



EUROPEAN COMMISSION

Brussels, 23.3.2012  
C(2012) 1876 final

**COMMISSION IMPLEMENTING DECISION**

**of 23.3.2012**

**amending Commission Implementing Decision C(2011)5117 of 18 July 2011 adopting the  
Multi-beneficiary Programme under the IPA Transition Assistance and Institution  
Building Component for the year 2011**

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### **amending Commission Implementing Decision C(2011)5117 of 18 July 2011 adopting the Multi-beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2011**

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 candidates and potential candidates.
- (2) The Multi-Beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2011 was adopted on 18 July 2011 by Commission Decision C(2011)5117. The programme has been amended by Commission Decision C(2011)9712 adopted on 16 December 2011.
- (3) A regional initiative has been developed by Bosnia and Herzegovina, Croatia, Montenegro and Serbia with the help of the International Community to address identified outstanding issues by achieving durable solutions for the former and remaining refugees and internally displaced persons in the Western Balkans. It is necessary to further amend the IPA Multi-beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2011 to include the project “Regional Housing Programme (Sarajevo Process) Stage 1” in order to contribute to the establishment of the Refugee Return Trust Mechanism. This will aim to provide sustainable housing solutions in Bosnia and Herzegovina, Croatia, Montenegro and Serbia as part of a comprehensive programme prepared in the context of the Sarajevo process.
- (4) It is appropriate to implement the activities under the Regional Refugee Return project in joint management with the Council of Europe Development Bank (CEB) and the United Nations High Commissioner for Refugees (UNHCR) as these organisations have prepared the activities, assessed their feasibility and defined the implementation agreements together with the European Commission.
- (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

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

implementation of Council Regulation No 1605/2002<sup>2</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>3</sup> (hereafter: “Financial Regulation”).

- (6) The Commission adopted on 13 February 2012 its Decision C(2012)936 carrying over from the 2011 budget to the 2012 budget certain appropriations including an allocation under budget line 22.020701 of EUR 7 838 000 in commitment credits specifically intended for this programme.
- (7) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee<sup>4</sup>.

HAS DECIDED AS FOLLOWS:

#### *Sole Article*

Commission Decision C(2011)5117 of 18 July 2011 amended by the Commission Decision C(2011)9712 of 16 December 2011 is amended as follows:

- (1) In Article 1, the second paragraph is replaced by the following:

“This programme shall be implemented partly by centralised management 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 Development Bank (CEB), the United Nations International Strategy for Disaster Reduction (UNISDR), the United Nations Office on Drugs and Crime, the World Meteorological Organization (WMO), the World Health Organisation (WHO) and the United Nations High Commissioner for Refugees (UNHCR).”

- (2) Article 2 is replaced by the following:

“The maximum amount of European Union contribution shall be **EUR 143 720 500**, to be financed with EUR 135 882 500 through Article 22.020701 of the general budget of the European Union for 2011 and with EUR 7 838 000 through Article 22.020701 of the general budget of the European Union for 2012.”

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<sup>2</sup> OJ L 357, 31.12.2002, p. 1

<sup>3</sup> OJ L 248, 16.9.2002, p.1

<sup>4</sup> The Member States have declared, recalling the Council Conclusions of 18 February 2008, that the adoption of the amendment 2 to the Multi-Beneficiary Programme under the IPA Transition Assistance and Institution Building Component for the year 2011 does not prejudge 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.

(3) The Annex is replaced by the Annex to this Decision.

Done at Brussels, 23.3.2012

*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 2011**

**1. IDENTIFICATION**

Beneficiaries	Western Balkans: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, as well as Kosovo*.  Turkey  Iceland
CRIS / ABAC numbers	2011/22-964, 2011/023-176, 2011/023-177, SI2.596300, 2011/023-537
Year	2011
Cost	EUR 143 720 500
Implementing Authority	European Commission, except for projects:  (1) Promoting human rights and protecting minorities - to be implemented by joint management with the Council of Europe.  (4) Trade logistics - to be implemented by joint management with the World Bank.  (5) Regional Programme on Trade and Investment - to be implemented by joint management with the OECD.  (7) Western Balkan Investment Framework - to be implemented by joint management with International Financial Institutions (EIB, EBRD CEB).  (10) Building Resilience to Disasters in Western Balkans and Turkey - to be implemented by joint management with the United Nations International Strategy for Disaster Reduction (UNISDR) and World Meteorological Organization (WMO).  (11) Erasmus Mundus Western Balkans – Turkey Window, (12) Erasmus Mundus – Partnerships and (13) Youth: The European Commission will delegate the implementation of these projects to the Education, Audiovisual and Culture Executive Agency.

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\* Under UNSCR 1244/1999

	<p>(16) Strengthening European Integration - to be partly implemented by joint management with the United Nations Office on Drugs and Crime, the World Bank and the World Health Organisation (WHO).</p> <p>(17) Regional Housing Programme (Sarajevo Process) Stage 1 – to be implemented by joint management with the Council of Europe Development Bank (CEB) and the United Nations High Commissioner for Refugees (UNHCR)</p>
Final date for concluding the financing agreements	<i>This Programme will be implemented without financing agreements.</i>
Final dates for contracting	30 November 2012
Final dates for execution	<p>30 November 2014</p> <p>The following exceptions apply:</p> <p>PF 7: 31 December 2018</p> <p>PF 8: 30 November 2015</p> <p>PF 11, 12 and 17: 30 November 2017</p>

Sector Codes	<ul style="list-style-type: none"> <li>(1) Promoting human rights and protecting minorities: 15160</li> <li>(2) Local Administration Facility: 15112</li> <li>(3) Multi-beneficiary Statistical Cooperation Programme: 16062</li> <li>(4) Trade logistics: 33120</li> <li>(5) Regional Programme on Trade and Investment: 33120</li> <li>(6) Quality Infrastructure: 32182</li> <li>(7) Western Balkan Investment Framework: 43010</li> <li>(8) Horizontal Support to coordination with International Financial Institutions: 24030</li> <li>(9) Support to the Transport Community Treaty: 21010</li> <li>(10) Building Resilience to Disasters in Western Balkans and Turkey: 74010</li> <li>(11) Erasmus Mundus Action 1: 11420</li> <li>(12) Erasmus Mundus – Action 2: 11420</li> <li>(13) Youth in Action Programme: 11420</li> <li>(14) Participation in EU Agencies: 43010</li> <li>(15) Cross-Border Institution Building (CBIB +): 43010</li> <li>(16) Strengthening European Integration: 43010</li> <li>(17) Regional Housing Programme (Sarajevo Process) Stage 1: 73010</li> </ul>
Budget line(s) concerned	22.020701: Regional and Horizontal Programmes
Programming Task Manager	Unit D3, Regional Programmes, DG Enlargement
Implementation Task Manager	<p>Unit D3, Regional Programmes, DG Enlargement</p> <p>DG Enlargement will cross sub-delegate implementation of project (3) to DG Eurostat;</p> <p>DG Enlargement will cross sub-delegate implementation of project (9) to DG MOVE;</p> <p>The European Commission will delegate the implementation of projects (11), (12), and (13) to the Education, Audiovisual and Culture Executive Agency.</p>

## 2. PRIORITIES FOR EU ASSISTANCE

This IPA Multi-beneficiary 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 Multi-beneficiary 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.

In order to define the strategy in the 2011-2013 Multi-beneficiary MIPD, a thorough planning and participatory consultation process with all stakeholders started back in 2009. For a number of priority sectors for regional cooperation, Working Groups were set up to provide a framework for discussions with beneficiaries, donors, civil society and other stakeholders. Discussions in these Working Groups continued until early 2010 to develop specific sector plans that in turn fed into the draft MIPD for 2011-2013. This process allowed better tailoring of the new Multi-beneficiary strategy according to the needs of the Beneficiaries in the region and enhanced their ownership of the programme. Each sector plan sets out the sequencing and scope of priority projects for the annual programming exercise.

The Multi-beneficiary 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.

To achieve the priorities selected for support in the programming period 2011-2013, the Multi-beneficiary 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.

To facilitate programming, the Multi-beneficiary IPA 2011 projects managed by DG Enlargement, Unit Regional Programmes have been consolidated into separate Programmes:

- Multi-beneficiary Programme 2011 (this programme);

- Tempus Programme 2011;
- Horizontal Programme for Nuclear Safety and Radiation Protection.

In addition, the European Commission will adopt a Programme to support Civil Society Development in 2011-2013 for which Multi-beneficiary assistance will complement funds from national IPA programmes in the Civil Society Facility. A new programme for preparatory actions for preserving and restoring cultural heritage in conflict areas is also planned to be adopted in 2011.

Multi-beneficiary programme assistance will be provided through IPA component I for "Transition Assistance and Institution Building".

## 2.1. Priorities selected under this programme

In order to use resources more effectively and efficiently, it is intended to address a limited number of priorities and sectors on an annual or multi-annual basis through the regional and horizontal Multi-beneficiary programmes. The selection process of projects that form part of this annual programme has been based on the various sector plans, in 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 for Multi-beneficiary support.

The current Multi-beneficiary programme for IPA 2011 includes 16 projects that were developed, to a large degree, together with the Beneficiaries in the various sector Working Groups. As part of the programming process, only projects that have achieved sufficient readiness for implementation have been accepted.

Particular attention has been given to projects that support the Beneficiaries to **overcome the economic and financial crisis and prepare for sound recovery** by frontloading financial support for priority investments in infrastructure, in close coordination with IFIs, also by supporting regional initiatives. A number of projects for trade facilitation should also support the Beneficiaries to prepare their response to the crisis.

With a view to maintain the momentum of **public administration reform** and improve governance, two projects have been selected, one of which will support local administrations. The other project provides horizontal support to statistics, which is not only an essential basis for the development of democratic and market-oriented societies, but is a precondition for successful accession negotiations.

A regional project promoting **human rights and protecting minorities** has been selected as one of the priorities in the sector Justice and Home Affairs.

Under the priority to **foster reforms and regional cooperation in education**, the IPA 2011 Multi-beneficiary 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 of **environment and climate change**, a regional project has been selected to build resilience to disasters in the Western Balkans and Turkey, whereas future interventions to support RENA will be programmed at a later stage.

The remaining priorities and sectors of the Multi-beneficiary MIPD will be addressed either by separate programmes in 2011 or by subsequent programmes in 2012 and 2013, building on

results of currently on-going interventions, as foreseen in the various sector plans. This is particularly pertinent for the priority area of the **rule of law and the fight against organised crime and corruption**. A number of programmes on judicial, police and prosecutor cooperation as well as border management are currently ongoing whose results will feed into future interventions in this area, in particular in the planned witness protection programme.

An additional project developed by Bosnia and Herzegovina, Croatia, Montenegro and Serbia with the help of the international community, now proves necessary. The Multi-beneficiary MIPD identifies as one of the priorities for IPA support over the period 2011 – 2013 support for the completion of the process of reconciliation in the Western Balkans and to ensuring non-discrimination and respect for human rights. This project falls under the chapter 3.1 of the Multi-beneficiary MIPD, Justice and Home Affairs, including fundamental rights and vulnerable groups and touches upon chapter 3.7, Social Development.

The project also aims to bring added value to other interventions planned as part of the MIPDs for candidates and potential candidates, where refugee issues are essentially dealt with in specific local contexts.

## **2.2. Sectors selected under this programme**

The Multi-beneficiary programme 2011 will focus its support through the various projects to achieve the following sector objectives:

- 1) Sector Justice and Home Affairs, including fundamental rights and vulnerable groups: The ultimate objective is to 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.
- 2) 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.
- 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 2011 will finance a number of other interventions that fall outside the scope of these sectors such as project identification and preparation, preparatory measures in view of participation in EU Programmes and Agencies, support measures for the implementation and monitoring, of IPA programmes and support by way of technical assistance to strengthen the capacity for programming and implementing cross border cooperation at intra Western Balkans borders.

Particular emphasis is paid to the joint appraisal of projects, including an early identification of the relevant stakeholders, in particular implementing beneficiary institutions. On the occasion of the IPA MB Programme Coordination Meeting in Tirana, 29 -30 June 2010, discussions therefore focused also on ways to improve communication and information flow throughout the programming cycle and project implementation.

### 2.3. Description of projects and/or other implementation modalities under each sector

Sector	IPA support (in EUR million)	Implementation modalities' (projects, budget support, etc.), beneficiary, purpose, results, activities, contribution to the priorities, and indicative implementation schedule
<b>Justice and Home Affairs</b>	<i>11.438</i>	
Project 1: Promoting human rights and protecting minorities	3.6	<p>The project purpose is to set up and nurture an active regional network in the Western Balkans of relevant bodies involved in promoting human rights and in protecting minorities, especially but not exclusively made of the national minority councils and ombudsmen. The aim is to focus on the implementation of existing legislation in line with European standards and practices, starting with but not limited to anti-discrimination norms.</p> <p>The project will be implemented by joint management with the Council of Europe. The Commission and the Council of Europe will conclude a Contribution Agreement in Q4 2011 for an execution period of 36 months.</p>
Project 17: Regional Housing Programme (Sarajevo Process) Stage 1	7 838	<p>The project purpose is to create the conditions for successfully launching and implementing the Regional Housing Programme which will aim to provide sustainable housing solutions in Bosnia and Herzegovina, Croatia, Montenegro and Serbia as part of a comprehensive programme prepared in the context of the Sarajevo process.</p> <p>The project will be implemented by joint management with the Council of Europe Development Bank (CEB) and the United Nations High Commissioner for Refugees (UNHCR). The Commission and the Council of Europe will conclude a Contribution Agreement in Q1 2012 for an amount of EUR 6 638 000. The Commission and the United Nations High Commissioner for Refugees (UNHCR) will conclude a Contribution Agreement in Q1 2012 for an amount of EUR 1 200 000. In order to prepare for the donor's conference to be held in Sarajevo end of April, some actions are deemed necessary to start before the adoption of the Commission Decision. These actions, to be implemented by UNHCR, will therefore start on 1 January 2012. The costs for financing related to those actions, subject to the usual eligibility criteria, shall be considered as eligible costs under the project (subject to the approval of this Commission Decision).</p>

<b>Public Administration Reform</b>	<b>10.7</b>	
Project 2: Local Administration Facility	2.5	<p>The purpose of this project is to enhance awareness-raising and exchange of experience with a view to improving the knowledge and skills of representatives of local and regional authorities regarding European integration and EU accession.</p> <p>The European Commission will implement the Local Administration Facility via the service contracts for the logistics of the TAIEX programme in accordance with Article 242 (1) (c) in conjunction with Article 242 (2) (b) of the Implementing Rules.</p>
Project 3: Multi-beneficiary Statistical Cooperation Programme	8.2	<p>The project's purpose is to continue upgrading and strengthening the beneficiaries' statistical systems, thereby improving the availability, quality, comparability and timeliness of statistical data.</p> <p>The project will be implemented through direct grants to the NSIs of Croatia, Turkey, Iceland, the former Yugoslav Republic of Macedonia and Serbia in Q1 2012 for a total of EUR 5 000 000 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 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.</p> <p>Part of the project will be implemented by a Service Contract for EUR 3 200 000 that will be awarded following a call for tender to be launched in Q3 2011. The contract will provide technical assistance to those beneficiaries, in particular, who do not receive a grant under this Programme.</p> <p>Implementation of this project will be cross sub-delegated from DG Enlargement to DG Eurostat.</p>
<b>Private Sector Development</b>	<b>35.2825</b>	
Project 4: Reducing regulatory and administrative constraints related to trade logistics and harmonising cross-border clearance systems and services in the Western Balkans	1.5	<p>In continuation of previous projects, the purpose is to simplify and harmonize trade related regulations and administrative procedures, in particular clearance procedures for cargo and to develop a comprehensive regional approach.</p> <p>This project will be implemented by joint management with the International Finance Corporation. The European Commission will sign an Administration Agreement with the International Finance Corporation in Q3 2011.</p>
Project 5: Regional Programme on Trade and Investment in the Western Balkans	1.2825	<p>The project purpose is to support the implementation of the Central European Free Trade Agreement 2006 (CEFTA), thereby to contribute to trade liberalisation. As a result there should be a simplified single system of rules that facilitate intra-regional trade relations.</p> <p>This project will be implemented through: 1) an operating grant to the CEFTA Secretariat for a value of EUR 682 500 which should be signed in Q3 2011, based on Article 168 (1) (c) of the Implementing Rules of the Financial Regulation, considering that the Secretariat has a de facto monopoly, and 2) a Contribution Agreement under joint management with the OECD in relation to monitoring investment-related issues of CEFTA for a value of EUR 600</p>

		000 that will be concluded in Q4 2011.
Project 6: Quality Infrastructure	2.5	<p>Through regional networking initiatives and training, the project will improve the capabilities of ministries and quality infrastructure bodies, all of which are implementing strategies to comply with Chapter 1 of the EU acquis, enabling them to offer industry services to provide the tools to trade in the EU market, as well as in the markets of the beneficiaries.</p> <p>The project will be implemented by the European Committee for Standardization (CEN) following the signature of a service contract after negotiated procedure (Art. 242(1)(b) of the Implementing Rules (IR)) in Q3 2011 since the services are entrusted to a public-sector body and relate to activities of an institutional nature.</p>
Project 7: Western Balkan Investment Framework	30.0	<p>The purpose of the Project is to put into practice the WBIF, in particular, 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.</p> <p>The project will be implemented through two service contracts of EUR 15 million each, one following a call for tender to be launched in Q3 2011 and one, as foreseen in the tender for the initial contract, extending an existing service contract with COWI AS in Q4 2011, in accordance with Article 242 (1) c) in conjunction with Article 242 (2) (b) of the Implementing Rules.</p>
<b>Transport and Energy Infrastructure</b>	<b>45.6</b>	
Project 7: Western Balkan Investment Framework	40.0	<p>The purpose of the Project is to put into practice the WBIF, in particular, to support the preparation and implementation of priority infrastructure investment 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.</p> <p>The project will be implemented in joint management with IFIs (EIB, EBRD, CEB) through three contribution agreements of EUR 10 million each that should be signed in Q1 2012, Q2 2012 and Q4 2012 respectively and through one contribution agreement of EUR 10 million within the European Western Balkan Joint Fund, managed by EIB and EBRD that should be signed in Q4 2011.</p>
Project 8: Horizontal Support to coordination with International Financial Institutions in the Western Balkans and Turkey	2.0	<p>The project's purpose is to improve donor coordination and aid effectiveness by ensuring consistence between strategic objectives and financing by multiple stakeholders. The project will bring together the beneficiaries, the European Commission, headquarters as well as its delegations in the region, regional organizations and IFIs to discuss and agree on priorities at policy, strategy, technical and operational level. Areas covered are those of infrastructure and socio economic development most relevant for the beneficiaries.</p> <p>The project will be implemented by a Service Contract. As foreseen in the tender for the initial contract, the European Commission and Project Management Limited (PMG) will conclude an Addendum to the existing Service Contract in Q2 2012, in accordance with Article 242 (1) c) in conjunction with Article 242 (2) (b) of the Implementing Rules.</p>
Project 9: Support to the Transport	3.6	The project purpose is to support the start-up of the Transport Community Treaty by making available the European Union's Contribution to the budget

Community Treaty		<p>of the Transport Community Permanent Secretariat.</p> <p>The contribution to the Transport Community budget will constitute a subscription to a body of which the EU is a member in the meaning of 108(2)(d) of the Financial Regulation. The project will be cross sub-delegated to DG Move.</p>
<b>Environment and Climate Change</b>	<b>2.2</b>	
Project 10: Building Resilience to Disasters in Western Balkans and Turkey	2.2	<p>The project purpose is to enhance the capacity of IPA beneficiaries in the areas of disaster risk reduction and adaptation to climate change.</p> <p>The Action will be implemented in joint management with two specialized international organizations, namely the United Nations International Strategy for Disaster Reduction (UNISDR) and World Meteorological Organization (WMO). A Contribution Agreement for EUR 2 200 000 will be concluded between the European Commission and the lead partner (UNISDR) in Q4 2011, in line with the relevant Regulations and legislation in force and based on a formal agreement between the two partner organizations with regards to this specific Action.</p>
<b>Social Development</b>	<b>21.5</b>	
Project 11: Erasmus Mundus Action 1: Western Balkans - Turkey Windows	8.0	<p>The project purpose 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.</p> <p>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 Q3 2011.</p>
Project 12: Erasmus Mundus – Action 2: Partnerships, Lot - Western Balkans	12.0	<p>The project purpose is to enable the exchange of staff and students at all levels thereby enhancing their knowledge and skills.</p> <p>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 Q4 2011. 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.</p>
Project 13: Youth in Action Programme – Western Balkans Window	1.5	<p>The purpose 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 exchanges of young people and those active in youth work and youth organisations as well as initiatives that reinforce young people's mutual understanding, sense of solidarity and tolerance, as well as the development of cooperation in the field of youth and civil society in the Western Balkans.</p> <p>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: September 2011, February 2012 and June 2012. Grants will be awarded to Youth organisations following the selection of the projects after an evaluation by experts on the basis of criteria defined in the Youth in Action Programme Guide.</p>

Other interventions	17	
Project 14: Participation in EU Agencies	8.0	<p>The project purpose is to support EU Agencies by allowing them to carry out preparatory measures in the Beneficiaries with the Beneficiary counterparts and stakeholders so as to facilitate future participation in these EU Agencies, and to stimulate cooperation between the Beneficiaries and their stakeholders.</p> <p>This project will be implemented through 14 Grant Agreements which should be signed in Q3 2011 with the EU Agencies based on Article 168(1)(f) of the Implementing Rules of the Financial Regulation. The EU Agencies and amounts are the following: CPVO (EUR 0.4 million); EASA (EUR 0.7 million); ECDC (EUR 0.4 million); ECHA (EUR 0.3 million); EEA (EUR 1.0 million); EFSA (EUR 1.0 million); EMCDDA (EUR 0.9 million); EMSA (EUR 0.3 million); ERA (EUR 0.3 million); EU-OSHA (EUR 0.9 million); EUROFOUND (EUR 0.7 million); EMEA (EUR 0.9 million); EIGE (EUR 0.1 million); ICC (EUR 0.1 million).</p>
Project 15: Cross-Border Institution Building (CBIB +) - Regional technical assistance to cross-border cooperation at intra Western Balkan borders	2.5	<p>The purpose of this project is to enhance regional coordination and harmonisation of approaches and mechanisms in the field of cross-border cooperation at intra-Western Balkan borders, in line with EU frameworks and guidelines in the area of territorial cooperation.</p> <p>The project will be implemented through a service contract following an international restricted tender procedure to be launched in Q4 for a value of EUR 2 500 00 and a duration of 24 months (tentatively from December 2011 to December 2013) The service contract may be extended for an equivalent value and duration in accordance with Article 242 (1) (c) in conjunction with Article 242 (2) (b) if the Implementing Rules.</p>
Project 16: Strengthening European Integration	6.5	<p>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.</p> <p>It is expected that part of the project will be implemented through approximately 7 service contracts for a total indicative amount of EUR 1 977 761, procured through calls for tender (2) or under framework contracts (4), depending on the amount, and one negotiated procedure. All service contracts should be signed between Q3 2011 and Q3 2012.</p> <p>One service contract for an amount of EUR 500 000 will be signed following a negotiated procedure with Agenzia delle Dogane, which is a public-sector body governed by Italian law. The legal basis is Art. 242(1)(b) of the Implementing Rules (IR) to the Financial Regulation, which states that a 'negotiated procedure with a single tender' is possible where "the services are entrusted to public-sector bodies or to non-profit institutions or associations and relate to activities of an institutional nature or designed to provide assistance to peoples in the social field". The Italian Customs Agency, Agenzia delle Dogane, has the specific expertise necessary to implement the SEED work plan by drawing both upon internal resources and upon resources available in the wider network of European Customs and Tax Administrations in which the Italian Customs Agency participates.</p> <p>In addition, depending on the nature and scope of demands and whenever the</p>

	<p>requirements and conditions for such implementation modalities are fulfilled, part of the project can be implemented also through grant contracts awarded in accordance with the provisions of the Financial Regulations and Implementing Rules (Title VI), following calls for proposals or direct award decisions.</p> <p>A call for proposals for an indicative amount of EUR 1 000 000 is foreseen to be launched in Q4 2011, to sign Framework Partnership Agreements in preparation of future activities under the Civil Society Facility. 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. The detailed selection and award criteria will be laid down in the Calls for proposals – Guidelines for applicants. The final grant beneficiary should contribute with a minimum of 10% of the eligible expenditure of this project.</p> <p>One direct grant is foreseen to be awarded in Q4 2011 to the Igman Initiative, on account of its technical competence and high degree of specialisation, Article 168 (1) (f) of the Implementing Rules of the Financial Regulation, for an indicative amount of EUR 143 379. This project aims to resolve the problem of status and property rights of the citizens of the signatory countries to the Dayton Agreement (Bosnia and Herzegovina, Croatia, Montenegro, Serbia) and the Igman Initiative is best placed to bring this project forward.</p> <p>One direct grant with an indicative amount of EUR 458 403 is foreseen to be awarded in Q1 2012 to the Coalition for RECOM (Regional Commission Tasked with Establishing the Facts about All Victims of War Crimes and Other Serious Human Rights Violations Committed on the Territory of the Former Yugoslavia in the period from 1991-2001), through its applicant, the Humanitarian Law Centre in Belgrade. The coalition gathers over 1900 members with the aim to have the post-Yugoslav states to establish a regional commission, RECOM, that would seek to uncover the truth about war crimes committed in the former Yugoslavia. A direct award is justified on account of Article 168(1)(c) of the Implementing Rules of the Financial Regulation, as the Coalition for RECOM has de facto monopoly over the process.</p> <p>One direct grant shall be concluded in Q4 2011 with the Balkan Investigative Regional Reporting Network (BIRN Hub) based on Article 168(1)(c) of the Implementing Rules of the Financial Regulation, to bodies with a de jure or de facto monopoly. BIRN was established in 2005, from the programme of the Institute for War &amp; Peace Reporting in London and is playing a unique role within the field of transitional justice reporting with six locally registered non-profit, non-governmental organisations in the region. No other organisation with a similar coverage and professional capacity exists in the region. The EU contribution will amount to EUR 465 457 to a project that will increase and improve the quality of reporting on war crime proceeding and transitional justice issues throughout the region.</p> <p>One direct grant is foreseen with the South East Europe Regional Rural Development Standing Working Group (SWG SEE) for an indicative amount of EUR 150 000 to be awarded in Q3 2011 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 rural development, only SWG SEE 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 a future regional pilot initiative.</p> <p>It is also foreseen to sign Contribution Agreements and, if appropriate, to enter into joint management with International Organisations, following Article 53d of the Financial Regulation and the corresponding provisions of the</p>
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		<p>Implementing Rules.</p> <p>One Contribution Agreement is foreseen with the 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 the follow up on the support to the Joint European Commission - ICTY training to National Prosecutors and Young Professionals from the former Yugoslavia. An indicative amount of EUR 400 000 is foreseen, the Agreement is to be signed in Q3 2011.</p> <p>It is foreseen to sign a Contribution Agreement and to enter into joint management with the United Nations Office on Drugs and Crime (UNODC) to carry out a dedicated survey on how corruption affects business and investment in the Beneficiaries. Information will be collected also on selected criminal victimization experiences of businesses to provide a description of hidden crime and its relationship with corruption in the business sector. The Agreement with an indicative amount of EUR 450 000 is to be signed in Q1 2012.</p> <p>In addition it is planned to sign an Administration Agreement and to enter into joint management with the World Bank for an indicative amount of EUR 1 200 000 in Q1 2012. The World Bank has extensive international experience in working with government counterparts to improve capabilities associated with monitoring and evaluation (M&amp;E). Over the last decade, the Bank has worked extensively with Turkey and the Western Balkans to strengthen government functions associated with the monitoring and evaluation of policies and programmes (e.g. programme budgeting, audit, statistical capacity) and is therefore well placed to carry this work forward.</p> <p>In Q1 2012, it is foreseen to sign a Contribution Agreement with the Central European Free Trade Agreement (CEFTA) for an amount of maximum EUR 200 000 to support the CEFTA secretariat to organise stakeholders' meetings and train staff of beneficiaries, also linking up with SEED. This agreement is 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. The implementation of the CEFTA agreement is seen as essential for completing the regional free trade area. A functional regional market within CEFTA and continued <i>acquis</i> alignment are important to attract investment in South East Europe.</p> <p>Finally, one Contribution Agreement is foreseen to be signed in Q4 2011 with the World Health Organisation (WHO) and to enter into joint management for an amount of maximum EUR 55 000 to organise the 3rd Ministers' Forum "Health in all policies in South East Europe: A shared goal and responsibility" with a view to strengthen political commitment to continue regional cooperation in the area of public health.</p>
<b>TOTAL</b>	<b>143.7205</b>	

#### **2.4. Overview of past and ongoing assistance (EU / IFI / Bilateral and national assistance) including lessons learned and evaluations**

##### *Past and ongoing assistance*

Between 2001 and 2010, over EUR 1 billion was allocated in assistance to the beneficiaries through the CARDS Regional Programmes, the Phare Multi-Country Programmes and the recent IPA Multi-beneficiary programmes. In financial terms, assistance provided under these

programmes has addressed, in particular, economic development, through extensive and close collaboration with IFIs which have helped the development of a functioning financial sector capable of supporting the expansion of the private sector and the needs of municipalities.

Equally important is the support that has been given to the regional cooperation process in the Western Balkans and certain areas of key importance for the European integration, such as taxation and customs, statistics, public administration (SIGMA) and horizontal support via TAIEX.

### ***Lessons learned***

In designing this IPA Multi-beneficiary programme, particular note has been taken of the results of projects programmed in previous years. Accordingly, the selection of projects has been made on the basis of EU strategic documents, the lessons learned from the programming and implementation of previous EU assistance and findings from internal and external consultations.

The main conclusions of the ongoing strategic/interim evaluation of regional cooperation in the Western Balkans and Turkey are the following:

- Multi-Beneficiary IPA assistance remains a relevant and important tool to foster regional cooperation and tackle common problems in the region.
- Local ownership of the Multi-Beneficiary programmes has improved through measures that involve regional and local stakeholders from an early stage of the programming process.
- While the strategic objectives of the MIPDs are adequate, the lack of SMART result indicators in previous MIPDs makes it difficult to measure the effectiveness and impacts of interventions.

The involvement of beneficiaries and the RCC in the initial project conception phase of the programming provides the opportunity to judge their absorption capacity for each project as well as to evaluate how each project would fit into the national plans. IPA National Programmes have also been carefully assessed.

Support to the priority areas Justice and home affairs, Public administration, Environment and Climate Change, Social development and Agriculture and rural development could take advantage of the experiences and best practices in reforms and transition in different Member States. These are compiled in the "European Transition Compendium" (ETC).

### ***Donor Coordination process***

Coordination and coherence of assistance and activities is particularly important, given the large number of players involved. 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<sup>1</sup>.

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<sup>1</sup> Donor Coordination Ad Hoc Report, MWH Consortium, 10 December 2008

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, 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 two Donor Coordination conferences in 2010 where the Commission and Member States, together with the IFIs and non-EU donors, discussed the various sector plans that provided the basis for the Multi-beneficiary MIPD 2011 – 2013 as well as those projects that were selected to form the Multi-beneficiary programme for 2011. The discussions proved to be a key tool to determine areas of common interest and possibilities for sector coordination and division of labour.

## **2.5. Horizontal issues**

Cross cutting issues, such as equal opportunities and non-discrimination, support to minorities and vulnerable groups, environmental protection, public health 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.

## **2.6. Conditions**

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.

**2.7. Indicative Benchmarks**

	2011		2012 (cumul.)	
	EU	NF	EU	NF
<b>Number of negotiated procedure for Service Contract</b>				
Local Administration Facility (1)				
Quality Infrastructure (1)				
Western Balkan Investment Framework (1)	3		5	
Horizontal Support IFIs (1)				
Strengthening European Integration (1)				
<b>Number of tenders launched</b>				
Statistical Cooperation (1)				
Western Balkan Investment Framework (1)	3		5	
CBIB+ (1)				
Strengthening European Integration (2)				
<b>Numbers of Framework Contracts</b>				
Strengthening European Integration (4)	1		4	
<b>Number of calls for proposal</b>				
Erasmus Mundus – Action 2: Partnerships, Lot - Western Balkans (1)	3		3	
Youth in Action Programme – Western Balkans Window (1)				
Strengthening European Integration (1)				
<b>Number of Direct Grants</b>				
Statistical Cooperation (5)				
CEFTA (1)				
Erasmus Mundus Action 1: Western Balkans - Turkey Windows (152)	172		179	
Participation in EU Agencies (14)				
Strengthening European Integration (6)				
<b>Number of Contribution Agreements under Joint Management</b>				
Promoting human rights and protecting minorities (1)				
CEFTA (1)				
Western Balkan Investment Framework (4)	3		11	
Disaster Risk Reduction (1)				
Strengthening European Integration (2)				
Regional Refugee Return Programme (2)				
<b>Number of Administration Agreements</b>				
Trade Logistics (1)	1		2	
Strengthening European Integration (1)				
<b>Subscription to a EU body</b>				
Transport Community (1)	1		1	
<b>Contracting Rate (%)</b>	91		100	

### 3. BUDGET (AMOUNTS IN EUR)

#### 3.1. Indicative budget table

Centralised and joint 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 (g)=(a)+(d)	EUR (h)=(b)+(e)	% <sup>(2)</sup>
	EUR (a)=(b)+(c)	EUR (b)	% <sup>(1)</sup>	EUR (c)	% <sup>(1)</sup>	EUR (d)=(e)+(f)	EUR (e)	% <sup>(1)</sup>	EUR (f)	% <sup>(1)</sup>			
<b>Justice and Home Affairs</b>	<b>6 438 000</b>	<b>6 438 000</b>	<b>100</b>			<b>5 000 000</b>	<b>5 000 000</b>	<b>100</b>			<b>11 438 000</b>	<b>11 438 000</b>	<b>7.96</b>
Project 1: Human rights and protecting minorities	3 600 000	3 600 000	100								3 600 000	3 600 000	-
Project 17: Refugee	2 838 000	2 838 000	100			5 000 000	5 000 000	100			7 838 000	<b>7 838 000</b>	-
<b>Public Administration</b>	<b>11 255 556</b>	<b>10 700 000</b>	<b>95.06</b>	<b>555 556</b>	<b>4.94</b>						<b>11 255 556</b>	<b>10 700 000</b>	<b>7.44</b>
Project 2: Local Administration Facility	2 500 000	2 500 000	100								2 500 000	2 500 000	-
Project 3: Statistics	8 755 556	8 200 000	93.65	555 556	6.35						8 755 556	8 200 000	-
<b>Private Sector Development</b>	<b>7 175 000</b>	<b>5 282 500</b>	<b>73.62</b>	<b>1 892 500</b>	<b>26.38</b>	<b>300 000 000</b>	<b>30 000 000</b>	<b>10</b>	<b>270 000 000</b>	<b>90</b>	<b>307 175 000</b>	<b>35 282 500</b>	<b>24.55</b>
Project 4: Trade logistics	2 000 000	1 500 000	75.00	500 000	25.00						2 000 000	1 500 000	-
Project 5: Trade and Investment	2 550 000	1 282 500	50.29	1 267 500	49.71						2 550 000	1 282 500	-

Project 6: Quality Infrastructure	2 625 000	2 500 000	95.24	125 000	4.76						2 625 000	2 500 000	-
Project 7: Western Balkan Investment Framework						300 000 000	30 000 000	10	270 000 000	90	300 000 000	30 000 000	
<b>Transport and Energy Infrastructure</b>	<b>6 650 000</b>	<b>5 600 000</b>	<b>84</b>	<b>1 050 000</b>	<b>16</b>	<b>400 000 000</b>	<b>40 000 000</b>	<b>10</b>	<b>360 000 000</b>	<b>90</b>	<b>406 650 000</b>	<b>45 600 000</b>	<b>31.73</b>
Project 7: Western Balkan Investment Framework						400 000 000	40 000 000	10	360 000 000	90	400 000 000	40 000 000	-
Project 8: Horizontal Support to coordination with IFIs	2 000 000	2 000 000	100								2 000 000	2 000 000	-
Project 9: Transport Community Treaty	4 650 000	3 600 000	77.42	1 050 000	22.58						4 650 000	3 600 000	-
<b>Environment</b>	<b>2 590 000</b>	<b>2 200 000</b>	<b>84.94</b>	<b>390 000</b>	<b>15.06</b>						<b>2 590 000</b>	<b>2 200 000</b>	<b>1.53</b>
Project 10: Building Resilience to Disasters	2 590 000	2 200 000	84.94	390 000	15.06						2 590 000	2 200 000	-
<b>Social Development</b>	<b>21 875 000</b>	<b>21 500 000</b>	<b>98.29</b>	<b>375 000</b>	<b>1.71</b>						<b>21 875 000</b>	<b>21 500 000</b>	<b>14.96</b>
Project 11: Erasmus Mundus Action 1:	8 000 000	8 000 000	100								8 000 000	8 000 000	-
Project 12: Erasmus Mundus – Action 2:	12 000 000	12 000 000	100								12 000 000	12 000 000	-
Project 13: Youth in Action Programme –	1 875 000	1 500 000	80.00	375 000	20.00						1 875 000	1 500 000	-

<b>Other interventions</b>	<b>17 316 864.70</b>	<b>17 000 000</b>	<b>98.18</b>	<b>316 864.70</b>	<b>1.82</b>						<b>17 316 864.70</b>	<b>17 000 000</b>	<b>11.83</b>
Project 14: Participation in EU Agencies	8 000 000	8 000 000	100								8 000 000	8 000 000	-
Project 15: Cross-Border Institution Building (CBIB +)	2 500 000	2 500 000	100								2 500 000	2 500 000	-
Project 16: Strengthening European Integration	6 816 864.70	6 500 000	95.35	316 864.70	4.65						6 816 864.70	6 500 000	-
<b>TOTAL</b>	<b>73 300 420.7</b>	<b>68 720 500</b>	<b>93.75</b>	<b>4 579 920.70</b>	<b>6.25</b>	<b>705 000 000</b>	<b>75 000 000</b>	<b>10.6 4</b>	<b>630 000 000</b>	<b>89. 36</b>	<b>778 300 420.7</b>	<b>143 720 500</b>	<b>100</b>

\* Other contribution (public and private national and/or international contribution) provided by national counterparts and/or international organisations and/or grant beneficiaries

- (1) Expressed as a % of the Total expenditure IB or INV (column (a) or (d)).
- (2) Priority axis rows only. Expressed as a % of the grand total of column (h). It indicates the relative weight of the priority with reference to the total IPA EU contribution of the entire Financing Proposal.

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

The IPA EU contribution, which represents **18.47%** 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.

In the case of Project 16 the following exceptions apply:

- the direct grant with the South East Europe Regional Rural Development Standing Working Group (SWG SEE), which will be financed in full based on Article 253 (1)(e) of the Implementing Rules to the Financial Regulation, as it is the preparation of a region-wide pilot initiative for which the Commission has interest to be the sole donor.

- 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 Contribution Agreement with the Central European Free Trade Agreement (CEFTA), which will be financed in full based on Article 253 (1)(e) of the Implementing Rules to the Financial Regulation, as the implementation of CEFTA agreement to which this action contributes is seen as essential for completing the regional free trade area.

## **4. IMPLEMENTATION ARRANGEMENTS**

### **4.1. 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 1: The programme will be implemented by the European Commission by joint management with the Council of Europe following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules. To this end, the Commission and the Council of Europe will conclude a Contribution Agreement.

Project 4: The programme will be implemented by the European Commission by joint management with the World Bank following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules. To this end, the Commission and the World Bank will conclude an Administration Agreement.

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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)

Project 5: The programme will be implemented by the European Commission by joint management with the OECD following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules. To this end, the Commission and the OECD will conclude a Contribution Agreement.

Project 7: 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. To this end, the Commission and the International Financial Institutions will conclude Contribution Agreements.

Project 10: The programme will be implemented by the European Commission by joint management with the United Nations International Strategy for Disaster Reduction (UNISDR) and World Meteorological Organization (WMO) following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules. To this end, the Commission and the lead partner, the United Nations International Strategy for Disaster Reduction (UNISDR) will conclude a Contribution Agreement.

Project 16: Part of the programme will be implemented by the European Commission by joint management with UNODC, WHO and the World Bank, following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules. To this end, the Commission and the International Organisations will conclude a Contribution Agreement (or Administration Agreement in case of the World Bank).

Project 17: The programme will be implemented by the European Commission through joint management with the CEB and the UNHCR following Article 53d of the Financial Regulation and the corresponding provisions of the Implementing Rules. To this end, the Commission and the CEB and the UNHCR will conclude Contribution Agreements.

For joint management all international organisations shall have been subject of the 4-pillar assessment according to Article 53d of the Financial Regulation. Such assessment is still ongoing for EBRD. In anticipation of the results of the assessment, the authorising officer deems that, based on longstanding and problemfree cooperation with the EBRD, 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. Projects (11) Erasmus Mundus Action 1: Western Balkans - Turkey Windows; (12) Erasmus Mundus – Action 2: Partnerships, Lot - Western Balkans and (13) 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.

Implementation of project (3) Statistical Cooperation will be cross sub-delegated from DG Enlargement to DG Eurostat.

Implementation of project (9) Transport Community will be cross sub-delegated from DG Enlargement to DG Move.

## **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 Union 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 EuropeAid website<sup>4</sup> at the date of the initiation of the procurement or grant award procedure.

For cross sub-delegated programmes, AOSDs can use their own templates and guidelines, as long as these are in line with the provisions of Part Two Title IV of the Financial Regulation.

As regards activities under joint management, the general rules for procurement and grant award procedures shall be defined in the Contribution Agreement between the Commission and Council of Europe, World Bank, WHO, UNODC, OECD, IFIs (EIB, EBRD, CEB), UNISDR, WMO, and UNHCR implementing such activities.

## **4.3. Environmental Impact Assessment (EIA) 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>5</sup>, equivalent to that provided for in Article 6 of the Habitats Directive<sup>6</sup>.

## **5. MONITORING AND EVALUATION**

### **5.1. Monitoring**

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, where relevant, ex post evaluations in accordance with Articles 57 and 82 of IPA Implementing Regulation, with

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<sup>4</sup> current address: [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>5</sup> Cf. Annex Nature Conservation to the corresponding investment project fiche

<sup>6</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 aim of improving the quality, effectiveness and consistency of the assistance from EU funds and the strategy and implementation of the programmes.

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 Delegation in the Beneficiary Country.

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>7</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>8</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>7</sup> OJ L 292; 15.11.1996; p. 2

<sup>8</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.