

D R A F T

The European Neighbourhood and Partnership Instrument Crossborder Cooperation

ENPI-CBC

How to prepare programmes



**Guidelines for preparing CBC Programmes
under the ENPI**

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1 INTRODUCTION TO THE GUIDE

1.1 Purpose of the guide

As from 2007, the “European Neighbourhood and Partnership Instrument“ (ENPI) will replace existing geographical and thematic programmes currently operating in the partner countries listed in the ENPI Regulation. A specific and innovative feature of the ENPI is its cross-border cooperation (CBC) component. Under this component, the ENPI will finance “joint programmes” bringing together eligible regions of Member States and Partner Countries sharing a common land or maritime border to the East and to the South of the EU.

Being co-financed by the European Regional Development Fund (ERDF), the approach to be followed for cross-border cooperation is largely oriented on “Structural Fund” principles such as multi-annual programming, partnership and co-financing. Furthermore, the CBC component of the ENPI is based on the experience gained during the implementation of Neighbourhood Programmes (NP) during the transitional period 2004-2006. Where such programmes exist, experiences and best practices will be taken into consideration for the forthcoming programming exercise.

Cross-border Cooperation shall be carried out in the framework of multi-annual programmes covering cooperation on a land or sea border or on a group of borders and comprising multi-annual activities which pursue a consistent set of objectives. Establishing a cross-border co-operation programme requires that the countries concerned reach common agreement on joint management structures, on the objectives to be pursued, and on the activities to be financed. It is important that the preparation of programmes is perceived as a mutual undertaking, i.e that participating countries jointly submit – through the Joint Managing Authority (JMA) - proposals for common programmes to the Commission for adoption.

The purpose of this guide is to help the participating countries to draft these programmes in accordance with the ENPI Regulation. The guide complements the corresponding Implementing Rules for Cross-border Cooperation. Information requested in the various chapters of these guidelines must be included in the programme.

1.2 Preparing CBC programmes

It is recommended that each programme establishes a Joint Task Force in charge of drafting the “Joint Programme” together with the JMA of the respective programme. Within these Task Forces several drafting teams may be established. Task Forces (and drafting teams, if applicable) should be composed of a balanced number of representatives of the countries concerned. Each participating country will appoint one mandated representative to a Task Force (or one representative per drafting team, where applicable).

These mandated representatives will work in close consultation with the Joint Managing Authority. In the preparation of the programme they will take into account the views and advices of local and regional authorities. They will draft the programme in compliance with these Guidelines, the Implementing Rules and the ENPI Regulation.

Joint Managing Authority and Task Force of a respective programme may decide to use external experts to assist in the drafting and the content of the programme.

1.3 Timetable

In order to respect the deadline of adoption of the programmes in 2007, draft versions of the joint programmes should be submitted to the Commission by **end of November 2006**. First steps in the programming exercise should include the identification of the Joint Managing Authority, the nomination of mandated Joint Task Force and drafting team members. A provisional timetable for the exercise is presented below.

Table 1: Provisional timetable for the preparatory process of programmes

Date	Tasks	Comments
April - May 2006	Creation of Joint Task Force and drafting team(s) First meeting of Joint Task Force	Preparation of work plan
June - August 2006	Drafting of ENPI CBC programme	First meetings and discussions on draft programme with the Commission
September 2006	Submission of first draft to the Commission	Submitted by the Joint Managing Authority on behalf of all partner countries
September - October 2006	Ex-ante evaluation of draft programme by the Commission services	
November 2006	Drafting of final version of programme	Including comments by the Commission
December 2006	Submission of final version to the Commission for approval	Submitted by the Joint Managing Authority on behalf of all partner countries and with support letters from each of these countries

2 CONTENT OF AN ENPI CBC PROGRAMME

This chapter provides a description of the content required for an ENPI cross-border programme. Each section sets out the type and amount of information required.

The programme document should be concise. In the following, an indicative number of pages is given for each section of the programme. It is of course understood that the length of each section will vary depending on, for instance, the number of participating countries but it is essential that the overall size of the programme document remains as concise as possible.

2.1 Description, Objectives and Priorities

2.1.1 Summary of the programme (max. 3 pages)

This section will provide an executive summary of the content of the programme

2.1.2 Description and analysis of the geographical areas concerned by the programme (max. 1 page per participating country)

Within the geographical eligibility as defined by the ENPI Regulation, each programme will identify and describe the concerned border regions and, if applicable, adjacent regions. The description should cover the co-operation area as a whole and not separately per country, although the latter approach is possible provided that conclusions are drawn for the co-operation area as a whole. Where appropriate, maps and graphics may be provided as annexes. The description should include the following topics:

- Statistics on programme area (km², population density, demography)
- Economic structure (GDP/inhabitant, labour market, competitiveness and innovation, SMEs);
- Infrastructure (transport, public utilities, energy, telecommunications);
- Education, research and culture;
- Environment and nature (pollution, environmental protection).

The description and analysis of the geographical area should be carried out with particular emphasis to the objectives chosen under the programme. For the purpose of the analysis of the programme area, all four objectives listed below will be taken into consideration.

2.1.3 Coherence with other programmes and existing strategies (2 pages)

Previous and/or existing cross-border programmes and activities, if any, should be described. Based on these experiences and lessons learned from the past, as well as on the description and analysis of the cooperation area, the joint cross-border development strategy and the general programme objectives should be described.

Links with strategies and objectives of previous or other ongoing programmes (INTERREG, ENPI, Phare, ISPA, SAPARD, Tacis, Meda) should be indicated.

2.1.4 Objectives, priorities and activities (measures) of the programme (10 pages)

Over the seven years programming period, it should be possible for an ENPI CBC programme to identify a set of priorities and activities pursuing the four overall objectives. However, partner countries may propose to address only two or three of the objectives when this is justified on the basis of the analysis mentioned in para 2.12. . The number of priorities and activities to be taken up should be realistic in view of the financial resources allocated to a respective programme. This section should

- describe the priorities chosen within the framework of each programme;
- for every chosen priority indicate the activities to be financed with a description of the sector of activities envisaged in the future;
- for the activities already identified provide a summary description; and
- describe the utilisation of Technical Assistance which will cover the preparation, management, implementation, monitoring, audit and control of the programme as well as studies, seminars, translation, information dissemination, evaluation and publicity measures

The four objectives with examples of possible priorities and/or activities are:

Objective 1. Economic and social development

Examples: Administrative capacity building and reform; local and regional development; joint planning efforts (e.g. spatial planning); rural development and cross-border tourism; strengthening of regional identity; SME and business development; trade and investment promotion; cross-border labour market development; transport and energy cooperation.

Objective 2. Common challenges

Examples: Environmental protection; cross-border environmental challenges; waste management; management of natural resources; protection of natural heritage; emergency preparedness; health and social development; prevention of communicable diseases; fight against organised crime, illegal migration, trafficking.

Objective 3. Efficient and secure borders

Examples: Improvement of border management operations and customs procedures; increase of transparency and efficiency in trade and border passage; alleviation of administrative and institutional obstacles to free movement of people; improvement of infrastructure and equipment at border controls.

Objective 4. People to people co-operation

Examples: Support to civil society and local communities; support to administrative reform; local governance; education and cultural exchange; social sector cooperation; social and cultural integration of border areas.

For the purpose of the programme document it will be sufficient to provide a list of indicative activities to be undertaken under the chosen objectives. At a later stage, a detailed description of activities shall be established. This description will not constitute an integral part of the programme document itself. It may either be presented together with the programme as an annex (in case it is ready by the time of submission of the programme) or with the annual reports.

These detailed descriptions, established for each activity, shall include the following points:

- geographical areas concerned;
- definition of target groups and final beneficiaries;
- eligible costs;
- description of the co-financing, if any;
- lead partners;
- corresponding indicators.
-

2.1.5 Environmental Assessment (1 page; study to be submitted as an annex)

If applicable, projects shall be subject to a strategic environmental impact assessment in accordance with Directive 2001/42¹. The objective of the environmental assessment is to integrate environmental considerations into the programme with a view to promoting sustainable development. An environmental report shall be prepared in which the likely effects of the activities to be carried out on the environment will be identified, described and evaluated. This report shall be annexed, in due time, to the programme document to be approved by the Commission.

2.1.6 Indicators (2 pages)

Indicators are essential for the monitoring and evaluation of a programme. The indicators should follow the structure of the programme and its “intervention logic”, i.e. there should be indicators corresponding to objectives and activities.

It must be underlined that there is no uniform set of indicators that could be used for all cross-border cooperation programmes throughout the vast geographical area covered by the ENPI CBC. The most appropriate indicators applicable to the particular context of each programme should be selected. Both quantitative and qualitative indicators should be used, for instance:

- Output indicators (e.g. number of cross-border networks created, number of people learning neighbouring language);
- Result indicators (e.g. improved qualifications, increased business activity across the border);
- Impact indicators (e.g. improved traffic flow at borders, increased awareness of cross-border issues).

2.1.7 Indicative financing plan (2 pages in the text and table in annex)

An indicative financing plan in euro shall be established according to the selected priorities including the overheads relating to Technical Assistance. It will specify the estimated amounts to be committed by the Commission per year for the entire duration of the programme.

In addition to this table, the exact co-financing amounts envisaged from own resources of each participating country will be specified in a separate annex. Co-financing from own resources has to account for at least 10% of the total amount of the EU’s contribution to the programme. The participating countries are free to determine the source, the amount and distribution by projects of co financing.

The financing plan is to be prepared jointly for all participating countries. Separate financing plans (i.e. split per participating country) will not be accepted.

¹ Directive 2001/42/EC of the European Parliament and of the Council on the Assessment of the Effects of certain Plans and Programmes on the Environment of 27 June 2001

2.2 Joint Structures and Designation of Competent Authorities

(3-5 pages)

The joint management of the programme through genuine cross-border mechanisms is a key condition for the acceptance of ENPI CBC programmes by the European Commission and should be described in detail in the programme document

The Commission attaches great importance to the equal involvement of all participating countries in the implementation of the programmes. All countries involved in a programme should participate as full members in the various committees of the programme, with the same rights for non-Member State representatives as for Member State representatives. In order to ensure an active participation, the travel and accommodation costs of the non-Member State representatives can be funded from the technical assistance allocation of the programme.

The following paragraphs should give a short description of the various competent authorities and committees to be established under each programme. Please refer to the Implementing Rules for a detailed description of their responsibilities.

2.2.1 Steering/Selection Committee

The Steering Committee will be composed of one representative per participating country duly appointed to take decisions in the framework of the Committee's competences. The participating countries may decide to associate additional partners, in particular representatives from the regional and local authorities involved in the programme, provided that the number of participants is balanced for each participating country.

The Commission may participate, on its own initiative, in Committee meetings as an observer.

2.2.2 Joint Managing Authority

The Joint Managing Authority (JMA) is a public body responsible for managing and implementing the joint programme. It shall be completely independent with regard to its operational and financial management functions.

The JMA assures the chairmanship, the organization and the secretariat of the Steering Committee, and eventual selection committees.

Under the principle of continuity, an already existing JMA in the framework of another programme may be entrusted with the management of the ENPI CBC programme as well. Under the explicit condition that the separation of the functions listed in Article 6.1 of the Implementing Rules of the ENPI CBC programme are respected, it would not be necessary to modify the existing structure, provided the Commission is satisfied with the current organisational arrangements in force, in particular with regard to the separation of managing, paying, certifying and auditing authorities.

In case the participating countries decide to establish the JMA in a third partner country, the same principles apply *mutatis mutandis*, being understood that the designated JMA must comply with the criteria stated in Article 164 of the Financial Regulation applicable

to the general budget of the European Communities which governs the decentralised management in a beneficiary third country.

2.2.3 Joint Technical Secretariat

Each JMA establishes a Joint Technical Secretariat (JTS), subject to approval by the Steering Committee, which assists it in the daily management of the operations of the programme. This JTS may decide to establish antennas in other participating countries as local contact points to provide information and assist potential applicants with the preparation of projects.

2.3 Programme Implementation (2-3 pages)

The programmes will then describe the programme implementation system. It is important to clearly distinguish between implementation at programme level and project level. A presentation in table format is recommended and, where appropriate, presentation by graphics or flow-charts can be used.

2.3.1 Monitoring system

On programme level the monitoring system will be described. The system will be based on the physical and financial indicators specified in the programme.

The monitoring system is important in the framework of ensuring an appropriate audit trail for the programme.

On project level the system (e.g. progress reports, including quantification of project indicators) should allow the Managing Authority to make payments to the project partners.

2.3.2 Financial Procedures

The financial management under the responsibility of the JMA will be described here, e.g. a description of the responsible service within the JMA for the financial operations of the programme and the opening and management of a double-signature bank account in Euro specific to the programme.

2.3.3 Use of languages

The use of languages of common management structures shall be governed by pragmatic considerations. It is recommended that the JMA uses a Community language commonly usable by all representatives.

Project applicants, however, may submit their proposal and draw up their reports in their national language subject to provision of the necessary means of interpretation and translation. Costs related to interpretation and translation will have to be budgeted for under the technical assistance allocation.

2.3.4 Information, publicity and consulting

The Managing Authority shall be responsible for information and publicity activities carried out under the programme with a view to ensure the widest possible participation by public and private organisations. To this end, an information and publicity plan will be included in the programme setting out the aims and target groups and the strategy of the actions. For these activities an indicative budget shall be drawn up under the Technical Assistance allocation.

The general public, and in particular potential participants/beneficiaries shall be adequately informed by the Joint Managing Authority and the Joint Technical Secretariat (and its antennas, if any) of the objectives of the programme, the prerequisites for obtaining CBC funds and the individual procedures to be followed. Active public relations should also be pursued in collaboration with any existing regional and project management bodies and with any co-financing national authorities.

The programme will follow the visibility guidelines applicable to EC external actions as published on the EuropeAid Internet site (address: http://europa.eu.int/comm/europeaid/visibility/index_en.htm).

An appropriate chapter on information/publicity will be included in the annual reports.

A model of a financial table will be added

Annex 1: List of EU documents (all documents not yet available)

The following list – which is not exhaustive – provides references to documents which should be consulted during the preparation of joint programmes:

- Proposal for a Regulation of the European Parliament and of the Council, No COM(2004) 628 final and 2004/0219 (COD) of 29.9.2004 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (presented by the Commission)
- Strategy Paper on the ENPI/CBC 2007-2013
- Implementing Rules of the CBC Programmes Financed within the Framework of the Legal Basis ENPI
- Directive 2001/42/EC of the European Parliament and of the Council on the Assessment of the Effects of certain Plans and Programmes on the Environment of 27 June 2001

Annex 2 : List of eligible areas