

Action Fiche for Neighbourhood Civil Society Facility 2011

1. IDENTIFICATION

Title/Number	Special measure: Neighbourhood Civil Society Facility CRIS: 2011/023-078		
Total cost	€2 million EU contribution (€1 million for the South under 19 08 01 01 and €1 million for the East under 19 08 01 03)		
Aid method / Method of implementation	Project approach – <i>direct centralised management</i>		
DAC-code	15150	Sector	Strengthening of civil society

2. RATIONALE

2.1. Sector context

The Communication on “A new response to a changing Neighbourhood”¹, the culmination of a comprehensive review of the European Neighbourhood Policy launched in 2010, outlines a new approach towards EU’s neighbours to the East and South, a new approach based on mutual accountability and a shared commitment to respecting universal values, international human rights standards, democracy and the rule of law. Acknowledging civil society’s role to contribute to policy-making and hold governments to account, the Communication commits to supporting a greater role for non-state actors through a partnership with societies, helping non-state actors develop their advocacy capacity, the ability to monitor reform and their role in implementing, monitoring and evaluating EU programmes. It also envisages more intensive engagement with all stakeholders already involved in the implementation of the Eastern Partnership, including Eastern Partnership Civil Society Forum and its national platforms. Finally, it proposes the establishment of a Civil Society Facility to provide funding for non-state actors. This Facility is also referenced in the Communication on “A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean”², outlining EU’s response to recent events in the Neighbourhood South.

A Neighbourhood Civil Society Facility is hereby proposed, in keeping with the spirit of the two above-mentioned Communications. The Facility proposes to encompass and reinforce in a comprehensive way existing initiatives of support to non-state actors in the Neighbourhood, complemented with new elements. It also attempts to make non-state actors-oriented efforts in the ENP region more visible and structured, and move beyond simply providing financial support to non-state actors, towards enhancing engagement with civil society and increasing its involvement in the policy dialogue at the partner country level.

¹ COM(2011)303

² COM(2011)200

Central to the success of the initiative will be the alignment of assistance and of the policy dialogue with the institutionalized political dialogue carried out by the EU with partner countries, in the context of the Cooperation Committees and appropriate Sub-Committees. It is thus essential that a commitment to promoting an enabling environment for non-state actors and an inclusive approach to civil society participation in national reforms is echoed also at political level.

The Facility is envisioned to include all the countries covered by the Neighbourhood Policy³. A broad definition of non-state actors will be adopted in line with the definition provided in Article 14 of the ENPI regulation.

The Facility is consistent with the European Neighbourhood and Partnership Instrument (ENPI) Regulation⁴ which foresees that Community assistance shall be used to support measures to, notably:

- § support democratisation, inter alia, by enhancing the role of civil society organisations and promoting media pluralism, as well as through electoral observation and assistance; and
- § fostering the development of civil society and of non-governmental organisations.

In addition, the Communication on the Eastern Partnership (EaP) envisages the establishment of an Eastern Partnership Civil Society Forum “to promote contacts among civil society organisations and facilitate their dialogue with public authorities.”⁵ Since its establishment in 2009, the Forum has become an integral part of the multilateral track of the EaP which creates an opportunity to get civil society engaged in the realization of the broader political aims of the EaP.

Many ENP Action Plans, jointly agreed by partner countries and the EU, include commitments to fostering civil society and its inclusion in decision-making processes, commitment translated also into many National Indicative Programmes under the ENPI (i.e. Armenia, Azerbaijan, Georgia, Republic of Moldova). However, policies and practices developed by partner countries with regard to non-state actors vary. Many obstacles remain that hinder the participation of civil society and non-state actors to policy dialogues and cooperation activities.

The situation of non-state actors in the ENP region differs greatly from one country to another and calls for country-specific approaches. In spite of quite significant EU support for non-state actors in the ENP area, be it through bilateral, regional or thematic support, a series of common issues warrant special attention:

³ Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Lebanon, Libya, Jordan, Israel, Republic of Moldova (hereafter Moldova), Morocco, Syria, Tunisia, Ukraine and the occupied Palestinian territories. Reference to the ENP region will be made throughout the text to refer to the region covered by the Neighbourhood Policy.

⁴ Regulation (EC) No 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, Article 1.

⁵ Communication from the Commission to the Council and the European Parliament on Eastern Partnership, Brussels, 3 December 2008 COM(2008)823 final.

- § Capacities of non-state actors per se and with a view to engaging in policy dialogue: remain weak despite some training and information activities undertaken at local level; many non-state actors are still isolated, or their potential contribution to a possible sector reform/policy dialogue at national level is not well identified, especially in sectors where EU assistance is implemented through budget support. Promoting non-state actors engagement in the policy dialogue with their respective governments is dependent on ensuring better links and synergies between development/cooperation mechanisms and political dialogue at country level;
- § Restrictions on fundamental rights, more specifically freedom of association, freedom of assembly and freedom of expression, including free media, represent important obstacles to the development of independent non-state actors
- § Streamlining of ongoing consultations and "operationalisation" of dialogues: the current multi-layered and parallel consultations involving non-state actors tend to repeat well-established positions and needs assessment and fail to propose an operational focus;
- § Funding opportunities: in spite of important funding opportunities being available mainly through thematic programmes and instruments, important funding needs of non-state actors are unmet in the ENP region, especially when it comes to actions linked to ENP political developments and an enabling environment for non-state actors;
- § Lack of visibility of EU support to non-state actors: there is a need, especially in light of current developments in the Southern Mediterranean, to recall the centrality of non-state actors in EU assistance and secure visibility for this in the Neighbourhood region, provided that it matches a strong political commitment and signal, notably to promote an enabling environment for non-state actors.

The proposed Neighbourhood Civil Society Facility will be made up of three components, to be funded over 2011-2013:

Component 1. Strengthening non-state actors capacities to promote national reform and increase public accountability, to enable them to become stronger actors in driving reform at national level and stronger partners in the implementation of ENP objectives.

Component 2. Strengthening non-state actors through support to regional and country projects, by supplementing the funding available through thematic programmes and instruments.

Component 3. Increasing involvement of non-state actors in selected EU-partner countries policy dialogues and in the implementation of bilateral programmes.

The first phase of the Facility, the subject of the present Fiche, to receive support in 2011 and focus on Components 1 and 2 described above, will primarily set the framework for the Facility, capitalising on existing initiatives, mapping a complete picture of non-state actors and their capacities and developing non-state actors capacity. It will also support non-state

actors-led projects, on issues such as promoting an enabling environment⁶ for non-state actors and the cooperation objectives of the Neighbourhood Policy.

This first phase will set the ground for the two subsequent phases to receive support in 2012 (covering Components 1, 2 and 3) and 2013 (Components 2 and 3), focusing on concrete and innovative actions to further enable non-state actors to participate in policy dialogue and sector reform programmes in the context of bilateral cooperation.

2.2. Lessons learnt

The Neighbourhood Civil Society Facility is informed by the experience of existing programmes in support of non-state actors be it at global level or in other regions. The overall recommendation of the “Evaluation of European Commission Aid Delivery through civil society organisations” (December 2008) calls upon the Commission to ensure a more consistent application of its new political commitments towards civil society with a view to improving the relevance, effectiveness, efficiency and sustainability of aid delivered through these actors. Bold changes are required to (i) enhance policy coherence in the use of the civil society channel; (ii) make a better use of the added value of civil society; (iii) ‘scale up’ positive gains at project level by binding them into a viable strategy; (iv); use the full range of Commission aid instruments, including new aid modalities and; (v) safeguard the credibility of the Commission in providing support to civil society; (vi) strengthen complementarity between the different instruments.

The “Capitalisation Study on Capacity building Support Programmes for non-state actors under the 9th EDF” highlights the need to develop a clear view on the added value of the various families of non-state actors, and recommends mappings as a key diagnostic tool. The report advocates the need for the European Commission to elaborate country-specific strategies for engagement with non-state actors, and to search complementarity between geographic and thematic instruments. The report also emphasizes the need for regular and structured consultation processes which reinforce the role of non-state actors as actors of development and reform, particularly their participation in political dialogue and watchdog mechanisms.

The Structured Dialogue⁷ strategic process aimed at defining and agreeing on the roles of civil society and local authorities in development, improving the effectiveness of their involvement in aid activities and exploring ways to adapt EU aid modalities to increase the impact of its development programmes. A number of recommendations of the Structured Dialogue are relevant in the context of the Facility: civil society looking for opportunities to partner with state actors on common national development strategies, implement and monitor self-regulatory standards to enhance accountability, transparency and integrity, adopt membership-driven representation system to improve feedbacks from constituencies. The participants in the Structured Dialogue insisted as well that the EU should commit and promote an enabling

⁶ "Enabling environment": a functioning legal and judicial system that ensures the right to organize, the right to expression and information, and the right to participate in public affairs is an important part of an enabling environment. The rights of CSOs to operate and function freely can be defended on the basis of governments' obligations to protect and promote the rights of expression, peaceful assembly and association, amongst others, as guaranteed under the International Covenant on Civil and Political Rights (ICCPR) and other multilateral and regional treaties. ([Civil Society and Aid effectiveness. Issues paper. Final Sept. 17, 2007](https://webgate.ec.europa.eu/fpfs/mwikis/aidco/index.php/Enabling_environment_for_CS))
https://webgate.ec.europa.eu/fpfs/mwikis/aidco/index.php/Enabling_environment_for_CS

⁷ The complete list of recommendations of the Structured Dialogue is available on https://webgate.ec.europa.eu/fpfs/mwikis/aidco/images/e/ea/FINAL_CONCLUDING_PAPER.pdf

environment for civil society as independent development actors, promote and support regular, structured and inclusive multi-stakeholders dialogues, and invest in the understanding of the local arena (through for example mapping studies).

The EU implements a variety of programmes in support of non-state actors in the ENP region, either at country or at regional level. These form an important resource of experience and expertise. Integral in the first component of the Neighbourhood Civil Society Facility will be therefore to take stock of existing activities and expertise of support to non-state actors at country level, to serve as basis for tailoring specific activities to be implemented under the Facility to the country context, and to develop a country-level strategy for further engaging with non-state actors.

2.3. Complementary actions

The Neighbourhood Civil Society Facility gives a coherent, strategic and legible approach to a range of activities directly or indirectly targeting non-state actors in the ENP region. It therefore:

- (i) integrates and enhances visibility to non-state actors-oriented geographic and thematic programmes planned under the 2011-2013 exercise;
- (ii) complements these activities in areas and/or countries where the involvement of the Commission and the ENPI is lacking in terms of engagement with non-state actors; and
- (iii) incorporates an element of complementarity over time as the activities of the first phase of the Civil Society Facility, planned for 2011, will prepare the ground for activities to be financed under the 2012 and 2013 budget years.

For the years to come, several programmes are expected to be implemented and directed towards civil society and non-state actors, both under the ENPI and from thematic programmes and instruments. Under the ENPI programmes at regional level will touch upon issues of culture and youth in the Eastern Partnership. The ongoing Civil Society South regional programme will result in a regional network of national civil society organisations that could be active participants of the Civil Society Facility. Complementarity and synergies with this regional programme will be ensured in the implementation of the Facility. At bilateral level, civil society development is included as a specific sub-priority in many National Indicative Programmes 2011-2013, and programmes either focus on non-state actors (as in Lebanon, Egypt, occupied Palestinian territory, Israel, Lebanon) or including non-state actors as stakeholders/beneficiaries (programmes in Ukraine, Armenia, Jordan, Morocco, Algeria, Moldova or Georgia).

The European Instrument for Democracy and Human Rights (EIDHR) and thematic programmes under the Development Co-operation Instrument (on Non-state Actors and Local Authorities –NSA-LA, Investing in People, Migration and Asylum and Environment and Natural Resources) have a global coverage and are implemented largely through calls for proposals under which applicants, mainly non-state actors, have a right of initiative. EIDHR and NSA -LA programme are also declined in local calls for proposals launched in country by EU Delegations.

While some countries and issues are well addressed by non-state actor-oriented programmes, such as the issue of gender or culture for example, others are not, and the Neighbourhood Civil Society Facility will first and foremost make better known the existing support mechanisms in favour of non-state actors, and then complement activities that have been discontinued despite being successful or are simply lacking, or propose complementary methodological approaches, depending on the needs and the advancement in each of the country and at regional level.

In the implementation of this initiative complementarity will also be ensured with existing support through EIDHR, the NSA-LA and other thematic programmes, as to the objectives and types of projects to be supported, both at country and regional level.

As part of the analysis of existing support to non-state actors in the Neighbourhood region and identification of needs, which will be part of the first stage of the Facility, the activities of other donors directed towards supporting civil society, notably EU Member States, will be taken into account.

2.4. Donor coordination

Various support mechanisms and initiatives for civil society and non-state actors are already implemented by Member States and other donors in Neighbourhood countries. Further development of the concrete activities under the Facility at implementation stage will have to take into account specific donor initiatives in each of the countries and avoid overlap. EU Delegations will keep other donors informed of progress under the Facility in the context of country-level donor coordination groups.

3. DESCRIPTION

3.1. Objectives

The overall objective of the Neighbourhood Civil Society Facility is to strengthen and promote non-state actors role in reforms and democratic changes taking place in the Neighbourhood countries, through increased participation in the fulfilment of Neighbourhood Policy objectives.

The Facility will pursue the following specific objectives:

- To strengthen non-state actors and contribute to promoting an enabling environment for their work;
- To increase non-state actors involvement in programming, implementation and monitoring of EU assistance and policies in the region;
- To promote involvement of non-state actors in policy dialogue and increase interaction between non-state actors and authorities at the national level.

The first phase of Neighbourhood Civil Society Facility, to be funded under the 2011 programme, addressed in the present fiche, primarily aims at setting the framework, capitalising on existing activities for non-state actors and developing knowledge and capacity of non-state actors. This will set the ground for the subsequent phases (to be funded under 2012 and 2013 budget years) which will support concrete, informed and innovative

actions to further enable non-state actors and their participation in policy dialogues and sector reform support.

3.2. Expected results and main activities

- **Specific objective 1 – to strengthen non-state actors capacities and contribute to promoting an enabling environment for their work.**

Examples of expected results:

- Operational capacities of non-state actors raised, including through exchanges of good practices and training;
 - Professionalism of non-state actors raised, notably to enable them to act as partners for cooperation with government authorities;
 - Legislative and administrative environments more favourable to the development of civil society, notably as regards freedom of association, freedom of assembly and freedom of expression;
 - Strengthened networks of non-state actors that may facilitate coordination and lobbying.
- **Specific objective 2 – to increase non-state actors involvement in programming, implementation and monitoring of EU assistance and policies in the region**

Examples of expected results:

- Increased EU knowledge of non-state actors, including identification of their role and sectors where non-state actors can make solid contributions, both individually and as networks;
 - Increased understanding and knowledge of EU (and more specifically ENP) policy-instruments and programmes;
 - Increased support to non-state actors-led monitoring and advocacy activities regarding fulfillment of ENP commitments, at regional, sub-regional or national level;
 - Identification and dissemination of good practices regarding non-state actors-oriented ENPI programmes and the participation of non-state actors in new aid modalities such as budget support programme; proposals for replication of such good practices under phases 2 and 3 of the Neighbourhood Civil Society Facility;
- **Specific objective 3 – to promote involvement of non-state actors in policy dialogue and increase interaction between non-state actors and authorities at the national, regional and local level**

Examples of expected results:

- Enhanced role of non-state actors in the policy-making process, and more favourable attitude of governments and local authorities towards non-state actors, including through participatory approaches and consultations;
- Enhanced capacity of partner countries' officials to interact with non-state actors at national level. Identification of avenues for existing or future activities of non-state actors and authorities to develop an inclusive approach to the implementation of activities;
- Consultations involving non-state actors streamlined, in a view of reinforcing non-state actors participation in the decision-making process under the ENP at regional, sub-regional or bilateral levels.

Components 1 and 2 of the Neighbourhood Civil Society Facility, as described hereafter, will be the object of funding from this 2011 budget. Component 3 will be addressed in subsequent years. This first phase of the Facility is a pragmatic mix of:

- indirect assistance, looking into factors that can develop capacity of actors, reinforce the overall structure and strategy of the Facility and promote innovative approaches of engaging with non-state actors which could be supported in the second and third phase of the Facility (to be funded from 2012 and 2013 budgets);
- direct assistance which is actor based and takes into account existing needs/activities and the local context.

Component 1: Strengthen non-state actors' capacities to promote reform and increase public accountability

In order for non-state actors to become stronger actors in driving reform at national level and stronger partners in the implementation of the objectives of the Neighbourhood Policy, they need strengthened capacities and information to identify entry points and contribute to bilateral cooperation. A collective reflexion would help identify how to associate non-state actors to formulation, implementation and monitoring of sector reforms and ENPI programmes, especially where EU support is channelled through budget support.

This component will be implemented through technical assistance in all targeted countries, through regional contract/s managed by Headquarters and through contracts managed by Delegations for country-focused programmes. All activities will take into account country specific needs – to ensure local ownership and long term impact.

The main **building blocks** to achieve the above will include:

- a) a **comprehensive analysis** of non-state actors needs and capacities in each ENP country and of the support to, and engagement with non-state actors by the EU. This will be done through mapping studies as tools to update knowledge on non-state actors, to identify all possible stakeholders and how they can contribute to specific sector dialogue. In doing so, it will be important to take stock of and build on existing mapping studies. This analysis will also take into account already existing support to non-state actors in the respective country, as well as initiatives of other donors, and will form the basis for the development of a more comprehensive strategy of how to engage with non-state

actors at country level, and for the development of tailor-made capacity development activities.

b) **capacity development** for non-state actors, notably to enhance their role in promoting reform and increasing public accountability in ENP policy areas. Capacity development could focus both on technical, organisational skills (i.e. proposal writing, financial management, outreach to stakeholders) and on political skills (i.e. policy analysis, lobbying and advocacy, monitoring state performance and impact of policies, reporting, building coalitions and networking) as well as on PRAG procedures, EU aid delivery modalities and how non-state actors can become more engaged in New Aid Modalities⁸. Capacity development could be done through training and ad-hoc support (e.g. helpdesk). The capacity development package to be implemented in each country will be determined on the basis of the assessment mentioned above under a).

c) multi-stakeholder **consultations** at national level involving non-state actors, national authorities and EU Delegations to identify ways to facilitate civil society actors' participation in (selected) sector policy dialogues between the EU and partner countries and in implementation of relevant bilateral projects and programmes.

d) ensuring **visibility** of the Facility itself, and more generally of EU efforts towards support to non-state actors in ENP countries, through, among others, publications on EU support to non-state actors in the ENP region, a website and information sessions.

This component will also include a provision for administrative and logistical support for the organisation of seminars and meetings essential for the implementation of the Facility, such as regional meetings of Headquarters and Delegation staff for coordination of the Facility and sharing of experiences, or regional or national EU- non-state actors seminars on issues relevant to either an enabling environment for non-state actors or policy priorities under the Neighbourhood Policy.

Eligibility of non-state actors to implement the technical assistance component of the Facility will be considered, as well as the use of local experts for carrying out the analysis mentioned under a), in order to maximise ownership, sustainability and use of local knowledge.

Component 2. Strengthening non-state actors through support to regional or country projects

Funding available for the ENP region under thematic programmes and instruments with a global reach is limited. Past experience with implementation of thematic programmes in the ENP region shows a high absorption capacity of non-state actors. In light of recent events in the South Mediterranean, and in the context of further consolidation of the Eastern Partnership which includes a strong civil society component, increased support is needed for civil society in this area, especially to develop their advocacy capacity and their ability to monitor reform.

This component proposes thus to increase funding opportunities for non-state actors, both at country-level and at regional level, to contribute to priorities pertaining to:

⁸ The terminology of New Aid Modalities refers to the EU's use of Budget Support, and its Sector Policy Support programmes (or Sector Wide Approaches).

- the reinforcement of an enabling environment for non-state actors activities (such as issues of freedom of association, freedom of expression);
- the contribution of non-state actors to the political priorities of the Neighbourhood Policy and its Eastern and Southern dimensions and ENPI sector reform cooperation.

Increasing the financial allocations available at country level to support non-state actors in the different countries would be based on the assessment already carried out by Delegations under the 2011-2013 planning exercise for the EIDHR and the NSA-LA thematic programme, assessment which took into account consultations of non-state actors at local level, complementarity with other programmes and donors, and absorption capacity. Supplementary allocations would take into account the budget already received for implementation by each Delegation under the Country-Based Support schemes of the EIDHR and NSA-LA thematic programme.

EU Delegations will have the possibility to launch joint local calls for proposals under this facility, with those planned under the EIDHR or the NSA-LA thematic programme. This may include also the possibility of having different lots for each specific programme/instrument. In such cases, with full regard to the specificities of each programme in terms of eligibility and scope of activities the requirements for the award of grants under the Facility, regarding essential selection and award criteria (i.e. minimum and maximum size of grants, rate of co-financing) will be aligned with those of the EIDHR or the NSA-LA thematic programme as reflected in the respective 2011 Annual Action Programmes⁹.

A specific regional call, supporting region wide issues in line with the objectives of the Civil Society Facility would strengthen networks of organisations at regional and sub-regional level and contribute to sharing expertise and best practices.

3.3. Risks and assumptions

The risks linked to political instability in the region and to possible changes of government or regimes should be mitigated through a monitoring of the situation and support to democratic structures and principles. This is directly related to the core of the Neighbourhood Civil Society Facility, which is to promote a more participatory approach to decision-making processes by a broader inclusion of non-state actors.

The risk of deterioration of the working environment for non-state actors will find a certain measure of mitigation in that projects to be financed under the Facility will monitor and advocate for an improved enabling environment for non-state actors. The first component of the Facility will address reinforcing capacities of non-state actors, tailored to needs at the local level, and this will compensate for the low capacity of civil society actors. The EU will include in its political dialogue with partner countries the requirement to engage with non-state actors at the national level and to promote a more enabling environment for the work of civil society, in an attempt to counteract unwillingness of partner countries' authorities to engage with non-state actors.

⁹ As reflected in the NSA-LA AAP 2011 "Non-state Actors – actions in partner countries (in country and multi-country interventions)" (http://ec.europa.eu/europeaid/documents/aap/2011/af_aap_2011_dci-nsa.pdf), and the EIDHR AAP 2011 "Country-Based Support Schemes – Strengthening the role of civil society in promoting human rights and democratic reform"

The experience of thematic programmes in adjusting aid delivery modalities to non-state actors will be used, to facilitate a broader coverage of the programme.

3.4. Crosscutting Issues

The programme is actor-oriented and not limited to one sector. The inclusive approach taken to the definition of non-state actors will ensure a representation of multiple sectors of activities.

The focus on the enabling environment for non-state actors work, and by the same token on difficulties faced by non-state actors in their activities (harassment, restriction to fundamental rights such as freedom of expression, freedom of association and freedom of assembly) will contribute to the respect of human rights. The programme will also seek to reach out to isolated or fragile non-state actors.

The programme aims at reinforcing non-state actors' contribution to the decision-making process and foster interaction between authorities and civil society. This participatory approach to decision-making is at the heart of the good governance principles, and a core element of democracy. The Facility will enhance the accountability of the governments and the reforms implemented vis-à-vis a structured and solid civil society. It will also seek to enhance the representativeness, the transparency and internal democracy of non-state actors themselves.

The Facility will mainstream its attention to gender equality and youth issues, and seek to integrate reference to, and capitalise upon, the existing thematic, regional and bilateral programmes already implemented with non-state actors active in the field of gender equality and support to youth.

3.5. Stakeholders

The programme will primarily support non-state actors in the wide definition of the term, as provided for in Article 14 of the ENPI Regulation: non-governmental organisations; organisations representing national and/or ethnic minorities; local citizens' groups and traders' associations; cooperatives, trade unions, organisations representing economic and social interests; local organisations (including networks) involved in decentralised regional cooperation and integration; consumer organisations, women's and youth organisations, teaching, cultural research and scientific organisations; universities; churches and religious associations and communities; the media; cross-border associations, non-governmental associations and independent foundations.

Local authorities in partner countries, as defined in the same article of the ENPI Regulation ("decentralised bodies in the partner countries, such as regions, departments, provinces and municipalities), will be considered as partners, especially where partnerships between non-state actors and local authorities can demonstrate an added value.

Other stakeholders involved are partner government authorities, which should be associated to the capacity development activities, on a case by case basis, and in the formulation of activities to be prepared under Component 3 of the Facility. The Facility should ultimately aim also at fostering public institutions' ability and willingness to associate non-state actors in policy dialogues and cooperation activities and sector reforms.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

Direct centralised management - the proposed programme will combine both technical assistance (tender/service contracts) and grants (through calls for proposals).

The technical assistance component will be provided through two service contracts (respectively for the Eastern and Southern dimensions of the ENP) managed by Headquarters, and by service or framework contracts managed by Delegations, where the latter have expressed the wish to implement certain technical assistance components at local level.

The regional call for proposals will be launched by Headquarters, and whenever relevant, regional grant contracts will be managed by EU Delegations.

Reinforced financial allocations at local level will be implemented through calls for proposals launched by EU Delegations.

4.2. Procurement and grant award procedures

1) Contracts

All contracts implementing the action must be awarded and implemented in accordance with the procedures and standard documents laid down and published by the Commission for the implementation of external operations, in force at the time of the launch of the procedure in question.

Participation in the award of contracts for the present action shall be open to all natural and legal persons covered by the ENPI Regulation. Further extensions of this participation to other natural or legal persons by the concerned authorising officer shall be subject to the conditions provided for in Article 21(7) of the ENPI Regulation.

2) Specific rules for grants

The essential selection and award criteria for the award of grants are laid down in the Practical Guide to contract procedures for EU external actions. They are established in accordance with the principles set out in Title VI 'Grants' of the Financial Regulation applicable to the general budget. When derogations to these principles are applied, they shall be justified, in particular in the following cases:

- Financing in full (derogation to the principle of co-financing): the maximum possible rate of co-financing for grants is 90%. Full financing may only be applied in the cases provided for in Article 253 of the Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of the Financial Regulation applicable to the general budget.

- Derogation to the principle of non-retroactivity: a grant may be awarded for an action which has already begun only if the applicant can demonstrate the need to start the action before the grant is awarded, in accordance with Article 112 of the Financial Regulation applicable to the general budget.

4.3. Budget and calendar

The total budget of the programme is €22 million.

The indicative split between the calls for proposals and the calls for tender is:

Component 1: calls for tenders for technical assistance: €7 million. Indicative date for launch of the tender is October 2011. Indicative implementation period – 4 years from contract signature.

Component 2: regional call for proposals: €10 million. Indicative date for the launch of the call is October 2011. Indicative implementation period – 2 to 3 years from contract signature.

- local calls for proposals: €5 million, to be launched by EU Delegations starting in the third quarter of 2011. In the case of Egypt, funding from this decision will finance proposals on the reserve list of the call for proposals Europeaid/131157/L/ACT/EG.

4.4. Performance monitoring

Monitoring of the activities will be ensured through: a monitoring element embedded in each of the technical assistance contracts, in order to measure performance and achievement of the assigned objectives, and through the usual results-oriented monitoring (ROM) used for grants and projects. Objectively Verifiable Indicators exist (eg the number of consultations undertaken by governments with non-state actors, the satisfaction of international standards by national legislation on associations, etc.). Baselines also exist, notably as regards the issue of freedom of association, which has been examined and monitored over years by regional programmes in the ENPI-South (EIDHR-funded projects that have ended in 2010/11 and have produced annual reports with concrete sets of criteria).

4.5. Evaluation and audit

A mid-term and final evaluation of the programme will be carried out in the course of the programme's implementation.

Expenditure incurred will have to be certified, as part of the obligations of the contracted parties in the framework of the implementation of this programme. Mid-term and final evaluations of the results achieved will be entrusted to independent consultants, as well as external audits (which will be carried out if necessary). These evaluations and audits will be funded from other sources than the project budget, since no commitment will be possible once the validity of this Decision has expired (N+1 rule will apply).

4.6. Communication and visibility

The EU visibility guidelines will be followed by all projects. Visibility and communication in the partner countries will be carried out with the support of EU Delegations, in line with the Communication and Visibility Manual for EU External Action. The technical assistance component of the programme will also develop a strategy dedicated to communication and visibility of the Facility.

A programme website will be developed under the technical assistance component, in order to centralise all information regarding all components of the Facility and all opportunities

available to non-state actors in the ENP region, and boost visibility of EU's efforts towards non-state actors.