



ANNEX

**to the Commission Implementing Decision on
the Technical Assistance and Information Exchange (TAIEX) action programme 2018-2020
under the European Neighbourhood-wide measures to be financed from the general budget
of the Union**

**Action Document for the Technical Assistance and Information Exchange (TAIEX) –
included in the action programme 2018-2020 under the European Neighbourhood-wide
measures**

1. Title/basic act/ CRIS number	<p>Technical Assistance and Information Exchange (TAIEX) action programme 2018-2020 under the European Neighbourhood-wide measures</p> <p>CRIS numbers: - ENI/2018/041-328, ENI/2019/041-329, ENI/2020/041-330 – Support for Eastern Partnership countries - ENI/2018/041-331, ENI/2019/041-332, ENI/2020/041-333 – Support for Southern Neighbourhood countries financed under the European Neighbourhood Instrument (ENI)</p>
2. Zone benefiting from the action/location	<p>All partner countries covered under the ENI Regulation.</p> <p>If relevant, the following countries and territories may be associated to the activities foreseen under this action, in accordance with Article 16(1) of Regulation (EU) No 232/2014 (ENI Regulation): Albania, Bahrain, Bosnia and Herzegovina, Chad, the former Yugoslav Republic of Macedonia, Iraq, Kosovo, Kuwait, Mali, Mauritania, Montenegro, Niger, Qatar, Saudi Arabia, Serbia, Sudan, Turkey, United Arab Emirates.</p> <p>The action shall be carried out at the following location: European Union, Neighbourhood and Pre-accession (IPA) countries.</p>
3. Programming document	<p>Strategic Priorities 2014-2020 and Multi-annual Indicative Programme (MIP) 2018-2020, European Neighbourhood-wide measures</p>
4. Sector of concentration/ thematic area	<p>Targeted capacity building</p>

5. Amounts concerned	<p>Total estimated cost: EUR 20.0 million</p> <p>Total amount of EU budget: EUR 20.0 million, of which</p> <p style="padding-left: 40px;">for Eastern Partnership countries EUR 10.5 million (2018: EUR 3.5 million - 2019: EUR 3.5 million – 2020: EUR 3.5 million)</p> <p style="padding-left: 40px;">for Southern Neighbourhood countries EUR 9.5 million (2018: EUR 2.5 million - 2019: EUR 3.5 million – 2020: EUR 3.5 million)</p> <p>The contribution is for an amount of EUR 6.0 million from the general budget of the European Union for 2018; for an amount of EUR 7.0 million from the general budget of the European Union for 2019, subject to the availability of appropriations following the adoption of the relevant budget; and for an amount of EUR 7.0 million from the general budget of the European Union for 2020, subject to the availability of appropriations following the adoption of the draft budget and the budget.</p>			
6. Aid modality(ies) and implementation modality(ies)	<p>Project Modality</p> <p>Direct management – procurement of services</p>			
7. DAC code(s)	43010 - Multisector aid			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>
	Aid to environment	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	x <input type="checkbox"/>	<input type="checkbox"/>
	Trade Development	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	RIO Convention markers	Not targeted	Significant objective	Main objective
	Biological diversity	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	x <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Global Public Goods and Challenges (GPGC) thematic flagship	NA			
10. SDGs	SDG “16. Achieve peaceful and inclusive societies, rule of law, effective and capable institutions”			

SUMMARY

One of the overall aims of the Technical Assistance and Information Exchange instrument (TAIEX) is to provide peer-to-peer technical assistance and capacity building to support European Neighbourhood Instrument (ENI) beneficiaries in the harmonisation of their regulatory frameworks and in the sharing of best practices in EU *acquis* related fields.

TAIEX provides short-term, needs-driven and swiftly mobilised assistance and is complementary to, and works alongside other programmes to help these partner countries in the implementation of EU bilateral cooperation related Agreements (Association or Partnership and Cooperation Agreements or any other bilateral agreement or cooperation framework with the EU).

The assistance is provided mainly by EU public sector experts, who share their knowledge and experience with beneficiaries through workshops, expert missions and study visits. The purpose of these activities is to share with ENI beneficiaries experience, know-how and information on EU policies, EU legislation and its application in order to assist beneficiary institutions to implement their commitments under their country's agreement or cooperation framework with the EU.

1 CONTEXT

1.1 Sector/Country/Regional context/Thematic area

The European Neighbourhood Policy (ENP) strives to strengthen the partnership between the EU and the countries and societies of the neighbourhood. Its global objective is “to build and consolidate healthy democracies, pursue sustainable economic growth and manage cross-border links”¹.

The European Neighbourhood Instrument (ENI) supports the development of a special relationship with neighbouring countries, with the aim of establishing an area of prosperity and good neighbourliness at the EU's borders.

Within the multi-country strategies, the Neighbourhood-wide programme² will serve as a framework for those instruments which are deemed to be most effectively implemented across all countries of the Neighbourhood. It will support initiatives which by their nature or size would be less effectively implemented through bilateral or regional programmes.

The Neighbourhood-wide programme will provide targeted capacity building to European Neighbourhood countries in order to support and foster them in the development and implementation of reforms.

The TAIEX instrument will contribute to this objective by supporting the approximation of the regulatory framework to EU norms and standards and building institution capacity through transfer of know-how and EU best practices among practitioners. This will take the form of workshops/seminars, experts missions, work from home and/or study trips.

1.1.1 Public Policy Assessment and EU Policy Framework

Support to partner countries efforts in regulatory convergence and institution capacity building is a major element of the European Neighbourhood Policy and in this process TAIEX is instrumental in providing the necessary EU expertise and best-practices tailored to the needs of

¹ Joint Communication "A new response to a changing Neighbourhood", COM(2011)303 of 25 May 2011.

² "Strategic Priorities 2014-2020 and Multi-annual Indicative Programme 2018-2020 for the European Neighbourhood-wide measures under the European Neighbourhood Instrument", Commission Decision C(2018)2994 of 22 May 2018.

the partner countries/beneficiary institutions. It is mobilised in a flexible way and complementary with other technical supports deployed through a range of tools at the EU disposal.

1.1.2 Stakeholder analysis

Partner countries covered under the ENI regulation are eligible for TAIEX assistance.

The assistance is provided by EU public sector experts who share their knowledge and experience with beneficiaries through workshops, expert missions and study visits. These activities target national administrations, the judiciary, parliaments, regional and local administrations, public and semi-public entities as well as representatives of trade unions and employers' associations and civil society organisations, in the event that they play a role in the transposition, implementation and enforcement of specific EU legislation.

In accordance with Article 16(1) of Regulation (EU) No 232/2014 and with regard to the aim of ensuring of coherence and effectiveness of EU financing and fostering regional and trans-regional cooperation, partner countries other than Neighbourhood Partner Countries (Albania, Bahrain, Bosnia and Herzegovina, Chad, the former Yugoslav Republic of Macedonia, Iraq, Kosovo, Kuwait, Mali, Mauritania, Montenegro, Niger, Qatar, Saudi Arabia, Serbia, Sudan, Turkey, United Arab Emirates) may be associated to the activities foreseen by this action.

1.1.3 Priority areas for support/problem analysis

TAIEX instrument interventions are closely coordinated with EU Delegations and the relevant regional units in Commission Headquarters. Attention is given to the assessment of each incoming assistance request in terms of purpose and fit with national and regional strategies and priorities in ongoing policy and technical cooperation.

The TAIEX instrument responds to needs identified by neighbouring countries and requests for specific and targeted assistance. Assistance may also be deployed following needs identified by the relevant Commission services and the European External Action Service.

The instrument's flexibility means that assistance can be adapted and tailored to a beneficiary's specific needs – whether they require one-off expertise on a very precise area of the *acquis*, or a series of assistance events in order to support them to achieve a broader and longer-term goal. Given TAIEX's assistance model, assistance actions can be put in place very swiftly in order to meet a specific and urgent beneficiary need.

TAIEX instrument assistance is complementary to other forms of interventions targeting public administration reform as such.

2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
The unpredictable political context of the Neighbourhood countries remains a challenge for the efficient implementation of the tool.	M	TAIEX mechanism is flexible and allows for timely mitigations when faced with a difficult context, with limited damages to mobilised resources.

The instrument's flexibility and the wide range of expertise available may generate requests not in line with the EU policies towards a given country.	M	In addition to consultation process in Headquarters, the relevant EU Delegation has to explicitly agree on each TAIEX request prior to its final approval.
Assumptions		
<p>EU Member States will continue to support the scheme by facilitating the use of European public sector expertise.</p> <p>The beneficiary countries will continue to find relevant the expertise proposed by the instrument.</p>		

3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

3.1 Lessons learnt

The TAIEX instrument was set up in 1996 as a follow-up to the European Commission's White Paper on the preparation of the associated countries for integration into the internal market. Its mission has since been broadened to provide short and medium term institution building assistance in all areas of the EU *acquis*, to support the transposition, application, and enforcement of the *acquis*. Since 2006 TAIEX is also available to the European Neighbourhood partner countries, where it is well received and perceived, as feed-back provided by the participants following the organisation of TAIEX events has shown.

Continuous efforts are made to adapt and improve the way TAIEX assistance is implemented. Improvements in the medium term shall include, but not be limited to, adopting an environmentally-friendly approach to TAIEX assistance, wherever appropriate³, and improved knowledge management.

Furthermore, the final report of a specific evaluation of the TAIEX instrument in Belarus, requested by the EU Delegation, was released in February 2015⁴. The outcome of this evaluation is generally very positive for TAIEX, highlighting its flexibility and efficiency, but stresses the importance of safeguarding the flexibility of the instrument.

In countries where the demand is generally low, measures will be envisaged, together with respective TAIEX National Contact Points and EU Delegations, in order to increase awareness of potential beneficiary institutions about the possibilities that TAIEX can offer.

3.2 Complementarity, synergy and donor coordination

TAIEX provides assistance in all *acquis* related areas by supporting national harmonisation and convergence efforts seeking complementarity and synergies with other on-going EU funded interventions, especially through the two other institution building tools Twinning and Support for Improvement in Governance and Management (SIGMA).

Each TAIEX request is individually assessed to verify its relevance and complementarities with other donors' forecasted operations through a coordinated procedure at the level of both the Delegations and Commission Headquarters.

³ The mobilisation of experts from different EU Member States to beneficiary countries – the instrument's core task - has a notable carbon foot print, particularly if the travel is by air.

⁴ "Evaluation of TAIEX Events for Belarusian Beneficiary Institutions" (contract ENPI/2014/344-324) implemented by the B&S EUROPE Consortium.

3.3 Cross-cutting issues

Trade development and aid to environment are significant objectives among TAIEX covered themes. Equal opportunities and gender concerns, and support to minority and vulnerable groups are equally subjects that can be addressed in specific TAIEX interventions.

Furthermore, TAIEX ensures that civil society organisations with a role to play in the transposition, implementation and enforcement of EU legislation are represented, should the topic or the issues addressed be relevant.

4 DESCRIPTION OF THE ACTION

4.1 Objectives/results

One of the overall objectives of TAIEX is to provide peer-to-peer technical assistance and capacity building to support European Neighbourhood Instrument beneficiaries in the harmonisation of their regulatory frameworks and in the sharing of best practices in EU *acquis* related fields.

The purpose of the activity is to share with the partner countries experience, know-how and information on EU policies and legislation in the widest sense and thus assist the beneficiary institutions in implementing the commitment made under the EU-related Agreements.

To meet its objectives, TAIEX provides short term technical assistance delivered mainly by experts from Member States public administration to a partner countries' wider audience of officials at national level.

The expected results pursued by TAIEX are:

- Better understanding of the *acquis* and related rules and standards;
- Intensification of cooperation with a view to improved regulatory convergence and legislative approximation towards higher standards.
- Contribution to capacity building of beneficiary countries' public sector.

In providing short-term, needs-driven, tailor-made and swiftly mobilised assistance and in being complementary to, and working alongside other instruments and programmes, TAIEX support partner countries in the implementation of EU bilateral cooperation related agreements.

4.2 Main activities

Mobilising mainly sectoral experts from Member States, the TAIEX instrument provides the beneficiary's public officials with the possibility to learn from their peers. The experts mobilised in principle belong to the public administration (or assimilated institutions, such as mandated bodies) of an EU Member State. Besides, senior experts having experience with the direct technical or political steer of public administrations and their reforms may also be invited to contribute, as can officials of EU institutions, agencies or international organisations.

TAIEX experts share their knowledge and experience with beneficiaries through seminars, workshops, expert missions, including peer-based assessment missions, and study visits. These activities target national administrations, the judiciary, parliaments, regional and local administrations, public and semi-public entities as well as representatives of trade unions and employers' associations and civil society organisations in case they play a role in the transposition, implementation and enforcement of specific EU legislation.

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude financing agreements with the partner countries.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 96 months from the date of adoption by the Commission of this Financing Decision.

Extensions of the implementation period may be agreed by the Commission's responsible authorising officer by amending this Decision and the relevant contracts and agreements.

5.3 Implementation modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures⁵.

Procurement (direct management)

Subject	Type	Indicative trimester of launch of the procedure
TAIEX	Services	4 th quarter 2018 (budget 2018) 4 th quarter 2019 (budget 2019) 4 th quarter 2020 (budget 2020)
IT support	Services	4 th quarter 2018 (budget 2018) 4 th quarter 2019 (budget 2019) 4 th quarter 2020 (budget 2020)

⁵ www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

In accordance with Article 16(1) of Regulation (EU) No 232/2014 and with regard to the aim of ensuring of coherence and effectiveness of EU financing and fostering regional and trans-regional cooperation, the Commission decides that natural and legal persons from the following countries, territories or regions may be eligible for participating in procurement and grant award procedures, if and where relevant: Albania, Bahrain, Bosnia and Herzegovina, Chad, the former Yugoslav Republic of Macedonia, Iraq, Kosovo, Kuwait, Mali, Mauritania, Montenegro, Niger, Qatar, Saudi Arabia, Serbia, Sudan, Turkey, United Arab Emirates. The supplies originating there shall also be eligible.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

	EU contribution (amount in EUR)	Indicative third party contribution, in currency identified
Procurement (direct management)	20 000 000	N.A.
Total	20 000 000	N.A.

5.6 Organisational set-up and responsibilities

The Unit in charge of TAIEX within the Directorate-General for Neighbourhood and Enlargement Negotiations is responsible for both the analysis and assessment of requests and for the content of TAIEX short and medium term assistance, including the identification of experts from EU Member States' public administrations willing to engage in this type of peer to peer assistance.

Requests for TAIEX actions are primarily generated by beneficiaries. Incoming requests are reviewed on a continuous basis and decided upon following consultation with relevant European Commission services, including EU Delegations, in order to ensure complementarity with national programmes and other technical assistance instruments and to safeguard that TAIEX measures are in line with the priorities set in the:

- ENP Action Plans, Association Agendas, Association Agreements or Partnership and Cooperation Agreements;
- Country and regional ENI multi-annual programming documents (Single Support Frameworks and Multi-annual Indicative Programmes).

For the provision of the logistical means needed for TAIEX events, the European Commission shall conclude a contract with an external service provider. This service provider shall organise all logistical arrangements - including travel, accommodation, conferences and meeting organisations – and also related payment services that are required for the implementation of the action. This implementation approach has proved to be efficient and effective. In particular, it allows for a swift and effective response to incoming requests and evolving needs, whilst ensuring financial transparency, accountability and efficient management.

5.7 Performance monitoring and reporting

The European Commission may undertake any action it deems necessary to monitor the implementation of the action. Any evaluation will be carried out as prescribed by DG Neighbourhood and Enlargement Negotiations guidelines for evaluations. In addition, the action may be subject to external monitoring in line with Commission rules.

In the specific case of TAIEX, monitoring is understood as permanently ongoing process by way of receiving direct feedback from participants and experts.

Following each event participants and experts receive an automatic feedback questionnaire in order to assess their overall impression of the assistance provided and of the logistics of the event. Furthermore, following expert missions EU Member State officials are requested to submit short mission reports summarising the objective of their intervention and express recommendations.

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process.

5.8 Evaluation

Having regard to the importance of the action, a mid-term evaluation will be carried out for this action or its components via independent consultants contracted by the Commission. This exercise fits well into a broader performance assessment of the instrument in both ENI and IPA regions planned to start in the second quarter of 2021.

The mid-term evaluation will be carried out for learning purposes, in particular with respect to drawing lessons on its best use and adapting the tool to the changing circumstances of the Neighbourhood.

The Commission shall inform the implementing partner at least two months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner countries and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner countries, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit(s) shall be covered by another measure constituting a financing decision.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner countries and/or the contractors. Appropriate contractual obligations shall be included in the procurement contracts.

The Communication and Visibility Requirements for EU External Actions shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

The deployment of TAIEX activities is accompanied by a communication strategy with a view to increasing the visibility and availability of the instrument to all stakeholders. TAIEX-branded material is distributed at workshops. Moreover, TAIEX avails itself of:

TAIEX website: compiles all relevant information on functioning and implemented activities.

Social media: through the DG NEAR accounts, key events are advertised (#EUTaiex)

TAIEX annual activity report: presents an overview of the activities.

Biannual "Flash Report": with statistics which are sent to all TAIEX National Contact Points

Institution Building Days: the annual meeting gathers the National Contact Points from beneficiary partners and EU Member States.