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ANNEX: HORIZONTAL PROGRAMME ON ENVIRONMENT IN THE WESTERN BALKANS

1. IDENTIFICATION

Beneficiaries	Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia including Kosovo (as defined by UNSCR 1244)
CRIS number	2007/019-285
Year	2007
Cost	€1.6 million
Implementing Authority	The European Commission
Final date for contracting:	30/11/2008
Final date for execution	30/11/2010
Sector Code	41010
Budget line	22.02.07.01 – Regional and horizontal programmes
Programming Task Manager	DG Enlargement, Unit D3 "Regional Programmes"
Implementation Task Manager	DG Environment, Unit E3 "Enlargement & Neighbouring Countries"

2. PRIORITY AXES / PROJECT

2.a Priority axes

The European Union has recognised that development of infrastructure is a necessary condition for helping the approximation to EU environmental standards in the beneficiary countries. In addition, support to civil society, has also been identified as an important priority for EU assistance under the Multi-annual Indicative Programme for 2007-2009.

This financing proposal therefore focuses on the following priority axis identified in the MIPD.

Infrastructure:

Approximation to EU acquis, as well as monitoring of compliance, transposition and implementation of EU legislation constitutes a cornerstone for the successful implementation of commitments from the accession strategies.

The transformation of identified problems and pollution hot-spots into infrastructure projects constitutes a major instrument for implementing the environmental acquis, not only in terms of physical investments but also in terms of building up the necessary administrative structure in the beneficiary countries¹. Indeed, assistance at regional level to support the uptake of priority projects has been identified by the Commission, as a global objective in the beneficiary countries. In doing so, cooperation with IFIs is expected to bring cohesion to the financing process, by identifying priority objectives common to the region as a whole and by encouraging a more strategic focus to the use of available financing and ensuring coordinated action between all financial instruments operating in the region, with the ultimate aim of moving the beneficiary countries closer to implementation of EU environmental standards and towards accession.

¹ In this document, the use of the expressions "beneficiary countries", "pre-candidate countries" and "national authorities", should be considered as including Kosovo as defined by UNSCR 1244.

While support to infrastructure investments in the beneficiary countries is one of the main mechanisms for EU alignment, compliance with accession strategies also involves completing transposition of the acquis. For the environmental acquis, throughout the accession process the Commission monitors progress towards adoption and implementation of environmental legislation in all the candidate and pre-candidate countries. In addition, the Commission also assists with the transposition and implementation of legislation, by providing guidance material for candidate countries. Indeed, as transposition progresses the Commission receives numerous requests from the candidate countries to undertake preliminary compliance checks of pieces of their national legislation with the corresponding EU legislation. These unofficial checks help countries avoid problems after accession that could occur due to incorrectly transposed legislation.

Supporting Civil Society

Another area of intervention outlined in the multi-beneficiary MIPD is support to civil society. The Commission recognises the promotion of and active participation of non-governmental organisations in the government decision-making process as a priority, namely through the increased involvement of civil society organisations in the definition, implementation and monitoring of policies.

As far as the environmental sector is concerned, the NGO community has a very important role to play. NGOs in EU Member States complement the work of the administration by signalling infractions, collecting information, coordinating pilot projects and educating citizens about their rights and obligations. DG Environment experience has shown that complaints from NGOs are the most important source of information about the application of Community environmental legislation in the Member States. In addition, support to the work of environmental NGO's has also strengthened the capacity and competencies of civil society organisations at large and ultimately, contributed to promotion of basic freedoms, political reform and better governance.

In line with the priorities described above, this financing proposal therefore focuses on a) providing support for investment preparation under the Danube-Black Sea (DABLAS) Task Force², b) monitoring transposition and implementation of the EU environmental acquis and c) developing the capacity of environmental NGOs, through transfer of best practices from NGOs in the EU Member States.

These projects will follow-up from the National Strategies of the beneficiary countries in which they have identified the environment sector as a major challenge for accession, in terms of financing aspects as well as institution building.

2.b Description of projects grouped per priority axis

- **Support for Investment preparation under the Danube-Black Sea (DABLAS) Task Force**

Environmental financing, particularly in the main sectors covered by the Pre-Accession assistance, has been proved to be a particularly difficult task in the candidate and pre-candidate countries. Lack of technical and financial capacity to ensure proper planning and co-ordination of financing sources

² The DABLAS Task Force comprises a number of representatives from the countries in the region, the [International Commission for the Protection of the River Danube \(ICPDR\)](#), the [Black Sea Commission](#), International Financing Institutions (IFIs), the EC, interested EU Member States, other bilateral donors and other regional/ international organisations with relevant functions. The European Commission DG Environment holds the Secretariat of the Task Force.

are important obstacles. The importance of preparing coherent and prioritised investment strategies was already highlighted in the Commission communication on environmental financing in candidate countries back in 2001³. This was mentioned as an important pre-requisite for future absorption of the post accession support.

Project Purpose:

- To improve investments in projects particularly related to the protection of the water and water related ecosystems in the Danube and the Black Sea.
- To facilitate the stakeholder dialogue in relation to project financing in the Danube – Black Sea region under the DABLAS Task Force.
- To prepare investment projects aimed at improving water quality in the four target beneficiary countries (Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia).
- To promote the reform and modernisation of water administrations/utilities in the beneficiary countries/provinces.
- To promote cooperation and networking within the regions covered by the programme.
- To increase in-country experience by all relevant stakeholders in structuring water investments from a technical, financial and legal (acquis alignment) point of view in preparation for future investment activities under Community funding schemes and with International Financing Institutions.

Expected results:

- Further alignment with EU standards, in particular in the water sector.
- 2-3 bankable investment projects per potential candidate country.
- In-country experience by all relevant stakeholders in structuring water investments from a technical, financial and legal point of view in preparation for future investment activities under Community funding schemes and with international financing institutions has increased.
- DABLAS Task Force meetings and preparatory meetings and DABLAS process facilitated in cooperation with the DABLAS Task Force Secretariat;
- Stakeholder dialogue in the entire Danube-Black Sea region in relation to water related investments improved.

Activities:

- Identification of projects with a significant environmental impact on the Danube and/or Black Sea.
- Identification of potential sources of financing: work with financing institutions including National Development Banks, International Financing Institutions and water utilities to identify and pool sources of funding.
- Legal, financial and technical structuring of projects allowing meeting the needs of International Financing Institutions and/or National Development Banks: a minimum of two to three representative pilot projects should be prepared per country.
- Facilitation of the DABLAS process by assisting in organising DABLAS Task Force meetings and preparing background material relevant to the beneficiaries of this IPA project; this project should assist the Secretariat of the DABLAS Task Force in terms of inter-alia preparation of meetings and background documents, coordination of activities, provision of information on projects and preparation and dissemination of information in the region.

³ Communication from the Commission on *The challenge of environmental financing in the Candidate Countries*, COM(2001)304 final

The implementation of this project will be sub-delegated to DG Environment, unit E.3, which will conclude one service contract for the amount of €600,000 tendered in Q4 2007 by DG Environment according to the rules laid down in the Practical Guide to contract procedures for EC external actions.

- **Monitoring transposition and implementation of the EU environmental acquis**

As transposition progresses the Commission receives numerous requests from the pre-candidate countries to undertake preliminary compliance checks of pieces of their national legislation with the corresponding EU legislation. These unofficial checks help countries avoid problems after accession that could occur due to incorrectly transposed legislation. Therefore, the Commission proposes to make available a compliance checking facility for the target beneficiary countries and to continue with the progress monitoring on the basis of Tables of Concordance and Implementation. While the National strategies are a planning document for harmonisation/alignment with the acquis, the current project on monitoring is focused on the progress achieved in alignment and implementation and provides information for the countries on how they are fulfilling their targets. In addition, it also provides for economies of scale and coherent methodology for such progress assessment in all the IPA countries.

Project Purpose:

- To assist with compliance checking of environmental legislation being drafted and adopted in the target beneficiary countries (all countries covered by this horizontal programme) and to update guidance material on the transposition and implementation of environmental legislation;
- To provide the tools and methodology for tracking and assessing progress in the target beneficiary countries in their preparation for integration into the EU, especially in terms of transposition and implementation of EU environmental legislation;
- To support the gathering and managing of up-to-date information on the status of each potential-candidate country's preparedness in the environmental sector.

In general, the project should assess and process the results in such a way that each country can gauge its own progress

Expected results:

- Assessments of the Tables of Concordance and Implementation Questionnaires, after completion by the target countries;
- Updated list of Directives/Regulations covered by the Progress Monitoring in terms of reflecting all amendments since last progress monitoring year;
- Additional Tables of Concordance and Implementation Questionnaires developed;
- Regular reports on progress made and problems encountered in the target countries. As regards progress monitoring in these countries, the reports should take into account the assessment of the status of transposition and implementation made under the previous progress monitoring contract;
- Advice and support to the target countries;
- Updates on scoring and dates of actual/estimated transposition and implementation in the DG ENV progress monitoring database;
- Specific environmental legal acts checked for compliance;
- Updated guide on the activities required to undertake the effective transposition, implementation and enforcement of EU environmental legislation.

Activities:

- Carry out progress monitoring on the basis of Tables of Concordance and Implementation Questionnaires that have already been developed in the framework of the previous progress monitoring projects, focusing mainly on the legislation pending for adoption and implementation;
- Review and update of Directives/Regulations covered by last Progress Monitoring in terms of reflecting all amendments since last progress monitoring year;
- Develop additional Tables of Concordance and Implementation Questionnaires for Directives, adopted within the period defined by the Commission;
- Report to the European Commission on progress made in terms of transposition and implementation; such a report shall include an analysis of any issues affecting accession of candidate countries;
- Offer guidance and assistance to Ministries of Environment in the target beneficiary countries in completing the Tables of Concordance and Implementation Questionnaires; this assistance may include consulting through local experts, country visits to provide guidance on the methodology used and continuous support through other means of communication;
- Provide assistance to DG Environment in updating the internal progress monitoring database.
- Short term assessments of draft and adopted environmental legislation based on requests from beneficiary countries in comparison to the relevant EU environmental legislation;
- Update the existing step by step guide to activities required to undertake the effective transposition, implementation and enforcement of EU environmental legislation by including legislation adopted in 2007.

Implementation will be sub-delegated to DG Environment, unit E.3.

A negotiated procedure according to Article 242 2 (b) of the Implementing Rules will be initiated with the contractor selected to implement the technical assistance for an identical project for Bulgaria, Croatia, Romania and Turkey from the PHARE 2006 Environment and Enlargement Programme. The indicative time for initiating the negotiated procedure is Q4 2007, when a contract is expected to be awarded for the PHARE 2006 project.

- **Developing the capacity of environmental NGO's, through transfer of best practices**

There will be a continuing need to strengthen and develop the capacity of the various actors involved in ensuring environmental performance, in particular NGOs. While the official responsibility for compliance lies with the administration of the candidate countries, particularly in the domain of environment, the NGO community has a very important role to play in this task. NGOs in EU Member States complement the work of the administration by signalling infractions, collection information, coordinating pilot projects and educating citizens about their rights and obligations.

Project Purpose:

This project will work to transfer some of the best practice of EU Member States environmental NGOs to the environmental NGOs from the target beneficiary countries, through a programme of grants for short-term twinning or capacity exchange programmes between them.

Expected results:

- NGOs in the target beneficiary countries are more efficient and effective in accessing and managing grants and also in developing work programmes.

- Models for other NGOs in the region to improve their administrative capacity
- Better links with EU Member States' NGOs
- Cooperation and communication between NGOs and environmental authorities, industry and the general public has improved.

Activities:

- Mentoring and information exchange on capacity building for NGOs through short term twinning or exchange programmes between EU Member States environmental NGOs and the environmental NGOs from the beneficiary countries;
- Monitoring of projects;
- Final evaluation through workshop and report.

Implementation of this project will be sub-delegated to DG Environment, unit E.3.

The grants will be administered through a call for proposals, The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EC external actions. The maximum rate of EC co-financing will be 90%. The indicative amount of the call for proposals is €400,000, to be launched in Q4 2007.

A negotiated procedure according to Article 242 2 (b) of the Implementing Rules will be initiated with the contractor selected to implement the technical assistance for an identical project for Bulgaria, Croatia, Romania and Turkey from the PHARE 2006 Environment and Enlargement Programme. The indicative time for initiating the negotiated procedure is Q4 2007, when a contract is expected to be awarded for the PHARE 2006 project.

2.c Overview of past and on going assistance (EU / IFI / Bilateral and national assistance) including lesson learned and donor coordination

This programme extends three projects from the Phare 2006 programme for Bulgaria, Croatia, Romania and Turkey - support for investment preparation under the Danube-Black Sea Task Force; monitoring transposition and implementation of the EU environmental acquis, and developing the capacity of environmental NGOs, through transfer of best practices from NGOs in the EU25.

In addition, the current programme also builds on past successful experience with Phare multi-beneficiary programmes of 1998, 2002, 2003 and 2005. In 1998, a Phare Multi Country Programme on environment was launched, which consisted of short-term technical assistance on Directives which presented common stumbling blocks to accession, as well as assistance via the Regional Environmental Centre to NGOs and municipalities. Once operational, this facility proved to be a flexible and efficient means of delivering short-term technical assistance to very focused targets, and the participating beneficiaries have used it for particular accession problem issues.

In 2002, another Phare Multi Country programme on environment and enlargement was approved, which proved an efficient way to develop methodologies and approaches to solving some of the common problems faced by the PHARE countries in their steps towards full transposition and implementation of the EU environment *acquis*.

In 2003 another Phare Multi-country programme on environment and enlargement was approved consisting of projects that aim to promote the development of the capacity of environmental NGO's, the strengthening of capacity and local and regional level to implement the *acquis* in the

domains of Environmental Impact Assessment, Integrated Pollution Prevention and Control and support for participation of candidate countries in the IMPEL network.

In 2005 a programme was also approved, which sought to develop the ability of local and regional authorities to effectively implement environmental legislation, particularly in their ability to produce strategic, integrated, negotiated, action oriented plans and programmes to implement the EU acquis in an integrated manner as well as financing strategies.

The present programme also aims to draw on the expertise of the IFI's, since there is a need to reinforce co-operation between the Commission and the Banks in the field of institutional building support. This will be in particular the case of the project support the Danube-Black Sea (DABLAS) Task Force, which seeks to ensure co-ordinated action between all financial instruments operating in the region.

The last ex-post thematic evaluation of Phare environment supports the view that the past programmes have provided assistance in areas that otherwise would have received little or no support from national sources, while at the same time making a significant contribution to reversing the inherited low regard for the environment in the CCs. Key improvements were in particular noted in legislative and administrative structures, systems, infrastructure and resources. Notwithstanding, more needs to be done in terms of transfer of know how and delivery of good practice for building up the proper legal and administrative basis, technical assistance for the preparation of legislation, and adequate standards of project preparation.

Finally, the present programme will also seek to work with relevant existing institutions including National Development Banks, International Financing Institutions, etc as well as with bilateral donors. In particular, to enhance and facilitate focus on environment issues and provide greater potential linkages between policy and investment initiatives in the pre-candidate countries and to encourage a more strategic focus to the use of available financing, and to ensure co-ordinated action between all financial instruments operating in the regions.

- **Support for Investment preparation under the Danube-Black Sea (DABLAS) Task Force**

This project will complement the 2005 Environment and Enlargement programme project on Developing Financing Strategies to cope with environmental investments, which represents a top-down approach to the needed planning process. It will also complement the recently launched 2006 PHARE project on investment preparation under the Danube-Black Sea Task Force for Bulgaria, Croatia, Romania and Turkey. The present project will complement and extend this regional work, to encompass all relevant IPA countries, specifically Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and Serbia.

Since it was established in 2001, the DABLAS Task Force has been working to identify and advance towards implementation of priority projects. The difficulties faced to move from problem identification to the preparation of donor-ready bankable projects is due to the many actors that need to be involved and the limited resources available to do so. For this reason, this project will take steps to involve all of the relevant institutions in each phase of the work.

The success of the work presently being undertaken by the DABLAS project broker for the Black Sea countries will also serve as a model for the present project.

Finally, the project will also build – as appropriate - on priority projects identified under previous assistance by the EC for project identification and preparation in the target countries. This assistance covers inter alia The Black Sea Project Broker, the Danube Investment Support Facility (DISF), the Priority Environmental Investment Programme (PEIP), the Environmental Project Preparation Facility (EPPF), the PHARE MCP 2005 project on "Transfer of best practice and training to support effective use of financial resources" as well as the "Environmental Heavy-Cost Investment Planning project for Turkey".

- **Monitoring transposition and implementation of the EU environmental acquis**

Progress Monitoring Projects have run since 1998 in cooperation with the environment ministries of the candidate countries. The projects have included detailed analysis of the steps being taken to transpose and implement the environmental legislation using tables of concordance to track transposition and specific questionnaires on implementation. The successive projects have included the development of a methodology for the monitoring and training of officials in the respective environment ministries in application of this methodology.

In the past, the Commission received requests from many candidate countries to review draft legislation. The Commission has no mandate to do this prior to accession (doing so would jeopardize our rights to subsequent opening of infringement procedures), thus the decision was introduced in previous Phare projects to fund projects aiming to offer guidance and assistance to Ministries of Environment in the target beneficiary countries to give them a preliminary assessment of draft and adopted environmental legislation. This allowed beneficiary countries to have access to short-term specialist legal advice and facilitated reporting to the European Commission on progress made in terms of transposition and implementation. This approach has proved to be successful and meets the needs of both the beneficiary countries and the Commission.

Under Phare 2006 the Commission is also funding a project aiming to assist Croatia and Turkey in monitoring their remaining transposition and implementation obligations for the environmental acquis and assessing to which degree EU environmental legislation has been transposed and implemented in the two countries. Therefore the Commission proposes to make such a compliance checking facility available for the former Yugoslav Republic of Macedonia and the potential candidate countries, thus extending the monitoring exercise to the entire IPA region.

- **Developing the capacity of environmental NGO's, through transfer of best practices**

The NGO Dialogue was established in 1999, with the objective of consulting and informing the environmental NGOs in the candidate countries about the enlargement process. It has met twice each year and the final meeting took place in April 2004. As of 2005, a New NGO Forum was established and will continue in the similar activities as NGO Dialogue until 2008.

The Commission, DG Environment provided this kind of grants since 2003 and this IPA programme aims to follow on the Phare 2006 programme on developing the capacity of environmental NGOs in Bulgaria, Croatia, Romania and Turkey, through transfer of best practice from NGOs in the EU Member states.

2.d Cross cutting issues, where applicable

- *Equal opportunities and non-discrimination;*

The European Commission is fully committed to a policy of equal opportunity. In all activities during this project, but particularly in training, steps will be taken to ensure the equal participation of men and women.

- *Support to minority and vulnerable groups;*
In all activities during this project, but particularly in training (where relevant), steps will be taken to ensure that support to minorities and vulnerable groups are taken into account.

- *Environmental protection;*
Target sector

2.e Benchmarks

This section should indicate the benchmarks for the tendering and contracting of the funds.

	N		N+1 (cumulative)		N+2 (cumulative)	
	EU	NF*	EU	NF*	EU	NF*
Number of tenders launched	1 (Support for Investment preparation under the Danube-Black Sea (DABLAS) Task Force)		1		1	
Number call for proposals launched	1 (Developing the capacity of environmental NGO's, through transfer of best practices)		1		1	
Number of Negotiated Procedures initiated	2 (Monitoring transposition and implementation of the EU environmental acquis and the TA part of the project "Developing the capacity of environmental NGO's, through transfer of best practices")		2		2	
Contracting Rate (%)			100			

* In case of parallel co-financing

3. BUDGET (amounts in €)

3.1. Indicative budget table

	EU – IPA assistance				Total co-financing *		Total (IPA plus Co-financing)	
	Institution Building	Investment	Total in EUR	Total in %	EUR	(%)	EUR	(%)
Priority axis 1			600,000	100			600,000	100
Project 1 (Support for Investment preparation under the Danube-Black Sea (DABLAS) Task)			600,000	100			600,000	100
Priority axis 2			500,000	100			500,000	100
Project 2 (Monitoring transposition and implementation of the EU environmental acquis)			500,000	100			500,000	100
Priority axis 3			500,000	91.84	44,444	8.16	544,444	100
Project 3 (Developing the capacity of environmental NGO's through best practices-TA component)			100,000	100			100,000	100
Project 3 (Developing the capacity of environmental NGO's through best practices – Grant component)			400,000	90	44,444	10	444,444	100
TOTAL			1,600,000		44,444		1,644,444	100

3.2 Principle of Co-Financing applying to the projects funded under the programme

The Community contribution has been calculated in relation to the total eligible expenditure.

Final grant beneficiaries should contribute with a minimum of 10% of the total eligible costs of the grant component in project 3.

4. IMPLEMENTATION ARRANGEMENTS

4.1 Method of implementation

The programme will be implemented on a centralised basis by the European Commission in accordance with Article 53a of the Financial Regulation⁴ and the corresponding provisions of the Implementing Rules⁵

The implementation of this programme will be sub-delegated to DG Environment.

4.2 General rules for procurement and grant award procedures

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

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

The Commission shall also use the procedural guidelines and standard templates and models facilitating the application of the above rules provided for in the "Practical Guide to contract procedures for EC external actions" ("Practical Guide") as published on the EuropeAid website⁶ at the date of the initiation of the procurement or grant award procedure.

5. MONITORING AND EVALUATION

5.1 Monitoring

The Commission may undertake any actions it deems necessary to monitor the programmes 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 Regulation⁷, with the aim

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

⁵ OJ L 357, 31.12.2002, p. 1 Regulation as last amended by Regulation (EC, Euratom) No 478/2007 (OJ L 111, 28.04.2007, p. 13).

⁶ http://ec.europa.eu/europeaid/work/procedures/implementation/practical_guide/index_en.htm

⁷ Commission Regulation (EC) No 718/2007 of 12 June 2007 (OJ L 170, 29.6.2007, p. 1).

of improving the quality, effectiveness and consistency of the assistance from Community funds and the strategy and implementation of the programmes.

The results of *ex ante* and interim evaluation shall be taken into account in the programming and implementation cycle.

The Commission may also carry out strategic evaluations.

6. AUDIT, FINANCIAL CONTROL AND ANTI-FRAUD MEASURES

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

In order to ensure the efficient protection of the financial interests of the Community, the Commission (including the European Anti-Fraud Office) may conduct on-the-spot checks and inspections in accordance with the procedures foreseen in Council Regulation (EC, Euratom) 2185/96⁸.

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

7. LIMITED CHANGES

Limited changes in the implementation of this programme affecting essential elements listed under Article 90 of the Implementing Rules to the Financial Regulation, which are of an indicative nature⁹, 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.

⁸ Council Regulation (EC, Euratom) 2185/96 of 11. November 1996, OJ L 292; 15.11.1996; p. 2

⁹ 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.

COMMISSION DECISION

C(2007)5795 of 30/11/2007

adopting a horizontal programme on Environment in the Western Balkans under the IPA-Transition Assistance and Institution Building component in 2007,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidate and potential candidate countries.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country and by component, or, as appropriate, by group of countries or by theme. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning document referred to in Article 6 of that Regulation.
- (3) The Council established for all candidate and potential candidate countries an Accession Partnership or a European Partnership. The Commission has adopted on 29 May 2007 a multi-beneficiary multi-annual indicative planning document 2007/2009 which presents indicative allocations for the main priorities for pre-accession assistance to all countries concerned².
- (4) Therefore, the horizontal programme on Environment in the Western Balkans under the IPA Transition Assistance and Institution Building Component for 2007 aims at providing assistance for contribution to the approximation to EU environmental standards, as well as monitoring of compliance, transposition and implementation of EU environmental legislation; assistance in planning and preparation of infrastructure projects that will contribute to implementation of EU standards and promotion of an active participation of non-governmental organisations in the government decision-making process, through the increased involvement of civil society organisations in the definition, implementation and monitoring of environmental policies by facilitating partnerships in NGO structures.
- (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

¹ OJ L 210, 31.7.2006, p. 82

² C(2007)2205

implementation of Council Regulation No 1605/2002³ (hereafter: “Implementing Rules”) and constitutes thus a financing decision within the meaning of Article 75 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁴ (hereafter: “Financial Regulation”).

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

HAS DECIDED AS FOLLOWS:

Article 1

The horizontal programme on Environment in the Western Balkans under the IPA Transition Assistance and Institution Building Component for 2007, as set out in the Annex, is hereby adopted.

This programme shall be implemented by centralised management.

Article 2

The maximum amount of Community assistance shall be **€1.6 million** to be financed through Item 22.02.07.01 – Regional and horizontal programmes of the General Budget of the European Communities for 2007.

Done at Brussels, [...]

For the Commission

[...]

Member of the Commission

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

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