

ANNEX - ACTION FICHE FOR ENPI INTERREGIONAL ACTION PROGRAMME 2012, PART VI

1. IDENTIFICATION

Title/Number	Promoting the participation of European Neighbourhood Policy countries in the work of EU agencies		
Total cost	<p>EU total contribution: €3.7 million</p> <p>ENPI East (19 08 01 03): €1.85 million</p> <p><i>CRIS: ENPI/2012/024-315</i></p> <p>ENPI South (19 08 01 01): €1.85 million</p> <p><i>CRIS: ENPI/2012/024-314</i></p>		
Aid method / Method of implementation	Project approach - direct centralised management		
DAC-code		Sector	

2. RATIONALE

2.1. Sector context

Since 2004 the European Neighbourhood Policy (ENP) is the main policy framework for the EU's cooperation with its neighbours in Eastern Europe, South Caucasus and the Southern Mediterranean region. With the entry into force of the Lisbon Treaty, the European Union has committed to develop a special relationship with the neighbouring countries¹, aiming at establishing an area of prosperity and good neighbourliness (Article 8 TEU). This commitment is the basis for the ENP and this interregional programme funded by the European Neighbourhood and Partnership Instrument (ENPI).

Participation of ENP countries in EU programmes and agencies is a long standing agreed key objective of the ENP, supporting reform and convergence with EU legislation. This programme aims to implement the *Commission Communication on the general approach to enable ENP partner countries to participate in Community agencies and Community programmes*² by facilitating the development of sector and technical cooperation between relevant EU agencies and interested ENP partners. Facilitating ENP partner countries' participation in the work of EU decentralised agencies was also highlighted as a key element in the May 2011 Joint Communication *A New Response to a Changing*

¹ Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine, Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Syria, Tunisia

² COM (2006) 724 of 4 December 2006

*Neighbourhood*³ and in the Joint Communication on *Eastern Partnership: a Roadmap to the Autumn 2013 Summit* of May 2012.⁴

In line with the Council's conclusions of March 2007, participation will be supported in cases where there is mutual agreement to proceed between the relevant EU agency and the interested ENP partner country and where the latter's progress so merits as evidenced by the implementation of sector reforms and convergence with EU technical requirements and standards. Progress on sector dialogue as part of annual reporting on Action Plan implementation and the technical assessment of the relevant EU agency will be critical in this regard. In each case, a final decision on participation of interested ENP partners rests with the relevant agency Governing Boards in line with their respective establishing Regulations and taking due account of their mandate and related resources and cooperation agreements concluded with the countries concerned. The final decision on participation of interested ENP partners should be taken after proper consultation of its parent DG in the European Commission, to ensure that the action is fully in line with the thematic priorities in the policy areas covered by the relevant agency.

EU decentralised agencies are bodies governed by European public law. They are distinct from the EU Institutions and have their own legal personality. They are set up by acts of secondary legislation in order to accomplish specific technical, scientific, regulatory or analytical tasks. Agencies are funded by the EU budget or by fees or payments.

Participation in the work of EU agencies implies integration in the EU's regulatory framework, and is a tool for approximation to EU norms and standards. The programme intends to support ENP partners by providing advice on organisational matters and by training appropriate staff. Furthermore, participation in specific events, if relevant, will provide partners with invaluable networking and opportunities to exchange experience and involve other interested stakeholders (a first information meeting with partner countries and agencies to launch the programme will take place in November 2012). Programme activities will contribute to understanding of the functioning and operations of the EU agencies and the role that the countries could play within these bodies.

2.2. Lessons learnt

This is the first programme supporting preparatory measures for the participation of ENP countries in EU agencies. It builds on the experience of similar programmes funded by the PHARE, CARDS and IPA programmes in the context of EU enlargement, tailoring this experience to the ENP policy priorities and the needs of ENP countries.

In the programmes funded by enlargement instruments, beneficiaries learnt about the operations of the agencies and the different types of participation. Enlargement countries subsequently received assistance for setting up their own national structures and becoming members of agencies. The EU financial support for participation decreased every year, with enlargement countries eventually fully paying for their participation in the agencies they joined. From the agencies side, agencies learnt more about the

³ COM (2011)303 of 25 May 2011

⁴ JOIN(2012)13 final of 15 May 2012

beneficiaries, their problems and opportunities, and were thus able to better involve the new participants in their activities.

2.3. Complementary actions

Some EU decentralised agencies are already cooperating with ENP countries, including at regional level on specific projects funded by the ENPI. Examples of this are projects involving the European Environment Agency and the European Aviation Safety Agency.

The ENPI-SEIS (Shared Environmental Information System) project lasting from 2012 until end 2014 is managed by the European Environment Agency (EEA). With a total budget of €3 million it aims to improve environmental monitoring and data and information sharing by gradually extending the SEIS principles to the European neighbourhood.

Cooperation between the ENP countries and the European Aviation Safety Agency (EASA) aims to support the implementation of comprehensive Aviation Agreements, the development of common safety standards and procedures, to foster cooperation between EASA and the countries and between the countries themselves. €2 million is foreseen for cooperation with Southern Neighbourhood countries from 2011-2014 €2.5 million is foreseen for cooperation with Eastern ENP countries, which includes also activities in Central Asia.

Likewise, FRONTEX (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) has also been developing for a number of years strong operational cooperation with third countries, including neighbourhood countries, in the field of border security. Agencies like CEPOL (European Police College) and EUROPOL (European Police Office) are establishing similar cooperation arrangements in the area of fight against organised and serious crime. Finally, the European Training Foundation (ETF), aiming at developing human capital in transition and developing countries, is assisting neighbourhood countries to develop their vocational training and education systems in line with their labour market needs.

The relevant international aspects of EU policies such as food safety, disease prevention, drugs, environmental protection, border management, fight against organised crime, asylum and international protection, human capital development, aviation and maritime safety are also complementary to this programme.

2.4 Donor coordination

Not applicable

3. DESCRIPTION

3.1. Objectives

Overall objective

The general objective of the programme is to get ENP partner countries acquainted with the work of EU agencies with a view to facilitate future enhanced cooperation between ENP partners and EU agencies.

Specific objectives

- Launch technical contacts between relevant EU agencies and interested ENP partner countries aligned to individual-case and sector requirements.
- Identify the conditions for the creation of a pool of technical experts in ENP partner countries familiar with EU technical requirements and standards in the relevant sectors.

3.2. Expected results and main activities

Expected results

- Partner countries are made aware of the agencies' requirements and conditions for participation, to allow them to take an informed decision about their potential participation in the work of a given agency.
- Agency Governing Boards take a final decision on the participation of interested ENP partners in their activities, in line with their establishing founding act and taking due account of their mandate and resources.
- Technical contacts are established between relevant EU agencies and interested ENP partner countries.
- Initial steps are taken for the creation of a future pool of technical expertise familiar with EU technical requirements and standards in the relevant sectors in interested ENP partner countries.

Main activities

The programme will contribute to support Agencies wishing to carry out the following types of activities:

- Awareness raising and outreach actions at regional or sub-regional level;
- Fact finding missions to undertake gap analyses that could lead to support for the ENP countries' participation in agencies' activities;
- Training and study visits;
- Conferences and workshops;
- Drafting, editing, possibly even translation of manuals, guides other relevant documents of interest to the ENP countries.

While most actions will be regional or sub-regional, some actions may be bilateral or need to be prioritised to be able to better respond to the specific needs and development path of each ENP country.

3.3. Risks and assumptions

The main risks of this programme relate to possible political set-backs such as a significant increase in level of regional and/or national instability and changes in political priorities in the countries.

Possible risks at technical level are the lack of coordination among ministries and other stakeholders and the lack of staff and resources in the ENP countries able to participate in the agencies' proposed activities. Risks at technical level could be mitigated by continuing/enhancing financial support from the bilateral assistance programmes for the participation of ENP partners in EU agencies.

Another risk to the achievement of the programme objectives will be the ability of agencies to provide the necessary resources, including in terms of staffing and budget.

It is assumed that on the side of the ENP countries there will be a continued commitment to the participation in the agencies' activities, other stakeholders' interest in the agencies will be satisfactory, and counterparts will be pro-active in reaching out to local stakeholders and the agencies. It is also assumed that ENP countries will continue to be able to participate in the agencies' activities even after the end of this programme in line with the policy objective of supporting their participation in the work of EU agencies.

3.4. Crosscutting Issues

The programme will include strong components related to good governance, given the capacity building nature of the proposed activities. Gender balance in the participation of the programme's actions will be sought and other non-discriminatory policy principles will be applied whenever possible. Environment policy principles will be applied whenever relevant for the actions.

3.5. Stakeholders

The main stakeholders of this programme will be the Ministries and authorities in ENP partner countries responsible for policies and actions in line with those of the agencies interested in the participation of ENP countries in their activities. The following Agencies would be eligible for participation in this programme:

- CEPOL – European Police College
- CPVO – Community Plant Variety Office
- EASA – European Aviation Safety Agency
- EASO – European Asylum Support Office
- ECDC – European Centre for Disease Prevention and Control
- ECHA – European Chemicals Agency
- EEA – European Environment Agency
- EFCA – European Fisheries Control Agency
- EFSA – European Food Safety Authority
- EMCDDA – European Monitoring Centre on Drugs and Drug Addiction

- EMSA – European Maritime Safety Agency
- ENISA – European Network and Information Security Agency
- EU-OSHA – European Agency for Safety and Health at Work
- ERA - European Railway Agency
- EUROFOUND – Foundation for Improvement of Living and Working Conditions
- EUROJUST - European Union's Judicial Cooperation Unit
- EIGE - European Institute for Gender Equality
- EUROPOL – European Police Office
- FRONTEX – European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
- GSA European GNSS Supervisory Authority

4. IMPLEMENTATION

4.1. Method of implementation

Direct centralised management. The action will be implemented through indicatively 10 grant contracts or service contracts concluded with the EU agencies from the list in section 3.5 above.

4.2. Procurement and grant award procedures

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

Participation in the award of contracts for the present action shall be open to all natural and legal persons covered by the ENPI regulation. Extension of this participation to other natural or legal persons by the relevant authorising officer shall be subject to the conditions provided for in Article 21(7) ENPI.

Specific rules for grants

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EU external actions. They are established in accordance with the principles set out in Title VI 'Grants' of the Financial Regulation applicable to the General Budget. When derogations to these principles are applied, they shall be justified, in particular in the following cases:

- Financing in full (derogation to the principle of co-financing): the maximum possible rate of co-financing for grants is 95% of total eligible costs. Full financing may only be applied in the cases provided for in Article 253 of the Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the General Budget.

- Derogation to the principle of non-retroactivity: a grant may be awarded for an action which has already begun only if the applicant can demonstrate the need to start the action before the grant is awarded, in accordance with Article 112 of the Financial Regulation applicable to the General Budget.

4.3. Budget and calendar

The total budget for the actions is EUR 3.7 million. Indicatively, and subject to the interest in specific activities by the ENP partners and EU agencies, the budget could be broken down as follows

Activities	Amount
Awareness raising and outreach actions	EUR 1 500 000
Fact finding missions	EUR 300 000
Training and study visits	EUR 400 000
Conferences and workshops	EUR 1 100 000
Manuals, guides other documents	EUR 400 000

The indicative duration of the actions is 24 months from the signature of contracts.

4.4. Performance monitoring

The following indicators may be used in monitoring the implementation of the programme:

- Number of requests that could lead to future technical cooperation agreements between relevant EU agencies and interested ENP partner countries
- Number of sectors where agencies will be supporting the approximation to EU technical requirements and standards in ENP partner countries
- Number of technical contacts and trained experts in relevant sectors in ENP partner countries and dissemination of knowledge within local administrations and agencies

4.5. Evaluation and audit

Mid term and final evaluations of the results achieved may be carried out by independent consultants, as well as external audits. Evaluations and audits will be funded from other sources than the programme budget.

4.6. Communication and visibility

The programme will develop specific activities dedicated to communication and visibility, in line with the Communication and Visibility Manual for EU External Actions. Relevant communication tools will be developed in order to keep the stakeholders informed and to ensure visibility of the programme. Visibility and communication actions in the Partner Countries will also be carried out in collaboration with the relevant EU Delegations and in the framework of ENP events when appropriate. Other information tools such as the ENPI Info Centre web portal will also be used and press releases will be prepared where appropriate.