The new legal framework for pre-accession assistance
General framework: a new set of instruments for external action for the period 2014-2020

- **New opportunities of the Lisbon Treaty & the EEAS provide platform for a more effective and more coherent external action**
- **Commission proposed a set of 9 geographic and thematic instruments + 1 horizontal regulation on implementation of external aid**
- **The Regulations for the external action instruments was adopted on 11 March 2014**
## Budget

### IPA I  2007 – 2013  (EUR millions)

<table>
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<tr>
<th>Year</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
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<th>2013</th>
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<td>1263.2</td>
<td>1501.4</td>
<td>1541.6</td>
<td>1591.3</td>
<td>1796.8</td>
<td>1876.0</td>
<td>1956.3</td>
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</table>

Total amount for IPA I 11526.7

### IPA II  2014 – 2020  (EUR millions)  

<table>
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<tr>
<th></th>
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Total amount for IPA II 11698.7

MFF data, Sept.2013 (current prices)
Entry into force 16/3

Entry into force 16/3

IPA II Committee 31/3

ISC planned for mid-April

ISC to be launched 26/3
IPA Cte 16 & 18/7

Under preparation
ISC likely July
IPA II regulation

⇒ A new framework for pre-accession assistance under the 2014-2020 multi-annual financial framework

- **IPA II builds on IPA I**
  - similar general policy objective, specific objectives and policy areas

- ... *but with a more strategic approach*
  - accession as the overriding objective
  - assistance available irrespective of the status (candidate and potential candidate)
  - comprehensive country strategies
  - focus on reforms in key sectors
  - result/performance-oriented assistance
IPA II regulation (cont.)

• **NOVELTIES** *(from EC proposal to adopted regulation):*
  » more emphasis on **performance and results-based programming** (Art. 2) as well as transparency and accountability (Art. 5)
  » introduction of a **'framework for assistance'** (Art. 4)
  » language re. **assistance to be targeted to needs, capacities and commitment to reforms** (Art. 2, 4)
  » introduction of a specific article on the **performance reward** (Art. 14)
  » setting-up of **one single committee** (Art. 13)
  » term **'beneficiaries listed in Annex I'** used instead of 'beneficiary countries'
  » no more Common Strategic Framework → **Annexes II + III**
  » no more suspension clause
PART II
The regulatory framework – scope of assistance
Objectives of assistance

- **General objective**
  - to support the beneficiaries in adopting and implementing the political, institutional, legal, administrative, social and economic **reforms** required in order to comply with the Union's values and to progressively align to the Union's rules, standards, policies and practices, with a view to Union membership

- **4 specific objectives**
  - support for political reforms …
  - support for economic, social and territorial development, with a view to smart, sustainable and inclusive growth …
  - strengthening the ability of beneficiaries to fulfil the obligations stemming from membership and alignment to the EU **acquis** …
  - strengthening regional integration and territorial cooperation …
Policy areas

- **5 policy areas**
  - reforms in preparation for Union membership and related institution- and capacity building
  - socio-economic and regional development
  - employment, social policies, education, promotion of gender equality, and human resources development
  - agriculture and rural development
  - regional and territorial cooperation

⇒ Particular attention to be paid to *good governance; rule of law; fight against corruption and organised crime*, where appropriate
Framework of assistance

- **Coherent with the enlargement agenda and in particular**
  - with the enlargement policy framework defined by the European Council and the Council
  - with the relevant resolutions of the European Parliament
  - with the Commission's Enlargement Strategy (Progress Reports)

- **More targeted and differentiated in scope and intensity**
  - according to the efforts and commitment of the beneficiaries to reforms in the perspective of membership
  - according to the specific situation, needs and capacities of the IPA II beneficiaries to fulfil the objectives of the regulation in line with the thematic priorities
Performance measurement

- **Performance reward**, i.e. an “appropriate amount of assistance to remain available to reward an individual beneficiary” (allocated not later than 2017 and 2020) for:
  - progress made towards meeting the **membership criteria** and/or
  - **efficient implementation** of pre-accession assistance

- **Underperformance** may lead to
  - proportionally adjusted allocations where progress made and/or the results achieved are significantly below the levels set in the strategy papers

- **Performance indicators** must be
  - pre-defined, clear, transparent, measurable and, where appropriate, country specific
  - in line with IPA II specific objectives
Performance measurement

- **Relevant references, i.e. indicators are set**
  - in the **Strategy Papers** (reference for performance reward)
  - in the **programmes**

- **Relevant reports include**
  - **annual progress reports** (Enlargement Strategy)
  - Commission's **annual report** on IPA II to EP and Council
  - **mid-term review** of IPA II (2017)
  - **final report** on IPA II (2021)
  - **monitoring and evaluation reports** by the Commission
  - **annual reports and evaluations by IPA II beneficiaries** in the context of indirect management
Transparency and visibility

- **Commitment towards internationally agreed standards** of transparency in the delivery of assistance (Commission + beneficiaries)
  - e.g. public disclosure of information on recipients of assistance, volume of assistance, etc.

- **Proper information and communication** at all levels of financial assistance
  - communication plan to be agreed between EC and IPA II beneficiary

- **Reporting** on visibility and communication activities
  - transmitted to IPA II monitoring committee and sectoral monitoring committee
High level programming

- **Assistance is provided on the basis of country or multi-country strategy papers**
  - define per country the **priorities for action** towards meeting the objectives in the relevant policy areas
  - include the **indicative allocation of Union funds** per policy area and broken down per year
  - include **indicators** to be used to measure progress
- **... which are prepared for 7 years**
  - are subject to **annual assessment**
  - ... and to a **mid-term review**
Sector approach

- A **key cross-cutting principle** and a **strategic target** for programming under IPA II
  - assistance aims at implementing **sector reforms** on the basis of comprehensive **sector policies and strategies**
  - assistance may take the form of **sector policy support programmes** with a view to supporting a **partner country’s sector programme**
Donor coordination

- **Coordination with the donor community** *(in particular in the early stages of programming)*
  - Member States
  - International Financial Institutions (IFIs), incl. the European Investment Bank
  - UN organisations ...

- **... via the organisation of**
  - regular consultations and frequent exchanges of information
  - regular and inclusive meetings, especially at field level

- **... in order to**
  - ensure coherence and complementarity of financial assistance
  - avoid duplication and double-funding
Ownership and stakeholder involvement

- **The NIPAC**
  - main counterpart of the Commission for the overall process of strategic planning, coordination of programming (but also monitoring of implementation)

- **Civil society and other stakeholders**
  - consultation with relevant stakeholders, incl. CSOs and local authorities
  - enhanced support to civil society in general
  - coordination among stakeholders encouraged
PART III
The regulatory framework – relevance for programming.
Forms and types of programmes

- **Action programmes**
  - i.e. standard forms of programmes for IPA II (Country/Multi-Country Programmes, etc.) … based on the Strategy Papers

- **Individual measures**
  - may be adopted outside the action programme framework (e.g. single action) … yet in line with Strategy Papers

- **Special measures**
  - in the event of unforeseen and duly justified cases … outside the scope of Strategy Papers

- **Support measures**
  - preparation, monitoring, evaluation, audit, information and communication … outside the scope of Strategy Papers
Comitology

- **Opinion of the examination committee** (i.e. Member States) is the last step before adoption of the Financing Decision
  - meets in Brussels and is chaired by the Commission
  - can be consulted by written procedure
- **One single IPA II Committee** for ALL policy areas
  - programmes managed by DG Enlargement and other DGs are submitted to the same committee
- ... which **takes over from the "IPA I" Committee**
  - amendments to ALL programmes adopted under IPA I are submitted to the IPA II Committee whatever the Commission DG in charge
Agreements

- **Framework agreements** between the Commission and the IPA II beneficiary for the entire 7-year period
  - may be complemented by **Sectoral Agreements** in certain policy areas (e.g. Rural Development Programmes)

- **Financing Agreements** between the Commission and the IPA II beneficiary for each Financing Decision
  - include **specific provisions in the case of indirect management** with IPA II beneficiaries
  - specific agreements for **CBC programmes** (tri-partite etc.)
PART VII

Sector Budget Support
Budget support: deployment action points

- Circulation of BS guidelines + publication of docs on ad-hoc web page
- BS to be systematically considered as a normal option for implementation during programming
- Development of relevant templates
- Training
- Appointment of a "BS coordinator"
- Consider staff recruitment needs, notably in Delegations
- Contracting of external expertise
- Organisation of ad-hoc workshops/trainings
- Participation to DEVCO's BS Network meetings
Conditions for successful use of Budget Support in enlargement countries

- **Strict application of the eligibility criteria (with involvement of experienced and reliable international partners in the assessment)**
- **Clear link to the Country Strategy Paper and the priorities for support**
- **Well-defined, realistic and sustainable reform agenda**
- **Clear definition of conditions for releasing the tranches of budget support (based on measurable targets and indicators)**
- **Sector budget support, not general budget support**
- **Existence of a result-oriented monitoring system**