European Neighbourhood and Partnership Instrument 2007-2013

2004/0219(COD) - 24/10/2006 - Final act

PURPOSE: the establishment of a “European Neighbourhood and Partnership Instrument” (ENPI): 2007-2013.

LEGISLATIVE ACT: Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument.

BACKGROUND: EU Heads of State have frequently asserted that the expansion of the EU should not create new dividing lines in Europe and that expansion should be a tool to promote stability and prosperity within and beyond the new borders of the EU. Current EU neighbour partnership relations take place under the framework of Cooperation Agreements with eastern European countries, the southern Caucuses and the Mediterranean. These provide a regional framework for co-operation, which is complemented by a network of Association Agreements.

This Regulation has been adopted within the context of a revised approach towards the EU’s external assistance programmes to third countries and the adoption of the new financial perspectives, 2007 -2013. The purpose of the new framework is to make the Community’s assistance more effective and streamlined. In a bid to boost efficiency a plethora of existing legislative acts have been repealed and replaced with more concise, focused legislation. The other recently approved Instruments are:

- An Instrument for Pre-Accession
- The European Neighbourhood and Partnership Instrument
- An Instrument for development co-operation
- An Instrument for Stability
- An Instrument for the promotion of democracy and human rights world-wide
- An Instrument for co-operation with industrialised and other high income countries and territories

CONTENT: this Regulation establishes a “European Neighbourhood and Partnership Instrument”, the purpose of which is to provide Community financial assistance for developing an area of prosperity and good neighbourliness. The countries benefiting from the partnership are listed in Annex to this Regulation and include countries from eastern Europe, the southern Caucuses and the Mediterranean. Community assistance will be used to promote cross-border and trans-regional co-operation. The Regulation specifies that the EU is founded on the values of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law. The EU, therefore, and through this partnership instrument, will seek to promote these values in the partner countries. For the sake of improved efficiency and cohesion once this Regulation enters into force a series of financial instruments relating to the EU’s neighbourhood policy will be repealed, including TACIS and MEDA. To realise its stated objectives, the ENPI has been awarded a EUR 11 181 000 000 budget to cover the period 2007-2013.

In summary, the main provisions of the Regulation are as follows:

Scope: The assistance provided will be used to help implement existing partnership and co-operation agreements. It will also be used to encourage partner counties’ efforts to promote good governance and social development. Assistance could be used *inter alia*, for the following purposes: promoting political dialogue and reform; promoting standards; strengthening national institutions bodies responsible for implementing agreed policies; promoting the rule of law and good governance etc.

Policy framework: Existing partnership and cooperation agreements, the association agreements and future agreements with partner countries will continue to provide an overall policy framework for the purposes of the ENPI. Thus, jointly agreed action plans will form the reference point for setting Community assistance priorities. In cases where no agreement exists between the EU and a partner country then Community assistance may be provided.

Complementarily, partnership and co-financing: Community assistance under the ENPI should, as a general rule, complement corresponding national, regional or local policies; it should be established in partnership with the Commission and beneficiaries and it should be co-financed by the beneficiary countries through public funds. Co-financing may be waived in justified cases.

Coherence, comparability and coordination: Projects funded by the ENPI must be consistent with EU policies and they must cohere to other Community assistance programmes. The Member States and the Commission will be responsible for co-ordinating their respective assistance programmes in order to increase the effective distribution of funds.

Types of programmes: Community assistance will be implemented through: country, multi-country and cross-border programmes.

Programming and allocation of funds: For country or multi-country programmes, strategy papers will be adopted that reflect the policy framework of the ENPI. The Commission will be responsible for determining the allocations for each programme taking into account the specific characteristics and needs of the country or region concerned.

Cross-border co-operation: The cross-border cooperation programme may cover: all territorial units corresponding to NUTS level 3 or equivalent along the land borders between the Member States and partner countries; all territorial units corresponding to NUTS level 3 or equivalent along sea crossings of significant importance; and all coastal territorial units corresponding to NUTS level 2 or equivalent facing a sea basin common to Member States and partner countries. Cross-border programmes will be carried out via multi-annual programmes and joint operational programmes.

Adoption of special measures: In the event of unforeseen and duly justified circumstances, the Commission may adopt special measures not provided for in the strategy papers or multi-annual indicative programmes. For example, special measures may be used to fund the transition from emergency aid to long-term development.

Eligibility: The Regulation lists all those who are eligible for funding under the ENPI. They include, for example, partner countries, regions and their institutions; decentralised bodies; joint bodes set up by the partner countries; international organisation, EU agencies; NGO's; natural persons and local citizens' groups.

Types of measures: The measures funded may include, for example, financing investment-related activities, contributions to the EIB or other financial intermediaries; debt relief programmes in exception cases; insurance against non-commercial risks, micro projects and food security measures.

Final Provisions: The Commission will prepare annual reports on the ENPI and it will submit a review of the programme by the 31 December 2010.

ENTRY INTO FORCE: 29 November 2006.

APPLY: 1 January 2007 – 31 December 2013.

REPEALED: Regulation (EEC) No 1762/92; Regulation (EC) No 1734/94 and Regulation (EC) No 1488 /96.