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**COMMISSION DECISION  
C(2007)6096 of 11/12/2007**

**adopting an Impact Studies Programme under the IPA-Transition Assistance and  
Institution Building component for 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 and potential candidate countries;
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country and by component, or, as appropriate, by group of countries or by theme. 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 Commission has adopted on 29 May 2007 a multi-beneficiary multi-annual indicative planning document 2007/2009 which presents indicative allocations for the main priorities for pre-accession assistance<sup>2</sup>;
- (4) Therefore, the impact studies programme under the IPA Transition Assistance and Institution Building Component for 2007 aims at providing assistance in the form of research work for the sector impact studies supporting the conduct of accession negotiations, as well as for the work leading to an Opinion on possible future applications for memberships;
- (5) 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 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”);

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<sup>1</sup> OJ L210, 31.7.2006, p. 82.

<sup>2</sup> C(2007)2205.

<sup>3</sup> OJ L 357, 31.12.2002, p. 1 Regulation as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.04.2007, p. 13).

<sup>4</sup> OJ L 248, 16.9.2002, p.1. Regulation as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p.1).

## ANNEX : IMPACT STUDIES PROGRAMME

### 1 IDENTIFICATION

Beneficiaries	Negotiating candidate countries, as well as any potential candidate country whose application of membership to the European Union would give rise to a Commission Opinion
CRIS number	2007/019-345
Year	2007
Cost	EUR 700,000
Implementing Authority	The European Commission
Final date for concluding the financing agreements	The programme is implemented without Financing Agreement
Final dates for contracting	30 November 2008
Final dates for execution	30 November 2010
Sector Code	99810 (IPA statistical code 06.71)
Budget line	22.02.07.01: Regional and horizontal programmes
Programming Task Manager	DG Enlargement, Unit D3 Regional Programmes
Implementation Task Manager	DG Enlargement, units in charge of respective <i>acquis</i> chapters

### 2 PRIORITY AXIS

Studies on the impact of accession of further countries to the EU are an important component of the enlargement process. The Commission enlargement strategy communication covering the progress reports of 8 November 2006 indicated that "*in its opinions on applications for membership and in the course of accession negotiations, the Commission will provide impact assessment on key policy areas*". The December 2006 European Council confirmed this approach, as it "*invited the Commission to provide impact assessments on the key policy areas in the Commission's Opinion on a country's application for membership and in the course of accession negotiations.*" (cf. Presidency Conclusions doc. 16879/1/06 REV1).

The special report on integration capacity attached to the 8 November communication further specified that "*in the course of accession negotiations, the Commission will provide substantial assessments of the impact of accession on key policy areas, including the movement of persons, border management, agriculture, cohesion policy and transport. Similar assessments will be conducted in the areas of energy policy and foreign and security policies, also taking into account the EU's strategic motives to enlarge in terms of increased stability, foreign and security policy assets, or secure energy supply. This will enable Member States to define the EU common positions for the negotiations in the chapters concerned, including, where relevant, transition periods or other arrangements, with a full understanding of the likely impact.*"

This implies that impact studies need to be available in the relevant sectors in order to support the conduct of accession negotiations with a full understanding of the likely impact, as well as the work leading to an Opinion on future applications for memberships. An impact study will be submitted, as a general rule, together with the draft common position for opening negotiation on selected chapters/countries. The timing for any of those milestones essentially depends on progress actually made by the countries concerned.

A different procedure will apply to the key expenditure areas - agriculture and cohesion policies - for which budget impact is to be assessed when presenting the financial package. This would normally take place at an advanced stage of negotiations, when key parameters are available regarding the country situation and the evolution of policies. These chapters could therefore be opened before the impact study is available.

In order to fulfil the commitment to deliver impact studies that will subsequently feed into the work of the accession conferences, the Commission needs specialised technical support to undertake the research work necessary for its assessment in specific sectors and/or countries. The same may apply, as appropriate, to the research work needed for preparing a Commission Opinion on a country's application for membership.

The Multi-Beneficiary 2007-2009 Multi-annual Indicative Planning Document (MIPD) is designed to support candidate and potential candidate countries in fields of common interest as they strive towards membership of the EU. The approach in the present programme is based on the axiom that certain national issues may benefit from being supported through Multi-Beneficiary programmes rather than through multiple national programmes. For example, economies of scale may be obtained through Multi-Beneficiary programmes, including the effective and efficient use of limited resources to perform research work and provide consultancy for assessing the impact of the accession of further countries in specific sectors.

## **2.a Description of projects**

This programme will support the research work necessary in specific sectors for the impact studies that will subsequently feed into the work of the accession conferences and the Commission's needs. The programme may also, as necessary in specific sectors, support the research work needed for preparing a Commission Opinion on a country's application for membership.

The overarching results to be aimed at by the Consultants are:

- For specific *acquis* sectors such as notably access of workers to the labour market, energy supply, road transport, to deliver the research work necessary for DG Enlargement and relevant line DGs to produce impact studies that will subsequently feed into the work of the accession conferences with relevant beneficiary countries, including through possible transition periods or other negotiated measures.
- To deliver, as appropriate, any research work necessary for DG Enlargement and relevant line DGs to prepare the Opinion on any possible application for EU membership.

The programme will indicatively be implemented through two Framework Contracts launched in 2007 and two Service Contracts launched in 2008.

## **2.b Overview of past and on going assistance including lesson learned**

The Commission commissioned several impact studies during the 5<sup>th</sup> enlargement. Their positive influence on the conduct of the negotiating process suggests that they be of reference at contracting stage, even though they were funded from sector programmes rather than from a dedicated horizontal facility. For example an impact study was conducted with funding from the Phare Multi-Country Programme on Transport. The findings feature in the 1999 report on Cost and Benefits of Enlargement in Transport. The findings of the study, as assessed by the Commission, were instrumental for negotiating the conditions of the accession of the central and eastern European countries in the area of road transport, in particular for assessing the need for limited transition periods. The Commission also commissioned in 2000 a study on the Impact of Eastern Enlargement on Employment and Labour Markets in the EU Member States. This fed

into the negotiations in this sector, alongside findings from a wide array of academic and expert research.

## 2.c Conditions

The delivery of the activities during the period covered by the present programme is based on the assumption that the beneficiary countries make the necessary progress in their enlargement preparations, e.g. by fulfilling appropriate benchmarks and submitting position papers to the accession conference, or by fulfilling necessary conditions and steps for submitting an application for membership.

## 2.d Benchmarks

	N	N + 1 (cumulative)
Number of tenders launched		2
Framework Contracts Launched	2	2
Contracting Rate	-	100%

## 3 BUDGET (AMOUNTS IN EURO)

### 3.1. Budget table (indicative breakdown)

	EU – IPA assistance			Total Co-financing of Project  (indicative)	Total (IPA plus Co-financing)
	Institution Building	Investment	Total (IB and INV)		
Research work for sector impact studies	700,000	N.A	700,000	N.A.	700,000
<b>TOTAL</b>	<b>700,000</b>		<b>700,000</b>		<b>700,000</b>

### 3.2. Principle of co-financing applying to the projects funded under the programme

The Community contribution has been calculated in relation to the eligible expenditure which, for the purpose of this programme, is based on the total expenditure.

The rate of the Community contribution amounts to 100% of the indicative budget assigned to this programme, in accordance with Article 67, paragraph 3, of Regulation 718/2007 of 12 June (OJ L 170, 29.06.2007, p.1).

## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1 Method of implementation**

The programme will be implemented on a centralised basis by the European Commission in accordance with Article 53a of the Financial Regulation<sup>1</sup> and the corresponding provisions of the Implementing Rules<sup>2</sup>.

### **4.2 General rules for procurement**

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).

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 EC external actions" ("Practical Guide") as published on the EuropeAid website<sup>3</sup> at the date of the initiation of the procurement or grant award procedure.

## **5. MONITORING AND EVALUATION**

### **5.1 Monitoring**

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

### **5.2 Evaluation**

Programmes shall be subject to ex ante evaluations, as well as interim and, where relevant, ex post evaluations in accordance with Articles 57 and 82 of IPA Implementing Regulation<sup>4</sup>, with the aim of improving the quality, effectiveness and consistency of the assistance from Community funds and the strategy and implementation of the programmes.

The results of ex ante and interim evaluation 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

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<sup>1</sup> OJ L 248, 16.9.2002, p.1. Regulation as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p.1).

<sup>2</sup> OJ L 357, 31.12.2002, p. 1 Regulation as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.04.2007, p. 13).

<sup>3</sup> [http://ec.europa.eu/europeaid/work/procedures/implementation/practical\\_guide/index\\_en.htm](http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/index_en.htm)

<sup>4</sup> Commission Regulation (EC) No 718/2007 of 12 June 2007 (OJ L 170, 29.6.2007, p. 1).

such as ex-ante verification of tendering and contracting carried out by the Delegation in the Beneficiary Country.

In order to ensure the efficient protection of the financial interests of the Community, 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>5</sup>.

## **7. 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>6</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>5</sup> OJ L 292; 15.11.1996; p. 2.

<sup>6</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.

- (6) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Impact Studies Programme under the IPA Transition Assistance and Institution Building Component for 2007, as set out in the Annex, is hereby adopted.

This programme shall be implemented by centralised management.

*Article 2*

The maximum amount of Community contribution shall be **EUR 700,000**, to be financed through Item 22.02.07.01 - regional and horizontal programmes of the General Budget of the European Communities for 2007.

Done at Brussels, [...]

*For the Commission*

[...]

*Member of the Commission*