of ambition of the policy and the resources currently allocated to it by the Community and its Member States. Community assistance remains below the expectation of the beneficiaries and most bilateral assistance programmes are small.

Regarding CBC, the ENPI added value will first and foremost consist in addressing specific problems associated with national borders or issues of a transnational nature, which otherwise would not be addressed. The ENPI will have a financial leverage effect for the EU neighbouring countries/regions by matching national co-financing with EU funds. Finally the implementation of the ENPI will allow for the dissemination of sound financial management and good practice in terms of programming and project design, management, implementation, financial control, monitoring and evaluation.

5.2. Action envisaged and budget intervention arrangements

The Partnership and Co-operation agreements and the Association agreements will provide an overall policy framework for Community assistance. Where they exist, jointly agreed action plans drawn up by the EU and each partner country will define priorities for action in the areas described above.

Within that framework it is expected that the instrument will promote enhanced co-operation and progressive economic integration between the EU and the partner countries. In that context promoting legislative and regulatory approximation to encourage progressive participation in the internal market and the intensification of trade is a key strategic objective of the instrument.

While the ENP provides a clear policy focus for the instrument, the provision of assistance shall take into account, for those partner countries that are developing countries, the principles and objectives of the Community development policy.

Individual actions and measures, specific objectives and corresponding criteria to measure their attainment will be defined in Country Strategy Papers and National Indicative Programmes. These will be elaborated on the basis of the Action Plans and in-depth analyses of a given country's situation and needs, its capacities and track-record in implementing commitments made, and also the level of ambition in our bilateral relations, such as the actual commitment to shared values.

It is expected that the mix between the various objectives will vary considerably taking into account the specific situation of each of the 17 the countries concerned. While assistance to Ukraine or co-operation with Russia and Israel can focus mainly on legislative and regulatory approximation, assistance to Moldova, Azerbaijan or Egypt should continue to have a significant component focussing on poverty reduction and more traditional development objectives. Similarly the geographical, economic, social and cultural specificities of the two main "regional" groups covered by the instrument (Mediterranean Countries on one side and

Russia, WNIS and Southern Caucasus on the other) should be adequately reflected in the objectives to be pursued and the measures to be financed.

The ENPI will have a specific component covering Cross border co-operation between Member States and partner countries. This component will be mainly geared towards promoting sustainable economic, social and environmental development in border regions of the EU and the member states. This component will be implemented through multi-annual programmes elaborated in partnership by the beneficiaries from both sides of the borders and approved by the Commission. In addition it will be possible to associate Member States to multi-country or thematic programmes through trans-regional co-operation addressing global challenges common to the EU and its neighbours.

The ENPI will also cover external aspects of internal policies which, in the current financial perspective are covered under specific legal instruments. This will provide the possibility for mainstreaming thematic actions into country and regional programmes allowing for better co-ordination and synergy. The regulation also provides the possibility of creating thematic programmes when it is considered appropriate for reasons of efficiency, effectiveness or visibility. This is an option that may be pursued in areas such as Human Rights, migration management, environment or students mobility and co-operation among higher education institutions.

Concerning the field of promoting democratisation and the rule of law, and respect for human rights and fundamental freedoms a thematic programme receiving Community support in pursuit of the present Regulation's objectives may include

- pertinent global, regional and country projects and programmes of local and EU non-governmental and civil society based organisations,
- cooperation with international organisations in the field of democratisation and human rights.

In the area of migration management, a thematic programme, operating in complementarity with measures supported under country and regional programmes may focus on:

- the development of third country's legislation in the field of legal immigration;
- the development of legal migration;
- the development of legislation and national practices as regards international protection;
- the establishment in the third countries concerned of an effective and preventive policy in the fight against illegal migration, including the fight against trafficking in human being and smuggling of migrants, and the development of relevant legislation;

Relevant indicators will have to be developed for each measure. The extensive experience already made will be useful, as reflected for instance in the Working Paper on Indicators for Interreg developed by DG REGIO. They will cover aspects such as co-financing, multiplication effect, transfer of knowledge, capacity building.

Target population: The ENPI targets over 400 million people in 17 countries. Russia and the Western NIS (Belarus, Ukraine, Moldova) have a total population of 208 million people, the countries of Southern Caucasus ((Georgia, Armenia, Azerbaijan) 16 million people and the

countries of the southern Mediterranean (Syria, Lebanon, Israel, the Palestinian Authority, Jordan, Egypt, Algeria, Tunisia, Libya, and Morocco) 176 million.

It is estimated that around 65 million people in member states and partner countries will benefit from bilateral cross border co-operation programme and over 175 million people will be involved into multi-lateral maritime programmes.

The large number of co-operation objectives, related to the need to support a new and ambitious policy and the broadening of the scope of the instrument to support thematic actions and cross border co-operation with member states justify the considerable increase in resources which is foreseen for the ENPI in the future financial perspective.

5.3. Methods of implementation

Programmes may be implemented under direct centralised management by the Commission from Headquarters and/or through the devolved Delegations using both statutory and temporary staff. They may also be implemented under decentralised management by the beneficiary country and under joint management with international organisations. The Regulation also leaves open the possibility for programme implementation under indirect centralised management arrangements by national public sector bodies or bodies governed by private law with a public service mission or by an executive agency for programme implementation.

Cross-border co-operation programmes will be normally implemented through shared management by a managing authority located in Member States.

6. FINANCIAL IMPACT

The following estimates are in line with the PDB 2007.

6.1 Total financial impact on Part B – (over the entire programme) (current prices)

6.1.1 Financial intervention

Commitments € million (to three decimal places)

Breakdown	2007	2008	2009	2010	2011	2012	2013	Total
Assistance to EU neighbouring countries	1,426	1,454	1,524	1,589	1,686	1,845	1,974	11,498

* A contribution of the European Regional Development Fund to Cross Border co-operation programmes managed under the provisions of this regulation and originally included under Heading 1b of the financial perspective, should be added to this amount at the moment of the budget preparation. The Structural Funds regulation sets aside an estimated amount of 233 M€ a year (in 2004 prices) as a contribution from European Regional Development Fund to cross border co-operation between the Member States and the relevant neighbouring countries covered by the ENPI and by the Instrument for Pre Accession (IPA). This contribution will be

managed according to the rules established in the ENPI and in the IPA regulation. Symmetrically IPA and ENPI stipulates that their contribution to Cross border co-operation with member states will be at least equivalent to the one provided by the ERDF.

The fact that the breakdown of the ERDF contribution between the borders covered by ENPI and those covered by IPA is not yet known makes difficult to provide an estimation of the overall amount dedicated to CBC under this specific regulation.

6.1.2 *Technical and administrative assistance, support expenditure and IT expenditure*

Commitments € million (to three decimal places)

Breakdown	2007	2008	2009	2010	2011	2012	2013	Total
Assistance to EU neighbouring countries	49	61	63	66	71	77	82	469

7. IMPACT ON STAFF AND ADMINISTRATIVE EXPENDITURE

7.1. Impact on human resources

The human resources needed to manage assistance are estimated at 4,8 staff (comprising all categories of staff) per 10 million euro in commitment appropriations managed yearly. Over the whole period, this would mean an increase estimated at 775 FTE (full time staff equivalent) for the three instruments for external assistance – DCECI, ENPI and Instrument for Stability – on top of existing staff in place as of 01/04/2006. The resources needed for 2007 are compatible with the Preliminary Draft Budget 2007.

7.2. Overall financial impact of human resources

The additional human resources needed for the management of the action as compared to the situation by 01/04/2006 will be financed on the appropriations for administrative support expenditure (contract agents and local agents). They shall complement the other human resources involved in the management at headquarters and in delegations (officials, temporary agents and others).

The estimated costs are taken into account in point 2.3 (b.1) and (b.2).

7.3. Other administrative expenditure deriving from the action (2004 prices)

Les estimations suivantes sont citées à titre indicatif. Elles seront analysées lors des procédures budgétaires annuelles.

Budget line (number and heading)	Amount €	Method of calculation
Overall allocation (Title A7)		
A0701 – Missions	747.600	534 missions x 1.400 euro per mission
A07030 – Meetings	80.000	80 meetings x 1.000 euro per meeting
A07031 – Compulsory committees ¹	500.000	
A07032 – Non-compulsory committees ¹	0	2x /month x 10 months = 20 meetings per year x 25.000 euro per meeting
A07040 – Conferences	300.000	
A0705 – Studies and consultations	160.000	
Other expenditure (specify)	0	
Information systems (A-5001/A-4300)	200.000	
Other expenditure - Part A (specify)	0	
Total	1.787.600	

The amounts are total expenditure for twelve months.

¹ Specify the type of committee and the group to which it belongs.

- The needs in human and administrative resources are covered within the budget allocated to the managing DG in the framework of the annual allocation procedure.
- The allocation of posts will depend on the internal organisation of the Commission and on a possible reallocation of posts between the services under the financial framework 2007-2013.

8. FOLLOW UP AND EVALUATION

8.1. Follow up arrangements

The Commission will monitor progress of its external co-operation on all levels, *input* (in particular financial flows (commitments, contracts and payments), *activities / outputs* (project and programme execution, internal monitoring carried out on the spot by Commission Delegations), *progress / outcome* (external Results-Oriented Monitoring - ROM⁶) and *impact* (Millennium Development Goals are jointly monitored with partners).

All countries and regional pluriannual indicative program will include the specific objectives and expected results for each area of co-operation, and a limited number of key outcome indicators in regard to economic and poverty situation. These indicators must relate to developments that are measurable in the short/medium term. If there is a Poverty Reduction Strategy Paper process under way, the indicators must correspond to those developed in that framework.

The programming of long-term external aid for partner countries and regions is carried out in the framework of the preparation of country and regional strategy papers (up to 7-years). These country strategies also include a work plan or national / regional indicative programme jointly agreed between the Community and partner country/region concerned.

Under the principle of rolling programming, a review process is foreseen including annual operational reviews, mid-term reviews, and ad-hoc reviews where necessary. These review mechanism provides the flexibility required to ensure that operations are kept constantly in line with changes occurring in the economic situation, priorities and objectives of the partner country/region.

Reviews take a special interest on progress achieved in terms of financial execution of aid, as well as in terms of results achieved and evolution of the context in term of poverty reduction, economic performance and supported sectors. Updated intervention frameworks and indicator tables on focal sectors are annexed to review documents in order to facilitate the assessment at the time of the review. In particular, mid-term reviews may lead to a change of strategy, as well as a change in the country/region allocation in the light of the current needs and performance.

The thematic strategy papers will include a list of indicators that will allow, on the basis of available information, to monitor the global situation in relation to the specific theme.

The annual Action Programmes will include information on the type of performance indicators that will have to be monitored when implementing the measures financed by the Commission.

Cross Border Co-operation programmes to be prepared by the partners for adoption by the Commission will devote particular attention to the definition of indicators at the level of the

⁶ The results-oriented monitoring system (ROM) allows a rapid appreciation of a project or programme's performance, as well as of its wider implications and provides the Commission with independent advice on its project portfolio. The system was initially developed and tested in 2000/2001 before expansion during 2002 to all regions of the Commission's external co-operation. Having one consistent approach ensures that the Commission has comparable data for all regions where it provides external assistance.

priorities and measures and the elaboration of the necessary institutional arrangements for monitoring.

8.2 Arrangements and schedule for the planned evaluation

In application of current rules and in view of the vast scope of the activities foreseen, an evaluation system covering the different levels of intervention and types of instruments has been set up.

Notably, the financial regulation, as well as the internal control standards, calls for regular evaluation of all (sizable) activities. This is translated into the evaluation of single operations (e.g. development projects), of programmes (e.g. country strategies) and policy sectors or themes (e.g. transport or gender issues). Evaluations of are also necessary and ongoing of wider legal obligations such as the 3 Cs (Coherence, Complementarity, Coordination).

In practical terms, above mentioned obligations would amount to a yearly evaluation programme covering roughly the following: 30 country strategy evaluations (approximately 120 sizeable Country Strategy Papers covered over a 4 year cycle) , 4 evaluations of regional and sub regional strategies; 4 evaluations of themes and sectors and 4 joint evaluations. It is also estimated that about 300 projects and other operations have to be evaluated each year.⁷

These works will be complemented by relevant works on databases, meta-analyses, methodology and training.

9. ANTI-FRAUD MEASURES

The protection of the Community's financial interests and the fight against fraud and irregularities form an integral part of this Regulation.

Administrative monitoring of contracts and payments will be the responsibility of the EC Delegations in beneficiary countries.

Each of the operations financed under this regulation will be supervised at all stages in the project cycle through the delegations. Supervision will take account of contractual obligations as well as of the principles of cost/benefit analysis and sound financial management.

For Cross Border co-operation programmes operating under shared management the Member State where the joint managing authority is located is responsible for ensuring sound financial management and the legality and regularity of the transactions.

Moreover, any agreement or contract concluded pursuant to this Regulation shall expressly provide for monitoring of spending authorised under the projects/programmes and the proper implementation of activities as well as financial control by the Commission, including the European Anti-Fraud Office (OLAF), and audits by the Court of Auditors, if necessary on the spot. They shall authorise the Commission (OLAF) to carry out on-the-spot checks and

⁷ The evaluation programme mentioned in this paragraph covers all co-operation activities covered by the four external aid instruments: « instrument for pre-accession », « european neighbourhood and partnership instrument », stability instrument » and « economic co-operation and development instrument ». Human and financial resources necessary for the implementation of the programme are estimated at 72 man/year and 24,6 M€ per year.

inspections in accordance with Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and irregularities.

Particular attention will be paid to the nature of expenditure (eligibility of expenditure), to respect for budgets (actual expenditure) and to verify supporting information and relevant documentation (evidence of expenditure).