

The European Neighbourhood and Partnership Instrument Cross border 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) has replaced 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 finances “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 Milestones

In accordance with the ENPI Regulation, Art. 9(6), the Joint Operational Programmes (JOP) shall, within one year of the approval of the Strategy Paper (7 March 2007) be submitted to the European Commission for approval.

The milestones to be achieved are the following:

Tasks	Comments
Creation of Joint Task Force and drafting team(s)	Preparation of work plan
Drafting of ENPI CBC programme	First meetings and discussions on draft programme with the Commission
Submission of final draft version of programme the Commission	Submitted by the Joint Managing Authority on behalf of all participating countries, see Art. 5.1 IRs
Ex-ante evaluation of draft programme by the Commission services	See Art. 5.2 IRs
Adoption by the EC	Commission decision See Art. 9 IRs

Furthermore, the programmes shall take into consideration the following benchmarks:

- The Financing Agreement has to be signed by each partner country within one year after the year of adoption of the programme by the Commission (N+1 rule).
- The implementation phase for the JOP shall end at 31 December 2013 at the latest.
- The implementation phase for the projects shall end at 31 December 2014 at the latest.
- The implementation phase for each programme shall end at 31 December 2016 at the latest.

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 Activities

2.1.1 Summary of the programme

(max. 3 pages)

This section will provide an executive summary of the content of the programme and how the programme was prepared.

2.1.2 Description and analysis of the geographical areas concerned by the programme

(2-3 pages 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

(3-5 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, IPA, Phare, ISPA, SAPARD, Tacis, Meda) should be indicated.

2.1.4 Objectives and priorities 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 pursuing the four overall ENPI objectives set out in the Strategy Paper. However, participating countries may propose to address only two or three of these overall objectives when this is justified on the basis of the analysis mentioned in par. 2.1.2. The number of priorities chosen 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, programmes may indicate multi-annual measures to be financed ;
- in the implementation part of the JOP, describe the use of Technical Assistance covering preparation, management, implementation, monitoring, audit and control of the programme as well as studies, seminars, translation, information dissemination, evaluation and publicity measures. The programmes should as a minimum provide an indication of the number and types of posts within the managing structures (JMA, JTS and possible branch office) (see the table below as an example). An estimated TA budget for 2007-13, on the level of main headings (e.g. staff cost, committee meetings, information & promotion, annual audits etc.) is also to be provided in the JOP. The share of TA budget allocated to a branch office should explicitly be highlighted, detailed and justified.

Technical Assistance shall not be defined as a separate priority under the programme.

Posts	Planned budget (ENPI)	% of the overall TA budget supported by ENPI
Staff costs (estimated number of staff, staff related costs)		
Organisation of Monitoring Committees		
Project's selection: selection committees, assessors etc.		
Project generation (information days etc.)		
Communication Strategy (Website, leaflets etc.)		
Annual Audits		
Others (precise)		

* The table is solely indicative. Any modification of the above during implementation will not be subject to a modification of the programme.

The four ENPI key objectives with a non-exhaustive list of possible measures are indicated below.

Objective 1. Economic and social development

Examples: Administrative capacity building and reform; local and regional development; joint planning efforts (e.g. spatial planning); research and technology; rural development and cross-border tourism; strengthening of

regional identity; socially vulnerable groups; 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 and cultural 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 indicate the type of criteria that will be used for the selection of activities and 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 already known and mentioned in the programme, shall include the following points:

- geographical areas concerned;
- definition of target groups and final beneficiaries;
- eligible costs;
- in case of co-financing, a description of the source, amount and distribution of the co-financing-;
- lead partner;
- corresponding indicators.

2.1.5 Strategic Environmental Assessment (SEA)

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

The programmes shall be subject to a strategic environmental 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 to the programme document to be approved by the Commission.

Programmes should pay particular attention to the *non technical summary*.

Please be aware that, unlike the SEA, which is to be performed at programme level, all projects having likely environmental impacts are subject to an *environmental impact assessment*.

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)

Impact indicators are strongly recommended. However, the Commission acknowledges the difficulties in many programmes to collect the necessary data and that the establishment of impact indicators is a complex task which may not be possible for those responsible for drawing up the programmes. Therefore, the programmes shall decide whether or not it is feasible to include these in the programme.

Further information can be found under the following link (this document is not an ENPI/CBC reference document, but may be used as supporting tool in the definition of monitoring and evaluation indicators for the programmes):

http://ec.europa.eu/regional_policy/sources/docoffic/2007/working/wd2indic_082006_en.pdf

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

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2001/l_197/l_19720010721en00300037.pdf

2.1.7 Indicative financial table and financing plan

(2 pages in the text and tables in annex)

An indicative financial table in Euro shall be established describing the provisional indicative yearly allocations of commitments and payments under the programme in accordance with the priorities and specifying the amounts allocated to technical assistance.

In addition, the table shall contain the provisional indicative amounts of co-financing of participating countries; Co-financing shall amount to at least 10% of the total amount of EU's contribution to the programme.

A separate financing plan for the whole programming period, giving the indicative amount of funding by priority shall also be established, specifying community, co-financing and other funding if applicable.

The financial table and the financing plan have to be prepared jointly for all participating countries. Separate documents (i.e. split per participating country) will not be accepted.

The templates for the financial table and the financing plan are in Annex 2.

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 in the preparation of the joint operational programme, the travel and accommodation costs of representatives of partner countries can be funded from the technical assistance project RCBI II.

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 Joint Monitoring Committee (JMC)

The JMC shall comprise representatives appointed by each participating country to take decisions in the framework of the Committee's competences. It is recommended that participating countries associate additional partners in the committee meetings, in particular representatives from the regional and local authorities and the civil society, provided that the number of participants is balanced for each participating country.

The JMC shall take decisions by consensus. In case of decisions taken by vote, each country shall have only one vote whatever the number of its representatives.

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

2.2.2 Joint Managing Authority (JMA)

The Joint Managing Authority (JMA) is usually 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 ensures the organization and the secretariat of the JMC. It may also act as chairperson of the JMC if it decides so.

Under the principle of continuity, an already existing JMA with a Commission approved management structure can be reappointed, provided the system used meets the requirements of Art.14 regarding the operational and financial management of the JMA.

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 163 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 (JTS)

Each JMA may establish a Joint Technical Secretariat (JTS), subject to prior by the JMC, which assists it in the daily management of the operations of the programme. This JTS may decide to establish branch offices in other participating countries as local contact points to provide information to potential beneficiaries.

2.3 Programme Implementation

(3-5 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 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, the opening and management of a double-signature bank account in Euro specific to the programme as well as a description of the internal and external audit mechanisms.

2.3.2 Use of languages

The common management structures shall use one or more of the EU's official languages as their working language(s).

Project applicants, however, may submit all documents in relation to the programme in their national language provided that this language is specifically mentioned in the programme description and that the necessary means for interpretation and translation have been provided for. At programme level, costs related to interpretation and translation will have to be budgeted in the technical assistance section of the programme. At project level, interpretation and translation costs have to be included in each project budget.

2.3.3 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 branch offices, 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.

Annex 1: List of EU documents

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

- Regulation (EC) N°1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument ;
- Strategy Paper on the ENPI/CBC 2007-2013 and Indicative Programme 2007-2010, PE/2007/294 of 7 March 2007;
- Commission Regulation (EC) N°951/2007 of 9 August 2007 laying down Implementing Rules for CBC Programmes financed under Regulation N° 1638/2006;
- 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: Indicative financial table and financing plan

Financial table describing the provisional* yearly allocations of programme's commitments and payments					
	COMMITMENTS	PAYMENTS			
	TOTAL (indicative)	TOTAL (indicative)	Community contribution (indicative)	Cofinancing (indicative)	Other funding (indicative)
2007					
Projects					
TA					
TOTAL 2007					
2008					
Projects					
TA					
TOTAL 2008					
2009					
Projects					
TA					
TOTAL 2009					
2010					
Projects					
TA					
TOTAL 2010					
2011					
Projects					
TA					
TOTAL 2011					
2012					

Projects					
TA					
TOTAL 2012					
2013					
Projects					
TA					
TOTAL 2013					
2014					
Projects					
TA					
TOTAL 2014					
2015					
Projects					
TA					
TOTAL 2015					
2016					
Projects					
TA					
TOTAL 2016					
	X	X	X		
TOTAL 2007-2016					
TOTAL COFINANCING RATE			%		

* Commission annual contributions subject to revision according to the annual budget approved by the European Parliament

** Subject to a mid-term review of the programme

**Indicative financing plan of the ENPI CBC programme, giving, for the whole programming period,
the indicative amount of funding by priority**

Priorities by source of funding (in euros):

	Community Funding (a) *	Co-financing (b)	Co-financing rate (in %) (c) **	Other funding (if applicable) (d)***	Total funding (e) = (a)+(b)+(d)
Priority 1				if applicable	
Priority 2				if applicable	
Priority ...				if applicable	
Technical Assistance		if applicable	if applicable	if applicable	
Total				if applicable	

* In accordance with the Strategy Paper

** Co-financing rate shall be calculated on the basis of the Community contribution to the joint operational programme, minus the amount of technical assistance financed from the Community contribution (see: Art. 20.1 of the Regulation n° 951/2007)

*** Funding other than the Community contribution and the co-financing as described in Art. 19 and 20.1 of the Regulation n° 951/2007.