



EUROPEAN COMMISSION

Brussels, 31.5.2012  
C(2012) 3665 final

**COMMISSION IMPLEMENTING DECISION**

**of 31.5.2012**

**adopting the Multi-beneficiary Programme under the IPA Transition Assistance and  
Institution Building Component for the year 2012**

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### adopting the Multi-beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2012

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)<sup>1</sup>, and in particular Article 14(2)(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidate countries and potential candidates.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning document referred to in Article 6 of that Regulation.
- (3) The Council established an Accession Partnership or a European Partnership for all candidate countries and potential candidates. The Commission has adopted on 20.06.2011 a Multi-beneficiary Multi-annual Indicative Planning Document 2011-2013<sup>2</sup> which presents indicative allocations for the main priorities for Multi-beneficiary pre-accession assistance to all relevant candidate countries and potential candidates.
- (4) Therefore, the Multi-beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2012 aims at providing assistance to the following priorities: Ensuring non-discrimination and respect for human rights as well as freedom of expression; Maintain the momentum of judiciary and public administration reform; Enhance regional cooperation in the fight against organised crime and corruption; Helping the countries to overcome the economic and financial crisis and prepare for sound recovery by jointly working on increasing competitiveness and investments in infrastructure; as well as fostering reforms in higher education.

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<sup>1</sup> OJ L 210, 31.7.2006, p. 82.

<sup>2</sup> C(2011)4179

- (5) To achieve the priorities selected in the MIPD, the Commission will focus the assistance primarily on the following sectors: 1) Justice and Home Affairs, including fundamental rights and vulnerable groups; 2) Public administration reform; 3) Private Sector Development; 4); Transport and energy infrastructure; 5) Environment and Climate Change; and 6) Social Development.
- (6) This Decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002<sup>3</sup> (hereafter: “Implementing Rules”) and constitutes thus a Financing Decision within the meaning of Article 75 (2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities<sup>4</sup> (hereafter: “Financial Regulation”).
- (7) It is appropriate to implement Project 4 on inclusive education in joint management with the Council of Europe, Project 5 on witness protection by indirect centralised management with the Northern Ireland Co-operation Overseas (NI-CO) subject to a positive assessment by the Commission as regards compliance with the criteria set in Article 56 of the Financial Regulation, Project 6 in joint management with the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) and the Council of Europe Bank (CEB), and part of Project 11 in joint management with the Organisation for Economic Cooperation and Development (OECD) and the World Bank, as these organisations have prepared the activities, assessed their feasibility and defined the implementation agreements together with the European Commission.
- (8) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee<sup>5</sup>.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

The Multi-beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2012, as set out in the Annex, is hereby adopted.

This programme shall be implemented partly by centralised management, partly by indirect centralised management by a delegated body and partly by joint management with the Council of Europe, the World Bank, the Organisation for Economic Cooperation and Development (OECD), the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD), the Council of Europe Bank (CEB).

This programme is implemented without financing agreements.

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<sup>3</sup> OJ L 357, 31.12.2002, p. 1

<sup>4</sup> OJ L 248, 16.9.2002, p.1

<sup>5</sup> The Member States have declared, recalling the Council Conclusions of 18 February 2008, that the adoption of the Multi-Beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2012 does not prejudice the position of each individual Member State on the status of Kosovo (under UNSCR 1244/99), which will be decided in accordance with their national practice and international law.

*Article 2*

The maximum amount of European Union contribution shall be **EUR 108 645 650** to be financed through Article 22.020701 of the general budget of the European Union for 2012.

Done at Brussels, 31.5.2012

*For the Commission*  
*Štefan FÜLE*  
*Member of the Commission*

## ANNEX

### Multi-beneficiary programme under the IPA-Transition Assistance and Institution Building Component for the year 2012

#### 1 IDENTIFICATION

<b>Beneficiaries</b>	Western Balkans: Albania, Bosnia and Herzegovina, Croatia (except project No. 7, 9 and 10), the former Yugoslav Republic of Macedonia, Montenegro, Serbia, as well as Kosovo*;  Turkey for projects No. 1, 2, 3, 7, 8, and 11;  Iceland for projects No. 3 and 11
<b>CRIS decision number</b>	2012/022-966, 2012/023-625, 2012/023-626, and SI2.615829
<b>Year</b>	2012
<b>EU contribution</b>	EUR 108 645 650
<b>Implementing Authority</b>	European Commission except for projects:  Project No.4 inclusive education will be implemented by joint management with the Council of Europe.  Project No.6 WBIF will be partly implemented by joint management with International Financial Institutions (EIB, EBRD, CEB).  Project No.8 Erasmus Mundus - Action 1, No.9 Erasmus Mundus – Action 2 and No.10 Youth in Action: The European Commission will delegate the implementation of these projects to the Education, Audiovisual and Culture Executive Agency (EACEA).  Project No. 5 WINPRO: The European Commission will delegate the implementation of this project to the Northern Ireland Co-operation Overseas (NI-CO).  Project No. 11 Strengthening European Integration will be partly implemented by joint management with the OECD and the World Bank.
<b>Final date for concluding the Financing Agreement</b>	The programme is implemented without Financing Agreements.
<b>Final date[s] for contracting</b>	30 November 2013
<b>Final date for execution</b>	30 November 2015.  The following exceptions apply:

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence

	6) WBIF: 31/12/2017 8) Erasmus Mundus Action 1: 30/11/2018 9) Erasmus Mundus Action 2: 30/11/2018
<b>Budget line(s) concerned</b>	22.02.07.01: regional and horizontal programmes
<b>Programming Unit</b>	Unit D3 - Regional Programmes DG Enlargement
<b>Implementation Unit</b>	Unit D3, Regional Programmes, DG Enlargement DG Enlargement will cross sub-delegate implementation of project No. 3 to DG Eurostat and project No. 7 to DG ECHO

## 2 THE PROGRAMME

This IPA Multi-beneficiary (MB) Programme is designed to respond to Multi-beneficiary priority needs as indicated in the IPA Multi-beneficiary Multi-annual Indicative Planning Document (MIPD) 2011-2013, taking into account activities implemented under the National Programmes, the guidance provided in EU strategic documents, the lessons learned from the programming and implementation of previous EU assistance and the findings from consultations with, *inter alia*, the beneficiaries, certain International Financial Institutions (IFIs), the Regional Cooperation Council (RCC), EU Member States, civil society organisations and European Commission services.

While the main assistance to IPA beneficiaries is given through the National Programmes, the MB Programme endeavours to complement and add value to these as well as to enhance regional cooperation. Multi-beneficiary assistance covers regional projects that set out to promote cooperation between IPA beneficiaries as well as horizontal projects that address common needs of the IPA beneficiaries and aim to achieve efficiencies and economies of scale.

### 2.1 PRIORITIES SELECTED UNDER THIS PROGRAMME

The MB MIPD 2011-2013 identifies the following priorities: (1) to maintain the momentum of reform of the judiciary and public administration; (2) to enhance regional cooperation in the fight against organised crime and corruption; (3) to contribute to ensuring non-discrimination and respect for human rights as well as freedom of expression; (4) to help completing the process of reconciliation in the Western Balkans; (5) Contribute to building a vibrant civil society; (6) to help the Beneficiaries overcome the economic and financial crisis and prepare for sound recovery by jointly working on increasing competitiveness and investments in infrastructure; and (7) to foster reforms and regional cooperation in education.

The MB 2012 programme addresses all priorities of the MIPD either directly or indirectly, while particular attention is paid to public administration reform, the fight against organised crime and corruption and to support recovery from the recent economic crisis as well as energy efficiency and higher education. With a view to facilitate programming, the projects have been consolidated into separate Programmes:

- Multi-beneficiary Programme 2012 (this programme);
- Tempus Programme 2012;

In addition, on 5 December 2011, the European Commission adopted a Programme to support Civil Society Development in 2011-2012 for which MB assistance will complement funds from national IPA programmes in the Civil Society Facility.

MB assistance will be provided through IPA component I for "Transition Assistance and Institution Building".

## **2.2 SECTORS SELECTED UNDER THIS PROGRAMME AND DONOR COORDINATION**

To achieve the priorities selected for support in the programming period 2011-2013, the MB MIPD contains seven (7) sectors on which IPA assistance will be focused:

- Justice and home affairs, including fundamental rights and vulnerable groups
- Public administration reform
- Support to civil society
- Private sector development
- Transport and energy infrastructure, including nuclear safety
- Environment and climate change
- Social Development.

This 2012 MB programme addresses all MIPD sectors except support to civil society which is provided under the above mentioned horizontal programme for Civil Society development in 2011 - 2012.

The selection process of projects that form part of this annual programme has been based on sector plans and discussions in sector working groups that were set up for the purpose to define the priorities for the MIPD 2011 – 2013 and hence in full coordination with the IPA Beneficiaries, other donors, the RCC, civil society and other stakeholders, taking also into account lessons learnt of past and on-going programmes. Only projects that have achieved sufficient readiness for implementation have been accepted. This resulted in postponement of a number of projects that were planned to form part of this programme into next year's programming exercise (notably SIGMA, support to the Regional Environmental Network for Accession (RENA) and the project to support prudential banking supervision).

Whereas IPA assistance at national level is progressively introducing the concept of a Sector-wide Approach (SWAp), the concept is not applicable for regional programmes. However, as the various regional and horizontal projects will complement policy reforms at national level, their added value to address common needs in all IPA beneficiaries and fostering regional cooperation should be taken into account when further developing the SWAp approach.

The current MB programme for IPA 2012 includes 11 regional and horizontal projects set out to address the above mentioned priorities and sectors.

With a view to maintain the momentum of **public administration reform** and improve public governance, three projects have been selected, including continuous support to the Regional School of Public Administration (ReSPA). Horizontal support to statistics will also continue, as it is not only an essential basis for the development of democratic and market-oriented societies, but also a precondition for successful accession negotiations. Parliamentary Cooperation in the Western Balkans has been singled out as being a powerful tool to enhance public governance and hold governments accountable.

A regional project promoting inclusive education has been selected as one of the priorities in the sector **Justice and Home Affairs**, including fundamental rights and vulnerable groups while a regional project to strengthen witness protection enhances the fight against organised crime and corruption.

Particular attention has been given to projects that support the Beneficiaries to overcome the economic and financial crisis and support the nascent economic recovery by continuing financial support for priority **investments in infrastructure**, in close coordination with IFIs. Investments in energy efficiency are deemed to hold the key for achieving sustainable economic growth and embracing the Europe 2020 strategy.

In the sector of **Environment and climate change**, a regional project has been selected to enhance civil protection cooperation in the Western Balkans and Turkey.

With a view to foster reforms and regional cooperation in education, the IPA 2012 MB programme will continue previous practice and support the Erasmus Mundus Action 1 and 2 as well as the Youth in Action programme in the sector **Social Development**.

Coordination and coherence of assistance and activities is particularly important, given the large number of players involved in Multi-beneficiary IPA assistance programming. The need for improved coordination and coherence has been highlighted to the Commission during consultations as a continuing concern by the authorities of the region.

Efforts are being made by the Commission to ensure good coordination in the programming as well as the implementation process by organising regular meetings throughout the year with Beneficiaries, EU Delegations, EU Member States, IFIs, the RCC and other stakeholders. This process is aimed at ensuring complementarities, avoiding overlaps and enhancing, as far as possible, local ownership of the choices, content and design of the programmes.

The Commission organised one Donor Coordination conference in 2011 where the Commission and Member States, together with the IFIs and non-EU donors, discussed those projects that were selected to form the MB programme for 2012. The discussions proved to be a key tool to determine areas of common interest and possibilities for sector coordination and division of labour.



### 2.3 DESCRIPTION

The Multi-beneficiary programme 2012 will focus its support through the various projects to achieve the following sector objectives:

- 1) Sector Public administration reform: The overall objective is to contribute towards upgrading the operational capacities and the professionalism of public administrations at central, regional and down to local level. Also, in the area of statistics, the aim is to continue upgrading and strengthening the statistical systems of all IPA Beneficiaries.
- 2) Sector Justice and Home Affairs, including fundamental rights and vulnerable groups: To strengthen regional and international cross-border cooperation mechanisms between law enforcement agencies and judicial authorities in the combat of the various forms of organised crime and corruption, through networking, mutual legal assistance, transfer of proceedings, requests for extradition, joint investigation teams and witness protection programmes. In addition, regional cooperation shall contribute to ensuring compliance with the Copenhagen political criteria, specifically to guarantee respect for human rights and protection of minorities in all candidate countries and potential candidates.
- 3) Sector Private Sector Development: The aim is to raise regional competitiveness, including through increased competence of human capital, attract investments, facilitate trade and establish a business climate conducive to the development of SMEs.
- 4) Sector Transport and Energy infrastructure: Support in this sector has the ultimate goal to support the modernization of the economies of the beneficiaries, to increase the access to finance for investments in priority infrastructure projects in the region, with particular attention to regional initiatives.
- 5) Sector Environment and Climate Change: The aim is to support beneficiaries to align with the environmental climate change *acquis*, strengthen regional cooperation (through RENA) in strategic planning for environmental policy and develop the capacities and mechanisms in the area of disaster risk management and mitigation of and adaptation to climate change.
- 6) Sector Social Development: The objective is to support the development of the higher education systems in the beneficiaries through cooperation between local higher education institutions and those of the EU Member States as well as to promote youth exchange.

In addition, the Multi-beneficiary programme 2012 will finance a number of other interventions that fall outside the scope of these sectors such as project identification and preparation and support in their implementation.

## **Sector Public Administration Reform**

### **Project 1: Regional School of Public Administration (ReSPA) – EUR 6 000 000**

The MIPD foresees continued support to the Regional School of Public Administration (section 3.2.2.).

The overall project objective is to strengthen the administrative capacity as required by the European integration process, in line with the principles of the European Administrative Space<sup>1</sup>. The specific project objective is to see ReSPA developed and acknowledged as a regional hub for capacity-building and networking in the field of public governance, emphasising excellence, innovation and ownership.

Component I (Mainstream ReSPA activities - ReSPA Annual Programmes of Work) will be implemented through an action grant to the Regional School of Public Administration for a value of EUR 3 500 000 (which corresponds to 100% financing), to be awarded in quarter 4, 2012, at the latest by 30 November 2012, i.e. when the current grant contract (CRIS No. 2010/256-128) with ReSPA comes to an end in line with Article 168(1)(c) of the Implementing rules of the Financial Regulation. ReSPA constitutes a de facto monopoly, being an International Organisation created by all beneficiaries to deliver regional training activities in the area of public administration.

Component II (Strategic planning and budgeting) will be implemented through an action grant to the Center of Excellence in Finance (CEF) in Ljubljana for a value of EUR 1 000 000 (which corresponds to 100% financing), to be awarded in Quarter 3, 2012, based on Article 168 (1) (f) of the Implementing Rules of the Financial Regulation, since a particular type of body on account of its technical competence is required. Based on their regional presence and wide experience in horizontal actions, reviews and stakeholder coordination in the area of public finance management, only CEF combines the required technical capacity, knowledge and above all independence and authority to undertake a fair and consistent assessment, with a view to creating the conditions for effective coordination of this component. A specific project Steering Committee involving ReSPA, CEF, the European Commission and representatives of the target beneficiaries will also be set up.

Component III (Strengthening democratic governance and trust in public services – Quality of Public Services) will be implemented through a service contract that will be awarded following a restricted call for tender to be launched in quarter 4, 2012 for a value of EUR 1 500 000. Specific advice and training will be delivered to upgrade administrative culture and to measure the quality of the public services. A specific project Steering Committee involving ReSPA, the selected contractor, the European Commission and representatives of the target beneficiaries will also be set up.

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<sup>1</sup> Developed by SIGMA, the concept of a common "European Administrative Space" relies on minimum acceptable standards or baselines for action of political bodies and public administration, which are defined by law and enforced in practice through relevant procedures and accountability mechanisms. The idea of a common space does not imply that countries should harmonise their arrangements for public administration or converge towards one single model. The European Administrative Space rather aims at being a process of convergence towards a "European reference" for public administration.

**Project 2: Parliamentary Cooperation in the Western Balkans and Turkey  
- Support to the Cetinje Parliamentary Forum – EUR 1 000 000**

The IPA Multi-beneficiary MIPD refers to the RCC's Strategy and Work Plan 2011-2013, which identifies a number of priorities for regional cooperation, including parliamentary cooperation. Enhanced cooperation with the existing regional mechanisms is clearly preferred to the creation of any new network or structure. As such, a key objective of the strategy consists of developing the Cetinje Parliamentary Forum into a hub for coordination of parliamentary activities related to the EU *acquis* through its institutionalisation and establishment of a sustainable Secretariat.

The overall project objective is to strengthen the effectiveness of Parliaments in the Western Balkans and Turkey. The specific project objective is to improve regional parliamentary cooperation regarding issues linked to accountability, transparency and European integration.

A restricted call for tender for services for a value of EUR 1 000 000 will be launched in quarter 2, 2012 aiming at supporting the Cetinje Parliamentary Forum with the collaboration of all national Parliaments.

**Project 3: Statistical Cooperation Programme – EUR 10 000 000**

The overall project objective is to prepare the statistical authorities in the IPA beneficiaries for future EU membership by aligning their present methodologies and practices with the statistical *acquis* and integrating them into the European Statistical System. The specific project objective is to continue upgrading and strengthening the beneficiaries' statistical systems, thereby improving the availability, quality, comparability and timeliness of statistical data.

The project will be implemented through direct grants to the National Statistical Institutes of Croatia, Turkey, Iceland, the former Yugoslav Republic of Macedonia and Serbia in quarter 2, 2013 for a total of EUR 5 500 000 on the basis of a de-jure and de-facto monopoly to carry out the statistical activities included in this project in line with Article 168 (1) (c) of the Implementing Rules of the Financial Regulation as the NSIs are the institutions inside the public administration of the IPA beneficiaries responsible for collecting, producing and disseminating official statistics. The grant beneficiaries will contribute 10% co-financing to the eligible expenditure.

Part of the project will be implemented by a service contract for EUR 4 500 000 that will be awarded following a call for tender to be launched in quarter 3, 2012. The contract will provide technical assistance to those beneficiaries, in particular, who do not receive a grant under this Programme.

Implementation of this project will be cross sub-delegated from DG Enlargement to DG Eurostat.

## **Sector Justice and Home Affairs**

### **Project 4: Regional Support for Inclusive Education – EUR 4 645 650**

The project is in line with the IPA Multi-Annual Indicative Planning Document (MIPD) 2011-2013, Section 3.1: Justice and Home Affairs, including fundamental rights and vulnerable groups, which refers to reducing ethnic and social distance as one of the objectives to be achieved and indicates inclusive education as an appropriate means in that regard.

The overall project objective is to enhance - in line with the Beneficiaries' commitments to EU accession - social inclusion and social cohesion in the region by promoting inclusive education and training. The specific project objective is to promote the concept of inclusive education, as well as relevant policies and practices of inclusive education in the formal education system at pre-university level in the Western Balkans through awareness-raising, mutual learning and capacity building measures.

The project will be implemented by joint management with the Council of Europe (CoE). A Contribution Agreement for an amount of EUR 4 645 650 will be signed at the latest in quarter 1, 2013. The Council of Europe will contribute 10% co-financing to the eligible expenditure.

### **Project 5: Witness Protection in the Fight against Organised Crime and Corruption (WINPRO II) - EUR 7 000 000**

The MB MIPD 2011 – 2013 acknowledges the fact that the protection of witnesses is widely seen as a necessary tool in helping to penetrate and dismantle criminal organisations, as the closed nature of criminal and terrorist groups makes it very difficult to use traditional investigative methods successfully.

The overall project objective is to improve the Beneficiaries' efficiency and effectiveness in combating transnational organised and serious crimes, as well as corruption. The specific project objective is to strengthen cooperation to combat organised crime and corruption at regional and European level through reinforcing the institutional capacity of the Witness Protection Units and other relevant agencies in the Beneficiaries to offer protection to witnesses and collaborators of justice, before, during and after the trial, within and/or outside their territory.

This project will be implemented by indirect centralised management with the Northern Ireland Co-operation Overseas (NI-CO), based on Article 54 paragraph 2(c) of the Financial Regulation, following the signature of a Delegation Agreement in quarter 4, 2012, subject to this organisation having received a positive assessment by the Commission as regards compliance with the criteria set in Article 56 of the Financial Regulation.

## **Sector Private Sector Development and Transport and Energy Infrastructure**

### **Project 6: Western Balkans Investment Framework 2012 – EUR 52 000 000**

The Multi-Beneficiary MIPD 2011-2013 (section 3.4 and 3.5) foresees the promotion of infrastructure investments, support to private sector development and in the field of energy efficiency. Energy efficiency support is fundamental to open up energy markets, attract investments, boost knowledge and "green" innovation and promote

long-term sustainable growth. It also ensures that in all Beneficiaries the challenges linked to climate change are addressed, in particular by reducing the emission intensity of their economic development in line with the Europe 2020 Strategy.

The overall project objective is to support the socio-economic growth of the Western Balkans by implementing the Western Balkans Investment Framework (WBIF). The project will contribute to strengthen the economies of the Western Balkans in a sustainable manner, prepare for sound recovery from the global economic crisis in the region, while protecting the environment. The specific project objective is to support the preparation and implementation of priority infrastructure investment projects and energy efficiency projects, financed by a combination of grants and loans and to provide the necessary means (financial and/or human) to the economic actors, i.e. financial institutions and businesses, to enable them to offer competitive products and services and to face challenges following the economic crisis.

Under the Infrastructure Project Facility, a new service contract for Technical Assistance for an indicative amount of EUR 10 million will be signed in quarter 1, 2013, either following a tender or by extension of an existing contract, tendered in 2011 as such extension was indeed foreseen in the call for tender of the original contract. The energy efficiency component of this project will be implemented in joint management with IFIs (EIB, EBRD, CEB) following the conclusion of Contribution Agreements totalling 20 million that should be signed in quarter 2, 2013. One Contribution Agreement of EUR 20 million will be concluded with the European Western Balkan Joint Fund, managed by EIB and EBRD that should be signed in quarter 4, 2012. One Contribution Agreement of EUR 2 million will be concluded in quarter 4, 2012 under joint management with IFIs (EIF, EBRD) for the development of the SME platform, managed by the European Investment Fund (EIF).

### **Sector Environment and Climate Change**

#### **Project 7: Civil Protection Cooperation with the candidate countries and potential candidates – phase II – EUR 2 000 000**

Disaster Risk Reduction is addressed under chapter 3.6 of the Multi-beneficiary MIPD 2011-2013 – Environment and Climate Change, whose objectives for the next three years include provision of support to candidate countries and potential candidates to develop the capacities and mechanisms in the area of disaster risk management and adaptation to climate change.

The overall objective of the project is to reduce vulnerability of beneficiaries to natural and man-made disasters at local, national and regional levels. The specific project objective is to increase beneficiaries' ability to effectively interact with the EU Civil Protection Mechanism and relevant institutions in the EU dealing with civil protection and emergency response as well as to increase beneficiaries' capability to further develop effective national civil protection systems and collaborate regionally, including through drawing on the best European and regional practices.

The project will be implemented through a service contract for Technical Assistance following a restricted tendering procedure to be launched in quarter 4, 2012. The implementation of this project will be sub-delegated to DG ECHO as it is coordinating the EU Civil Protection Mechanism.

## **Sector Social Development**

### **Project 8: Erasmus Mundus Action 1: Western Balkans - Turkey Windows – EUR 8 000 000**

As noted in the MIPD 2011 - 2013, the objectives of assistance in this sector is to enhance regional cooperation among the beneficiaries, enable better quality of higher education and foster reforms in education.

The overall project objective is to achieve better understanding and mutual enrichment between the European Union and the candidate countries and potential candidates in the field of higher education through promoting the mobility of students and doctoral candidates at higher education level. The specific project objective is to enable highly qualified graduates and doctoral candidates from the Western Balkans and Turkey to engage in postgraduate study at European universities and to obtain qualifications and/or experience in the European Union and EFTA-EEA States.

This project will be implemented by indirect centralised management. Implementation tasks are delegated by the European Commission to the Education, Audiovisual and Culture Executive Agency (EACEA). Following the selection of the awarded students, the EACEA will conclude grant contracts with the universities. It is expected that these contracts will be concluded in quarter 2, 2013.

### **Project 9: Erasmus Mundus – Action 2: Partnerships, Lot - Western Balkans – EUR 12 000 000**

The overall project objective is to contribute towards the development of human resources and the international cooperation capacity of higher education institutions in the Western Balkans. The specific project objective is to enable the exchange of staff and students at all levels thereby enhancing their knowledge and skills.

This project will be implemented by indirect centralised management. Implementation tasks are delegated by the European Commission to the Education, Audiovisual and Culture Executive Agency. The project will be implemented through a call for proposals. The call for proposals should be launched in quarter 4, 2012. The selection and award criteria will relate to (a) the financial and operational capacity of the applicant, (b) the relevance of the proposal, and (c) the methodology proposed.

### **Project 10: Youth in Action Western Balkans Window – EUR 3 000 000**

The overall project objective is to strengthen democracy, civil society and social inclusion in the Western Balkans, as well as young people's mutual understanding, sense of solidarity and tolerance, by facilitating the integration and active participation of young people in society. The specific objective of this project is to promote the non-formal education and youth sector in the region by supporting projects with the partner beneficiaries, in particular youth exchanges, transnational voluntary service and training and networking for those active in youth work.

This project will be implemented by indirect centralised management. Implementation tasks are delegated by the European Commission to the Education, Audiovisual and Culture Executive Agency. The Programme "Youth in Action" is implemented on the basis of a permanent Call for Proposals. The present project, as part of the overall programme, foresees three deadlines in 2012. Following the

selection of the projects after an evaluation by experts on the basis of criteria defined in the Youth in Action Programme Guide, grants will be awarded in quarter 2, 3 and 4, 2012 to youth organisations established in the Western Balkans.

### **Support and other activities**

#### **Project 11: Strengthening European Integration – EUR 3 000 000**

The overall project objective is to ensure effective programming and project development as well as implementation of the Multi-beneficiary Programme under the IPA thus contributing to the overall progress of the accession process and increasing the effectiveness and impact of accession-oriented projects financed through IPA. The project purpose is to strengthen the ability of the beneficiaries to effectively design and develop programmes and projects to be submitted for financing under IPA Multi-beneficiary Programmes as well as to enable the implementation of a number of accession-related actions of various public/private actors in order to meet specific and urgent needs in the beneficiaries. Furthermore, to support the beneficiaries' participation in activities for the exchange of information, networking, participation in workshops, conferences, study visits and similar activities and to assist in smaller-scale projects supporting European Integration.

It is expected that the project will be implemented through approximately 5 service contracts for a total indicative amount of EUR 690 000, procured through calls for tender (1) or under framework contracts (4), depending on the amount, which should be launched between quarter 3, 2012 and quarter 3, 2013.

Part of the project will be implemented in cooperation with international organisations and, if appropriate, by joint management following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules, as follows:

One Contribution Agreement will be signed with the Organisation for Economic Cooperation and Development (OECD) to enter into joint management to support the policy reform that will accompany the "Western Balkans SME Platform" to improve the operational environment for innovative and high-growth Small and Medium Sized Enterprises (SME) in the Western Balkans through a coordinated approach between the beneficiaries and the international organisations active in the region. The aim is to target country reforms that complement and/or strengthen existing national government plans to reform the business climate and consistent with policy dialogue attached to loans from International Financial Institutions (IFIs) such as the World Bank, the IMF or the EBRD. An indicative amount of EUR 310 000 is foreseen and contract signature in quarter 3, 2012.

In addition, one Administration Agreement will be signed with the World Bank to enter into joint management to support the introduction of a Sector Wide Approach (SWAP approach) in the programming of national IPA assistance in the beneficiaries by developing sector strategies and action plans. An indicative amount of EUR 1 000 000 is foreseen and contract signature in quarter 3, 2012.

One Contribution Agreement will be signed with the International Criminal Tribunal for the former Yugoslavia (ICTY), based on Article 168(1)(f) of the Implementing Rules of the Financial Regulation on account of its technical competence and high degree of specialisation. Only the ICTY, responsible for the war crime judgements,

has the technical capacity and knowledge to conduct this assignment, namely to render justice to thousands of victims and their families, respect of fundamental rights, and finally to lasting peace in the former Yugoslavia. An indicative amount of EUR 400 000 is foreseen, the agreement should be signed in quarter 3 2012.

Part of the project will also be implemented through grant contracts awarded in accordance with the provisions in the Financial Regulation and Implementing Rules (Title VI), as follows:

One grant contract will be signed in quarter 3 of 2012 with the South East Europe Military Intelligence Chiefs (SEEMIC) Forum for an indicative amount of EUR 100 000 which corresponds to 100% financing. The direct award is based on Article 168(1)(f) of the Implementing Rules of the Financial Regulation, since a particular type of body on account of its technical competence is required. Cooperation with SEEMIC, which began in 2009 with a meeting in Bucharest, has been realised at the initiative of the RCC and with the support of the Intelligence Directorate of the European Union Military Staff (EU MS INT) – European External Action Service (EEAS). SEEMIC is a forum of high-level military intelligence officers from the region that allows for networking, building relationships and strengthening trust as a basis for furthering cooperation in the security area between the candidate countries and potential candidates themselves and between them and South East European EU countries members of the RCC, as well as with the EU MS INT.

One grant contract will be signed in quarter 3, 2012 with the European Broadcasting Union (EBU) for an indicative amount of EUR 500 000 which corresponds to 80% of the total costs. The direct award is based on Article 168(1)(c) of the Implementing Rules of the Financial Regulation, to bodies with a de jure or de facto monopoly. The EBU is a professional association of broadcasting organisations, which includes all the IPA beneficiary public service broadcasters. An important part of EBU's mission is to act as professional interlocutor with European institutions and organisations and, where appropriate, to contribute to the drafting of legal instruments and the establishment of standards and norms relating to broadcasting with a view to safeguarding and furthering the interests of its members. The critical role of EBU has been endorsed by the RCC and the recently founded association of Public Service Media in South East Europe, which groups EBU Members in the region.

The EU contribution corresponds to 80% of the total costs of the project aimed at improving the financial and editorial independence of Public Service Media. Special attention will be given to improving the standards of investigative journalism and reporting on political, economic and social affairs. The exact scope and specific objectives of the project will be determined following a base line and fact-finding study that will be implemented during the first half of 2012.

## **2.4 CROSS-CUTTING ISSUES**

Cross cutting issues, such as equal opportunities for women and men and non-discrimination, support to minorities and vulnerable groups, environmental protection, involvement of civil society and good governance with particular attention to fight against corruption, have, as appropriate, become an integral part of each project. The



mainstreaming of the cross cutting issues in each project shall ensure that strategies, policies, structures and operating procedures of the Beneficiary are in conformity with the principles defined in the various projects.

## **2.5 ASSUMPTIONS AND PRE-CONDITIONS**

It is assumed that all Beneficiaries and other stakeholders are full committed to make the regional cooperation process all-inclusive and to resolve any outstanding bi-lateral and regional issues. The commitment of the Beneficiaries to make the necessary resources available, to cooperate closely and to share knowledge as well as experiences are essential to the success of the projects included under this programme.

### 3 BUDGET

#### 3.1 INDICATIVE BUDGET TABLE (CENTRALISED MANAGEMENT)

	Institution Building (IB)				Investment (INV)				Total (IB + INV)	Total IPA EU contribution			
	Total expenditure	IPA EU contribution		Other contribution*		Total expenditure	IPA EU contribution				Other contribution*		
		EUR (a)=(b)+(c)	EUR (b)	% (1)	EUR (c)		% (1)	EUR (e)				% (1)	EUR (f)
	EUR (a)=(b)+(c)	EUR (b)	% (1)	EUR (c)	% (1)	EUR (d)=(e)+(f)	EUR (e)	% (1)	EUR (f)	% (1)	EUR (g)=(a)+(d)	EUR (h)=(b)+(e)	% (2)
<b>Public Administration Reform</b>	17 611 111	17 000 000	96.5	611 111	3.5						17 611 111	17 000 000	15.7
Project No.1: Regional School of Public Administration	6 000 000	6 000 000	100								6 000 000	6 000 000	-
Project No. 2: Parliamentary Cooperation	1 000 000	1 000 000	100								1 000 000	1 000 000	-
Project No. 3: Statistics	10 611 111	10 000 000	94.24	611 111	5.76						10 611 111	10 000 000	-
<b>Justice and Home Affairs</b>	12 110 215	11 645 650	96	464 565	4						12 110 215	11 645 650	10.7
Project No. 4: Inclusive education	5 110 215	4 645 650	90	464 565	10						5 110 215	4 645 650	-
Project No. 5: Witness protection	7 000 000	7 000 000	100								7 000 000	7 000 000	-
<b>Private Sector Development</b>	2 000 000	2 000 000	100								2 000 000	2 000 000	1.8
Project No. 6: WBIF	2 000 000	2 000 000	100								2 000 000	2 000 000	-



### 3.2 PRINCIPLE OF CO-FINANCING APPLYING TO THE PROGRAMME

The IPA EU contribution, which represents **19.4%** of the total budget allocated to this programme, has been calculated in relation to the **eligible expenditure**, which in the case of centralised management and joint management is based on the **total expenditure**.

Due to its regional character it is not possible to require national co-financing for all the projects in this Programme.

In the case of grants, final grant beneficiaries should contribute with a minimum of 10% of the eligible expenditure of the project.

The following exceptions apply:

For project No. 1: The grant contract with ReSPA, which will be financed in full based on Article 253 (1)(e) of the Implementing Rules to the Financial Regulation, as the implementation of the international Agreement establishing ReSPA to which this action contributes is seen as essential for promoting regional co-operation, for which the Commission has interest to be the sole donor.

The grant contract with the Centre of Excellence in Finance, which will be financed in full based on Article 253 (1)(e) of the Implementing Rules to the Financial Regulation, as the implementation of the international Agreement establishing the Regional School of Public administration to which this action contributes is seen as essential for promoting regional co-operation, for which the Commission has interest to be the sole donor.

For project No. 11: the Contribution Agreement with the ICTY, which will be financed in full based on Article 253 (1)(c) of the Implementing Rules to the Financial Regulation, as an action contributing to the protection of fundamental rights of people. The support to the ICTY contributes to render justice to thousands of victims and their families, respect of fundamental rights, and finally to lasting peace in the former Yugoslavia.

The grant contract with the South East Europe Military Intelligence Chiefs (SEEMIC) Forum, which will be financed in full based on Article 253 (1)(e) of the Implementing Rules to the Financial Regulation, as it is an action fostering regional co-operation with a broad impact on confidence-building and security in the region, for which the Commission has interest to be the sole donor.

## 4 IMPLEMENTATION

### 4.1 MANAGEMENT MODES AND IMPLEMENTATION MODALITIES

The programme will be implemented on a centralised basis by the European Commission in accordance with Article 53a of the Financial Regulation<sup>2</sup> and the corresponding provisions of the Implementing Rules<sup>3</sup>, save for the following exceptions:

Project No. 4: The project will be implemented by joint management with the Council of Europe following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules as this organisation has prepared the activities, assessed their

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<sup>2</sup> Regulation 1605/2002 (OJ L 248, 16.9.2002, p.1)

<sup>3</sup> Regulation 2342/2002 (OJ L 357, 31.12.2002, p. 1)

feasibility and defined the implementation agreement together with the European Commission.

Project No. 5: This project will be implemented by indirect centralised management with the Northern Ireland Co-operation Overseas NI-CO, based on Article 54 (2c) of the Financial Regulation, following the signature of a Delegation Agreement. NI-CO has already successfully implemented a previous project on witness protection in the region and has prepared the activities, assessed their feasibility and defined the implementation agreement together with the European Commission. NICO is currently subject to an assessment in relation to Article 56 of the Financial Regulation. In anticipation of the results of the assessment, the authorising officer deems that, based on longstanding and problem free cooperation with NICO, the indirect centralised management mode can be proposed and a Convention can be signed in accordance with the provisions laid down in Article 41 of the Implementing Rules to the Financial Regulation.

Project No. 6: The bulk of the programme will be implemented by the European Commission by joint management with International Financial Institutions (EIB, EBRD, CEB) following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules as these organisations have prepared the activities, assessed their feasibility and defined the implementation agreements together with the European Commission.

Project No. 8: Erasmus Mundus Action 1: Western Balkans - Turkey Windows; 9: Erasmus Mundus – Action 2: Partnerships, Lot - Western Balkans and 10: Youth in Action Programme – Western Balkans Window will be implemented by indirect centralised management following Article 53a of the Financial Regulation and the corresponding provisions of its Implementing Rules. Implementation tasks are delegated under Article 54 (2) (a) of the Financial Regulation to the Education, Audiovisual and Culture Executive Agency, which was created by Commission Decision 2005/56/EC of 14 January 2005. The mandate of the agency was extended by Commission Decision 2007/114/EC of 8 February 2007.

Project No. 11: Part of the programme will be implemented by the European Commission by joint management with the Organisation for Economic Cooperation and Development (OECD) to support the policy reform that will accompany the "Western Balkans SME Platform" and with the World Bank to support the introduction of a Sector Wide Approach (SWAP) in the programming of national IPA assistance in the beneficiaries by developing sector strategies and action plans, following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules, as these organisations have prepared the activities, assessed their feasibility and defined the implementation agreements together with the European Commission.

Joint management will be used to delegate implementation of tasks to international organisations. EBRD, EIB, CEB and the OECD are concerned by this management mode. Both EBRD and EIB are currently subject to an assessment in relation to Article 53d of the Financial Regulation. In anticipation of the results of the assessment, the authorising officer deems that, based on longstanding and problem free cooperation with both the EBRD and EIB, the joint management mode can be proposed and a Convention can be signed in accordance with the provisions laid down in Article 43 of the Implementing Rules to the Financial Regulation.

## **4.2 GENERAL RULES FOR PROCUREMENT AND GRANT AWARD PROCEDURES**

Procurement shall follow the provisions of Part Two, Title IV of the Financial Regulation and Part Two, Title III, Chapter 3 of its Implementing Rules as well as the rules and procedures for service, supply and works contracts financed from the general budget of the European Communities for the purposes of cooperation with third countries adopted by the Commission on 24 May 2007 (C (2007)2034).

Grant award procedures shall follow the provisions of Part One, Title VI of the Financial Regulation and Part One, Title VI of its Implementing Rules.

The Commission shall also use the procedural guidelines and standard templates and models facilitating the application of the above rules provided for in the "Practical Guide to contract procedures for EU external actions" ("Practical Guide") as published on the DEVCO website at the date of the initiation of the procurement or grant award procedure. The essential selection and award criteria for the award of grants are laid down in the Practical Guide. The detailed selection and award criteria will be laid down in the Calls for proposals – Guidelines for applicants.

As regards activities under joint management, the general rules for procurement and grant award procedures shall be defined in the Contribution Agreements between the Commission and the international organisation (Council of Europe, EIB, EBRD, CEB, OECD and World Bank) implementing such programme/activity.

## **4.3 ENVIRONMENTAL IMPACT ASSESSMENT AND NATURE CONSERVATION**

All investments shall be carried out in compliance with the relevant EU environmental legislation. An appropriate nature conservation assessment shall be made for each project<sup>4</sup>, equivalent to that provided for in Article 6 of the Habitats Directive<sup>5</sup>.

## **5 MONITORING AND EVALUATION**

### **5.1 MONITORING**

The Commission may undertake any actions it deems necessary to monitor the programmes concerned.

In the case of joint management with international organisations: The Commission may undertake any actions it deems necessary to monitor the programmes concerned. These actions may be carried out jointly with the international organisation(s) concerned.

### **5.2 EVALUATION**

Programmes shall be subject to ex ante evaluations, as well as interim and/or, ex post evaluations in accordance with Articles 57 and 82 of IPA Implementing Regulation, with the aim of improving the quality, effectiveness and consistency of the assistance from EU funds and the strategy and implementation of the programmes.

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<sup>4</sup> Cf. Annex Nature Conservation to the corresponding investment project fiche

<sup>5</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L206, 22.7.1992). Directive as last amended by Regulation (EC) No 1882/2003 (OJ L 284, 31.10.2003, p. 1).

The results of evaluations shall be taken into account in the programming and implementation cycle.

The Commission may also carry out strategic evaluations.

## **6 AUDIT, FINANCIAL CONTROL AND ANTI-FRAUD MEASURES**

The accounts and operations of all parties involved in the implementation of this programme, as well as all contracts and agreements implementing this programme, are subject to, on the one hand, the supervision and financial control by the Commission (including the European Anti-Fraud Office), which may carry out checks at its discretion, either by itself or through an outside auditor and, on the other hand, audits by the European Court of Auditors. This includes measures such as ex-ante verification of tendering and contracting carried out by the EU Delegation in the Beneficiary.

In order to ensure the efficient protection of the financial interests of the European Union, the Commission (including the European Anti-Fraud Office) may conduct on-the-spot checks and inspections in accordance with the procedures foreseen in Council Regulation (EC, Euratom) 2185/96<sup>6</sup>.

The controls and audits described above are applicable to all contractors, subcontractors and grant beneficiaries who have received EU funds.

## **7 NON SUBSTANTIAL REALLOCATION OF FUNDS**

The authorising officer by delegation (AOD), or the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him/her by the AOD, in accordance with the principles of sound financial management, may undertake non substantial reallocations of funds without an amending financing decision being necessary. In this context, cumulative reallocations not exceeding 20% of the total amount allocated for the programme, subject to a limit of EUR 4 million, shall not be considered substantial, provided that they do not affect the nature and objectives of the programme. The IPA Committee shall be informed of the above reallocation of funds.

## **8 LIMITED CHANGES**

Limited changes in the implementation of this programme affecting essential elements listed under Article 90 of the Implementing Rules to the Financial Regulation, which are of an indicative nature<sup>7</sup>, may be undertaken by the authorising officer by delegation (AOD), or by the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him by the AOD, in accordance with the principles of sound financial management without an amending financing decision being necessary.

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<sup>6</sup> OJ L 292; 15.11.1996; p. 2

<sup>7</sup> These essential elements of an indicative nature are, for grants, the indicative amount of the call for proposals and, for procurement, the indicative number and type of contracts envisaged and the indicative time frame for launching the procurement procedures.

