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Assessment of the 'State of Play' in the Management and Implementation

of the ENPI CBC Programmes 2007–2013

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Executive Summary

This report is an assessment¹ of the state of play of the European Neighbourhood and Partnership Instrument Cross Border Cooperation (ENPI CBC) programmes at 31 October 2009. The assessment considers the progress made to date and what remains to be done. It seeks to identify lessons learned and the gaps between planned and needed support. The report also considers the experience gained from the application of components of the ENPI CBC legal framework in the design and implementation of the programmes, how difficulties were resolved and the remaining potential need for revision.

The State of Play

By the end of 2008, all but two programmes (Spain-Morocco, CBC-Atlantic) had been approved for financing by the European Commission (EC). By 31 October 2009, reasonable progress was made in the signing of Financing Agreements between the EC and at Partner Countries, even though for some of programmes the first country is yet to sign, which is necessary for each programme to become operational.

Steady progress was made in the establishment of the programme management and implementation structures. This is reflected in the holding of the first meetings of the Joint Monitoring Committees (JMCs) and the Joint Managing Authorities (JMAs) becoming operational. Less progress was made in establishing the Joint Technical Secretariats (JTS) and Branch Offices for the programmes. These will be needed to supply important administrative and technical support to the JMAs when actual implementation of projects gets underway, but also in launching further calls for proposals and providing support to potential applicants and partners.

There were signs that the National Contact Points (NCP), the National Information Points (NIPs) for the sea basin programmes, could not be fully operational. These have a potentially important role to play, particularly in sea basin programmes, in providing information and partner search support to potential applicants and partners when calls for proposals are launched. All programmes were active, to a different extent in terms of whether Financing Agreements had been signed, publicising the opportunities offered by the programmes and supporting the development of project pipelines. Over two thousand persons attended information events.

By 31 October 2009, one programme (Baltic Sea Region) had launched two calls for proposals and a further five programmes had successfully launched their first call². The four calls having closed received over one thousand project applications. The planning for Large Scale Projects was in an early stage in most of the five programmes but progress is being made with support from the INTERACT ENPI Laboratory Group for that purpose.

The capacity of the programmes to absorb the allocated programme funds emerges as the most significant cause for concern arising from this assessment of the state of play. For the six programmes that had launched a first call, the allocations for the calls were close to the original amounts foreseen in the programming documents and accordingly do not take into account the delay in reaching this stage. The first contracts are likely to be signed in 2010.

¹ This report is an assessment and not an independent evaluation.

² With a sixth programme launching a call on 02 November 2009.



There is a gap of some €338.82m between the amounts included in these five calls and the programme allocations up to 2011. According to the implementing rules, the projects should be completed by 31 December 2014 which is a relatively short timeframe. The programmes must decide soon the amounts to commit in 2011 to inform the EC by the end of January 2010. For the Baltic Sea Region programme, only 11% of ENPI funds were included in the first two calls.

Assessment of the programme development and implementation and support provided

The programme development phase is seen as very positive with an important involvement by the partner countries from the beginning. A team spirit was created which allowed all participating countries to contribute. The programmes that have already launched calls for proposals consider the calls a success. The interaction between programmes and groups of programmes is also valued positively such as the three Finland-Russia programmes and the two of the sea basin programmes. The ENPI CBC instrument is considered useful and successful and there is an assumption that the instrument will continue after 2013.

Several difficulties arose both from a general point of view and in respect of specific programmes. The ENPI CBC is a new instrument and Member State officials who have long experience with ETC programmes took time to adjust to the new regulations. At programme level, PraG is perceived as not sufficiently adapted to ENPI CBC needs and lacks templates. The development of implementing regulations and procedures took a long time, with the Implementing Rules only being approved in 2007. The effect of these factors was the longer than expected time needed to finalise the programmes and now only four years remain for project implementation.

At project level, during calls for proposals there was confusion over the eligibility of Partner Countries that had not yet signed the Financing Agreements. In general, finding partners was the most difficult problem faced by potential applicants. Many participants at support events had had no prior knowledge of the programmes before attending the events, which indicated that more support was needed. The sea basin programmes have a particular dependence on NCP/NIPs which are under resourced. The large number of RCBI supported events organised in a limited period of time and the absence of JTS has put a strain on the co-ordination between RCBI and some JMAs and NCPs. More feedback on the outcomes of the events is desirable.

The key lessons to be learned are mainly related to the delays encountered so far. It is important not to underestimate the time required to negotiate the programmes and for the legal framework to be finalised prior to programming. It is also reasonable that a detailed set of programme rules and an adapted PraG for the specific situations encountered in the ENPI CBC programmes should have been developed.

The most useful support provided at programme level was the programme management and implementation training, the participation of the EC, RCBI and INTERACT ENPI at Joint Task Force (JTF) and JMC meetings, the clarifications provided by the EC and the mechanisms provided for the programmes to network and share information. At project level, information sessions and project preparation workshops for potential applicants and partners were considered very positively. Other RCBI support, including partner forums, the involvement of RCBI experts in information events and the partner search engine on the RCBI website were considered useful.





There was a general view that the current support should continue where needed, for example for programmes where a Partner Country has recently signed the Financing Agreement. Specific support to NCP/NIPs is seen as essential for them to be fully operational. It is likely that new requirements for support on issues appropriate to the implementation and monitoring of the programmes will also emerge. At project level, it is generally seen that further support to partner countries to find partners and encouragement to be lead partners is very desirable.

Difficulties in applying the legal framework

One of the challenges for all programmes has been to apply a common set of rules to all stakeholders regardless of their location in a Member State or Partner Country. The adaptation to the new set of rules, and making them understandable, has not been easy. In specific cases, there has been insufficient knowledge and understanding of procurement and eligibility rules. Certain specific problems exist for paying out advances to projects in some Partner Countries. There is a need for more clarification of the subcontracting rules.

The general arrangements for expenditure verification and audit, particularly in the Partner Countries, have not been finalised and are likely to be quite expensive. Other practical issues like the treatment of currency losses and the requirement to have a Euro denominated bank account and sending the grant funds to the partners abroad may be invisible barriers to participation by organisations based in Partner Countries, especially as applicants/beneficiaries (lead partners).

Other factors, mostly outside the control of the implementing structures, have been the effects of regional tensions and difficulties in obtaining visas for travel. In some Partner Countries a long time was required to obtain ministry approvals.

Key Conclusions

The main conclusion from the assessment is that, despite the delays in reaching the stage of the launch of a first call for proposals, the process for the development of the programmes and the establishment of the management and implementing structures has been positive and the implementation of the programmes is viewed by the stakeholders with high expectations for success. The nature of the new ENPI CBC instrument in terms of having joint programming and joint financing with a single set of rules is a strength that should be preserved. The support from the EC, RCBI and INTERACT ENPI is appreciated and the programmes would like it to continue.

The effect of the delays in implementation is to shorten the remaining period available for project implementation and to introduce an element of fund absorption risk unless there is modification to the planning for calls. The level of interest shown in the first calls and the number of project applications received mitigate this risk to some extent.

It was difficult for the stakeholders to anticipate the problems and issues that would arise from the new legal framework for the ENPI CBC programmes and the length of time needed to develop the programmes. There is a concern on the difficulty of applying PraG in the ENPI CBC context. A special focus on procurement, audit and expenditure verification issues is needed.

