

Annex 1: Action Fiche for "Euromed Police III"

1. IDENTIFICATION

Title	EuroMed Police III		
Total cost	EUR 5 million		
Aid method / Method of implementation	Project Approach - Direct Centralised Management		
DAC-code	15210	Sector	<i>Security system management and reform</i>

2. RATIONALE

2.1. Sector context

This section takes into account the Identification Mission Report carried out by two independent experts in 2009 and the Identification Fiche presented to the Quality Support Group 1 on 11 November 2009.

The critical situation in the region and the political difficulties among ENPI South countries hampered regional cooperation in the police sector, despite the common threat of terrorism and the growing relevance of organised crime activities and transnational crime rate.

Police and security services of ENPI South region differ very much from country to country. Some of these services (for example in Jordan) have gone through recent reorganisation of the police forces, with the establishment of new agencies, sometimes (as in the case of the Jordanian Gendarmerie) composed by large number of personnel. Other services, like the Palestinian security forces, are planning in the short term, significant structural reforms. While in some countries (for example Lebanon, Jordan and Syria) new police Academies and training colleges are on the way to be established, the need of highly specialised training remains a common feature of all systems.

The complex political situation of the region, as well as the differences in structure, competence and organisation of police forces require new and more developed instruments in the field of operational cooperation. As a matter of fact, operational links are presently operative mostly at the bilateral level: bilateral cooperation follows sometime an established tradition of collaboration with EU member states, like in the case of countries such as Morocco, Egypt or Jordan. For certain countries collaboration is part of new phases of the international policy, like in the case of the occupied Palestinian territory or Syria.

International entities or organisations are active in supporting police training: for example, the UN (through the United Nations Development Programme, United Nations Office on Drugs and Crime, United Nations Interregional Crime and Justice

Research) supported forms of police training in Algeria, Egypt, Jordan, Lebanon, occupied Palestinian territory and Syria), the EU in Jordan and in the occupied Palestinian territory. US, Canadian or Japanese donors are also active in most countries (for example Jordan and the occupied Palestinian territory), but they concentrate their support on a bilateral approach and sometimes on very sectorial issues.

Regional police cooperation among ENPI South countries and between them and the EU is necessary and proper not only as a fundamental instrument to control serious transnational crime, such as terrorism or other serious offences (like drug trafficking, trafficking of human beings, financial crimes, money laundering and others), but also a way to provide concrete implementation to international instruments, such as the United Nations Convention on Transnational Organised Crime or the Code of conduct on countering terrorism adopted by the Mediterranean partners on November 2005. Police cooperation in the South Mediterranean countries requires also a coherent framework and an institutional building policy so to rationalise the multiplication of exchanges which already take place among specialised services of ENPI South countries and between those countries and the EU Member States.

As resulted from the identification mission, the ENPI South countries still need a highly specialised training for their police forces, in particular for their special units in charge to fight serious transnational crimes. The threat of terrorism and the growing relevance of organised crime cannot be countered with the instruments offered by the ordinary, domestic training. Even where new and more efficient police colleges have been established or are on the way to be established (for example in Lebanon, Jordan and Syria) it remains the need to offer highly specialised courses and training session held by qualified international experts. Advanced training is needed, in particular, in the fields of countering terrorism, organised crime, cyber-crime, financial crimes, money laundering, trafficking of human beings, child pornography and it was underlined by all stakeholders. In respect to these crimes, police forces from ENPI South countries need to learn more about the phenomenology of criminal activities, the legal framework which makes possible their control and repression, and above all, the modern investigation techniques (such as those concerning internet or scientific evidence).

Besides the training, it is also very significant the need of better operational cooperation among police forces of ENPI South countries. The critical situation in the region and the political difficulties among the countries hampered until now an effective regional cooperation in the police sector, despite the common threat of terrorism and the growing relevance of organised crime activities and transnational crime rate. No effective control of these criminal activities is possible working only at national level.

The result of the identification mission is that the project is feasible, existing in the beneficiary countries the political will to participate to the EuroMed Police III project. The political will demonstrated already by the beneficiary countries in the implementation of the Police II project should prove that ownership will prevail also during the implementation of phase III of the programme.

The new EuroMed Police III regional project aims at fostering cooperation on police issues between the ENPI South partner countries and EU countries and ENPI South

partner countries themselves, contributing to the reinforcement of the political and security dialogue and to the enhancement of security/police services and operational police coordination throughout the region.

The EuroMed Police III project will focus on enhanced cooperation in the fight against terrorism, human trafficking, money laundering, drug trafficking, financial crimes and other forms of international organised crime. This will require the development of closer links between policy and judiciary in both the EU and the Mediterranean partner countries, in a context of deeper dialogue and enhanced contacts. Training and technical assistance for police officers will constitute some of the instruments for the achievement of the above objectives.

The project takes into account the Paris Declaration and the European Commission Backbone Strategy for external aid to guide the reform of Technical Cooperation and Project Implementation Units (2008), which is part of wider EU actions to implement the Paris Declaration and it aims to improve the effectiveness of EU aid with respect to capacity development and work through harmonised and aligned actions.

The project responds to the need of the ENPI South partner countries in terms of international training in the field of police cooperation and operational coordination and it is complementary with their national plans/activities in this respect. This will ensure their appropriate engagement, ownership and coordination with their domestic sector programmes.

However, given the specific nature of this regional cooperation and the important differences between the individual ENPI South countries in the field of police cooperation, the project will work at establishing links between national constraints and regional objectives in a centralised management mode which allows also for close coordination with EU policy.

2.2. Lessons learnt

Lessons learnt are basically those of the EuroMed Police I and II projects:

- Seminars on very specific issues have been highly appreciated as well as seminars concerning new technologies and scientific investigation. Teaching by lectures should be a limited component of the didactic, while case study analysis and discussion on work experience should be a growing component of seminars. The Training for Trainers component resulted very useful and should be also improved.
- The Calendar of seminars should be communicated well in advance and the material delivered to perspective participants in time to allow them to study and arrive to meetings with sufficient knowledge of the topic on the agenda.
- ENPI South countries ministries and stakeholders sometime do not understand reasons and purposes of EU rules concerning reimbursement of expenses and payment of per diems. The risk is that they perceive EU procedures as merely “bureaucracy” or, worse, a sign of distrust. As a consequence, the stakeholders’ commitment to the project, their identification with its goals and eventually their availability to cooperate may decrease. Hence the implementing organisation

should try to explain better to stakeholders which procedures will guide their relation and what is their rationale.

- Meetings among General Directors of Police could be very positive events. However the EuroMed Police III project should find proper solutions to develop the potentialities of such meeting in respect to operational coordination. Solutions could be: a) to provide the participation of a second representative per country, who will take care of the practical implementation of decisions; b) to define topics for such meetings; c) to provide one meeting on the very topic of liaison officers.
- As far as study visits are concerned, the experience of previous phases shows that these visits are quite difficult to organise, due to language barriers and availability of hosting EU Member States. It was sometimes difficult to find attendees fluent enough to fruitfully spend time visiting European or EU member states police and law enforcement institutions. It should also be considered that it is difficult and very demanding, for hosting EU Member States' administrations, to support and assist visitors during their study visits. In particular, it was proven quite problematic coordinating their presence with the ordinary work of an operational police unit.

2.3. Complementary actions

The EuroMed Police III project must be closely coordinated with the activities to be implemented under the umbrella of the **other components (Migration and Justice) of the future ENPI South Justice and Home Affairs III programme**.

Planned activities of similar nature in the field of police cooperation should be taken in consideration, focusing on three possible levels: a) Activity sponsored by International organisations such as UN agencies; b) EU- ENPI South countries bilateral activity; c) EU Member States- ENPI South countries bilateral activity.

A particular consideration should be given to actions planned and actually taken under the EC, EuropeAid, Stability Instrument – a thematic tool which provides for development cooperation measures, as well as financial, economic and technical cooperation measures with partner countries in contexts of crisis and emerging crisis. Among these actions, highly relevant are those aimed to “Support for Counter-Terrorism, Counter Organised Crime and Illicit Trafficking in Africa”; “Support for the fight against the illicit accumulation and trafficking of firearms in Africa”; “Knowledge management system on Chemical Biological Radiological and Nuclear trafficking in North Africa and selected countries in the Middle East”; “Combating illicit trafficking of nuclear and radioactive materials in selected FSU and Mediterranean Basin countries and preparation of border management activities in the ASEAN region”.

2.4. Donor coordination

The Regional Indicative Programme 2007-2010 which defines the framework for regional activities to be implemented within this period also takes into consideration activity plans of other donors.

At the bilateral level (EU and other ENPI South partner countries individually considered) a number of ENPI South -JHA initiatives have been developed within the framework of relevant political documents such as the Strategic Country Plans and National Indicative Programmes for 2007/2010.

Coordination must also be ensured with activities carried out by the international organizations (see, supra § 2.3.). The UN police training initiatives in the region should be considered, especially in respect to sectorial and specialised training, such as the one which was provided for example by United Nations Office for Drugs and Crimes (in the field of the fight against drug trafficking (Algeria, Egypt, Palestinian Territories) or juvenile justice (Jordan and Lebanon) or United Nations Development Programme (such as the Human Rights Capacity Building Program (HRCBP), with the collaboration of United Nations Interregional Crime and Justice Research , in Egypt; or, indirectly, the Modernisation of Justice System programme in Syria).

Coordination must be ensured with activities carried out by EU Member States and other international donors which are active in supporting police training in the ENPI South countries (for example US, Canadian and Japanese donors).

Besides bilateral actions, a particular attention should be given to other regional programs such as those developed under the Stability Instrument (see, supra § 2.3.).

3. DESCRIPTION

3.1. Objectives

The global objective of the project is to foster cooperation on police issues between the ENPI South partner countries and EU countries and ENPI South partner countries themselves, and to contribute to the strengthening of rule of law and human rights in these countries. In particular, it will contribute to the chapter I and III of the Barcelona Declaration and to ensure the implementation of the Five Year Work Programme and of the Code of Conduct on Countering terrorism.

The specific objectives of the project are:

- Strengthening the international police cooperation;
- Improvement of exchange of experience and transfer of knowledge between EU to ENPI South partner countries;
- Strengthening the already established EuroMed police informal “network” established by the EuroMed Police I and II projects;
- Strengthening police cooperation, including with EU Member States Units and European agencies such as Europol and promoting the contacts among liaison officers;
- Continuing training and common definitions of good practices with particular attention to new technologies and techniques of investigation.

The project will achieve these specific objectives through activities where rule of law and human rights aspects will systematically be integrated and which will address indicatively the following themes:

- Fight against terrorism (including conduct of public provocation and incitement to commit a terrorist act , as well as recruitment and training also through the Internet) and implementation of the Code of Conduct on Countering Terrorism;
- Fight against the organised crime, drugs, money laundering, trafficking of human beings and smuggling of migrants, sexual exploitation and pornography (including child pornography);
- Fight against the weapons trafficking and the CBRN (Chemical, Biological, Radiological and Nuclear) threat;
- Fight against financial crimes;
- Fight against cyber crime and new forms of criminal offences.

3.2. Expected results and main activities

The **expected results** are:

- (1) Cooperation in the field of police reinforced at regional level, with exchange of information and good practices, between the EU and the ENPI South partner countries and among ENPI South partners themselves through the activities of the EuroMed Police III project;
- (2) Exchange of experiences and transfer of knowledge between EU and ENPI South countries reinforced through the organisation of: a) specialised training sessions addressed to Heads or high ranking officers of specialised police services and special units and senior police officers and professionals (target group 2) and b) information session addressed to Heads of special intervention units (target group 3).
- (3) The established EuroMed Police informal "network" reinforced through the participation of ENPI South countries representatives to the activities of the project (specialised training, information sessions, meetings of the Directors General and Directors of Police Academies/college/training centres);
- (4) Contacts and cooperation with relevant EU Member State Police Units and European agencies, such as Europol, reinforced through their participation as speakers/experts in meetings of the EuroMed Police III project when appropriate and contacts among liaison officers promoted through their participation to the Directors General of Police meetings;
- (5) Continuing training and common definitions of good practices with particular attention to new technologies and techniques of investigation reinforced through meetings of ENPI South Police Academies/colleges/ training centres.

The **main activities** to be implemented will include indicatively:

(A) **Support For Operational Police Coordination Through Meetings of Directors General of Police, Custom And Security Services (Target Group 1)**

This activity will be addressed to Target group 1: Directors General of the Police, Customs and Security services, accompanied by a second representative from each country in charge of implementing operational coordination.

The activity will consist of 3 meetings which will be organised for Directors General of Police or Heads of security service of ENPI South countries. Meetings should be opened to 3 representatives for each country. Those participants, appointed by the Director General of Police or by other domestic competent authority (such as the Ministry of Interiors), will be responsible for the implementation of operational coordination and measures as developed at the meetings.

Meetings will last indicatively 2 days and will take place with the participation of interested EU Member State police authorities and EU liaison officers posted in ENPI South countries.

Meetings should place a particular focus on police cooperation, coordination, information exchange and “network” establishment. As far as the topics are concerned, it is advisable to define issues to be discussed at those 3 meetings. They could be indicatively:

- Terrorism;
- Drug Trafficking;
- Establishing a structured network of Liaison officers. In order to enhance awareness about the importance of establishing liaison police officers, the last meeting will be organised with members of EU Member State Police services, Europol, and liaison officers present in ENPI South partner countries. This meeting will be dedicated to models and best practices of police coordination, with a particular focus on the legal framework and practical experience concerning exchanging liaison police officers in the EU. The purpose of this activity is to enhance awareness and create the conditions to hopefully establishing a similar network in the ENPI South countries and among ENPI South countries Europol and EU Member States.

All meetings will be preceded by a preparatory meeting (participants to preparatory meetings will be: the implementing organisation, representatives from the hosting country, 2 representatives from 2 EU Member States, 2 representatives from 2 ENPI south countries). Interpretation into English, French and Arabic should be provided at any session, included the preparatory meetings. A member of the project team should participate to the meetings.

(B) **Training and Information sessions.**

Training and information sessions should keep a fundamental role in the project, so to continue the positive experience of EuroMed Police I and II. They will address target group 2 and 3. In particular:

- (1) Training sessions will be addressed to target group 2 (Heads or high ranking officers of specialised police services and special units and senior police officers and professionals). Members from this target group will participate to the 18 training sessions listed below.
- (2) Information session will be addressed to target group 3 (Heads of special intervention units (such the French RAID, the Italian GIS and NOCS). Members from this target group will participate to 6 specialised information sessions.

More in detail:

(B.1) Training Sessions for Target Group 2 (Heads or high ranking officers of specialised police services and special units and senior police officers and professionals)

There will be 18 seminars addressed to this target group. Seminars will have a technical and specialised content, will last indicatively 5 days and will involve the participation of 4 people per country. One of the participants from each ENPI South country will possibly be trainer, so to improve the possibilities to transfer the content of the training to prospective trainees in the home country.

All seminars will be preceded by a preparatory meeting for a total of 18 preparatory meetings (participants to preparatory meetings will be: the contractor, representatives from the hosting country, 2 representatives from 2 EU Member States, 2 representatives from 2 ENPI south countries).

Interpretation into English, French and Arabic should be provided at any session, included the preparatory meetings. A member of the project team should participate to the meetings

The 18 seminars should be dedicated indicatively to:

- **3 sessions on** Financing terrorist organisations and activities: The seminar should cover the most sophisticated and insidious instruments to finance terrorism, included the so called “informal value transfer systems” IVTS.
- **2 sessions on** Cyber-terrorism and the use of the internet to advocate violent radicalisation, to promote and incite the commission of terrorist acts, to recruit and to train terrorists.

For both topics, particular attention should be given to investigation techniques, with a main focus on new technologies, internet investigation, investigation concerning file sharing websites (such as Youtube), investigation and interception of electronic communications (such as those through mobile phones or Skype-like communications), scientific and forensic evidence.

- 2 sessions on Managing security (at airports, undergrounds, at summits, at crowded places); at this seminar a session on “bomb and explosives disposal” could be part of the training.

- Cyber criminality and children sexual exploitation and pornography. This seminar should include training on technical issues (such as the structure and complexity of the web; functions and technical role of servers and providers; identification of navigators and records of navigation) and legal approaches (networks regulations, privacy protection and necessity to link the investigation to a well defined criminal activity).
- Countering organised crime with a special focus on the implementation of the United Nations Transnational Organised Crime Convention. A particular focus will be placed on the Convention Protocol to Prevent, Suppress and Punish Trafficking in Persons and organs, covering also the issue of falsification of personal Identity Documents and travel documents.
- 2 sessions on Drug trafficking with sub-sessions dedicated to specific drugs with a particular focus on synthetic drugs.
- Financial crimes, money laundering, credit cards fraud and forgery of currency.
- Crisis management and the role of the police. The seminar will cover also problems of communication with the Media.
- 1 session on Investigation techniques - with a focus on collecting, recording, collating and evaluating information, interviewing skills, preparation of a brief of evidence and handling evidence, detecting false documents.
- Investigation Techniques – with a focus on new investigation techniques such as DNA, electronic surveillance, odorology, graphology, forensic biology and similar.
- Weapons trafficking. – with focus on firearms and small weapons.
- Weapons trafficking – with focus on weapons of mass destruction and CBRN treat.

(B.2) Information Sessions for Target Group 3 (special intervention units)

There will be 6 information sessions designated for heads or deputy-heads of operations of special intervention units of ENPI South partner countries. At seminars, members of special intervention units of EU Member States (such as the French RAID (Research, Assist, Intervene, Dissuade), the Italian GIS (Special Intervention Group) and NOCS) (Central Operational Security Squad) could be present as experts.

Seminars will consist of information on recent operational techniques, case analysis and development of operational cooperation. EU Member State heads of special units are invited to participate to the meetings.

Meetings will last indicatively 2 days and foresee the participation of 3 participants per ENPI South country and 3 international experts.

All seminars will be preceded by a preparatory meeting for a total of 3 preparatory meetings (participants to preparatory meetings will be: the implementing organisation, representatives from the hosting country, 2 representatives from 2 EU Member States, 2 representatives from 2 ENPI south countries).

Interpretation into English, French and Arabic should be provided at any session, included the preparatory meetings. A member of the project team should participate to the meetings

(C) Conferences of Directors of Police Academies/Colleges/Police Training Centers (Target Group 4)

This activity will be addressed to Target group 4: Directors, deputy-directors, heads of training departments of Police Academies/colleges/police training Centres.

The Activity will consist in 5 meetings lasting indicatively 2 days, with 3 participants per ENPI South country on the following indicative themes:

- Police forces coordination at national and international level, with analysis of problems and best practices.
- Deontology and human rights awareness in the context of police training.

The 5 meetings will be preceded by 5 preparatory meetings (participants to preparatory meetings will be: the implementing organisation, representatives from the hosting country, 2 representatives from EU Member States, 2 representatives from ENPI south countries).

Interpretation into English, French and Arabic should be provided at any session, included the preparatory meetings. A member of the project team should participate to the meetings

(D) Cross Cutting Activities

Beside the actions specific to each component, a number of activities of general value for the development of police cooperation, which will promote the progress of the project as a whole, shall be realised:

- The project will schedule the organisation of **3 Regional Conferences**. An Opening Conference will be held once the project is launched in order to present project objectives and activities to the authorities responsible for managing police training and coordination in the ENPI South partner countries and the EU countries; an Intermediate Regional Conference will be organised towards the end of the second year in order to describe achieved developments and a Final Conference will be organised at the end of the project in order to present the result and look forward to possible future activities. These Conferences will last 1 day, with 3 participants per country (some of them will usually be the National focal point person) and participation of EU Member States counterparts. All 3 conferences will be preceded by a preparatory meeting (participants to preparatory meetings will be: the implementing organisation representatives from the hosting country, 2 representatives from 2 EU Member States, 2 representatives from 2 ENPI south countries). Interpretation into English, French and Arabic should be

provided at any session, included the preparatory meetings. A member of the project team should participate to the meetings

- The project will foster the implementation of an independent, private and secured **Project intranet website**, accessible through personal ID user names and passwords only to the participants to the activities of the EuroMed Police III project, included EU Member States participants. This private and secured intranet website will contain relevant information of the project activities and could serve as a mean of exchange of information among the participants to the project.

Inception phase

It has to be noted that prior to the beginning of the specific activities, an inception missions will be carried out by one of the Key Experts who will visit the relevant ENPI South national authorities, explain the project, collect useful information and ask for the nomination of a “national focal point”. An **inception report** will be produced bridging the gap with the Term of reference, if any, and it will draw up a detailed work plan and related detailed budget to be submitted to the Commission for approval.

3.3. Risks and assumptions

The main overall assumptions are the same as for the EuroMed Police II project, i.e. relative stability of the economic and political environment as well as an actual will from the Partner Countries' governments to sustain police cooperation

The main risks – apart those linked to serious conflicts and tensions in the area - are linked to a possible lack of cooperation from the concerned countries, complex access to relevant information, political manipulation of sensitive data, political and administrative inertia.

3.4. Crosscutting Issues

The project's specific objectives directly concern good governance issues, with regard to the promotion of rule of law and human rights in the beneficiary countries, and also areas of immediate social and economic relevance. The project will also contribute to strengthen the protection of fundamental rights in respect of vulnerable groups. The participation of women in the project will be encouraged through their active participation in the different sessions and placing a specific focus on women when dealing with the topic of trafficking in human beings.

3.5. Stakeholders

The 9 ENPI South partners are Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority, Syria and Tunisia.

The stakeholders of the project are:

- Ministries competent for security and law enforcement affairs, i.e. ministries of interiors, of foreign affairs, of justice;

- Police forces, Gendarmerie, Special Police Units such as those against terrorism, organised crime, financial and computer crimes;
- Authorities in charge of police training (such as Police Academy and similar).

The activities will be addressed to 4 specific Target groups:

Target Group 1: Directors General of the Police, Customs and Security services, accompanied by a second representative from each country in charge of implementing operational coordination. Members from this target group will participate to 3 meetings.

Target Group 2: Heads or high ranking officers of specialised police services and special units and senior police officers and professionals. Members from this target group will participate to 18 training sessions.

Target Group 3: Heads or deputy heads of operations of special intervention units from the ENPI South partner countries .. Members from this target group will participate to 6 specialised information sessions. At seminars, members of special intervention units of EU Member States (such as the French RAID Research, Assist, Intervene, Dissuade, the Italian GIS Special Intervention Group and NOCS Central Operational Security Squad,) could be present as experts.

Target group 4: Directors, deputy-directors, heads of training departments of Police Academies/colleges/ training centres. Members from this target group will participate to 5 meetings.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

Direct Centralised Management, Project Approach. The Project Approach has been chosen because of the technical nature of the proposed activities and the need to ensure coordination with EU policy and consistency with the ongoing EuroMed Police II project.

The European Commission responsible service will closely follow the project through regular meetings with the operator selected to implement the project.

4.2. Procurement and grant award procedures [*programme estimates*]

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 legal persons covered by Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument. Further extensions of this participation

to other legal persons by the concerned authorising officer shall be subject to the conditions provided for in Article 21(7) ENPI Regulation (EC) No 1638/2006.

The service contract will be awarded following a restricted call for tender. This will imply the announcement of the procurement notice, the pre-selection procedure, the final submission of the offers and the final selection and award procedure in accordance with the "restricted procedure" laid down by the Financial Regulation and its implementing rules.

The operators responding to the restricted call for tender should be a specialised organisation in the field of police with proven experience in international cooperation and training, able to implement the project with qualified police personnel.

4.3. Budget and calendar

The budget allocated is EUR 5 Million and it is composed of fees and reimbursable costs and it can be indicatively breakdown as follows:

Type of expense	Units	Total
Fees	- Key Experts - Short Term Expertise	2 065 000
Inception phase	- Missions	15 000
A) Meetings for Target Group 1 (General Directors of Police, Custom And Security Services)	- Preparatory Meetings - Meetings	180 000
B.1) Training Sessions For Target Group 2 (Heads or high ranking officers of specialised police services and special units and senior police officers and professionals):	- Preparatory Meetings - Meetings	1 930 000
B.2) Information Sessions for target group 3 (special intervention units).	- Preparatory Meetings - Meetings	335 000
C) Conferences Target Group 4 (Directors of Police Academies/Colleges/Police Training Centers)	- Preparatory Meetings - Meetings	285 000
D) Cross-cutting Activities	- Preparatory Meetings - Regional Conferences - Project website - Others	190 000
TOTAL		5 000 000

The operational duration will be of 36 months after signature of the service contract.

Indicatively, the calendar could be as follows: Forecast Notice - November 2010, Procurement Notice - January 2011, Short Listing - March 2011, Invitation to Tender - April 2011, Evaluation – June 2011, Contract Signature – June/July 2011.

4.4. Performance monitoring

There are no "standard indicators" in the domain; therefore, performance indicators should be developed in regard to the specific characteristic of the project. As an indication, results will be evaluated using the following indicators:

Activities aimed at interaction among national authorities:

- Statements by EuroMed conferences;
- Appreciation by international independent agencies and scholarly observers;
- Number of ENPI South partner countries represented in the meetings;
- Level of the participants and their attendance record;
- Quality and dissemination of the documents produced;
- Participants' satisfaction as measured by means of questionnaires.

General Directors' meetings, training and information sessions:

- Number and qualification of participants;
- Number of ENPI South partner countries sending participants;
- Statements and resolutions at the end of meetings;
- Quality of training in the view of independent observers;
- Quality of the teaching materials produced for the training sessions;
- Reproduction of the training sessions within the different authorities of the ENPI South partner countries by trainees and trainers participating to the training courses;
- Participants' satisfaction as measured by means of questionnaires.

Creation and updating of a webpage:

- Number of hits;
- Speed of updating;
- Quality and quantity of the material contained.

Regional conferences:

- Number and qualification of e participants;
- Participants' satisfaction as measured by means of questionnaires.

4.5. Evaluation and audit

Mid-term monitoring and final independent evaluation will be carried out.

The evaluation of results shall take place on the basis of qualitative and quantitative indicators specific to each project activity.

A special budget chapter for auditing will be foreseen in the Terms of Reference.

4.6. Communication and visibility

The project will work out a specific communication strategy, taking into account the sensitiveness of the police issue. Visibility will never be public visibility of the activities, but rather visibility of the European Union support for the Police component of the ENPI South policy.

The ENPI Info Centre portal will also be used regularly and press releases will be prepared when appropriate. The EU visibility guidelines must be followed by all components of the project.

Annex 2: Action fiche for "Euromed Justice III"

1. IDENTIFICATION

Title/Number	EuroMed Justice III		
Total cost	EUR 5 million		
Aid method / Method of implementation	Project Approach - Direct Centralised Management		
DAC-code	15130	Sector	<i>Legal and judicial development</i>

2. RATIONALE

2.1. Sector context

This section takes into account the Identification Mission Report carried out by two independent experts in 2009 and the Identification Fiche presented to the Quality Support Group 1 on 11 November 2009.

Despite the efforts devoted in many Mediterranean countries to the modernisation of the machinery (functioning) of justice, considerable work remains to be done in order to achieve clear and stable improvements in terms of reduction of delays, simplifications of judicial and administrative procedures, improved access to justice and legal aid, and adequate protection of fundamental rights. Moreover, further cooperation in the resolution of cross-border family conflicts and in criminal and penitentiary law, is needed.

In the field of access to justice legal aid, many of the concerned countries will certainly have to consider in the coming years significant changes in their substantive and procedural laws. However, there is an increasing awareness that often one of the major obstacles to modernisation lies in the existence of large sections of society that are virtually excluded from legal protection because of obstacles to the use of legal instruments due to economic and cultural factors. The debate on legal reform in the ENPI South partner countries is increasingly dominated by the issue of *access to justice*. Reference to the need of judicial reforms is indeed made by a variety of policy documents emanating from the countries of the region (see for instance the Tunisian XI Development Plan for 2007-2011, the Moroccan 2008-2012 action plan, the Syrian 10th 5 Years Plan, the programme launched in Egypt in 2005 and the Jordanian "Judicial Upgrading Strategy").

Against this backdrop, increasing attention is given to a more rational use of the material resources of the judiciary, and to the technical infrastructure of the adjudication process. There is a clear perception that significant inputs in the use of new technologies can provide important advantages, also before major changes in

procedural law are carried out and without affecting the main features of each adjudication system (oral/written, adversary/inquisitorial).

This aspect is matched by the efforts aimed at relieving part of the workload of ordinary courts, by introducing mechanisms of Alternative Dispute Resolution (ADR) and simplified procedures, and at strengthening the procedures for the execution of judgments, an area which often generates important delays in the final definition of controversies, as well as a topic which has proven to be particularly sensitive in the Maghreb countries. In conclusion, countries of the region clearly perceive the need for further actions in order to improve access to justice.

The landscape is much more nuanced when it comes to **family law** issues, which sometimes are also affecting transborder disputes concerning the custody of children. Even setting aside the purely political and symbolic implications of family related matters (part of the so called personal status of the believer according to the shariah), family law disputes in several countries are still in the realm of various jurisdictions managed by different religious authorities. In some cases (such as Syria) the religious institutions may even be granted a role in the legislative process in questions related to personal status. All this generates a variety of legal sources (some of which are not technically « Islamic »). This renders the adoption of transnational and state legal sources such as those contained in the 1996 Hague convention Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children (signed only by Morocco) and the 1980 Hague Convention on the Civil Aspects of International Child Abduction (signed only by Israel) difficult, because they pertain to a field in which the state is historically perceived as not enjoying full rulemaking power.

A very politically sensitive issue lies in the field of **criminal law**, where international cooperation is facilitated by the perception of the existence of shared common goals such as those of fighting terrorism and organised crime. In this field, a large majority of national authorities involved in international judicial cooperation lament a lack of structured and updated information on the judicial systems of foreign countries. Existing sources are usually not in Arabic and usually fragmented and misleading, not being targeted to the specific needs of international judicial cooperation. This is a major source of problems, especially when the cooperation has to take place between countries without a tradition of frequent exchanges and contacts, and without a common language. An improved level of mutual knowledge is likely to bring further momentum to the signs of an increased attention for the needs of modernising criminal legislation that can be observed in a number of countries of the area. This is the case of Morocco (where modernisation of criminal law is part of the current reform plans), but also of countries as different as Syria, Lebanon and Jordan, where there is a strong criticism by reformers against the so considered “old” character of the legislation in force.

In all aspects of legal modernisation, countries of the region give a definite centrality to judicial training institutions (named “centers” like the National Centre for Judicial Studies in Egypt, “schools” like the *Ecole Supérieure de la Magistrature* in Algeria, or “institutes” like the Israeli Institute for Advanced Judicial Studies, the Jordan Judicial Institute, the Institute for Judicial Studies in Lebanon and the *Institut Supérieur de la Magistrature* in both Morocco and Tunisia) which are seen as the primary tool for a swift introduction of new techniques and practices in the judicial

systems. The trust placed upon these institutions is partly the result of the borrowing of foreign models (like the French Ecole National de la Magistrature), and it implies that these bodies are seen as crucial actors in any internationalisation process. Indeed, judicial training institutions of the region have already developed informal networks which have a huge practical importance in the communication of best practices. In this respect, it is interesting to observe that the creation of centralised training institutions is developing also for other legal professions. Apart from the case of the schools for the greffiers, a very interesting development is the establishment in Tunisia of a centre for the training of attorneys, which is developing a high profile.

The future EuroMed Justice III project will in particular address issues related to the themes of access to justice and legal aid, resolution of cross-border family conflicts and criminal and prison law.

The first component will address the need to support the development of the Mediterranean partners' institutional and administrative capacity and good governance in the field of justice, as well as the overall modernisation of justice systems, with special regard to simplification/speeding-up of judicial proceedings, improved access to justice and legal aid and the quality of justice.

The second component of the project will develop judicial cooperation in civil matters, in particular through assistance in the field of family law with emphasis on cross-border family conflicts resolution.

The third component of the project will strengthen judicial cooperation and support initiatives for the reform of criminal and prison law in the Mediterranean partner countries, with a view to facilitating the transposition of the relevant international conventions into domestic law and their implementation.

The project shall also contribute to enhance cooperation and explore possibilities to liaise and create synergies/collaborations with the relevant EU cooperation units and networks such as EuroJust, the European Judicial Network in criminal matters and the European Judicial Training Network, and find ways of facilitating the role of the liaison magistrates. The general strengthening of the existing contacts among the interprofessional community of magistrates and law professionals, as well as of the existing contacts among the Judicial Training Centres in the ENPI South region, should also be an important outcome of the project.

The project takes into account the Paris Declaration and the European Commission Backbone Strategy for external aid to guide the reform of Technical Cooperation and Project Implementation Units (2008), which is part of wider EU actions to implement the Paris Declaration and it aims to improve the effectiveness of EU aid with respect to capacity development and work through harmonised and aligned actions.

The project responds to the need of the ENPI South partner countries in terms of further judicial cooperation around the identified components and further training in these areas and it is complementary with their national plans/activities in this respect. This will ensure their appropriate engagement, ownership and coordination with their domestic sector programmes.

However, given the specific nature of this regional cooperation and the important differences between the individual ENPI South countries in the field of justice, the project will work at establishing links between national constraints and regional objectives in a centralised management mode which allows also for close coordination with EU policy.

2.2. Lessons learnt

The experience gained during the implementation of EuroMed Justice I, and during the early phase of EuroMed Justice II, clearly show the difficulties posed by the political dimension (state sovereignty) when justice related actions are designed. The differences in legal and political context, and the tensions crosscutting the region, imply indeed a high risk of reduction of the practical impact of the activities. Against this backdrop, it has been chosen for EuroMed Justice III to focus on activities (working groups and trainings), selecting topics of predominantly technical character.

The results of the Monitoring and the Regional Conference held in December 2009, demonstrated that EuroMed Justice II contributed to fostering Regional Cooperation between the Mediterranean countries and the EU in the field of Justice, by creating a place for learning, dialog and exchange of experience.

Positive lessons have to be taken from both previous projects. In fact, one of the success stories from EuroMed Justice I was the creation of a bilateral exchange of liaison magistrates between Morocco and Belgium. Regarding EuroMed Justice II, Jordan has officially communicated to have greatly benefitted from the work carried out during the Working Group on family law in their recent reform of the family law code.

2.3. Complementary actions

The EuroMed Justice III project must be closely coordinated with the activities to be implemented under the umbrella of the **other components (Migration and Police) of the future ENPI South Justice and Home Affairs III programme**.

At the bilateral level the relations between EU and other ENPI South partner countries (individually considered) are based on the Association Agreements and the ENP Action Plans which in most cases contain various provisions related to justice issues. Moreover, a number of bilateral justice initiatives have been developed within the framework of relevant programming documents based on the Country Strategy Papers and the National Indicative Programmes.

In Morocco for instance, the EU already supported reform actions in the context of the programme MEDA II, with the project 'Modernisation of the judiciary in Morocco' (EUR 27.6 million), implemented between 2003 and 2009. The project was expected to contribute to the improvement of the IT framework of the judiciary, the establishment of regional archives, the opening of information desks for the public and the legal professionals, as well as to the transfer of technology for the staff of the Ministry of Justice. In the context of the National Indicative programme 2007-2010 for Morocco the identification phase is ongoing for a new programme of support for the justice system with a preliminary budget of EUR 20 million.

Tunisia has undertaken a cooperation with the European Union (the *Project of support for the modernisation of the judiciary system*, expected to be completed in June 2010) and in the National Indicative Plan 2011-2013 for Tunisia, a “*Justice Support Programme*” will pursue further EU support in the field of justice. The preliminary list of objectives includes the improvement of the performance and efficiency of the justice system, the improvement of the level of the legal professions, the improvement of the access to justice and of its transparency, the improvement of administrative justice, the increase of the certainty of property titles, the protection of personal data, the quality of legislative drafting, the reinforcement of arbitration and mediation mechanisms, and - if necessary - the improvement of the penitentiary system.

In Syria, the EU funded Programme on the Judiciary Modernisation (EUR 5 million) has the overall objective of assisting the Government of Syria in establishing an efficient, transparent and reliable judiciary system, improving the quality of judicial services, and facilitating access to justice by court users and the general Syrian population. It would target the Syrian courts of general jurisdiction, not the exceptional jurisdictions or religious courts. The purposes of this Programme would be: a) to provide targeted technical assistance to the Ministry of Justice and Judicial Training Institute, in order to increase the efficiency of the legal system in Syria; b) to increase the capacity and knowledge of the Syrian legal profession, in order to improve the quality and efficiency of the judiciary and the court system, and provide increased access to justice for the Syrian people; and c) to provide an effective database system and partial automation to the MoJ and two pilot courts, to improve the efficiency of the Ministry of Justice and the court system, and provide increased access to justice for court-users.

Other donors are active in Syria, Germany for instance, through the International Foundation for Legal Cooperation, established under the auspices of the German Ministry of Justice, has been providing some support for Syria (small scale project) in the area of rule of law and human rights since 2007. This programme includes three columns of legal co-operation in Syria. The first column focuses on legislative reform in the areas of commercial law, law of the sea, procedural law, translation of legal texts, and other technical assistance relative to lawmaking. The second column focuses on establishing a series of seminars for lawyers in partnership with the Bar Associations of Aleppo and Homs. The third column of co-operation has not yet been implemented, and will involve working with Universities in Aleppo and Damascus on commercial law. Moreover, a German expert was intended to be placed in the Ministry of Justice for technical assistance purposes, but no formal agreement has been finally reached with the Ministry of Justice.

A significant project in the area of reform of the Syrian judicial system is the United Nations Development Programme pilot project to modernise Dara’a Court south of Damascus. The project in Dara’a is intended to alleviate severe delays in court proceedings, through the provision of computer equipment and the automation of court cases. The system is expected to be delivered to the Ministry of Justice towards the end of 2009, with the Ministry deciding when to implement the project. The Dara’a project is in line with the Ministry’s development plan, and the operating system can be adapted for use in other courts. United Nations Development Programme has also in the pipeline a project on juvenile justice (2010-2012, 500,000€) in partnership with the Ministry of Justice and the Ministry of Social

Affairs that will include legislative drafting, various pilot projects as well as treatment of juveniles in courts and prisons.

In Lebanon, the EU funded project Reinforcing Human rights and Democracy in Lebanon (AFKAR III, EUR 10 million) aims at providing the necessary capacity building and support for the public sector and the civil society. The objective of the project is to reinforce the protection of human rights and democracy by supporting the civil society and the public administration in their efforts to improve the human rights record in Lebanon. The programme has three different components: 1) Active citizenship (Increase active citizenship and democratic participation in decision making); 2) Improve the protection of women domestic migrant workers; 3) Support the penitentiary reform (joint management with United Nations Office for Drugs and Crimes). The expected results are: 1) improved prison management in line with international standards; 2) legislative reform includes alternatives to imprisonment; 3) detention conditions improved including adapted rehabilitation programme.

In 2009 entered into force the EU-Lebanon Financing Agreement on the Modernisation of the Lebanese justice system (EUR 10 million). This programme aims at consolidating the Rule of Law by supporting the modernisation of the justice sector. It will support the implementation of the Ministry of Justice's Information Technology Master Plan, improve access to justice and provide specialised training to judiciary staff.

Moreover, in March 2006, the Ministry of Interior requested officially the Ministry of Justice to take over prison administration and there is now general agreement on moving forward with a 5-year programme (2009-2012). The United Nations Office on Drugs and Crime (**UNODC**) has the official mandate by the Ministry of Justice to lead the support of the activities facilitating the transfer of the management of prisons and it is therefore the best placed to collaborate as implementing partner. United Nations Office for Drugs and Crimes has undertaken a first successful pilot project (2008) in the prison of Roumieh financed by Switzerland and Netherlands (eventually to be completed with a contribution from Denmark this year). The proposed component will build on this experience to support the transfer of management from the Ministry of Interior to the Ministry of Justice. Coordination has been ensured particularly with **Denmark**, currently formulating a HR programme in Lebanon.

In Jordan, the EU project Support for Democratic Governance and Justice Reform (EUR 10 million) is structured around three main components: 1) to strengthen the institutional and administrative capacity of the Chamber of Deputies (CoD), resulting in an enhanced efficiency, effectiveness, accountability, transparency and in enhanced relations between the Head of Delegation and its constituents; 2) to support Non State Actors (NSAs) to act as an effective drive for good governance and accountability, resulting in an enhanced policy dialogue between Government and NSAs; and 3) **to support the criminal justice reform process** in line with international standards and EU best practices, resulting in an enhanced policy, strategic and regulatory framework concerning criminal justice reform. The expected results are: 1) enhanced policy and strategic framework concerning criminal justice reform; 2) upgraded criminal legal and regulatory framework in line with international standards; 3) reduced overcrowding in Detention Centres; 4) enhanced reintegration in the society of former detainees; 5) alternatives to imprisonment

introduced; 6) strengthened legal aid system 7) enhanced legal supervision of sentences, resulting in an improved respect for human rights as regard the condition of remand prisoners and convicted detainees.

Other donors are active in Jordan, like: USAID through the “Rule of Law Programme (MASAQ)” (2004-2008, USD 15,274,084) which is supporting the automatization of 80% of courts in Jordan, and the establishment of a modern case management system ; the American Bar Association through the ABA-CELI project which is supporting the Judicial Institute of Jordan to train judges, clerks and legal aides working in official public departments and institutions; the UNODC Project 'Strengthening the juvenile justice system - Phase I' (ended in 2008).

In Egypt, the EU funded programme “Support for Modernization of Administration of Justice and Enhancement of Security” (EUR 10 million) is structured around different components: 1) Modernization of Justice administration (Ministry of Justice, Supreme Judicial Council and Office of the Public Prosecutor), installing a unified integrated E-courts’ system, automation of summary, economical and family courts; training of judges, prosecutors and court staff on case management, operating automated courts, administration of the court; and training programs on combating organized crime, money laundering, drug trafficking, terrorism and migration; 2) Installing training programs, ToTs, and external field visits/ study tours for judges and public prosecutors, staff members of the assisting bodies including experts and forensic evidence specialists and police officers 3) Installing a National Strategy on Trafficking in Persons (Ministry of Foreign Affairs); 4) Assistance to draft a national strategy on the protection of juveniles in criminal proceedings including a media campaign and installing protection system for juveniles in courts. (Ministry of State for Family and Population); 5) Technical Assistance to: Draft the Egyptian Judicial Code of Conduct (United Nations Office on Drugs and Crime). The Anti-Money Laundering Unit and the Egyptian Banking Institute (Anti Money Laundering Unit); 6) Media campaign focusing on eliminating the use of drugs (Ministry of State for Family and Population). Regarding the second Theme on the “Enhancement of Security” the specific needs of the Ministry of Interior are not known yet due to the fact that Ministry of Interior formed a special committee to decide upon that and will share the information at a later stage.

Other activities in Egypt refer to the positive experience of the training courses provided by the French Embassy for the Ministry of Interior officers on the prevention of terrorist attacks in tourist areas which will be used as a basis for enhanced training in the scope of this project in combating terrorism. Lessons learnt from the successful USAID financed project which introduced model family courts and family dispute resolution offices shall be used for the widespread installation of automated courts and under Component 1 of the project. Furthermore, there were also lessons learnt from the successful UNDP financed project which provided pilot public prosecution offices and legal aid offices.

2.4. Donor coordination

The Regional Indicative Programme 2007-2010 which defines the framework for regional activities to be implemented within this period also takes into consideration activity plans of other donors.

Practically in all the countries concerned by the project are ongoing or are planned other projects, financed by various international donors covering some of the areas addressed by EuroMed Justice III.

The reform of the judicial sector is a relatively well targeted issue by international donors. As an example it can be mentioned Jordan, where among the seven objectives foreseen in the development of the judiciary system by the Judicial Upgrading Strategy (JUST) initiative, those pertaining to “Independence of the Judicial Body”, “Efficiency of the Judicial System”, “capacity building of the judicial council and related judicial services” and “law reform” have been targeted by USAID and American Bar Association projects, in particular “ABA Jordan Rule-of-Law Program” and the “USAID/Jordan Improved Rule of Law Program”, which are still on-going. Moreover, some other minor projects in the reform of the judiciary are being carried out or planned e.g. by the British Embassy and the United Nations Development Programme.

The simultaneous presence of a number of donors is particularly frequent when it comes to "access to justice", which represents one of the mainstreams of technical assistance in the rule of law field. In Syria e.g. the United Nations Development Programme already supports the Government in a project aimed at increasing accountability of the judiciary towards the general public, including simplification of judicial and administrative procedures, creating help desks and supporting clinics as well as automating case management within the court system, with a pilot project started in Dara'a.

The magnitude of the problems addressed is such that these complementary actions are per se very positive and coordination should be sought in order to avoid duplication of activities and benefit from the experiences already gained.

3. DESCRIPTION

3.1. Objectives

Overall Objective of the EU support is:

- To foster cooperation on judicial issues between the ENPI South partner countries and EU Member States, as well as between the ENPI South partner countries themselves, contributing to Chapters I and III of the Barcelona Declaration and to the Five Year Work Programme.

Specific objectives of the EU support are as follows:

- Support the modernisation of justice systems, the simplification/speeding-up of judicial proceedings and an improved access to justice and legal aid and the quality of justice;
- Develop judicial cooperation in civil matters, in particular through assistance in the field of family law with emphasis on cross-border family conflicts;
- Strengthen judicial cooperation in criminal matters and support initiatives for the reform of criminal and penitentiary law in the Mediterranean partner countries

with a view to facilitating the transposition of the relevant international conventions into the domestic law of the beneficiary countries and their implementation;

- Enhance cooperation in civil and criminal justice and explore possibilities to liaise and create synergies with the relevant EU cooperation units and networks such as: the European Judicial Network in Civil and Commercial matters (as appropriate in the case of family law), EuroJust, the European Judicial Network in criminal matters, the European Judicial Training Network and find ways of facilitating the role of the liaison magistrates;
- Strengthen the existing interprofessional community of magistrates and law officials of the ENPI South , in order to build an open and modern justice system that will uphold the rule of law and the effective implementation of human rights;
- Strengthen the contacts between the Judicial Training Centres of the ENPI South partner countries.

3.2. Expected results and main activities

The **expected results** are:

- (6) Cooperation in the field of justice reinforced at regional level, with exchange of information and good practices, between the EU and the ENPI South partner countries and among ENPI South partners themselves;
- (7) Cooperation on themes related to access to justice and legal aid reinforced through the Research Report on procedural simplification, two "handbooks" prepared (one on Access to Justice and Legal aid and the second on Access to Justice and New Technologies) and the holding of specialised meetings, training sessions and study visits;
- (8) Cooperation in Cross-border family law issues reinforced through the Research Report on the current situation in the ENPI South region, the preparation of an "handbook" on Best Practices for the Resolution of Cross-border Family Conflicts, the holding of specialised meetings, trainings and study visits;
- (9) Cooperation in criminal and prison law reinforced through the preparation of a tool equivalent to the so called "fiche belge" and the holding of specialised meetings, trainings and study visits;
- (10) Contacts and cooperation with relevant EU Units and Judicial Networks in the field of Justice reinforced through their participation as speakers/experts in meetings of the EuroMed Justice III project when appropriate;
- (11) The interprofessional community of magistrates and law practitioners, having participated to the previous regional projects, reinforced through their participation also to activities of the EuroMed Justice III project;
- (12) Contacts among the ENPI South Judicial Training Centres reinforced through meetings of their representatives.

The **main activities** to be implemented will include indicatively:

(E) Access to justice and Legal Aid

- (1) Drafting of a **Research report**, carried out by external expertise after agreement with partner countries and containing a comparative review of national experiences of procedural simplification. The report will be drafted before the end of the second year of the project, and then made available to the authorities of the ENPI South partner countries.
- (2) Support the establishment of a **Working Group on Access to Justice and Legal Aid**, composed of officials from the Ministry of Justice or other concerned ministries, members of the judicial profession, representatives of the bar, and members of civil society organisations. Its aim will be to prepare a “handbook” describing approaches and best practices in the fields of access to justice and legal aid, with special regard to the needs of underprivileged social groups.
Five sessions (lasting indicatively three days each) will be organised involving three participants from each ENPI South partner country, devoted to the following indicative issues to be included in the “handbook”:
 - (a) Length of the procedure, delays, timeframe for judicial proceedings;
 - (b) Cooperation between judges and bars to cope with the length of the procedure;
 - (c) Reduction of the workload using the experience and methodology developed by the CEPEJ (European Commission for the Efficiency of Justice);
 - (d) Simplification of the procedures, oral proceedings and Alternative Dispute Resolution;
 - (e) Legal aid, accessibility of information by citizens, facilitation of the accessibility of justice for citizens, with particular regard to mechanisms such as “one-stop-shop” offices.

The conclusions of the seminars and the handbook, once approved by the Commission, will be presented to the relevant EU- ENPI South actors.

- (3) Support the establishment of a **Working Group on Justice and the New Technologies**, composed of officials from the Ministry of Justice or other concerned ministries, members of judicial institutions, statistical departments and (private or public) publishers of legal materials of the beneficiary countries and EU ones. Its aim will be to prepare a “handbook” describing approaches and best practices with regard to the use of technologies for the case management, circulation of materials, data collection in the legal field and information in case law to the public.
Three sessions (lasting indicatively three days each) will be organised involving three participants from each ENPI South partner country, devoted indicatively to:

- (a) Techniques for the improvement of the circulation of legal materials.
- (b) Techniques for the measurement of the performance of justice administration and the collection of data in the field of justice, also assessing potential lessons from the CEPEJ (European Commission for the Efficiency of Justice) experience.

The conclusions of the seminars and the handbook, once approved by the Commission, will be presented to the relevant EU- ENPI South actors.

- (4) **Training sessions** indicatively on specific technologies aimed at improving access to justice, like methodologies for gathering and analysing data concerning the administration of justice, and methodologies for case management.

These trainings will take place three times (lasting indicatively three days each), and they will be designed for officials of the administrations concerned and non-governmental actors. There should be four participants from each ENPI South partner country. Train the trainers mechanisms should be considered to ensure a multiplier effect and increase the impact of trainings. All trainings will be given in English and French, with translation into Arabic. The design of training activities should as much as possible relies on cooperation with European networks of judiciary training already established.

- (5) **Study visits** on the theme concerned by this component will take place two times.

(F) Resolution of cross-border family conflicts

- (1) Drafting of a **Research report**, carried out by external expertise after agreement with partner countries and containing an overview of the current situation in the ENPI South region and a comparative review of national experiences in the field of resolution of cross-border family conflicts. The report will be drafted before the end of the second year of the project, and then made available to the authorities of the ENPI South partner countries.
- (2) Support the establishment of a **Working Group on Resolution of Cross-border Family Conflicts**, composed of officials from the Ministry of Justice or other concerned ministries.

Five sessions (lasting indicatively three days) will be organised, involving three participants for each ENPI South country, aimed at preliminarily reviewing the obstacles to the adoption of the Hague conventions and then prepare a "handbook" on best practices concerning the resolution of cross-border family conflicts, taking into account the experience of the Hague Conference and of the Malta Process and in particular the *General Principles and Guide to Good Practice on Transfrontier Contact concerning Children* prepared by the Hague Conference on Private International Law. There should be three participants from each ENPI South country.

The conclusions of the meetings and the handbook, once approved by the Commission, will be presented to the relevant EU- ENPI South actors.

- (3) **Training sessions** indicatively on current legislation and international conventions in the field of cross border family litigation; discussion of practical cases comparing their treatment with and without the application of international conventions; techniques of family mediation.

These training sessions will take place three times (lasting indicatively three days each), and they will be designed for the staff of judicial and administrative bodies dealing with cross-border family conflicts in the ENPI South partner countries. There should be four participants from each ENPI South partner country. Train the trainers mechanisms should be considered to ensure a multiplier effect and increase the impact of trainings. All trainings will be given in English and French, with translation into Arabic. The design of training activities should as much as possible relies on cooperation with European networks of judiciary training already established. And with the Hague Conference

- (4) **Study visits** on the theme concerned by this component will take place two times.

(G) Criminal and penitentiary law

- (1) Support the establishment of a **Working Group on Criminal Law**, composed of officials from the Ministry of Justice or other concerned ministries and experts in national criminal law and procedure.

Three sessions (lasting indicatively three days) will be organised, involving the participation of three representatives from each ENPI South country, aiming at the preparation of a tool equivalent to the so called "**fiches belges**" for the ENPI South partner countries, in order to support the mutual knowledge of the different judicial systems, and of assessing the problems of the translation of the existing ones in the Arabic language.

The materials prepared by the working group, once approved by the Commission, will be presented to the relevant EU- ENPI South actors.

- (2) **Training sessions** on international conventions on criminal and penitentiary law, methods for the effective exchange of information between national authorities in the context of judicial cooperation, liaison magistrates.

These training sessions will take place three times (lasting indicatively three days each), and they will be designed for the judges, prosecutors, registrars and other court auxiliary staff, as well as prison administration staff, dealing with criminal justice and the penitentiary system in the ENPI South partner countries. There should be four participants from each ENPI South partner country. Train the trainers mechanisms should be considered to ensure a multiplier effect and increase the impact of trainings. All training will be given in English and French, with translation into Arabic. The design of training activities should as much as possible relies on cooperation with European networks of judiciary training already established.

- (3) **Study visits** on the theme concerned by this component will take place two times.

(H) Judicial Training Centres

- (1) Organisation (in the first and second year respectively) of two meetings lasting indicatively two days with three representatives of the **Judicial Training Centres** (or comparable institutions) of the Euro-Mediterranean region, aimed at assessing the added value and proposing possible ways of strengthening the first contacts among Judicial Training Centres in the area, linking it to the activities of the European Judicial Training Network.

The meetings would be devoted to continuous training of magistrates and the use of new technologies, and to the evaluation and impact assessment of the training of magistrates.

The conclusions of the meetings, once approved by the Commission, will be presented to the relevant EU- ENPI South actors.

(I) Crosscutting activities

Beside the actions specific to each component, a number of activities of general value for the development of justice systems, which will promote the progress of the project as a whole, shall be realised:

- (1) an **Opening conference** will be held once the project is launched in order to present Euro-Med Justice III's objectives and activities to the authorities responsible for the administration of justice in the ENPI South partner countries and the EU member States, an **intermediate regional conference** and a **final regional conference** will be organised involving three participants from each ENPI South country and lasting one day;
- (2) the creation and updating of a freely accessible **project webpage** (except for a reserved areas restricted to participants to the project activities) which will give tangible expression to the Euro-Med Justice project and provide a range of relevant information on cooperation in the field of justice.

Inception phase

It is to be noted that prior to the beginning of the specific activities an inception mission will be carried out, by one of the Key Experts who will visit the relevant ENPI South national authorities, explain the project, collect useful information and ask for the nomination of a “national focal point”. An **Inception Report** will be produced bridging the gap with the Term of references, if any, and will draw up a detailed work plan and related detailed budget to be submitted to the Commission for approval.

3.3. Risks and assumptions

The main overall assumptions are the same as for EuroMed Justice II, i.e. a relative stability of the economic and political environment as well as the actual will from the ENPI South Partner Countries' governments to cooperate in the field of justice.

The main risks – apart those linked to serious conflicts and tensions in the area - are linked to a possible lack of cooperation from the concerned countries related to the access to relevant information, political manipulation of sensitive data, and political and administrative inertia.

3.4. Crosscutting Issues

The project's specific objectives directly concern good governance issues, with regard to areas of immediate social and economic relevance. The project will also contribute to strengthen the protection of fundamental rights in respect of vulnerable groups. The participation of women in the project will be encouraged through their active participation in the different sessions.

3.5. Stakeholders

The 9 ENPI South partners are Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria and Tunisia.

The stakeholders of the project are:

- (1) Ministry of Justice, the Judiciary and other involved national authorities of the ENPI South partner countries;
- (2) Judicial Training Centres of the ENPI South region;
- (3) Civil society representatives (private sector, population, NGOs) with special regard to organisations representing the most vulnerable groups.

The target groups of the project are magistrates, lawyers, prosecutors, auxiliaries of justice, officials of the Ministries of Justice and other authorities involved in the running and reform of justice systems in the ENPI South partner countries. The differences in the structure of the legal professions in the different countries do not allow a strict definition of a typical stakeholder group.

The project foresees a close cooperation with the target groups representing the Ministry of Justice and the Judiciary and the proposed activities will see a maximum of coordination with them.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

Direct Centralised Management, Project Approach. The Project Approach has been chosen because of the technical nature of the proposed activities and the need to ensure coordination with EU policy and consistency with the ongoing EuroMed Justice II project.

4.2. Procurement award procedure

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 legal persons covered by Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument. Further extensions of this participation to other legal persons by the concerned authorising officer shall be subject to the conditions provided for in Article 21(7) Regulation (EC) No 1638/2006.

The contract will be awarded following a restricted call for tender. This will imply the announcement of the procurement notice, the pre-selection procedure, the final submission of the offers and the final selection and award procedure in accordance with the "restricted procedure" laid down by the Financial Regulation and its implementing rules.

The operators responding to the restricted call for tender should be a specialised organisation in the field of justice with proven experience in international cooperation and able to implement the project with qualified legal/judiciary personnel.

4.3. Budget and calendar

The budget allocated is EUR 5 million and it is composed of fees and reimbursable costs and it can be indicatively breached down as follows:

Expenditures type	Units	Total
Fees	- Key Experts - Short-Term expertise	2756000
Inception Mission	- Missions	13 000
A) Access to Justice and Legal Aid	- Research Report - Working Group on Access to Justice and Legal Aid - Working Group on Justice and New Technologies - Trainings - Study visits	850000
B) Cross-border family conflicts	- Research Report - Working Group on Resolution of Cross-border family conflicts - Trainings - Study visits	680000
C) Criminal and Prison Law	-Working Group on Criminal and Prison Law - fiches belges - Trainings - Study visits	480000
SUBTOTAL A)+B)+C)		
D) Justice Training Centres	- Meetings of the Judicial Training Centres	100000
E) Cross cutting activities	- Regional Conferences - Project Website - Others	127000
TOTAL		5 000 000

The operational duration will be of 36 months after signature of the contract.

Indicatively, the calendar could be as follows: Forecast Notice - November 2010, Procurement Notice - January 2011, Short Listing - March 2011, Invitation to Tender - April 2011, Evaluation – June 2011, Contract Signature – June/July 2011.

4.4. Performance monitoring

There are no "standard indicators" in the domain; therefore, performance indicators should be developed in regard to the specific characteristic of the project. As an indication, results will be evaluated using the following indicators:

Activities aimed at interaction between national authorities

- Quality of the analysis and of the debates in the view of independent academic observers;
- Impact of the debate and the proposals on civil society and the media;
- Number of ENPI South partner countries represented in the meetings;
- Quality and dissemination of the documents produced;
- Level of the participants and their attendance record;
- Participants' satisfaction as measured by means of questionnaires.

Training sessions

- Number of participants;
- Number of ENPI South partner countries sending participants;
- Quality of training in the view of independent observers;
- Quality of the teaching materials produced for the training sessions;
- Participants' satisfaction as measured by means of questionnaires.

Creation and updating of a webpage

- Number of hits;
- Speed of updating;
- Quality and quantity of the material contained.

Opening conference/regional conferences

- Number and level of the participants;
- Impact on civil society and the media;
- Participants' satisfaction as measured by means of questionnaires.

4.5. Evaluation and audit

Mid-term monitoring and final independent evaluation will be carried out.

The evaluation of results shall take place on the basis of qualitative and quantitative indicators specific to each project activity.

A special budget chapter for auditing will be foreseen in the Terms of Reference

4.6. Communication and visibility

The project will work out a specific communication strategy and develop specific activities dedicated to communication and visibility.

Relevant communication tools will be developed for the two components (website, specific publications) in order to keep the stakeholders regularly informed and to ensure the visibility of the programme. Particular attention will be paid to the monitoring and communication of the concrete results.

Among other information means, the ENPI Info Centre portal will also be used regularly and press releases will be prepared when appropriate. The EU visibility guidelines must be followed by all components of the project.

Annex 3: Action fiche for "Euromed Migration III"

1. IDENTIFICATION

Title	EuroMed Migration III		
Total cost	EUR 5 million		
Aid method / Management mode	Project Approach - Direct Centralised Management		
DAC-code	13010	Sector	Population Policy and administrative management

2. RATIONALE

2.1. Sector context

This section takes into account the Identification Mission Report carried out by two independent experts in 2009 and the Identification Fiche presented to the Quality Support Group 1 on 11 November 2009.

The identification mission found that the complex political situation of the ENPI South region, as well as some differences in structure, competence and organisation of their national authorities require further specialised cooperation in the management of migratory flows, in the three strands of Legal Migration, Migration and Development and Illegal Migration, in the form of supporting more regional activities and thematic meetings as well as supporting training activities. In fact, all ENPI South countries expressed priorities along the three major components of the Legal Migration, Migration and Development and Illegal Migration demonstrating that the migratory phenomenon is now better understood in its structure, but that further work needs to be done to set-up proper responding policies at national and regional level.

The situation witnessed in respect to the ENPI South partner countries administrations dealing with migration aspects is characterised by an internal division of competences over the migration issue among different ministries. The Palestinian Authority has a unique situation in the region with the major impediment constituted by the impossibility of controlling their borders with Israel, Egypt and Jordan (with the Gaza issue being a peculiarity within the unique situation.) and the lack of capacity in issuance of passports.

As far as regards the major concerns and priorities found, economic migration remain at the centre of the discussion in many ENPI South countries in relation to the high rate of unemployment with some pick (Egypt and Jordan) although with some differences due to the diverse migratory paths existing. For example the traditional emigration from Mashrek countries to the Gulf has now resulted in a return migration which worsens the domestic labour market of those countries (Egypt and Jordan). In

this respect, as oil prices reversed, labour demand fell, and Arab migrants faced increased competition by South and Southeast Asian workers, in part because of the latter's willingness to work for lower wages and with poorer working conditions and to come without families, which is an implicit guarantee of voluntary return. Despite this, economically motivated migration within the region remains important. Surprisingly, data show that most migrants from ENPI South partner countries are still in the Gulf and other Arab countries. Also, with the exception of the sending countries from Maghreb, ENPI South migrants are overwhelmingly living or working (or both) in other ENPI South partner countries.

Regarding brain drain, this issue seems relevant only in some countries (Lebanon and the Palestinian Authority).

Another important aspect which has rose in attention from governments in the ENPI South countries is the question of remittances, with some countries openly recognising their impact in households' consumption and development and welcoming actions in this sense like in Egypt, Lebanon, Morocco, occupied Palestinian territory and Syria. Here one of the issue relates to the need to improve not only the knowledge of the remittances' flows for development but also to work towards a better understanding of the need to reform the banking regulations and consider remittances as an opportunity rather than controlling flows from a limited security based approach. In addition, it is worth noticing that in several ENPI South countries governments have created links with their Diaspora established in Europe (Algeria, Egypt, Morocco, Syria and Tunisia).

Concerning the illegal migration and border management aspect, this question was sometimes referred in the identification mission with regard to the fact that ENPI South countries experience illegal migration from the Sub-Saharan countries, or from Eritrea and Sudan in the case of Egypt and Israel (with a clear humanitarian component of refugees and asylum seekers among these irregular immigrants and concerns over their human rights violations). A great attention to the illegal migration aspects and to border control has also been reported from various countries (Jordan, Lebanon and Morocco). The Palestinian Authority has requested training on border management as well as any assistance in issuing electronic ID documents, while Tunisia proposed more cooperation on border management with Algeria and Morocco. The issue of the necessity to control electronically the movement of their own citizens and the need to introduce biometric ID documents was pointed out especially in Lebanon.

The result of the identification mission is that the project is feasible, existing in the beneficiary countries the political will to participate to the EuroMed Migration III project. The political will demonstrated already by the beneficiary countries in the implementation of the Migration II project should prove that ownership will prevail also during the implementation of phase III of the project.

The new EuroMed Migration III regional project will focus on enhancing cooperation with ENPI South partner countries themselves and with the EU Member States in the following areas: in the promotion of legal migration channels and workers' mobility; in the strengthening of the synergies between migration and development with the recognition of the role of remittances and of the banking system; in the fight against illegal migration in cooperation with the origin and transit

countries and the promotion of a well-managed border management. Specific supporting activities, meetings among concerned ENPI South partners and EU Member States Authorities and training for ENPI South officials will constitute some of the instruments for the achievement of the above objectives.

The project takes into account the Paris Declaration and the European Commission Backbone Strategy for external aid to guide the reform of Technical Cooperation and Project Implementation Units (2008), which is part of wider EU actions to implement the Paris Declaration and it aims to improve the effectiveness of EU aid with respect to capacity development and work through harmonised and aligned actions.

The project responds to the need of the ENPI South partner countries in terms of further structured cooperation around the different components of migration management and further training in these areas and it is complementary with their national plans/activities in this respect. This will ensure their appropriate engagement, ownership and coordination with their domestic sector programmes.

However, given the specific nature of this regional cooperation and the important differences between the individual ENPI South countries in the field of migration management, the project will work at establishing links between national constraints and regional objectives in a centralised management mode which allows also for close coordination with EU policy.

2.2. Lessons learnt

The experience gained during the implementation of the first EuroMed Migration (project (2004-2007) mainly a research project, and during the first phase of EuroMed Migration II (2008-2011), clearly show the difficulties posed by the political dimension when related actions are designed. The very sensitive nature of the migration issue, and the tensions crosscutting the region, imply indeed a high risk of reduction of the practical impact of the activities.

The results of the Second Regional Conference of EuroMed Migration II held in December 2009, demonstrated that EuroMed Migration II contributed to foster regional cooperation between ENPI South and EU Member States in the field of migration (by creating a place for dialogue, exchange of experience and learning) and called for reinforcing this cooperation.

The conclusions of the identification mission and of the Monitoring report, recommend continuing and consolidating the activities developed within the previous EuroMed Migration II project in order to ensure their sustainability and maximize their impact. Finally, the main lesson learnt from the previous project is the need to concentrate on a limited number of actions within the three main pillars of legal migration, illegal migration and migration and development.

In light of the above, the new regional project EuroMed Migration III will focus on activities of predominantly technical character (in order to avoid political tensions) and it will put in practice some of the most operational and result-oriented conclusions derived from the work carried out during the first phase of EuroMed Migration II.

2.3. Complementary actions

The EuroMed Migration III project must be closely coordinated with the activities to be implemented under the umbrella of the other components (Justice and Police) of the future MEDA JHA III programme.

This project is consistent with the EU immigration policy as reflected in the "Global Approach to Migration", with the existing dialogue framework conducted within the Euro-Mediterranean partnership and with the EU programming documents for the ENPI South region.

In particular, regarding the programming documents, the Regional Strategy Paper 2007-2013 and the Regional Indicative Programme 2007-2010 foreseen to continue cooperation in the field of migration covering aspects related to the legal migration, migration and development and the fight against illegal migration. The present project aims to pursue these objectives

With regard to the EuroMed partnership and migration, the latest development refers to November 2007, when the first Euro-Mediterranean Ministerial Meeting on Migration indicated a clear political cooperation path and a list of actions to be realised as a matter of priority under the three headings of Legal Migration, Migration and Development and Illegal Migration. Priority actions under the Legal Migration heading related to an analysis of the labour situation and labour market needs for migrants, training courses and information campaigns. Under the Migration and Development heading, emphasis has been put on the transfer of funds and micro-credit opportunities, with a view to encourage the use of financial instruments while reducing the transfer costs. Finally, Fight against Illegal Migration foresaw better security standards in Euro-Mediterranean partners' national travel documents, the possibility of training courses in the management of border and migratory flows and the issues of voluntary return and readmission agreements.

As for the consistency with the previous activities, a first EuroMed Migration I project with a scientific/academic purpose was carried out during the years 2004-2007 delivering mainly researches, studies and analyses. It produced and published, in the project website, statistics on migratory flows in the region; studies on migration-related thematic areas (legal, economic, social); and organised training on migration issues, such as medium-term migration perspectives, integration policies, and the political and economic impact of financial migratory flows, via seminars and 'Training of trainer' sessions. In 2008 a new EuroMed Migration II project has been launched having as specific objectives to deal with the migration issue under the three aspects of legal migration, migration and development and illegal migration, establishing specific working groups with the aim to have concrete proposals under each of the mentioned strands. These proposals were submitted to the relevant ENPI South partner countries and EU Member States at the Second Regional Conference held in December 2009. Cross cutting activities such as training sessions and study visits will be organised to complement the cooperation in the ENPI South region during 2010. The new EuroMed Migration III project will therefore be consistent with the guidelines presented in the new "Global Approach" to migration, based on genuine partnership with third countries, full integration into the EU's other external policies, and on addressing all migration and asylum issues in a comprehensive and balanced manner.

At the bilateral level the relations between EU and other ENPI South partner countries (individually considered) are based on the Association Agreements and the ENP Action Plans which in most cases contain various provisions related to migration issues. Moreover, the project will also complement a number of bilateral migration initiatives which have been developed within the framework of relevant programming documents based on the Country Strategy Papers and the National Indicative Programmes.

For instance, in Morocco the EU has funded two important initiatives through the budget support method. The first one, endowed with a final budget of €70 millions was the project “Management of border controls” (2004-2009), which was originally allocated €40 millions and aimed at improving the management of migratory flows by combating illegal migration more effectively and to which additional €30 millions were added in 2006 to the institutional development support programme and the upgrading of the Moroccan government’s migration strategy. The new emergency programme had several different strands: a) institutional reinforcement of the resources coming under the Ministry of the Interior’s department for migration and border surveillance; b) improvement of the legal framework; c) upgrading of fixed border posts and reinforcement of capacities in criminal investigations. Future initiatives include also informing and raising the awareness of potential migrants.

The second one, equipped with €5 million, was the project “Appui institutionnel à la circulation des personnes” (2005-2009). Its general objective was to improve the legal movement of persons for work purposes between the EU and Morocco and the specific objective was the institutional strengthening of the suitable structures of the National Agency for the Promotion of Employment and the Competences (ANAPEC). To achieve these objectives, the actions consisted in: a) the reinforcement and specialisation of the ANAPEC; b) the adoption of an international Division within the ANAPEC; c) the creation of 4 regional agencies to the international and the opening of international spaces in 10 other agencies; d) the recognition of the ANAPEC as an official Moroccan partner for the management of the European job vacancies; e) the realisation of a study to determine the conditions of viability of the voluntary return from the resident Morroccans to the Foreign countries and the creation of a supporting service on the return; f) training of the candidates to migration; g) realisation of a programme of awareness-raising of the population to the legal migration; h) creation and adoption of a basic training programme for the candidates adapted to industry in EU; i) l) creation and realisation of modules of technical training adapted to the requests of the European companies and m) the improvement of the process of recognition of the candidates' diplomas in EU.

The new EuroMed Migration III project will also take into account the programming documents and the activities carried out by the "Thematic Programme of cooperation with third countries in the areas of migration and asylum" and its predecessor AENEAS Programme.

Only as an example of the scale of cooperation implemented under the AENEAS and the following Thematic Programme, it can be reported here some projects involving Egypt, which are: a) a project implemented by the Cairo Regional office of the United Nations Office for Drugs and Crimes (Regional, 1.496.544 €) aimed at helping Egypt and other North African countries to improve their legislation and

practices in the fight against smuggling and human trafficking; b) a project run by the United Kingdom Border and Immigration Agency, supported by Italy, Malta and the Netherlands, aimed at cooperating with law enforcement agencies of transit countries of irregular migration in Eastern Africa, including Egypt, in identifying, preventing and prosecuting the activities of criminal organisations dealing with the smuggling of migrants; c) two parallel projects, implemented respectively by the Italian Ministry of Labour (Regional, 519.333 €) and by the Greek one (Egypt, 784.000 €), aimed at supporting and facilitating labour migration from Egypt, including through the creation (the Greek project) of 6 migration information enters in several cities and the promotion (the Italian project) of direct cooperation between authorities of the sending and receiving country in view of facilitating matching of labour demand and offer; d) the *CARIM project* (which provides a collection of information and statistics on migratory flows and the development of the legislation in each and every Mediterranean country), Regional, EUI, 2.000.000 € and following ones; e) the *Mediterranean Transit Migration (MTM) project* (which facilitates the collection of information on the different migratory routes leading from Africa towards the Mediterranean); f) a project (Morocco, Algeria, Tunisia, Libya & Egypt, 832.993 €) implemented by the *European Mediterranean Network for Human Rights* (leader of a consortium of NGOs, analysing the situation, promoting the respect and denouncing the violation of migrants' rights in the Mediterranean countries). Egypt was also one of the 16 countries eligible to the Joint EU-UNDP Migration and Development Initiative, and some projects in this area are now ongoing.

2.4. Donor coordination

The Regional Indicative Programme 2007-2010 which defines the framework for regional activities to be implemented within this period also takes into consideration activity plans of other donors.

Migration issues and policies have been addressed within the international legal debate with activities carried out in the domain of migration flows through other donors and **specialized organizations** such as the International Labor Organization (ILO), the International Organization for Migration (IOM) and the UN High Commissioner for Refugees (UNHCR).

The World Bank has also set up a Migration and Development Thematic Group.

At the UN level, a Global Migration Group (GMG) has been established in early 2006. This is an inter-agency group bringing together heads of agencies to promote the wider implementation of all relevant international and regional instrument and norms relating to migration, and to encourage the adoption of more coherent approach to the issue of international migration. The GMG consists of 14 organizations that are actively involved in international migration and related issues (among which ILO, IOM, OHCHR, UNCTAD, UNESCO).

Finally, an EC-UN Joint Initiative on Migration and Development (JMIDI) has recently been launched. Migrant and Diaspora groups, NGOs, local authorities, members of the European institutions and UN agencies gathered in Brussels for a “**Migration for Development Knowledge Fair**” on 1st – 4th December 2008. The Fair has launched a funding call to provide €10 million for projects which make migration works for development. It is the first major event to be held as part of the

European Commission - United Nations Joint Initiative on Migration and Development (JMEDI). This is an €15 Million three-year initiative which is funded by the European Commission through its “Thematic Programme for the Cooperation with third countries in the areas of migration and asylum”. The initiative is implemented by UNDP in partnership with UNHCR, ILO, IOM and UNFPA. The JMEDI will finance a series of migration and development projects which will be jointly conceived and implemented by civil society groups and local authorities from the EU States working in partnership with their counterparts in sixteen target countries outside the EU, among which Morocco, Algeria, Tunisia, Egypt, and other African countries.

Although the future EuroMed Migration III project does not address asylum related issues, the human rights of migrants are part of the scope of the project and coordination should be ensured with regard to other existing initiatives, when appropriate.

The magnitude of the problems addressed is such that these complementary actions are per se very positive and coordination should be sought in order to avoid duplication of activities and benefit from the experiences already gained.

3. DESCRIPTION

3.1. Objectives

Overall Objective of EU support is:

- To foster cooperation on migratory issues between the ENPI South partner countries and EU countries and among ENPI South partner countries themselves, contributing to the establishment of a social, cultural and human dimension of the EuroMed Partnership (chapter III of the Barcelona Declaration), to the implementation of the Five Year Work Programme and to the conclusions of the First EuroMed Ministerial Conference on Migration.

Specific objectives of the EU support are as follows:

- Promotion of legal migration channels, and promotion of workers' mobility;
- Promotion of the synergies between migration and development;
- Support the fight against illegal migration (in cooperation with the origin, transit and destination countries) and the strengthening of the border management capacity.

Expected results and main activities

The expected results are:

- (1) Cooperation at regional level reinforced, with exchange of information and good practices between the EU and the ENPI South partner countries and among ENPI South partner countries themselves about migratory issues through the activities proposed under the three strands and horizontally;

- (2) Production of tools to better design migration policies and better integrate them in National Development Strategies in ENPI South partner countries and identification of mechanisms for better management of legal migration, through the realisation of "Migration Profiles" for each of the ENPI South partner countries, the realisation of a study on the methodologies and techniques for matching the labour market needs of ENPI South partner countries and EU Member States, the production of an information material on legal Migration, the realisation of regional meetings of representatives of National Employment Services/Agencies and training activities;
- (3) Identification of the most appropriate approaches in order to improve national legislation related to cross-border financial transfer (to obtain a reduction of their costs) and to facilitate access to financial services and maximise the use of remittances for development, through the meetings of representatives of the Ministries of Finance and the Central Banks of the ENPI South countries and training activities;
- (4) Development of mechanisms for an effective fight against illegal migration (respectful of fundamental rights) and for the reinforcement of border management capacity, through training activities and by promoting operational meetings and cooperation between the National Authorities in charge of the border control and enforcement of immigration law of ENPI South partner countries, EU Member States and Frontex and training activities.

The main activities to be implemented will include indicatively:

(A) Horizontal to the three strands

- (1) Support the creation in the different ENPI South partner countries of specific "Migration profile teams" composed in each country of officials coming from the different concerned national Ministries (Ministry of Foreign Affairs, Interior/Migration, Employment, Finance/Central Banks, Statistical Offices etc.) tasked with the preparation of national "Migration Profiles". For this reason it will be organised:
 - (a) Two specific regional meetings of the designated representatives of the ENPI South partner countries (2 events, involving 4 participants and lasting indicatively 3 days). One in the beginning of the exercise to explain the importance and the kind of activity and effort required to draft and use the "Migration Profiles" in a way which is appropriate to give inputs to National Plans and Strategies for a well managed migration. A second regional meeting after the work is completed, to present the different documents with regard to Migration Profiles and to share information in respect to similarities and differences in migration patterns.
 - (b) Specific missions of experts (9 events, involving 3 experts, lasting indicatively 5 days) to assist in the collection of information and drafting of the specific national Migration Profiles will be organised in

agreement with the different ENPI South partner countries in between the two regional events.

- (2) Punctual Technical Assistance missions at the demand of the 9 ENPI South partner countries can be deployed, to assist them i.e. to reproduce trainings at national level or coach their institutions, involving a defined number of EU experts for a maximum duration of days identified for each one (9 events, involving 2 experts and lasting indicatively 5 days).

(B) Legal Migration

- (1) Establish links between the different National Employment Services in different ENPI South partner countries and EU member States, indicatively:
- (a) Specific meetings (2 events, involving 3 participants per ENPI South partner country and lasting indicatively 2 days) of the Heads of the Departments of the National Employment Services/Agencies of ENPI South and EU Member States dealing with international relations, international labour agreements and labour migration, (together with officials of other involved Ministries like the Ministry of Foreign Affairs, Interior/Migration and Employment) of the beneficiary countries and EU ones will be organised, indicatively:
- i. to share information on the labour market needs and professional requirements of the different countries (Analysis of the labour market needs);
 - ii. to assess potential methods and tools aimed at facilitating the matching of the demand and supply (e.g. development of a common data base)
- (b) On the basis of the existing studies concerning ENPI South partner countries and EU Member States (e.g. Cedefop, World Bank etc.) a Study on the methodologies and techniques in order to match the labour market needs of ENPI South partner countries and EU Member States will be realised and presented.
- (c) An information material will be created with basic information on rights and obligations for legal Migration to Europe depending on the different national entry systems and reference to the different consular authorities in each of the ENPI South partner countries. This activity will be carried out by taking due account of the contents and of the modalities of establishment and functioning of the forthcoming EU immigration portal.
- (2) Promote training activities in the following indicative fields:
- Recent developments in the legal framework for labour migration in the EU and the Member States.
 - Recent advancements in the management of migration flows in the Mediterranean area regarding legal migration.

- Methodologies for the preparation and use of migration profiles.
- Means of integrating immigrant workers into the labour markets of EU countries including pre-departure measures with special attention to the role of women as active actors.
- Circular and return migration.

Four (4) trainings will be organised, involving 3 participants per ENPI South partner country and lasting indicatively 4 days designed for officials of the National Employment Services/Agencies dealing with international relations, international labour agreements and labour migration and other involved Ministries (Foreign Affairs, Interior/Migration, and Employment). Train the trainers mechanisms should be considered to ensure a multiplier effect and increase the impact of trainings. All trainings will be given in English and French, with translation into Arabic.

(C) Migration and Development

- (1) Cooperate in order to increase the potential of remittances as a tool to support development, in particular through a) the improvement of the instruments needed to gather reliable statistics on the flows of remittances, b) the reduction of the transaction costs linked to the transfer of funds and c) the support for the development of the financial sector. To this end the project will organise indicatively:
 - (a) Specific meetings (3 meetings, involving 2 participants per ENPI South partner country and lasting indicatively 2 days) to support the exchange of experiences and good practices among Ministries of Finance and the Central Banks of the different ENPI South partner countries, indicatively to:
 - i. Outline possible improvements of methods and techniques for monitoring of cross-border financial movements;
 - ii. Identify the most appropriate approaches in order to improve national legislation related to cross-border financial transfer in order to obtain a reduction of costs and to facilitate access to financial services;
 - iii. Maximise the use of remittances for development.
- (2) Promote training activities in the following indicative fields:
 - Trends and patterns in money transfer (including use of new technologies) in the ENPI South region.
 - Experiences of remittances price databases.
 - Ways to inform migrants about available transferring means and their costs.
 - Micro credit opportunities for development projects, with particular regard to those launched with the cooperation of returnees.

Four (4) trainings will be organised, involving 3 participants per ENPI South partner country and lasting indicatively 4 days designed for officials of the Ministry of Finance and Central Banks of the ENPI South countries. Train the trainers mechanisms should be considered to ensure a multiplier effect and increase the impact of trainings. All trainings will be given in English and French, with translation into Arabic.

(D) Illegal migration

(1) Promote exchange of experiences, and good practices on effective ways of combating illegal migration through the indicative organisation of:

(a) Specific operational meetings (3 meetings, involving 3 participants per ENPI South partner country and lasting indicatively 2 days), of the National Authorities in charge of the border control and enforcement of migration law (border guards, police and custom officers) of ENPI South partner countries and EU Member States and Frontex, in order to share information and experiences indicatively on:

- i. National procedures and cooperation modalities border surveillance techniques and technical equipments for the prevention of migrant smuggling at sea;
- ii. National procedures, cooperation modalities border surveillance techniques and technical equipments for the prevention of migrant smuggling across the land borders, including the desert;
- iii. National procedures, cooperation modalities and technical equipments for the prevention of irregular immigration, for the identification, assistance, reception, return and readmission of the irregular migrants intercepted (with special attention to those belonging to vulnerable groups).

(2) Promote training activities in the following indicative fields :

- Methods for the coordination, for the detection and identification of false or falsified and counterfeit identity and travel documents. Use of biometrics and other detection methods.
- EU standards and best practices concerning the treatment of irregular migrants apprehended (identification, reception conditions, assistance and return).
- The application of the principle of *non-refoulement* and access to protection for the migrants in need of international protection.
- International standards and EU best practices concerning the identification of and the assistance to be provided to the victims of trafficking of human beings.
- International standards and EU best practices in preventing and addressing irregular migration at sea, including also search and rescue operations.
- Methods for the collection and sharing of information for the prevention of illegal immigration within the Euro-Mediterranean region between the authorities in charge of border control.

- Schengen cooperation experience and leading national experiences in the fight against illegal Migration.
- International standards, best practices and cooperation possibilities concerning the treatment and protection of unaccompanied minors including also the prevention of this phenomenon.

Eight (8) trainings will be organised, involving 3 participants per ENPI South partner country and lasting indicatively 4 days designed for officers of the National Authorities in charge of the border control and enforcement of immigration law (border guards, police and custom officers). Train the trainers mechanisms should be considered to ensure a multiplier effect and increase the impact of trainings. All trainings will be given in English and French, with translation into Arabic.

(E) Crosscutting activities

Beside the actions specific to each component, a number of activities of general value for the development of migration policies, which will promote the progress of the project as a whole, shall be realised:

- (1) an **Opening conference** will be held once the project is launched in order to present EuroMed Migration III's objectives and activities to the authorities responsible for the administration of migration in the ENPI South partner countries and the EU member States, an **intermediate regional conference** and a **final regional conference** will be organised involving three participants from each ENPI South country and lasting one day;
- (2) the creation and updating of a freely accessible **project webpage** (except for a reserved areas restricted to participants to the project activities) which will give tangible expression to the Euro-Med Migration III project and provide a range of relevant information on cooperation in the field of migration .

Inception phase

It is to be noted that prior to the beginning of the specific activities an inception mission will be carried out, by one of the Key Experts who will visit the relevant ENPI South national authorities, explain the project, collect useful information and ask for the nomination of a “National Focal Point”. An **Inception Report** will be produced bridging the gap with the Term of references, if any, and will draw up a detailed work plan and related detailed budget to be submitted to the Commission for approval.

3.2. Stakeholders

The 9 ENPI South partner countries are Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestinian Authority, Syria and Tunisia.

The stakeholders of the project are:

- (1) At central level in the ENPI South partner countries, the ministries competent for the different aspects of migration policy and implementation, i.e. Ministries of Foreign Affairs, of the Interior/Migration, of Labour, of

Finance, Statistical Offices (for one component), Ministry of Finance, Central Banks, Law enforcement Authorities;

- (2) Civil society representatives (private sector, population, NGOs) with special regard to organisations representing members of the diasporas as well as local communities

The target groups of the project are the officials of the 9 relevant administrations involved in the development and implementation of migration policy in the ENPI South partner countries. In particular they should include:

- For component A) Horizontal component ("Migration Profile Teams"), the target group should include officials from the Ministry of Foreign Affairs, Ministry of Interior/Migration, Employment, Finance/Central Banks and Statistical Offices.
- For component B) Legal Migration, the target group should include Heads of the Departments of the National Employment Services/Agencies in charge of international relations and international labour agreements. Other Ministries may also intervene like (officials from the Ministry of Employment, Ministry of Foreign Affairs and Ministry of Interior/Migration).
- For component C) Migration and Development, the target group should include the officials of the Ministry of Finance and Central Banks dealing with the financial market regulation policy and with cross-border monetary flows (remittances).
- For component D) Illegal Migration, the target group should include officers of the National Authorities in charge of the border control and enforcement of Migration law (border guards, police and custom officers) of ENPI South partner countries.

3.3. Risks and assumptions

The main overall assumptions are the same as for EuroMed Migration II, i.e. a relative stability of the economic and political environment as well as an actual will from the ENPI South partner Countries' governments to cooperate in managing labour migration flows and in the fight against illegal Migration.

The main risks – apart those linked to serious conflicts and tensions in the area - are linked to a possible lack of cooperation from the concerned countries, complex access to relevant information, political manipulation of sensitive data, political and administrative inertia.

3.4. Crosscutting Issues

The EuroMed Migration III project's specific objectives directly concern good governance issues, with regard to areas of immediate social and economic relevance. The project will also contribute to strengthen the protection of fundamental rights in respect of vulnerable groups.

The participation of women in the project will be encouraged through their active participation in the sessions. The protection of women will be specifically addressed when dealing with the trafficking in human beings.

4. IMPLEMENTATION ISSUES

4.1. Implementation method

Direct Centralised Management, Project Approach. The Project Approach has been chosen because of the technical nature of the proposed activities and the need to ensure coordination with EU policy and consistency with the ongoing EuroMed Migration II project.

4.2. Procurement and grant award procedures

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 legal persons covered by Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down general provisions establishing a European Neighbourhood and Partnership Instrument. Further extensions of this participation to other legal persons by the concerned authorising officer shall be subject to the conditions provided for in Article 21(7) Regulation (EC) No 1638/2006.

The contract will be awarded following a restricted call for tender. This will imply the announcement of the procurement notice, the pre-selection procedure, the final submission of the offers and the final selection and award procedure in accordance with the "restricted procedure" laid down by the Financial Regulation and its implementing rules.

The operators responding to the restricted call for tender should be a specialised organisation in the field of migration with proven experience in international cooperation and able to implement the project with qualified and specialised personnel covering the different components.

4.3. Budget and calendar

The budget allocated is € Millions, and it is composed of fees and reimbursable costs. It can be indicatively breached down as follows:

Activity	Units	Cost
Fees	- Key Experts - Short-Term expertise	2756000
Inception phase	- Missions	13000
A) Horizontal Activities	- Migration Profiles - Punctual Technical Assistance	305000
B) Legal Migration	- Links among National Employment Services/Agencies - Study on labour Market matching methods/techniques - Information Material - Trainings	530000
C) Migration and Development	- Meetings of Ministries of Finance/Central Banks - Trainings	418000
D) Illegal Migration	- Meetings of National Authorities and Law enforcement Agencies - Trainings	743000
E) Cross-cutting Activities	- Regional Conferences - Project website - Others	235000
TOTAL		€5000000

The operational duration will be of 36 months after signature of the contract.

Indicatively, the calendar could be as follows: Forecast Notice - November 2010, Procurement Notice - January 2011, Short Listing - March 2011, Invitation to Tender - April 2011, Evaluation – June 2011, Contract Signature – June/July 2011.

4.4. Performance monitoring

There are no "standard indicators" in the domain; therefore, performance indicators should be developed in regard to the specific characteristic of the project. As an indication, results will be evaluated using the following indicators:

Activities aimed at interaction between national authorities:

- Quality of the analysis, of the debates and of the documentation in the view of independent academic observers;
- Impact of the debates and the proposals on civil society and the media;

- Number of ENPI South partner countries represented in the meetings;
- Quality and dissemination of the documents produced;
- Level of the participants and their attendance record;
- Participants' satisfaction as measured by means of questionnaires.

Migration Profiles

- Quality of the Migration Profiles produced

Training sessions:

- Number of participants;
- Number of ENPI South partner countries sending participants;
- Quality of training in the view of independent observers;
- Quality of the teaching materials produced for the training sessions;
- Participants' satisfaction as measured by means of questionnaires.

Creation and updating of a webpage

- Number of hits;
- Speed of updating;
- Quality and quantity of the material contained.

Opening conference/regional conferences:

- Number and level of the participants;
- Impact on civil society and the media;
- Participants' satisfaction as measured by means of questionnaires.

4.5. Evaluation and audit

Mid-term monitoring and final independent evaluation will be carried out.

The evaluation of results shall take place on the basis of qualitative and quantitative indicators specific to each project activity.

A special budget chapter for auditing will be foreseen in the Terms of Reference.

4.6. Communication and visibility

The project will work out a specific communication strategy and develop specific activities dedicated to communication and visibility.

Relevant communication tools will be developed for the two components (website, specific publications) in order to keep the stakeholders regularly informed and to ensure the visibility of the programme. Particular attention will be paid to the monitoring and communication of the concrete results.

Among other information means, the Euromed Info centre web portal and EuropeAid's ENPI Newsletter will also be used regularly and press releases will be prepared when appropriate. The EU visibility guidelines must be followed by all components of the project.

Annex 4: Action fiche for "Partnership for Peace"

1. IDENTIFICATION

Title	Middle East Peace Projects (MEPP) – EU Partnership for Peace programme 2010 (PfPPP)		
Total cost	EU contribution 2010: EUR 10 M		
Aid method / Management mode	Project approach – Centralised management and devolved to EU Representation Office in East Jerusalem, EU Delegations in Israel and Jordan		
DAC-code	15050	Sector	Civil society activities

2. RATIONALE

2.1. Sector context

The relations between the Palestinian Authority and Israel and the Middle East peace process as a whole are again at a stalemate following the modest optimism which the Annapolis process engendered. Since then, and despite reported progress in the Annapolis negotiations, the end of the tentative truce between Hamas and Israel and Israel's "Operation Cast Lead" offensive in Gaza led to the end of bilateral negotiations. At the same time the divide between Hamas-led authorities in the Gaza Strip and the Palestinian National Authority in the West Bank continued to deepen. Egypt pursued its efforts to bring Hamas and Fatah to a national reconciliation agreement, but so far without success. Although the Israeli Prime Minister has given assurances of his Government's commitment to the two-state solution, parties forming part of his governing coalition refuse to compromise on any of the core issues which could bring that solution about. The US Administration's determined efforts to achieve resumption of bilateral negotiations have not yet borne fruit.

Polls show that popular support for the two-state solution remains rather high amongst both Israelis and Palestinians. On the Palestinian side civil society constituencies which work actively for peace are almost wholly donor driven and financed (though no less sincere for all that). On the Israeli side, the traditional peace movement is increasingly beleaguered and perceived as marginal by mainstream Israeli society. Grassroots contacts between Israelis and Palestinians are dwindling, and it is now rare that ordinary Palestinians and Israelis meet. The two state solution is therefore in danger.

In this context, there is an unsurprising resurgence of those seeking other solutions. Israeli constituencies seeking the consolidation of Israel's occupation of the West Bank and an entire separation of Gaza are growing. Extremist voices on both sides are growing louder. Others call for peaceful radical alternatives to a negotiated settlement, whether through the unilateral creation of a Palestinian State or through putting a one-state solution on the agenda.

At the regional level, the Arab Peace Initiative remains the only option for a comprehensive settlement of the conflict and normalisation of relations between Israel and the Arab neighbours; however, though the Initiative has been welcomed anew by the international community including the EU and the US, Israel's response has been lukewarm.

2.2. Lessons learnt

Analysis of results of previous EU Partnership for Peace programmes (PfPP) were conducted both externally and in house, and were used as a basis to define the priorities for the past Call for Proposals (CfP).

The latest external evaluation of the programme was conducted from April to September 2009 by SOGES Spa. The evaluation highlighted some important features of the programme which makes it highly relevant to the work of civil society organisations that seek to foster peace building in the region. Meanwhile, it recommended a number of both strategic and logistical adjustments that could enhance the efficiency and effectiveness of the effort.

In the short term the European Union should increase the programme's relevance to the basic needs and concerns of the communities in order to create a long term impact and consolidation. It must also improve the image of the programme as a whole and promote it widely both at the regional and European level as well as promoting networking and coordination, on the one hand, and building capacities of the grant recipient organisations, on the other hand.

Feed back from the civil society was also sought at the workshop for the presentation of the external evaluation draft report (held in September 2009) as well as the seminar for Peace NGOs on "Best Practises and Lessons Learnt", held in February 2009. The seminar aimed to facilitate exchange of best practices and lessons learned among peace NGOs, whether funded by the EU or by other donors, and increase NGOs capacities to tackle technical and political constraints which may arise during the implementation phase and/or to identify risks and assumptions at the formulation phase.

In order to address the recommendations of the external evaluation and the Peace NGOs seminar, the Call for Proposals 2010 will reinforce some previous approaches and introduce new ones. Specifically:

- (1) Connecting peace building and education for peace with tangible results likely to impact everyday life;
- (2) Promoting conflict transformation and alternatives to violent conflict resistance among marginalised groups and new constituencies;
- (3) Opening the political space for political discussion among conflicting parties and support national and intergovernmental leadership to foster the peace agenda;
- (4) Developing communication strategies to reinforce the image and effectiveness of the programme and for building capacity of the civil society organisations.

2.3. Complementary actions

The support for the Middle East peace process is central to the EU's strategic interests and remains high on the agenda of the EU external policy.

The involvement of the European Union in the Middle East Peace Process is driven by the basic principles and objectives of the EU Mediterranean Partnership. The relationship between the European Union and its Mediterranean Partner Countries aims at “turning the Mediterranean basin into an area of dialogue, exchange and co-operation guaranteeing peace, stability and prosperity” through “strengthening of democracy and respect for human rights, sustainable and balanced economic and social development, measures to combat poverty and promotion of greater understanding between cultures, which are all essential aspects of partnership (...).”¹ Such a partnership in the Mediterranean area is concretely implemented through the European Neighbourhood Policy (ENP) and the relevant Action Plans, offering the countries covered an increasingly close relationship with the EU and their neighbours. The Middle East Peace Projects – EU Partnership for Peace programme is therefore situated in the context of the ENPI Regional Strategy 2007-2013 and ENPI Regional Indicative Programme 2007-2010.

Complementarities will be sought with the Instrument for Stability (IfS), the scope of which is very wide since it is the EU main tool which provides for rapid responses in contexts of crisis and emerging crisis, and also includes a crisis preparedness and peace building component for countries with stable conditions for cooperation. Contrary to the PfPPP, the IfS has global reach and is deployed worldwide. Conversely, PfPPP has a definite objective of promoting and supporting the Middle East Peace Process. Complementarities will be drawn from the respective added value of the two programmes. Since IfS is quite flexible, it will be available to respond and accompany any possible political development at short notice when no other EC instrument is available, while the PfPPP programme priorities and award decisions are fixed once a year within the scope of the annual Call for Proposals. Moreover, PfPPP is the unique instrument that can be geared in line with the local context and promote coordination within the peace building sector in the region. For these reasons, any IfS proposals in the Middle East will be checked for complementarity with actions and priorities under the PfPPP. IfS beneficiaries will be invited to networking and other relevant events organised in the peace building sector.

Finally, the PfPPP programme will be coherent with the comprehensive approach to the EU's implementation of the United Nations Security Council Resolutions 1325 and 1820 on Women, Peace and Security encouraging applicants to mainstreaming gender in their proposals thus ensuring full involvement of women in the search for peace.

2.4. Donor coordination

At first glance, donor's respective strategies and involvement in peace building actions is quite fragmented. In the past, though attempts were made at donor co-

¹ From the ‘Barcelona Declaration’, see http://www.europa.eu.int/comm/external_relations/euromed/bd.htm.

ordination, there were no tangible results. Within MEPP 2010 such co-ordination will be promoted more firmly, in the first place by means an informal survey, to be undertaken by the Commission services on the ground, aiming at getting the EU acquainted with the other donors' policy and funding opportunities for peace-building and conflict transformation. On the basis of the survey's results, donor co-ordination meetings could be envisaged. As in the past, the EU will continue inviting the donors and their funded peace NGOs to some of the events targeting PfPP beneficiary organisations.

3. DESCRIPTION

3.1. Objectives

The overall objective of the EU Partnership for Peace Programme is to help support the conditions for re-launching the peace process and provide a solid foundation at civil society and intergovernmental level for a just and lasting peace in the Middle East by strengthening and increasing direct civil society relationships and inter-agency/inter-governmental co-operation based on equality and reciprocity between Arabs/Palestinians and Israelis, including the Arab Palestinian minority in Israel. To this end, initiatives under this programme can be undertaken by each country or jointly within and between Mediterranean Partner Countries² or EU Member States or countries that are beneficiaries of Pre-Accession Assistance³ or Member States of the EEA⁴.

The **specific objective** is to strengthen civil society and policy actions in peace building and conflict transformation, focusing on initiatives which are likely to have an impact on people's everyday lives. In particular, the programme intends to support practical actions aiming at rebuilding mutual trust through reconciliation, building capacity for conflict resistance, empowering marginalized parties and launching joint development policies and strategies.

3.2. Expected results and main activities

Expected results would include:

- (1) Confidence in the peace process is restored amongst key constituencies.
- (2) Marginalised parties are empowered and new constituencies persuaded to adopt non violent approaches to conflict resolution.
- (3) Shared development of policies and strategies is renewed and awareness about existing and possible new peace solutions is raised.
- (4) Commitment to the peace agenda is strengthened by leaders/decision makers; for example through broadening support for particular initiatives.

² Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey, and West Bank & Gaza

³ Albania, Bosnia and Herzegovina, Croatia, Montenegro, Serbia, The former Yugoslav Republic of Macedonia

⁴ Iceland, Liechtenstein, Norway and EU-27

- (5) The capacities of civil society organisations implicated in the process (including Community Based Organisations) are improved.
- (6) The outcomes of the PfPP projects are disseminated widely and the image of the programme is reinforced.

In order to achieve results 1 to 4 the following priorities will be considered for the PfPP Call for Proposals (CfP):

(1) **Cross-community cooperation: Joint concrete actions for socio-economic development**

For 2010, the programme will maintain its support for practical actions responding to local concrete needs (such as environment, health, municipality issues, community development, technical disputes or the like) likely to produce tangible results in terms of development and quality of life. It is mandatory for actions under this priority to be undertaken at cross-community level in order to address either internal (national) or external (cross-border) divides.

(2) **Peace-building education, communication and empowerment**

Actions under this priority could include conflict management work such as capacity building for resistance to destructive conflict, exposure of the target groups to both their own and the other narratives as well as to their respective rights; peace building educational activities; educational programmes designed to introduce long term changes in attitudes, stereotypes, prejudices and to increase tolerance and understanding both within each of the societies and of the other side; lessons learnt from other conflicts in the world. Actions under this priority can be undertaken both at bi-national level (see priority 1 above) and national level.

(3) **Awareness raising of leaders and opinion-formers, public opinion and media**

Actions under this priority will explore new peace options as well as put into operation the existing visions of a future peaceful relationship between Israel and its Arab neighbours, through increasing knowledge and awareness of possible solutions to the conflict based on justice and rights. These actions are intended to support leaders and opinion formers of the conflicting parties to work toward the resolution of the conflict. Actions under this priority can be undertaken both at bi-national level (see priority 1 above) and national level.

All actions, regardless of the priority, must be implemented mainly in the Occupied Palestinian Territory and/or Israel and/or Jordan. Specific activities, within the scope of the action and for its benefit, can be implemented also in EU Members States, Europe at large as well as in ENPI countries (see footnote 2).

As for expected results 5 and 6, specific actions such as training, conferences, researches, development of communication tools and material, etc. will be undertaken in order to improve the capacities of beneficiary NGOs as well as networking and communication within and outside the programme.

Target groups: Pioneer projects, targeting 'veto' and 'blocking' groups (those communities opposed to the peace process such as religious or radical parties, settlers, Russian constituency, etc.) will be welcomed. Projects aiming at expanding the constituencies through the involvement of marginalised groups such as youth, women and children and/or targeting sceptical or not committed groups are encouraged. Projects involving local communities as a whole, thus producing a multilevel and long term impact, will be particularly encouraged.

Working through media for increasing awareness or targeting media for changing attitudes and stereotypes will be welcomed as well.

3.3. Risks and assumptions

As previous experience shows, there is a high risk of disruption of activities linked to the instability of the political situation. A deterioration of the situation in terms of movement and access could lead to delays in the implementation of the projects. It could also affect the monitoring of the activities. Increased political tensions could jeopardise the willingness/ability of the stakeholders to carry on the project, or even to apply in the first place. Visibility could also be affected due to security reasons.

Up to a certain point, mitigation measures will overcome the difficulties. Each proposal submitted under the call for proposals will need to assess the risks and propose mitigation measures.

3.4. Cross-cutting Issues

Cross-cutting issues, such as environmental sustainability, gender equality, good governance and human rights, are taken into due consideration in the context of the programme.

3.5. Stakeholders

Civil society is a fundamental prerequisite to develop a democratic political system. Therefore, Beneficiaries are in particular Civil Society Organisations (CSOs), including Community Based Organisations (CBOs), in the Middle East, the Mediterranean Partner Countries and Europe. As for CBOs, given their general low financial and managerial capacities, they can be involved through the sub-granting option or act as associate for specific tasks.

In 2010, the EU will reinforce sector co-ordination and capacity building for NGOs working in the peace building sector. A civil society mapping exercise, that will give better knowledge of the sector, is also foreseen for OPT. The EU Delegation in Jordan has recently conducted a mapping of the Non State Actors whose final report is due shortly.

Local Authorities are also important players in building peace in the framework of their socio-economic and development tasks. They are therefore among the stakeholders of the programme.

In the PfPP CfP, applicants will be requested to demonstrate that the needs of target groups and beneficiaries have been duly taken into consideration in the formulation process.

4. IMPLEMENTATION ISSUES

4.1. Implementation method

Centralised management (direct) devolved to EC Technical Assistance Office for West Bank and Gaza, based in East Jerusalem, EU Delegations in Israel and Jordan.

The distribution between the different Delegations in terms of Project Management is basically made on the grounds of the nationality of the applicant and beneficiaries. As a general principle, Palestinian and European applicants are managed by the Jerusalem office whereas Israelis ones are managed by Tel Aviv. Projects which have activities in Jordan or Jordanian applicants are managed by Amman Delegation.

Delegations services will work jointly for the preparation and evaluation of the Call for Proposals and organisation of training and communications events. They will also attend events, meetings and monitoring visits together when is relevant and keep themselves regularly informed on the projects evolution.

4.2. Procurement and grant award procedures

The EU contribution is broken-down in two components: (1) Grants for actions (2) Action for Capacity Building/Communication.

Component 1: Action grants (indicative amount €8,800,000)

Grants will be awarded for actions targeting local constituencies in the areas of peace education, media, and joint concrete actions for socio-economic development (priorities 1 and 2). A dedicated amount (minimum 25% of the total amount of the Call for Proposals) will be allocated to actions for raising awareness of leaders and opinion-formers, public opinion and media (priority 3).

An EU Partnership for Peace open Call for Proposals for Actions Grants will be launched in the first quarter of 2010 to select projects.

All contracts will 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.

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. The maximum EU contribution to grants is 80%. Full financing may only be applied in the exceptional cases provided for in Article 253 of the Implementing Rules of the Financial Regulation where financing in full is essential to carry out the action in question.

Component 2: Action for Capacity Building/Communication (indicative amount €1,200,000)

Service contract(s) will be awarded to an organisation or organisations for undertaking the following tasks:

- (1) arranging of events for exchange of best practices among PfPP beneficiaries as well as their managerial and peace-building capacities (training sessions, conferences, etc.); Some of these activities will be open for projects financed by other donors to reinforce sector co-ordination;
- (2) holding of communication and promotion activities on the programme, such as information sessions on the CfP, press conferences, etc.; production of communication materials, such as poster, leaflets, etc.
- (3) production of a Peace and Conflict Impact Assessment (PCIA) incorporating traditional approaches to conflict resolution;

4.3. Budget and calendar

The overall budget for the program is €10 million. Both the Call for Proposals for Component 1 and the tender(s) for Component 2 will be launched in the first trimester of 2010. The whole amount will be committed by the end of 2010.

4.4. Performance monitoring

Performance monitoring, in order to measure progress of projects implementation, will be ensured by the European Union services on the ground (EC Technical Assistance Office in East Jerusalem, EU Delegations in Israel and Jordan, as well as EU Delegations of ENPI countries, if the case may be). A number of actions under PfPP will be included also in the annual ROM monitoring exercise.

Objectively Verifiable Indicators have been set (see Logical Framework here attached) for the whole programme. Applicants will be requested to thoroughly identify OVI for their respective action. A series of training courses in PCM, Logical Framework, and Monitoring & Evaluation (see Component 2 above) will provide new Beneficiaries with the necessary knowledge and practise for improving the quality of their log-frame and therefore efficiently implementing their actions.

4.5. Evaluation and audit

The present Action Fiche and the subsequent Call for Proposals are based on the outcomes of the external evaluation carried out in 2009. No other external evaluation of the programme is foreseen in 2010.

Final external evaluations of each project are encouraged and the relevant cost must be included in the project's budget. As per the recommendations of the above mentioned evaluation of PfPP, the EU staff will facilitate the exchange of expertise and/or promote the participation of peer beneficiaries to the external evaluation of the single actions.

Although not mandatory, Beneficiaries will be encouraged to submit a certification of expenditure in support of every request for payment. The relevant cost must be included in the project's budget. This point will be duly highlighted in the Guidelines for Applicants in order for them include it in the proposed budget.

Some PfPP projects will be included in the Annual Audit exercise, if deemed necessary.

4.6. Communication and visibility

EU visibility guidelines are to be respected by all Beneficiaries. Services on the ground will check the visibility component of the actions through field visits and will increase public visibility of the actions when possible.

A dedicated link to PfPP has been already created in each web site of the three delegations in charge of the programme; a link to the FAQs should be as well created. The EC staff will proactively work to expand and regularly update the content of the web site. Communication on the programme will be also ensured with the support of the communication company mentioned in 4.2.

Annex 5: Action Fiche for Support for FEMIP (2010)
Mediterranean region / private sector development

1. IDENTIFICATION

Title	Support for FEMIP (2010)		
Total cost	€32 million		
Aid method / Management mode	Project approach – centralised indirect management		
DAC-code	32130	Sector	SME Development

Preliminary Remark

This decision concerns the 2010 contribution to FEMIP which is needed to cover the pipeline of operations in 2010-11. Apart from this, nothing is new in this financing decision as compared to the 2007, 2008 and 2009 contributions.

This Action Fiche does not repeat general elements of the 2007, 2008 and 2009 decisions (€32 million each: C(2007)5134, C(2008)3637 and C(2009)3540) regarding the EU Budget support for the FEMIP, as they remain valid to date. Only updates on programme implementation are presented hereunder.

2. IDENTIFICATION

Background information

The overall objective of the Facility for Euro-Mediterranean Investment and Partnership (FEMIP) is to promote sustainable economic growth in the region through investments in infrastructure and especially in private sector development.

The "Support for FEMIP" finances both technical assistance and risk capital operations.

The objective of risk capital operations is to provide capital to the private sector of Mediterranean partner countries on terms that are not available locally. Risk capital will be invested directly or indirectly in order to (i) support the private sector, i.e. enable the creation, restructuring or growth of enterprises (ii) strengthen the role of the local financial sector by supporting the creation of new institutions or the establishment of new activities for the benefit of the private sector.

Technical assistance will be mobilised to strengthen FEMIP operations in the Mediterranean region, with a special focus on private sector development.

"Support for FEMIP"'s risk-capital portfolio includes more than 600 operations (co-investments, direct operations, investment funds). The EIB has committed €183 million under MEDA II (2000-2006) and so far €84 million under the ENPI (2007-2009) for risk capital operations.

As regards technical assistance, by end of 2009, 71 technical assistance operations amounting to €32.3 million were completed, 34 TA operations amounting to €63.4 million were ongoing and 7 TA operations amounting to €4.7 million were approved under the FEMIP Support Fund. The overall result of the FEMIP Support Fund is positive, both for project preparation and implementation activities. This has been confirmed by ongoing monitoring exercises from EIB staff and EC monitoring consultants as well as from regular feedback from project promoters.

The Commission allocates a budget of €32 million to the EIB for the year 2010. This amount will be paid to the EIB in two tranches in 2010-11. The distribution of funds between risk capital and technical assistance will be decided jointly by the EIB and the Commission, based on needs and relevance of proposals.

3. DESCRIPTION

There are no changes regarding objectives, expected results and indicators for the 2010 commitment in reference those stated under "Support for FEMIP" decisions C(2007)5134, C(2008)3637 and C(2009)3540.

4. IMPLEMENTATION ISSUES

There are no changes regarding implementation issues for the 2010 commitment in reference those stated under "Support for FEMIP" decisions C(2007)5134, C(2008)3637 and C(2009)3540.

Annex 6: Action Fiche for ENPI South – Regional Transport Cooperation

1. IDENTIFICATION

Title/Number	EuroMed Aviation II (CRIS - 2009 / 021-941)		
Total cost	4 M €(4,4% of IP)		
Aid method / Method of implementation	Direct centralised management		
DAC-code	21050 (Air transport)	Sector	Air transport

2. RATIONALE

2.1. Sector context

All of the Mediterranean partner governments subscribed to the in 2007 adopted Regional Transport Action Plan (RTAP) which sets out 34 actions on regulatory reforms in the transport sector for the years 2007-2013. The implementation of these actions is overseen by the EuroMed Transport Forum. As regards the actions on aviation specifically, the follow-up is guaranteed by the EuroMed Transport Forum dedicated working group on Aviation. A least meeting of this working group took place in Brussels in November 2009 under the French-Egyptian co-presidency of the Union of the Mediterranean. This meeting marked a big step forward in the Euro Mediterranean Aviation cooperation, as the beneficiary countries of the EuroMed Aviation II project jointly adopted a declaration on working towards the establishment of the so-called EuroMediterranean Common Aviation Area (the EMCAA - as also defined in action of the 14 RTAP). To achieve this, the first EuroMed Aviation regional project developed a Road Map for the establishment of such a common aviation area which was also generally adopted during this last Aviation Working Group.

The Road Map sets out a scenario for achieving the EMCAA which includes the following two main milestones:

- The achievement by 2015 of:
 - bilateral Euro Mediterranean Aviation Agreements between the EU and the beneficiary Mediterranean Partners ensuring the opening-up of the air transport market access and the convergence of the regulatory systems in all domains of civil aviation as per the Road Map;
 - when appropriate, the opening-up of air transport market access between the beneficiary Mediterranean Partners on a bilateral basis;
- The conclusion of a multilateral aviation agreement between the EU and the beneficiary Mediterranean Partners based on the above bilateral agreements and ensuring their global consistency. This multilateral agreement will supersede the

previous bilateral agreements and come into force country by country through individual protocols, in accordance with international law.

Besides the above mentioned scenario, the Road Map also identifies 60 high level objectives (with some individual restrictions depending on the country) and comprises Action Plans for each of the beneficiary Mediterranean partners to obtain these 60 objectives. The proposed project should assist the partner countries in implementing these Action Plans as to guarantee that the scenario set out in Road Map for the establishment of the EMCAA can be achieved.

The multilateral approach which is proposed in the EMCAA justifies a regional project which should further enhance the cooperation between the Mediterranean partner countries in addition to existing or foreseen bilateral assistance programmes. The existing limited cooperation between the partner countries themselves appears to be a serious obstacle to a swift establishment of the free trade area in the field of aviation, despite the commitments taken at the highest political levels. Moreover, without a clear regional approach it appears clearly that the existing need to protect national carriers would push the partner countries to only privilege a bilateral approach with the EU to air transport market opening. Therefore, in the long run these existing bilateral actions (the existing agreement between the EU and Morocco and the Council mandates to the Commission to negotiate similar agreements with Algeria, Tunisia, Israel, Jordan and Lebanon) should be complemented with the ambition of further opening of the markets between all of these partners. From this perspective, and in line with the overall objective of establishing a EuroMediterranean free trade area, a regional project seems to be crucial.

The establishment of such regional market opening and free trade in aviation services can be facilitated by also further aligning the overall regulatory framework in which the aviation sector operates. Therefore the 60 high level objectives of the Road Map address besides liberalization aspects of the sector, also aviation safety and security, cooperation in the field of ATM (air traffic management) and environmental considerations related to aviation. The proposed project shall deliver technical assistance to assure for all these domains, and in line with the needs for each country as identified in the Action Plans, an enhanced implementation of the objectives.

2.2. Lessons learnt

Already in 2005 during the first EuroMed Transport Ministerial Conference the political will to establish the EMCAA was recorded. During this Ministerial meeting the Ministers also asked for the drafting of the RTAP, which now also includes a dedicated action on the development of the EMCAA and for which the first EuroMed Aviation project has laid the foundation. The proposed project is therefore a logical continuation of the work of EuroMed Aviation I and should assure the implementation of the Road Map. More specifically, the first project has clearly identified the level of the current status of the different partner countries as regards implementation of international and EU aviation legislation. The cooperation under EuroMed Aviation I has also shown the ability of some countries to comply easier with the international and EU aviation acquis than others. These regional disparities have been well identified and shall be recognized in EuroMed Aviation II.

A regional programme is deemed necessary to further assure issues such as regional interoperability and an exchange of best practices at regional level which can be lacking under the bilateral assistance of the EU. While in some partner countries bilateral assistance in the field of aviation land may exist, for others the proposed project may provide some sort of minimum assistance ensuring the approximation to the EU aviation acquis.

The external monitoring of the EuroMed Aviation I project also resulted in a number of useful lessons to be learnt which are consequently integrated in this fiche.

2.3. Complementary actions

The project is contributing to the achievement of the broader objectives of the in 2007 adopted Regional Transport Action Plan (RTAP) for the Mediterranean for 2007-2013. As such the project contributes to the overall establishment of an overall well-functioning transport system in the Mediterranean. As already stated above the project guarantees the continuation of the regional cooperation established under EuroMed Aviation I.

The project is furthermore consistent with the overall external air transport policy of the EC,⁵ and notably the ongoing initiative aiming at the establishment of the Common Aviation Area.⁶ Through promotion of regional cooperation between the countries of the region, pooling of their resources and economies of scale, the project is also consistent with the objectives of the EC in the area of technical assistance for the aviation sector and promotion of the development of regional aviation organisations.⁷

It has to be mentioned, that generally there are only very limited technical assistance projects in the region in the civil aviation sector by other donors than the EC and they concern mainly investments in airports, fleet and air traffic control equipment. In some partner countries bilateral technical assistance is carried out (Morocco, Jordan) or foreseen. Obviously the bilateral and regional EC actions need to be complementary. In addition, there are some sub-regional initiatives in which some EU Member States are involved such as AEFMP and BlueMED projects.

The project should be based on a sound business case guaranteeing its self-sustainability in the longer term without a further need for technical assistance from the donors. The project should take into account the fact that the countries in the region are at different stages of regulatory harmonisation with the EC in the area of air transport, and that their air transport industries pursue the modernisation efforts at different paces. In this sense the project is compatible with the objectives of the Paris Declaration on aid effectiveness.

Where possible this project will develop potential synergies with other donors (e.g. EIB, ICAO regional branche in Cairo, ACAC, Arab Air Carriers Organisation

⁵ Communication from the Commission "A Community aviation policy towards its neighbours", COM(2004) 74 final;

⁶ Communication from the Commission - Common aviation area with the Neighbouring Countries by 2010: progress report, COM/2008/0596 final;

⁷ Conclusions of the EC-ICAO Symposium on Regional Organizations 10 - 11 April 2008, Montreal

(AACO)), strong coordination with other donors' transport programmes and initiatives in the region will be essential. In addition also European industry organisations such as European airports and airlines shall be involved in the course of the projects. Finally, also the European Agency on Aviation Safety based in Cologne (EASA) should be integrated in the different activities of the project.

2.4. Donor coordination

The project should be based on a sound business case guaranteeing its self-sustainability in the longer term without a further need for technical assistance from the donors. The project should take into account the fact that the countries in the region are at different stages of regulatory harmonisation with the EU in the area of aviation, and that their airlines pursue the modernisation efforts at different paces. In this sense the project is compatible with the objectives of the Paris Declaration on aid effectiveness.

Where possible this project will develop potential synergies with other donors (e.g. EIB, World Bank, KfW, AfW, African & Islamic Development banks). Specific cooperation should go out to other regional initiatives which are aiming at the same goals. Therefore a close cooperation with UMA (Union Magrhebienne Arabe), GTMO 5+5 and ECSWA is specifically required.

3. DESCRIPTION

3.1. Objectives

General objective

The overall objective of the regional transport cooperation in the Mediterranean is focused on improving transport efficiency and effectiveness which would lead to economic and financial benefits for everybody. At the same time transport should become more sustainable. This does not only mean that the environmental impact needs to be reduced, it also means that transport operations in all sectors need to be safer and more secure which would concretely lead to less and less severe transport accidents and casualties as well as reduced threats of unlawful acts involving transport modes.

While the in 2007 adopted Regional Transport Action Plan (RTAP) focuses on all transport modes, this project targets only those actions related to aviation. The coordination with the overall implementation of the RTAP is assured by the EuroMed Transport Forum and more specifically by its sub-group on Aviation which will overview the implementation of this project.

More specifically the project has as objective the implementation of the commonly adopted Road Map towards the Euro-Mediterranean Common Aviation Area and its two main milestones. This will be done by supporting the beneficiary countries with the implementation of their national plans which set out the priorities (as specified in the 60 high-level objectives) for the individual countries within the different aviation sub-sectors.

Objective 1: Market Access (RTAP action 14)

The need to start establishing the EMCAA by means of a set of "global" bilateral agreements between all EuroMed partners, requires that such agreements include provisions on convergence of rules and standards applicable to the economic regulation of civil aviation so that national laws include the necessary provisions to provide for fair competition among all air carriers involved in the air transport within the Mediterranean area. This would imply that the partner countries introduce in their national order the rules that give certainty that all air carriers will be subject to an equal treatment. This will ensure that undertakings participating in the market know exactly their rights and obligations and that failure to comply leads to enforcement actions.

With a view on the ultimate objective of the establishment of the EMCAA as an aviation free trade area, it is necessary to continue to progressively strengthen the regulatory systems to support mutual confidence. Specific actions in the field of market access should support the capability of the economic regulator, as further establishment of the legal framework for the licensing of air carriers, for the handling of competition issues, for passenger protection, for the business environment and access to public infrastructures.

Objective 2: Safety (RTAP actions 15 and 16)

At the end of the EuroMed Aviation I project it could be concluded that there are no significant safety gaps in the regulatory system of the partner countries that would stand in the way to concluding the bilateral air services agreements which constitute the first step of establishment of the EMCAA. Nevertheless, further alignment of the national aviation rules with the EU *acquis* should be continued and intensified where necessary and requested.

As regards the regional aspect and the foreseen establishment of the EMCAA a mutual recognition of certificates issued by the competent authorities is necessary. This should apply to the recognition of air operator certificates, to avoid the burdensome and costly oversight of foreign operators now required by ICAO Annex VI. This would also allow for the free movement of aeronautical products and services – including product's maintenance and professional training - relieving therefore national authorities from the obligation to duplicate controls already done in a satisfactory way by their partners.

This would also require more efforts to further harmonize applicable rules and regulatory processes. More working together is also needed to develop a better understanding of each other systems and to build the necessary confidence.

Objective 3: Security (RTAP action 16)

The results of EuroMed Aviation I indicated that there is a great diversity of national situations regarding aviation security among the partner countries. This diversity applies to the following areas:

- the sharing of responsibilities for aviation security;

- the existence of a separation between the appropriate authority and the airport operator; whereas in some countries the airport operator is a private entity in others, the majority of them, the airport is operated by the state/authority;
- the status and contents of regulations and national programmes; the contents of these documents greatly vary and are not equivalent to EC regulations for the vast majority of them. EC Regulations set higher requirements than ICAO Annex 17 SARPS in a significant number of cases;
- the scope of compliance monitoring activities: their depth and frequency vary; the number and qualifications of national auditors vary, and the appropriate authorities do not always have sufficient enforcement powers to ensure proper rectification.

It should also be noted that there are differences existing between the partner countries in terms of their willingness to reach regulatory convergence with EC regulations and the degree to which intra-regional cooperation among the partner countries themselves is considered desirable.

The establishment of the EMCAA would not necessarily require full harmonisation of aviation security regulations and procedures within the EMCAA region, and the region and the EU. However, the EMCAA should aim at reaching equivalent security measures, and therefore, at signing one stop security arrangements. In the short term such a one stop security concept to the entire EMCAA cannot be envisaged. Consequently, a step-by-step and tailor made approach is desirable. This may take the form of bilateral agreements between the EU and the individual partner countries. This approach would enable those partner countries, which are interested, to implement one stop arrangements with the EU.

Objective 4: Environmental protection (RTAP actions 22 and 23)

Environment is becoming a critical constraint on air transport system-wide capacity. Although it is usually associated with airport and their vicinity (noise), environmental aspects are influencing all phases of flights, in particular its potential effect on climate change by reducing aviation emissions. According the EuroMed Aviation I project, there is a promising but inhomogeneous application or internalisation of the EU directives. The level of awareness and preparedness is, in a whole, as a patchwork. However, all the feedback point that emission trading schemes for aviation should be applied under an ICAO global consensus (multilateral) rather than an unilateral one.

It is nevertheless very important to stimulate among the actors involved with air transport, at all levels, awareness to the environmental issues associated with aviation activities. To achieve this ambitious objective some more efforts are needed to further harmonise applicable rules and regulatory processes.

Objective 5: Air Traffic Management (RTAP action 16)

The conclusion of the global bilateral air service agreements (BASAs) suggested as the first step in the implementation of the EMCAA should follow the same principles of market opening combined with regulatory convergence in line with the air

transport agreement signed between Morocco and the EU. That bilateral agreement should commit the different partner countries to the highest degree of cooperation in the field of air traffic management with a view on extending the Single European Sky to the wider Mediterranean region in order to enhance current safety standards and overall efficiency for general air traffic standards in Europe, to optimise capacities and to minimize delays.

This very ambitious approach will pave the way towards the ultimate objective, which is to set a free trade and the proposed approach in the ATM domain will bring early benefits to the region in terms of harmonisation of rules and procedures, improvements in safety, flight efficiency, capacity, environmental sustainability and cost-effectiveness.

Objective 6: Regional coordination (RTAP action 16)

To align the objectives of the EuroMed Aviation II project with the overall implementation of the Regional Transport Action Plan (RTAP) the project will also close cooperate with the overall EuroMed Transport project and shall guarantee an effective link with the website of this project. The project will as such also guarantee the organisation of the EuroMed Transport Forum working group on aviation. The regional coordination will also support the set-up of the Joint Aviation Authorities (JAA) for the Euro Mediterranean region.

3.2. Expected results and main activities

For all of the activities described below a distinction will be made between national training adapted to the needs of the country and in line with the national plan for the implementation of the Road Map and (sub)regional trainings and seminar. As such the project will largely have the same approach as EuroMed Aviation I which worked very well.

Activity 1: Market access (RTAP action 14 for approximately EUR 0.8 M)

Activity 1a: Reinforcement or establishment of an independent regulator

The activities related to market access would have to address the establishment or reinforcement of an independent regulator which would have the authority of over viewing the implementation of the actions related to market access. Assistance in this matter can also be provided by experts from the region or from partner countries which experienced already the setting up of such a regulator. The role of the regulator should be specifically linked to competition issues for the aviation sector.

Activity 1b: Licensing

Additional activities need to be undertaken in the field of licensing setting out the financial conditions under which air carriers shall operate. Several partners have not yet appropriate regulations in place, whereas some others have requirements which are below the EU regulations. The objective of this activity would be ensuring that the situation in each partner country compares with that in the EU so that air carriers operating in the EMCAA are subject to equivalent financing requirements.

Activity 1c: Passenger protection

Although passenger protection is very limited applied in the partner countries, there seems to be an interest to further develop this. A minimum requirement in this field is the ratification of the Montreal convention (amending the Warsaw system) which is currently only the case for 5 countries. EU experiences in this matter can be used as a good starting point.

Activity 1d: Airport operations and ground handling

For a number of issues cooperation between EU airports as well as between airports of the different partner countries themselves can be considered as useful. One of the items for exchange of experience can be the issue of ground handling. Other domains such as airport charging should preferably be introduced into national legislation by using EU rules as a basis. Cooperation with the Airport Council International (ACI) for this specific subject can be considered as useful.

On the whole of activity 1, it should be thoroughly considered how the knowledge of some partner countries which are already in an advanced status of market access reforms, can be used in the overall implementation of the project.

Activity 2: Safety (RTAP actions 15 and 16 for approximately EUR 0.8 M)

Activity 2a: Institutional strength

It was concluded under EuroMed Aviation I that there is a considerable problem related to oversight. It is recognized that while the set of safety rules is usually complete, the procedures to enforce them (certification and continued oversight) need to be improved. Better management of such oversight tasks is therefore a priority and could be diminished by implementing a strong internal management system. The problem is that also a number of different systems of oversight currently existing. The project should therefore assist the partner countries with the further implementation of a common system with the special assistance of EU Member States, the advanced partner countries and the EASA. The activity should further focus on the further development of the JAA for the Mediterranean region.

Activity 2b: Compliance with ICAO SARPs

For the establishment of the EMCAA a full harmonisation of safety rules and procedures does not seem to be necessary if its objective is only creating a harmonized regulatory system supporting further liberalization in the region. Full compliance with the ICAO SARPs plus some additional requirements can already be considered as essential for achieving the level of safety generally wanted by the EMCAA partners. This objective would require some more assistance related to the establishment of state safety plans, the introduction of safety management systems at industry level and the establishment of a well functioning system for safety regulation of aerodromes. Further assistance may be essential in the field of conducting accident and incident investigation. This can be done with the cooperation of European accident investigation bodies.

Activity 2c: Convergence with the community rules

In relation to safety this activity would mainly address mutual recognition of related certificates. This also requires further regulatory convergence, as well as the

establishment of an assessment system to verify that the conditions are met, and continue to be met, for mutual recognition related to aerial services and aeronautical products.

Activity 3: Security (RTAP action 16 for approximately EUR 0.5 M)

To reach the one stop security the Road Map describes a number of intermediary actions and milestones which need to be achieved before. The project should therefore assist the partner countries with attaining these steps.

Activity 3a: Harmonization of the regulations and national programmes

In order to have one stop security arrangements, security measures need to be considered as equivalent. To reach such a satisfactory level of equivalence, national aviation security regulations of the partner countries should be harmonized with EC regulations. This harmonisation should be included in the National Civil Aviation Security Programme, the National Civil Aviation Security Quality Control Programme and Training Programme.

At the same time the appropriate authority for security shall conduct regular compliance monitoring activities (inspections, audits, surveys and tests). It should at the same time be entrusted with enforcement powers to ensure swift rectification of deficiencies with national regulations. Such compliance monitoring activities should also be separated from the entity that implements the security measures to ensure the independence of its activities. Additional training for the authorities carrying out such monitoring activities should be foreseen.

Activity 3b: Passengers and baggage screening

Further assistance to implement measures equivalent to EC requirements in this matter should be implemented as they are more detailed as the applicable ICAO Annex 17 SARP.

Activity 3c: Enhanced regional cooperation

With a view on the regional character of the project specific attention should be given to enhance cooperation with the countries concerned on quality control (audits, inspections) through a system of joint inspections and sharing of inspection/audit results. This is essential to build trust a regional level. In this matter, specific regional exchanges should be organised.

Activity 4: Environmental protection (RTAP actions 22 and 23 for approximately EUR 0.5 M)

Activity 4a: Limitation of aircraft noise

One of the fields which require further attention in relation to environmental protection relate to the compliance with ICAO standards of noise for aeroplanes operating from airports in their territory.

Activity 4b: Management of environmental noise

Further attention should be given to introducing further noise related restrictions at airports. Implementation of noise management tools, noise mapping and strategic environmental impact reports for this matter should be supported;

Activity 4c: Emission Trading System (ETS)

No activities focused on further assistance for implementation of measures in this matter are foreseen. Nevertheless, some regional workshops about the methods of introduction ETS for aviation should be integrated in the project activities.

Activity 5: Air Traffic Management (RTAP actions 16 for approximately €0.8 M)

Activity 5a: Institutional actions

The Road Map focuses on further facilitating the convergence with the Single European Sky legislation and covers as such six domains on which the partner countries generally feel like cooperating with the EU.

At institutional level this requires enhanced focussing on the establishment of separate organisations. Therefore the partner countries have to supported with the necessary measures to adjust their air traffic management institutional structures to the SES framework, in particular by establishing pertinent national supervisory bodies which are functionally independent of air navigation service providers.

Also for this activity, the experience of more advanced partner countries should be used in the different training activities.

Activity 5b: Service provision & certification aspects

One of the key pillars of the SES is the establishment of common requirements for the safe and efficient provision of air navigation services. This principle is generally accepted by the partner countries and therefore there is a general consensus on the further establishment of SES based certification scheme. There is some regional disparity in this matter therefore assistance activities in this matter may differ. Additional assistance should also be provided to the introduction of Quality Management Systems.

Activity 5c: Organisation and use of the airspace

To assure a further optimisation of the airspace sectorisation and the ATS Route network so as to provide a more balance capacity, fuel cost reduction through availability of more optimised trajectories and emissions reduction through shorter flight time the countries should implement the minimum requirements associated with basic Flexible Use of Airspace (FUA) concept. Also the different ongoing regional initiatives (AEFMP, BlueMed) in this matter will be further supported through the project as to continue the establishment of functional airspace blocks (FABs). The project will specifically finance the participation of the partner countries to further meetings of these regional initiatives.

5d: Safety

A number of safety aspects on ATM systems specifically laid down in EC regulations are of high importance in the Mediterranean region. The harmonization with these safety aspects should be further supported in the Mediterranean partner countries.

5e: Training

More attention should be paid to training materials and harmonised advisory material for competence assessment and training of the ATM staff. Standard material to enhance this can be developed by the project.

5f: Interoperability

Especially from a regional perspective the interoperability of systems is essential. It is therefore that the project will largely address this. Cooperation with SESAR and the European Commission in this matter is essential.

5g: Pan-European Functions

Cooperation with Eurocontrol for these activities will be pursued by integration of the systems of the partner countries into different Pan-European functions through supporting countries with further conclusion of the appropriate bilateral agreements with Eurocontrol.

Activity 6: Regional coordination (RTAP action 16 for approximately EUR 0.6 M)

Activity 6a: EuroMed Aviation working group and communication

The project will closely coordinate with the EuroMed main transport project as regards the implementation of the aviation actions of the RTAP for which the project is responsible under the supervision of the main contract. The project will also closely liaise as for the dissemination of information on the website of the main project. Additionally the project will be charged with the organisation of the EuroMed Aviation working group of the Transport Forum which is supposed to take place at least once a year. The website should also be used for organisational purposes such as announcing trainings and registration. The project should also assure close coordination with the EU Delegations in the partner countries and keep them informed about activities in the individual partner countries.

Activity 6b: Support for the JAA

As important element of the regional cooperation the project should also support the further establishment of the Joint Aviation Authorities for the EuroMediterranean region as one of the crucial elements of the Road Map towards the EMCAA. This will be done in close coordination with the responsible services of the Commission and specifically DG TREN. Moreover, the assistance should respect the structures which are already in place.

3.3. Risks and assumptions

Continued strong political commitment to regional cooperation and support from the partner institutions is a necessary condition for the project's effective implementation. Partner governments and authorities should be ready to take the measures required in terms of legal, technical and institutional reforms and adequate resource allocation. Long-term regional stability in the region is a prerequisite for the project's sustainability. In particular, inter-state tensions in the Middle Eastern region, but also in the Maghreb, may create difficulties in terms of regional coordination of transport flows, cross-border cooperation and trade facilitation. It should be noted that especially for the Palestinian Occupied Territories assistance is very limited as currently there is no operating airport and the country is not recognized by ICAO.

Participating countries must to a certain extent recognise international conventions and/or Community law and/or relevant international standards in the field of aviation and should be ready to actively work towards the implementation of first of all international standards, and, if relevant, Community standards. Moreover, the implementation of the Road Map towards the establishment of the EuroMediterranean Common Aviation Area as developed during the EuroMed Aviation I project requires continued support.

These risks are minimised by the use of already functioning mechanisms for cooperation between the transport key stakeholders of the neighbouring states and with the EU.

3.4. Crosscutting Issues

In terms of good governance, the project will promote institutional restructuring, including in particular the separation of the governmental regulatory functions from the operational and commercial activities, strengthening the independence of the aviation authorities and of their administrative capacity. Safety and security issues are equally addressed as part of the development of a sustainable transport system. The promotion of the application of EU rules and standards will also have a positive side effect on the environment, mainly concerning noise and emissions. Gender policy principles will be applied in the selection procedures for the staff to be trained.

3.5. Stakeholders

As under the previous EuroMed Aviation programme the main stakeholders in the project are Civil Aviation Authorities, air carriers, Airport Authorities, Airlines and ATM service providers / controllers and the aeronautical industry. Passengers and freight operating companies are final beneficiaries. The interest of all of these stakeholders is to enhance their knowledge and capacity to implement and operate under international and EU aviation standards with a view on future integration into the EU Common Aviation Area. It is still regarded as difficult in some countries to recruit and retain adequately trained and experienced personnel. This leads to understaffing of the authorities (especially in the departments responsible for oversight and inspection) and outsourcing of certain inspection tasks to the industry, which is a common practice in many countries, but never an optimal solution given the possibility of conflict of interests.

Furthermore regional organisations active in the EuroMed region such as UMA, GTMO 5+5, ESCWA will be integrated in the implementation of the project as will the specific aviation related organisations e.g. ICAO Cairo, ACAC, AACO etc. Cooperation with EASA and Eurocontrol will be part of the project. For the overall implementation of the training activities local experts should be engaged. Also existing training facilities in the partner countries (e.g. Morocco) should be used where possible.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

Direct centralised management

4.2. Procurement and grant award procedures [*programme estimates*]

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 Financing Regulation ENPI Regulation N°1638/2006.

The project will be awarded as a service contract through a call for tender.

4.3. Budget and calendar

The total budget for the proposed project is 4 million EUR for a duration of 3 years from the signature of the contracts.

The indicative budget breakdown could be as follows:

- 0,8 M € each for the market access, safety and ATM domains = 2,4 M €
- 0,5 M € each for environmental protection and security = 1 M €
- The remaining budget of 0,6 M € will be used for regional coordination activities as well as communication.

4.4. Performance monitoring

There are limited relevant "standard indicators" in the domain as the project is mainly focusing on regulatory reforms. Yet, performance can be monitored for instance in terms of increased passengers, less fatal accidents, and on a more general level the amount of new legislative proposals that are proposed.

The EC and the project coordinator will pay a particular attention at the recommendations expressed by the external experts. Of course, the bilateral country progress reports within the scope of the overall European Neighbourhood Policy play an important role as well.

4.5. Evaluation and audit

A mid-term progress/monitoring report of the complete RTAP 2007-2013 is foreseen for 2010. Within this framework also the actions relevant for Aviation will be reviewed. The proposed project is supposed to deliver input to this overall progress/monitoring exercise of the RTAP.

For the contracts expenditure incurred will have to be certified, as part of the obligations of the contracted parties in the framework of the implementation of this project. 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).

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

A share of the budget of the project should be dedicated to the communication, visibility and information activities in order to ensure that the results of the projects activities are further disseminated. The project should develop an adequate communication plan containing information and communication activities (towards local and/or international media, stakeholders, final beneficiaries) and ensuring visibility of the project in all material produced (website, newsletter, booklet, training material, etc.), in line with the Communication and Visibility Manual for EU external Actions. Implementation of the communication plan in the partner countries will be also carried out in collaboration with the EU Delegation, when appropriate. For the communication through the HQ channels, constant communication should be kept with EuropeAid A3 Unit and with the ENPI Info centre web portal (www.enpi-info.eu). The project will furthermore assure close cooperation with the EuroMed transport main project and coordination as regards the uploading of information on the general EuroMed transport.org website.

Annex 7: Action Fiche for ENPI South – Regional Transport Cooperation

1. IDENTIFICATION

Title/Number	EuroMed Road, Rail and Urban Transport regional programme 2009/021-942		
Total cost	5 M€ (5.4% of IP)		
Aid method / Method of implementation	Direct centralised management + joint management		
DAC-code	21020 (Road Transport), 21030 (Rail transport), 43030 (Urban Development)	Sector	Terrestrial transport

2. RATIONALE

2.1. Sector context

All of the Mediterranean partner governments subscribed to the Regional Transport Action Plan (RTAP) which sets out a number of actions on road and rail to be implemented in the medium and long term. The implementation of these actions is overseen by the 'Sub-group on road & rail regulatory issues' which is placed under the Infrastructure Working Group of the EuroMed Transport Forum. A last meeting of this sub-group took place on 21 November 2008 during which all present partner countries presented the current status of their road & rail sector as well as an overview of recent reforms in these sectors. It became clear that partner governments are working on reforms in these sectors, but are still far from implementation of the actions identified in the RTAP and in need of additional assistance.

Road transport

A study conducted in the framework of the EuroMed Transport programme provided a full picture of the situation of the road & rail sector in the partner countries, as well as their needs and recommendations on how to implement technical assistance. The study showed that as regards the different UNECE conventions applicable to road transport only a limited number of countries have ratified these. With certain exceptions (TIR, CMR) the partner countries did not accede to any agreement. The reason is that the intention, the history and the contents of the agreements are not well known in the countries. As regards liberalization of road haulage it can be noted that the reform process is at different stages in the partner countries. Bilateral agreements on international road transport characterize the situation. Open and hidden restrictions and open and hidden protection limit the effective and efficient international transport in the Mediterranean. As for safety and sustainability, most partner countries reached rules and regulations close to EU regulation. However, the implementation and enforcement is rather weak and in need of further assistance.

Rail transport

As for the railway sector it can be noted that especially in the Eastern Mediterranean part (except for Egypt and Israel) very limited railway links are operational today. Nevertheless large development plans are being developed (especially in Jordan and Syria as well as Turkey) which should come along with large investments. Once these systems are developed, interoperability should be envisaged. For the Maghreb this is of much larger importance especially when keeping in mind the efforts to establish a Trans Maghreb railway connection. An overall reform process is needed because of the low competitiveness of the railway sector due to its inefficient organisation and management. The reform process in the partner countries is at different stages. There are advanced countries, where the reform process has been launched and in some cases already completed. Other countries are still in an analysis phase. Regional benefits of these reform processes occur mainly if all countries in a region move at a similar speed of reforms, and allow their railways to offer international services.

Urban transport

As for urban transport, which obviously has a more local impact, the objective is mainly to enhance the exchange of best practices on efficiently managing urban transport systems. Again, this need was expressed during several regional meetings where partner countries who received large loans (from the EIB and NIF) for improving urban transport systems (e.g. Cairo metro, Tunis urban train, Rabat tram way) stated that technical assistance regarding the management of these urban transport systems is desirable. One of the main objectives of this programme is therefore to enable the inclusion of the Mediterranean partner countries in the EU CIVITAS programme which supports the exchange of good practices to improve the management of transport systems and facilitate integrated policy making, institution building and regulatory reform.

2.2. Lessons learnt

Already in 2008 the Mediterranean partner countries were asked to present their road and rail sectors during the meeting of the EuroMed Transport Forum Infrastructure Working Group's Task Force on Road & Rail of 21 November 2008. As mentioned above there is no experience yet with these land transport sectors under the EuroMed regional transport cooperation. However, this and previous meetings showed a willingness of the partner countries to work on these items.

In addition, the experience to date with the other sectoral EuroMed transport programmes (aviation, maritime safety and security, port operations and shipping) have provided lessons about managing the EuroMed regional transport programmes. Transport is the way to enhance further integration of the region by supporting the efficient and safe movement of passengers and freight. Regional programmes are necessary as especially issues such as border crossings and interoperability between the transport systems of neighbouring countries require a (sub)regional approach which can be lacking under the bilateral assistance of the EU. Also the adoption on a regional level of common and acquis related rules as embodied in the UN conventions promotes the establishment of a level playing field that is a prerequisite for future liberalisation. While in some partner countries bilateral assistance in the field of land transport may exist, for other countries it may be provide some sort of

assistance ensuring the pursuit of a closer integration with the Trans Mediterranean Transport network.

In addition, a recent study conducted by the EuroMed Transport Programme in 2010 provided a full overview of the current status of the land transport sector in the partner countries. It also gave a number of recommendations about how the EU can support further development in this sector, which are obviously largely integrated in the objectives of this project.

2.3. Complementary actions

The project is contributing to the achievement of the broader objectives of the in 2007 adopted Regional Transport Action Plan (RTAP) for the Mediterranean for 2007-2013. Moreover, the project should also provide complementary actions with a view on achieving a well-functioning transport system. Within the EuroMed Transport Forum discussions are ongoing about the development of the Trans-Mediterranean Transport Network connecting all the partner countries among themselves and with the Trans European Transport Network (TEN-T). This Trans-Mediterranean Transport Network should be adopted at the next Euro Mediterranean Transport Ministerial Conference. To further promote the interoperability on this network, the proposed programme would deliver assistance in this field for the road and rail sectors. Moreover, the programme should also ensure that the numerous investments in the region on enlarging and upgrading the road & rail network is accompanied by some assistance which also aims at liberalizing the sectors using this infrastructure and making them safer for the users. Where possible the actions of the regional programme should be complementary to bilateral programmes (and the ENP action plans).

2.4. Donor coordination

The project should be based on a sound business case guaranteeing its self-sustainability in the longer term without a further need for technical assistance from the donors. The project should take into account the fact that the countries in the region are at different stages of regulatory harmonisation with the EU in the area of road & rail transport, and that their land transport industries pursue the modernisation efforts at different paces. In this sense the project is compatible with the objectives of the Paris Declaration on aid effectiveness.

Where possible this project will develop potential synergies with other donors (e.g. EIB, World Bank, KfW, AfW, African & Islamic Development banks). Specific cooperation should go out to other regional initiatives which are aiming at the same goals. Therefore a close cooperation with UMA (Union Magrhebienne Arabe), GTMO 5+5, ECSWA.

3. DESCRIPTION

3.1. Objectives

General objective

The overall objective of the regional transport cooperation in the Mediterranean is focused on improving transport efficiency and effectiveness which would lead to economic and financial benefits for everybody. At the same time transport should become more sustainable. This does not only mean that the environmental impact needs to be reduced, it also means that transport operations in all sectors need to be safer which would concretely lead to less and less severe transport accidents and casualties.

While the in 2007 adopted Regional Transport Action Plan (RTAP) focuses on all transport modes, this project targets only the terrestrial transport modes: road, rail and urban transport. The coordination with the overall implementation of the RTAP is assured by the EuroMed Transport Forum and more specifically by its sub-group on Road and Rail Regulatory Issues which will overview the implementation of this project. In addition, the link with the other transport modes and their regional dimension is assured by the development of the so-called Trans Mediterranean Transport Network (TMT). This project has as objective the further creating of a level-playing-field as regards market and technical operational conditions as to facilitate cross-border road and rail haulage on this TMT-network and at the same time to make this transport more sustainable.

(1) Road transport objectives

Activity 1A: Support for the implementation of a level-playing field for road freight transport operations and competition (Action 10 RTAP)

In the Mediterranean partner countries road freight transport is responsible for the largest share of the overall freight transport movements. Cross-border road freight transport remains nevertheless rather limited. However, it can be expected that with the further development of the TMT network and increased efficiency of the national road transport sector also interregional road transport shall grow in the future. In this respect, the RTAP already identified in Action 10 the need of working towards gradual liberalization and harmonization of international road haulage. To do so, the RTAP identifies the adherence to and implementation of the key UNECE agreements with the objective of creating equal market and operational conditions which would result in a more balanced level-playing-field for operators throughout the region. It should be noted here that in the case of most of the Mediterranean partner countries, ECSWA is the relevant UN reference body. The transport division of the ECSWA operates in a similar way to that of the UNECE, however, insofar as conventions and agreements on road safety are concerned those of the UNECE are taken as reference. The EU approach to road safety in its turn is also based on the principles of the UNECE and ECSWA and can therefore be used by the partner countries as benchmark.

Activity 1B: Support for reforms in the road transport industry (Action 11 RTAP)

In addition, more attention should go out to reforms in the road transport industry itself, both for passengers as for freight (as also identified in Action 11 of the RTAP). Such reforms are especially needed to increase the efficiency of the sector by further enhancing the professionalism of the drivers, operators and their fleet also with a view on improving the overall logistics sector. In this way the road transport sector will be better prepared to operate in a gradual liberalized market and further benefit

of cross-border operations. This activity should also address the passenger transport from one urban area to another. EU efforts in this matter can be used as benchmark for introducing such gradual reforms.

Activity 1C: Support for creating safer road transport

The third objective for the road transport sector is already more or less integrated in the above mentioned objectives as further adherence to and implementation of UNECE conventions and increased professionalism in the sector will lead to enhanced road safety. However, in addition to that and in line with Action 26 of the RTAP, further attention should go out to increasing road safety of all road users. According to the World report on road traffic injury prevention, the Eastern Mediterranean region has the highest road traffic fatality rate per 100.000 people. Road crashes in the Middle East are estimated to cost \$ 7,4 billion annually (around 1.5% of GNP) and road traffic fatalities are expected to rise by up to 68 percent by 2020⁸. Also because the majority of the persons killed are under 25 of age and therefore essential for the national economies this number of fatalities needs to be reduced. Especially with a view on the establishment of the Trans Mediterranean Transport network and the planning of many new roads or upgrades, road safety aspects should already be integrated in the construction phase. However, besides the construction also behavioural aspects need to be addressed as these largely influence road safety. Eco-driving campaigns could be supported, which can simultaneously improve safety and environmental performance of road transport. This could be done by further strengthening regulatory bodies promoting common agreements on enforcement of social rules.

All the three above mentioned elements were also addressed in the 2010 EuroMed Transport road transport study. Therefore the conclusions and recommendations of this study largely serve as input to this project.

(2) Urban transport objectives

Activity 2A: Participation in the CIVITAS network and the EU Action Plan on Urban Mobility

Cooperation in the field of urban transport has not been part of the EuroMed Transport cooperation until now. It is, however, becoming a more and more integral part of the overall transport policy making especially with a view on the continuously level of urbanisation in the Mediterranean partner countries. This proposed project is in line with Action 28 of the RTAP which foresees a continuation and expansion of training, twinning and exchange programmes aimed at improving institutional capacity and upgrading knowledge. Such a pro-active exchange of knowledge, in this case specifically related to urban transport, is similar to the EU programme on urban transport named “CIVITAS” (recently also a specific Twinning project on urban transport was signed between the EU and Israel). It can be foreseen that the Mediterranean partner countries also participate in this initiative.

⁸ Global Road Safety Partnership, annual report 2008

In addition, the in 2009 adopted action plan on urban mobility highlights a number of actions in the field of promoting integrated policies, greening and optimizing urban transport, focus on citizens and stimulating an increased sharing of experience and knowledge. All of these elements are also relevant in the partner countries and should therefore be supported.

Activity 2B: Support for managing urban transport systems and regulatory reforms

With the increased financing for the extension of urban transport systems such as metro and tramways (to which the EU also largely contributes by for instance the NIF) there is also an increased need for assistance about the management of these systems. In addition, support for institution building and regulatory reform, in line with EU legislation, can be foreseen. This could cover the establishment of competent authorities, transparent relationships between authorities and operators and minimum levels of public service obligations. While an exchange of best practices in this field will also be foreseen within the CIVITAS framework, more specific exchange of good practices among the Mediterranean partners and dedicated training and technical support in this field can be foreseen.

Activity 2C: Training on fleet management of urban transport

In addition, specific attention should go out to fleet management in urban environments with a special emphasis on safety and environmental aspects. Bus companies, taxi companies should be stimulated to implement innovative systems which could enhance the behaviour of managers, supervisors, subcontractors and drivers in order to minimize risk. Especially in urban areas alternative ways of transport could have a huge impact on emission reduction and saving fuel. In cooperation with the GNSS II programme also the application of Intelligent Transport Systems in fleets can be addressed in relation to an efficient and effective fleet management of urban transport systems.

(3) ***Rail transport objectives***

Activity 3A: Support for structural railway sector reforms

As set out in Action 12 of the RTAP the railway sector needs to be made more attractive as to enhance its competitive position in relation to road transport and as such further stimulating the development of an intermodal transport system. Also from an environmental point of view an increased development of rail freight transport needs to be supported.

While many partner countries have already embarked upon such reforms, progress does not seem to be fully equal. Most partner countries have already developed an action plan for reforms of the national railway company and its division into more operational sub-units.

In addition, also investment plans should be developed for both financing of infrastructure as financing of rolling stock, electrification and signalling systems.

An important part of the assistance should focus on the separation of the infrastructure maintenance part and the operational part. Reforms in this matter are especially difficult (experiences in the EU have shown this), and may therefore

require specific input from lessons learned in the EU. Where necessary the assistance can focus also on concession policy.

Keeping in mind the disparities as regards the progress in this matter, a differentiated (sub)regional approach for technical assistance actions supporting such reforms may be necessary. This should be done by training seminars, workshops and study tours leading to enhanced acquaintance with the relevant international and EU regulations. Exchange of best practices between the partner countries themselves could also be further stimulated.

Activity 3B: Enhancing interoperability and regional freight

Especially with a view on the development of the Trans Mediterranean Transport Network special attention needs to go out to interoperability of the systems between neighbouring countries as to further enhance freight flow (existing initiatives in this field such as the UMA Comité des Transports Ferroviaires Maghrébins (CTFM) can be assisted).

Specific cooperation with the European Railway Agency as to identify in more detail the technical specifications used in the EU seems crucial in this matter.

To further concretize these actions cross-border pilot projects could be set up which focus on the actual cross-border freight movements and identifies the existing bottlenecks in this matter. Some initiatives in this field have already been taken (e.g. in the Maghreb) and could therefore be further promoted and supported by the EC (as also identified in the 2009 EuroMed study on Rail and Road).

Activity 3C: Enhancing railway safety

Of high relevance in this matter is increasing the overall railway safety as unfortunately railway accidents still occur. Also in this matter cooperation with the EU Railway Agency should be sought. Also the installation of an independent railway safety supervisory agency which would deal with accident investigation and multi-annual safety programmes can be further promoted (addressing the following elements (closure of level crossings, building of grade separation interchanges, implementing devices for obstacle detection (radar, cameras), adding traffic lights and active warning signs)).

3.2. Expected results and main activities

Activity 1: Road transport (approx. 2 Million €)

Activity 1A: Support for the implementation of Action 10 RTAP: creating a level-playing field for road freight operations and competition (Approx. 0.5€)

With a view on the development of the TMT network and the expected further increase of cross-border road freight transport the need to apply a more harmonised approach to the enforcement of rules governing market, safety, labour and technical equipment conditions seems essential as to create a regional level-playing field which would facilitate the gradual liberalization of road transport throughout the region. Especially in relation to cross-border trade it is important that neighbouring countries adapt to such conditions at an equal pace as to also benefit equally from the

advantages. The RTAP identified further adherence to and implementation of the UNECE conventions as an important step towards the adoption of regional harmonised rules.

This activity should therefore result in further application of the principles laid down in the UNECE conventions, and where possible further adherence to these conventions.

More concretely this would lead to the following activities:

- Cooperation activities with UMA and ESCWA on determining the compatibility with the principles of the UNECE conventions by further promoting knowledge about their contents;
- Technical assistance (both national and sub-regional) about the principles of the UNECE conventions, evaluation of advantages and disadvantages for the economies;
- If applicable, development of accession plans and support for the adherence and implementation thereof as well as road map on liberalization of the sector;
- Defining the possibility of agreeing on other road haulage conventions (e.g. TIR);
- Application of digital tachographes in the road freight transport sector;
- Implementation of a cross-border pilot project focused on enhancing cross-border trade situated on the TMT network by involving the road freight operators and commonly defining existing bottlenecks followed by an assistance plan on how to reduce these bottlenecks. Other trade promoting initiatives in the region (e.g. Agadir Free Trade Agreement) should be referred to in this exercise.

Activity 1B: Support for reforms in the road transport industry (Action 11 RTAP) (approx. 0.5 M €)

This priority focuses mainly the road transport, both for freight as for passengers, itself. This sector is largely dominated by many small-size enterprises, often with only one truck, not always meeting technical safety standards, professional and financial capacity criteria. This weakens the overall competitiveness of the sector. A more professional road passenger transport system, should also take into account the right of its passengers. This may therefore also be something to take into account. Changing this is not easy, as experience within the EU has also shown. The objective is nevertheless included in Action 11 of the RTAP. In addition, more specific attention may have to go out to public service obligations (PSO) in transport planning (as also identified in Action 25 of the RTAP) especially with a view on developing new infrastructure on the links situated on the TMT-network.

This activity should therefore result in an increased professionalism of drivers and operators as well as technical state of the vehicle fleet. In this way an overall improvement of the logistics sector can be expected as well.

More concretely this would lead to the following activities:

- Support focused on making the road freight and passenger sector more professional by introducing more stringent and regular driver tests, introducing more efficient operators licensing systems and increasing the number and effectiveness of road worthiness tests and other measures focused on the upgrading of vehicle fleets and notice of passenger rights. EU legislation in these matters can be used as benchmark;
- Supporting activities focused on reinforcing the road transport sector by for instance regrouping, structuring the size of small companies;
- Further integrating the road haulage sector into the overall logistics sector;
- Support on the effective use of PSO's and passenger transport from one urban area to another.

Activity 1C: Support for creating safer road transport (approx. 1 M€)

Cooperation in this field can be foreseen with the work of the Global Road Safety Partnership (as also supported by the Red Crescent organisations in the region and the regional Middle East and North Africa Road Safety partnership) as well as with other organisations active in the region (e.g. Comité Maghrébin de Sécurité Routière)

- Active cooperation with and capacity building for government organisations, the private sector and civil society which could result in partnerships between them (facilitation of partnerships e.g. between traffic police, research, transport officials);
- National and (sub)regional assistance about the creation of road safety regulators, the development of regional road safety plans, drivers licence and road maintenancel
- Work jointly with the governments to the adoption of reduction targets for casualties and road mortality, systematization of information, exchange of experiences between countries with the implementation of low-cost counter measures (from the EU, but also within the region);
- Support for the implementation of new legislation in the field of road safety (both construction and behaviour – drinking, helmets, seat belts, speed), the set-up of efficient education campaigns. EU legislation in these matters can be used as benchmark;
- Implementation of a number of demonstration projectsl
- Support for enforcement bodies and promoting regional agreement on the enforcement of technical rules as well as adopting enforcement targets;
- Development of a regional road safety action plan in addition to existing national plans and promote the implementation thereof.

Activity 2: Urban Transport (approx. €1M)

Activity 2A: Participation in the CIVITAS network and Action Plan on Urban Mobility (Approx. 0.5 M€)

This activity should result in a further exchange of good practices at regional level and especially with EU cities situated in the Mediterranean.

More concretely this would result in:

- Participation of the Mediterranean partner countries' cities into the CIVITAS network and the organisation of a specific session/roundtable on the international city experiences with a focus on the wider Mediterranean basin;
- Active exchange of best practices especially with a view on integrating environmental friendly solutions into urban transport and further support for the development of urban mobility plans (also between Mediterranean partner countries themselves);
- Support with the implementation of actions as identified in the 2009 Action Plan on Urban Mobility.

Activity 2B: Support for managing urban transport systems (Approx. 0.25 M€)

As a complementary action to EU grants in the field of loans or grants for urban transport action technical assistance for managing these systems should be envisaged.

More concretely this would result in:

- Technical assistance for urban transport systems management at a national or (sub)regional level;
- Development of practical guides in this matter;
- Exchange of knowledge with EU cities in this matter;
- Training activities can be provided on issues related to regulatory reforms in the field of public transport such as the establishment of public transport authorities, formalizing relationships between authorities and operators as well as establishing minimum levels of public service obligations.

Activity 2C: Training on fleet management (Approx 0.25 M€)

Linked to activity 2B but more specifically focused on the fleet itself assistance should be foreseen to increase the number possibilities an efficient fleet management especially for bus and taxi companies can offer especially when it comes to efficiency, environmental impact and safety.

More concretely this would result in:

- Assistance to the integration of safety, environmental and ITS standards in fleet management;
- An exchange of best practices in the field of fleet management.

Activity 3: Rail transport (approx 1.5 M€)

Activity 3A: Support for structural sector reforms (Approx. 0.5M€)

With a view on further promoting the rail sector, certain reforms need to be stimulated. This has already been started in a number of countries but further assistance in this matter may be required.

More concretely this would result in:

- Technical assistance for further developing and implementing the national railway reform plans with a specific focus on separation of infrastructure maintenance and operational parts / passenger and freight and defining responsibilities of the different railway authorities;
- Support for the preparation of investments plans for financing of infrastructure and rolling stock, electrification and signalling systems;
- Regional seminars focused specifically on an exchange of practice and experiences between countries of the region and cooperation with relevant international organisations (e.g. UIC, SELCAT, ELCRF);
- Where needed, preparation for a TWINNING exercise

Activity 3B: Enhancing interoperability and regional freight (Approx. 0.5M€)

This activity is mainly linked to the further development of the Trans Mediterranean Transport network and as such a further need for interoperability between the different railway lines.

More concretely this would result in:

- Technical assistance on railway standards with a view on further promoting interoperability. This should be done in specific cooperation with the EU Railway Safety Agency.
- Implementation of a number of pilot projects specifically focused on promoting interoperability (taking into account (improving border crossings; establishment of better information systems feeding into a future traffic control centre; overcoming bottlenecks around urban areas and access to ports; upgrading of technical systems (gauge, voltage, signalling); upgrading infrastructure parameters (train length, axle load, train weight);elaboration of path allocation, reallocation rules and improving terminal capacity.) and international synchronization of development projects.
- Development of strategic plans as to further enhance the development of rail freight business. Private sector companies should be closely involved specifically in this exercise.

Activity 3C: Enhancing railway safety (Approx. 0.5M€)

Similar as for the road transport sector, further improvement of railway safety is a high priority for the region.

More concretely this would result in:

- Technical assistance, where needed, to establish and support the activities of an Independent Railway Safety and Accident Investigation Authority;
- Technical assistance, where needed, to support drafting, and if applicable, the implementation of a multi-annual safety programme addressing the following elements (capacity management, closure of level crossings, building of grade separation interchanges, implementing devices for obstacle detection (radar, cameras), adding traffic lights and active warning signs);
- Determining ways of future cooperation with the European Rail Safety Agency (Valenciennes, France).

Activity 4: Regional supportive activities (Approx. 0.5M€)

The implementation of the project will be followed-up in the framework of the EuroMed Transport Forum and more specifically the sub-group on Road and Rail Regulatory Issues. The project will support the activities of this sub-group.

3.3. Risks and assumptions

Continued strong political commitment to regional cooperation and support from the partner institutions is a necessary condition for the project's effective implementation. Partner governments and authorities should be ready to take the measures required in terms of legal, technical and institutional reforms and adequate resource allocation. Long-term regional stability in the region is a prerequisite for the project's sustainability. In particular, inter-state tensions in the Middle Eastern region, but also in the Maghreb, may create difficulties in terms of regional coordination of transport flows, cross-border cooperation and trade facilitation. It should be noted that especially for the Palestinian Occupied Territories assistance is very limited as cross border operations are basically impossible to achieve.

Participating countries must to a certain extent recognise international conventions and/or Community law and/or relevant international standards in the field of road and rail transport and should be ready to actively work towards the implementation of first of all international standards, and, if relevant, Community standards which is also promoted in the bilateral action plans as established under the European Neighbourhood Policy.

These risks are minimised by the use of already functioning mechanisms for cooperation between the transport key stakeholders of the neighbouring states and with the EU.

3.4. Crosscutting Issues

The priority sector of transport safety and security will include strong components related to good governance and environmental safety. In terms of good governance, the project will promote institutional restructuring, including in particular the

separation of the governmental regulatory functions from the operational and commercial activities, strengthening the independence of the rail and road safety authorities and of their administrative capacity. Especially more efficient rail and urban transport as such are aiming at reduced use of cars and in that way environmentally friendly ways of transport. The application of EU rules and standards will also have a positive side effect on the environment, mainly concerning noise and emissions. Gender policy principles will be applied in the selection procedures for the staff to be trained.

3.5. Stakeholders

The main stakeholders in the project will be Ministry of Transport, Road Agencies, Railway Agencies, where applicable network operators, as well as local municipalities for the part on urban transport. Passengers and freight companies are final beneficiaries. The interest of all of these stakeholders is to enhance their knowledge and capacity to implement and operate under international and EU standards with a view on further structural adaptation at the national level which needs to be complemented at the regional level so as to encourage and facilitate the unimpeded flow of goods and people in the Mediterranean region. As mentioned above liberalization of the sector may not be fully welcomed in all of the partner countries, but accompanying measures which would especially enhance safety, security and professionalism should be a first step. In that way some level playing field can be created by reducing competitive (dis)advantages between countries. Especially for the rail sector a separation between the network managers and the service operators is a difficult process which requires the set up of new and independent administrations. Training of the staff of such administrations seems essential. The same counts for the possible establishment of independent road and rail safety agencies.

A number of the activities proposed in the project should preferably be implemented by the experts from the partner countries themselves. Also exchange of good practices among more advanced countries and less advanced countries should be stimulated.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

The major part of the action will be implemented through centralized management.

However, the Commission reserves the right to implement a specific part of this action (*Activity 1C: Support for creating safer road transport*) under joint management through a direct agreement with an international organisation on the basis of Art. 168.1.f of the Financial Regulation's Implementing Rules (Standard Contribution Agreement will be used). The international organisation identified is the International Federation of Red Cross and Red Crescent Societies (IFRC) and their Global Road Safety Partnership. This will allow the Commission to further support the activities set up under the Middle East & North Africa Road Safety Partnership (MENA RSP) as to effectively implement the foreseen activities on road safety.

An assessment of the International Federation of Red Cross and Red Crescent Societies (IFRC) procedures is currently performed by DG ECHO. In anticipation of the results of the assessment required under Article 53d of the FR, the authorising officer deems that, based on the problem free cooperation with the International Federation of Red Cross and Red Crescent Societies (IFRC), joint management can be proposed and a Contribution agreement can be signed in accordance with the provisions laid down in Article 43 of the Implementing Rules to the Financial Regulation.

4.2. Procurement and grant award procedures [/programme estimates]

The major part of the action will be awarded as a service contract through a call for tender (for approximately 4 million €).

Participation in the award of the contract for the present action shall be open to all natural and legal persons covered by the Financing Regulation ENPI Regulation N° 1638/2006.

However, for the specific part of the action (*Activity 1C: Support for creating safer road transport – and for approximately 1M€*) for which the Commission reserves the right to foresee Joint Management, the contracts implementing the action must be awarded and implemented in accordance with the procedures and standards laid down and published by the International Organisation concerned.

4.3. Budget and calendar

The total budget for the proposed project is 5 million EUR for a duration of 3 years from the signature of the contracts.

The indicative budget breakdown is indicative and could be as follows:

- 2 M € for the activities on road transport,
- 1,5 M € for activities on rail transport and
- 1 M € for activities related to urban transport

which gives a total of 4.5 M €

The remaining 0.5 M € should be used for the organisation of the EuroMed's Transport Forum sub group on Road & Rail as well as for visibility, audit and evaluation related costs.

4.4. Performance monitoring

There are limited relevant "standard indicators" in the domain as the project is mainly focusing on regulatory reforms. Yet, performance can be monitored for instance in terms of increase cross-border trade, less fatal accidents in road and rail transport and on a more general level the amount of new legislative proposals that are proposed. In addition, the project will pay attention to stimulating rail transport over road transport as preferred transport mode from an environmental point of view.

Another performance monitoring indicator could be the level of maturity of the pilot projects proposed. ENPI monitoring teams will ensure an external follow-up. The EC and the project coordinator will pay a particular attention at the recommendations expressed by the external experts. Of course, the the bilateral country progress reports within the scope of the overall European Neighbourhood Policy play an important role as well.

4.5. Evaluation and audit

A mid-term progress/monitoring report of the complete RTAP 2007-2013 is foreseen for 2010. Within this framework also the actions relevant for Road and Rail will be reviewed. The proposed project is supposed to deliver input to this overall progress/monitoring exercise of the RTAP.

For the contracts expenditure incurred will have to be certified, as part of the obligations of the contracted parties in the framework of the implementation of this project. 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).

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 project will work out a specific communication strategy and develop specific activities dedicated to communication and visibility.

Relevant communication tools will be developed for the different components of the project (website, best-practices booklet, training material for the technical assistance elements) in order to keep the stakeholders informed and to ensure visibility of the programme. Visibility and communication actions in the Partner Countries will also be carried out in collaboration with the Delegations, in line with the Communication and Visibility Manual for EU External Actions. In addition, the contract will have to cooperate with EuroMed Main Transport contract as to assure coherence with the other EuroMed Transport projects and the overall website.

Visibility should furthermore be guaranteed by means of the close link to the Union for the Mediterranean which may place the project in the centre of further attention.

Among other information means, the EuroMed Info Centre web portal and EuropeAid's ENPI Newsletter will also be used regularly and press releases will be prepared when appropriate. The EU visibility guidelines must be followed for all components of the project.

**Annex 8: Action Fiche for the 2010 Euro-Mediterranean Partnership
Regional Action Programme - Global Allocation**

1. IDENTIFICATION

Title	Euro-Mediterranean Partnership Global Allocation for 2010-2011		
Total cost	EUR 10 900 000		
Aid method/ Management mode	Project approach – centralised		
DAC code	43010	Sector	Multi-sector

2. RATIONALE

The Euro-Mediterranean Partnership Global Allocation for 2010-2011 is a flexible “facility” giving the EC the possibility to decide to finance small-scale measures that are in keeping with the objectives of the Southern dimension of the ENPI programme and its operational and policy priorities.

Based on the ENPI Regulation, in particular Article 16 on “Support measures”, the Euro-Mediterranean Partnership Global Allocation for 2010-2011 provides funding which allows to implement the ENPI Regulation and achieve its objectives, e.g. supporting activities and studies relating to the country or multi-country programmes, organisation of ENPI South meetings, activities in the fields of culture and information or *ad hoc* operations.

3. DESCRIPTION

3.1. Objectives

The objective of this Global Allocation is to ensure a rapid commitment decision on action and projects, while enabling the European Commission to act with flexibility by means of an instrument which is capable of adapting itself to evolving circumstances and/or dealing with unforeseen situations.

3.2. Expected results and main activities

The Global Allocation will be used as a framework for financing activities in the following fields:

(1) Support for project cycle management

This component includes activities linked to:

- identification and formulation of bilateral and regional projects which may result in funding from ENPI South (e.g. sectoral studies, country or region studies, studies on cross-cutting issues or in specialised areas, preparatory activities, etc.);

- small projects and other small-scale activities to back up major projects during implementation (programmes carried out under the country or multi-country programmes);
- audit and evaluation/impact assessment of projects for which financing of such activities could not be foreseen due to the N+1 rule or is no longer available.

The indicative budget for this component is **EUR 3 000 000** to be allocated by means of framework contracts. In the very few cases where the existing framework contracts could not be used (e.g. budget over the EUR 200 000 threshold, experts unavailable for various lots, etc.), other procedures laid down in the Financial Regulation will be followed.

(2) **Cultural and information activities**

This component covers activities of the EU Delegations in the Mediterranean countries and territories in the following areas:

- culture: support for local or regional cultural activities in the field of audiovisual and multimedia, arts, cultural festivals (cinema, dance, theatre, etc.), dialogue between cultures, etc.;
- information: publications and other information and awareness-raising activities about the Euro-Mediterranean cooperation and partnership which are designed and implemented in coherence with and to complement the regional information and communication programme, in order to enhance the visibility of Commission's activities in each Mediterranean country.

This component will have an indicative budget of **EUR 2 400 000**, to be split among EU Delegations, based on their annual programme of activities. These activities will be implemented by means of grant and service contracts. All grant contracts will be awarded following calls for proposals launched locally by EU Delegations. The required procedures for service contracts will be applied in accordance with the Financial Regulation.

(3) **Organisation of meetings**

This component covers different kinds of meetings organised by the Commission in the framework of the ENPI Southern Partnership, including ministerial conferences conducted in cooperation with the EU Presidency and thematic working groups, civil fora, sectoral preparatory meetings, etc.

The indicative budget for this component is **EUR 2 500 000**. The technical preparations for and logistical organisation of the meetings will come under framework contracts or other procedures laid down in the Financial Regulation.

(4) **Ad hoc operations**

This component will be used to finance operations in specific cases which fall outside the scope of the standard country or multi-country programmes, such as the financial contribution to the Secretariat of the Union for the Mediterranean to which a direct grant may be awarded.

The Secretariat will play a key role in the institutional architecture of the Union for the Mediterranean, mainly by taking charge of identifying measures to follow up and promote new projects, but also by seeking funding and partners to implement projects.

This co-financing will have to follow the provisions of the Financial Regulation strictly. The other sources of funding will have to come from the Euro-Mediterranean partners.

The indicative budget for this component is **EUR 3 000 000**. Activities will be financed via service contracts, grant contracts and/or contracts with international organisations according to the needs of each activity.

4. IMPLEMENTATION ISSUES

4.1. Implementation method

Centralised management.

4.2. Procurement and grant award procedures

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 and which are in force at the time of the launch of the procedure in question.

The essential selection criteria for the award of grants are laid down in the Practical Guide to contract procedures for EU external actions. The maximum rate of co-financing for grants is 80%. Full financing is possible only in the cases provided for in Article 253 of the Implementing Rules of the Financial Regulation where financing in full is essential in order to carry out the action in question.

4.3. Budget and calendar

Contracts can be financed under this part of the Euro-Mediterranean Partnership Global Allocation as soon as the Commission decision is adopted and until 31 December 2011 in accordance with the “n+1” rule, provided the funds available under the previous Euro-Mediterranean Partnership Global Allocation have been fully used.

4.4. Evaluation and audit

Certification of expenditure will have to be submitted as part of the contracts implementing this decision. Evaluations of the results achieved by some of the projects financed under this Decision may be conducted by external experts entrusted by the Commission, along with external audits on the initiative of the Commission, if necessary. These evaluations and audits will be funded from other sources because the “n+1” rule applies after the contracting-out period for this Decision.

Annex 9: Action Fiche for Sustainable Water Management and de-pollution of the Mediterranean

1. IDENTIFICATION

Title/Number	Sustainable Water Management and de-pollution of the Mediterranean ENPI/2010/021-935		
Total cost	<i>EC contribution (2009-2010) : 22 M €(of which EUR 15 million to be committed in 2010 and EUR 7 million already committed in 2009)</i>		
Aid method / Method of implementation	Project approach – Direct centralised management		
DAC-code	14010	Sector	Water resources policy and administrative management

2. RATIONALE

The present Action Fiche was presented to the Quality Support Group 2 in January 2009. The ENPI Committee approved the Project Fiche (April 2009) and the EC Decision was taken to allocate the EUR 7 millions to the technical assistance component (July 2009). It is expected that another EC Decision will approve additional EUR 15 millions for the Call for Proposals in 2010.

2.1. Sector context

The prevalence of unsustainable water consumption in the Euro-Mediterranean region has resulted in an alarming depletion of water reserves (groundwater and surface water) and damages to aquatic and coastal ecosystems, upon which the economic and social development of the region depends. It also leads to social tensions (competition between the different water uses) and trans-boundary conflicts. This situation is worsened by the already perceptible impacts of Climate Change and the negative consequences of economic globalisation, in particular in the agriculture and tourism sectors.

The recent evolution of the Euro-Mediterranean Partnership and the launch of the Union for the Mediterranean have confirmed the high priority given to environment and water issues by governments in the region, in particular through the Horizon 2020 Initiative agreed in the Euro Mediterranean Ministerial Meeting on Environment held in Cairo (November 2006).

Moreover, the Euro-Mediterranean Ministerial Conference on Water which was held in Jordan at the end of 2008 launched the preparation of a new Strategy for Water in the Mediterranean (SWM) and an Action Plan to be defined by the relevant stakeholders by 2010. The main priority areas of this new Strategy had been identified during the Euro-Mediterranean and South Eastern European Water Directors Conferences (2007 and 2008): Water Governance, Water and Climate

Change, Water Financing, and Water Demand Management. In order to further prepare the SWM, meetings of the Water Expert Group took place in Athens (September 2009) and Cairo (November 2009). Unfortunately due to reasons not linked to the content of the Water Strategy no agreement was reached in the Ministerial meeting held in Barcelona (April 2010). However, the main elements of the strategy are not at stake. The SWM would promote the adoption of widely accepted principles and practices needed to ensure the sustainable use of this important natural resource. In any event, the present programme aims at to continue working with the Euro-Mediterranean partners, to ensure the sustainable use of such an essential resource in the region.

It follows the priorities agreed in both Ministerial Declarations: Egypt 2006 for Horizon 2020 and Jordan 2008 for the SWM. It is also in line with the conclusions of the Joint Egyptian-Dutch Water Conference "Towards the new Long Term Strategy for Water in the Mediterranean" (Cairo, November 2009). On this occasion, the participants (EU and Mediterranean partner countries) recognised that climate change presents an additional pressure in the Mediterranean region, which surpasses and aggravates the already existing serious water scarcity and drought problems. Furthermore, they requested further elaboration and urgent implementation of mitigation and adaptation measures applying prevention and precautionary principles in order to address increasing uncertainties. They agreed to send to the Copenhagen Summit a declaration to highlight the need to adapt to increasing climate variability and change through better water management and water services. This requires significant additional efforts within water management and the areas of spatial planning and energy management⁹.

2.2. Lessons learnt

Independent evaluations of the two previous regional programmes for environment SMAP and MEDA WATER were carried out in 2008.

The latter has highlighted the fact that despite some valuable results at local level, the regional impact of the programme remains weak, because of an insufficient dissemination of good practices to the relevant decision makers.

The evaluation of SMAP III highlighted the lack of articulation between the individual projects and the national strategies.

The present programme will carry forward the results achieved by these two programmes (awareness raising of the national authorities and relevant actors at national and regional level) in order to maximise the chances of replication of good practices, concerning in particular: treated wastewater reuse possibilities (legislative and technical aspects, financing incentives); irrigation efficiency (technical solutions, effective participation of water users associations); integrated coastal zone management (concrete examples of sound governance and civil society participation).

⁹ http://www.ufm-water.net/meetings/towards-new-long-term-strategy-water/Cairo_message_version_final.pdf.

2.3. Complementary actions

The programme will be implemented complementarily with the Mediterranean Component of the EU Water Initiative (EUWI-Med), whose main objectives are to promote the development of Integrated Water Resources Management (IRWM) policies via National Policy Dialogues, to support the elaboration of the SWM, and to facilitate donors' coordination concerning priority actions to be identified with the countries. A support project runs from 2010-2012 for 30 months with a budget of 1.02 M €

It should be mentioned that several programmes developed under the ENRTP (Environment and sustainable management of Natural Resources including energy Thematic Programme) concern water related climate change issues in the ENPI Countries, and specifically the Mediterranean. For instance, a World Bank administered Trust Fund addresses climate change in the Middle East and North-Africa (MENA) region (in which the EC and Italy participate as main donors).

Close coordination with the Horizon 2020 Initiative (H2020), including the related ENPI projects and the Mediterranean Strategy on Sustainable Development will be ensured, with a special focus on the H2020 components concerning pollution reduction projects (identified Hotspots) and capacity building.

The present programme is also complementary to the "ENPI-Mediterranean Environment Programme" approved in 2008 (€7 millions) which aims to support the implementation of the Horizon 2020 Initiative. This Programme includes a Monitoring Component to be implemented under the aegis of the European Environment Agency, aimed at setting up a Shared Environmental Information System for the Mediterranean (SEIS) in cooperation with UNEP Mediterranean Action Plan (Secretariat of the Barcelona Convention).

It also complements another project, the Mediterranean Hot-Spot Investment Programme Project Preparation and Implementation Facility (MeHSIP PPIF). Supported from FEMIP and managed by the European Investment Bank, this project supports the preliminary steps needed to take the projects identified under the analytical work by the Barcelona Convention through to a point where they are picked up by IFIs (total value €6.2 million).

Synergies with the ENPI Cross-Border Cooperation Mediterranean Sea Programme will also be developed.

This programme will also ensure complementarities with activities under ENPI bilateral programmes, namely, water and environment bilateral projects such as the one ongoing in Egypt (aimed at improving the management of water resources in order to ensure the supply of the population with drinking water; while balancing the conflicting needs of industry, agriculture and other water uses; "Water Sector Reform Programme €80 millions 2005-2009") or the one to be launched in Jordan which intends to assist the water sector stakeholders to enhance mitigation and adaptation to the increasing water scarcity in Jordan, which may be further augmented by the impact of the global warming and climate change. It aims to support effective co-operation of water users in executing strategic government's objectives related to efficient management and conservation of water resources. "Improved Water

Resources Security for Low Income Rural and Urban Communities (€10 million, 2010-2012"). Moreover, bilateral water programmes are approved in Morocco (€50 million) and Tunisia (€7 million) or in preparation in Algeria (€30 million) and Lebanon (€ million). Other activities with a sub-regional nature, such as the programme to "Fostering co-operation on water management between the Israeli, Palestinian and Jordanian water authorities" (which represent the 5th phase of the EXACT programme, and is currently under preparation) will also be taken into account.

Furthermore, synergies will be sought with the "Strategic Partnership for the Mediterranean Sea Large Marine Ecosystem – Regional Component: Implementation of agreed actions for the protection of the environmental resources of the Mediterranean Sea and its coastal areas" supported by the Global Environment Facility (GEF), UNEP/MAP and the EU among other donors (2008-2009).

2.4. Donor coordination

Despite the difficulties of coordinating regional activities on environment in the Mediterranean, specific attention will also be given to important infrastructure projects funded by International Financial Institutions (including under the Horizon 2020 Pollution Reduction Component), in terms of complementary capacity strengthening needs and sustainability issues. Moreover, linkages with the implementation of the Mediterranean Strategy on Sustainable Development will be ensured, and synergies will be sought in particular with projects funded through the GEF but also with the African Water Facility and with regional water governance related projects as well.

Regarding the implementation of the principles of the SWM, coordination with EU member states and other international donors should take place via the Water Expert Group (WEG).

Two experts have been hired through a Framework Contract for the preparation of the terms of reference and the guidelines for the call for proposals. Intensive exchange with the concerned DGs, EU Delegations in the region and with the key stakeholders (Water Expert Group Forum, NGOs, EU Member States, International Financial Institutions, UN bodies, etc) is taking place.

During the formulation and implementation of the programme phases, the concerned EU Delegations will be further involved to ensure coordination with other initiatives implemented or planned at national level.

The Guiding Principles of the Backbone Strategy for Reforming Technical Cooperation were taken into account, in particular principles 1 (focus on capacity development), 3 (results orientation), 5 (taking account of country and sector-specific requirements), and 6 (working through harmonised and aligned action).

3. DESCRIPTION

3.1. Objectives

Overall objective:

- To promote actively the extensive dissemination of sustainable water management policies and practices in the region in the context of increasing water scarcity, combined pressure on water resources from a wide range of users, and desertification processes, in connection with climate change.

Specific objectives:

- Draw the attention of Partner Countries' decision-makers and stakeholders to the existing and forthcoming threats on water resources, on the necessity to adopt a more appropriate water consumption and water use model, as well as on the existence of solutions to tackle the problem;
- Support Partner Countries in designing and implementing sustainable water management policies at the national and the local levels, in liaison with existing international initiatives in the area concerned
- Contribute to ensuring institutional reinforcement and the development of the necessary planning and management skills, in line with Horizon 2020 objectives, and facilitate know how transfer.

These objectives will be pursued with a view to addressing the four interlinked issues referred to in the new SWM (water governance, water and climate change, water financing and water demand management) and the three sources of pollution (municipal waste, municipal wastewater, industrial emissions) of the Horizon 2020 initiative.

3.2. Expected results and main activities

Expected results of the project are:

- (5) Demonstrated increase in the awareness of decision-makers, stakeholders, and the general public of water value and of the continuous depletion of water resources as a consequence of water wastage, climate change, water pollution, demographic pressure and modification of life-styles, particularly in urban areas.
- (6) Sustainable and equitable water resources management becomes a prominent feature of national development strategies and policies in relevant fields (agriculture, industry, tourism, etc).
- (7) Good practices and state-of-art technologies are more well-known and disseminated at national and regional levels.
- (8) Sustainable water management schemes, based on the integrated water management concept adopted for the EU Framework Directive, involving inter-sector dialogue as well as collaboration between stakeholders and incorporating water saving targets, are effectively put in motion in a number of rural areas and municipalities of the Partner Countries.
- (9) Water-related institutions are empowered and stakeholders' capacities are increased (target groups: water utilities, relevant ministries, such as agriculture, environment, industry, tourism and trade, River Basin

Organisations, municipalities, water users associations, universities, regional and national research centres).

Activities envisaged:

The project will consist of two main components that together will contribute to the expected results described above.

(F) Support Mechanism:

This horizontal component will take care of the overall coordination of the different programme's activities and contribute to ensuring:

- Awareness-raising on water scarcity and environment related challenges,
- Policy dialogue,
- Dissemination of information,
- Capacity building and liaison with Horizon 2020 and other relevant initiatives.

It will also assist Partner Countries in updating their water management strategies and in introducing new methods regarding e.g. water tariff, water management (including stakeholders' participation), losses control and water saving, on a voluntary basis.

Technical assistance tasks will additionally include support for the beneficiaries of the demonstration projects, monitoring of their activities and overall programme reporting to the Commission.

Main activities:

- Development of a Communication and Awareness-Raising Strategy targeting relevant decision makers and stakeholders, addressing issues related to the consequences of unsustainable use of water and inefficient water management, and encouraging a shift towards water efficient techniques and modus operandi.
- Identification of good practices and success stories in the region and elsewhere (in the framework of the Demonstration Projects, but also of other undertakings);
- Organisation of, or participation in, events aiming to mobilise Partner Countries and other donors, discuss thematic issues, harmonise approaches and policies, and facilitate inter-sector dialogue as well as exchanges of experience, in liaison with Horizon 2020 and the Mediterranean component of the EU-Water Initiative whenever appropriate;
- Capacity Building activities (seminars for middle-level staff, other training sessions, ad hoc support missions on the ground, study visits, etc) in relevant areas; in this respect, regional and national training institutions will be identified to serve as "centres of reference" and will possibly also be involved in designing and implementing these activities;

A Steering Group, assisted in principle by Thematic Task Forces, will ensure overall guidance and supervision of this component. Exchanges with the Horizon 2020 Steering Group and with the "Water Expert Group" set up by the Ministerial Conference on Water and operating under the Mediterranean component of the EU Water Initiative will be developed.

(G) Demonstration Projects:

Up to ten Demonstration Projects will be selected, following a Call for Proposals in order to promote integrated and ecosystems approaches in the fields of integrated water management, or coastal zone management, and in the relevant sectors covered by the initiative Horizon 2020 and the SWM, and to put them into practice at the local level (rural or urban areas). The projects should have high visibility, ensure complementarities with bilateral programmes, in the beneficiary countries and leave a legacy after the project funding is over. A team of experts is meeting the main stakeholders in all the partner countries, and other key EU and international actors in order to prepare the Guidelines for the call for proposals. The aim is to identify a suitable size and number of good quality demonstration projects.

Domains targeted could include:

- Water efficiency (includes identification, control and reduction of water losses, water saving measures in urban or rural areas, water-efficient irrigation schemes, possibly combined with the introduction of low water consuming crops;
- Re-use of grey water, associated with means to assess water status and to define appropriate conditions to utilise this resource in a safe and sustainable manner.
- Water protection and pollution control in liaison with the relevant sectors of Horizon 2020;
- Advanced water–basin management, inspired from the approach set out in the EU Water Framework Directive;
- Innovative tariff-setting and financing methods.

Research-oriented or poorly integrated projects, focussing mainly on technical aspects, will not be considered for funding.

The results of the Demonstration Projects will be communicated regularly to the Steering Group and to the Thematic Task Forces and will also be used by the Horizon 2020 Initiative Steering and Working Groups (in particular the Pollution Reduction and the Capacity Building).

3.3. Risks and assumptions

The main assumptions which may have an impact on the successful implementation of the programme are:

- the Water Expert Group will deliver the Regional Strategy and the related action Plan according to the timeframe foreseen in the Ministerial Declaration;

- sustained political stability will prevail in the region;
- a strong and continuous political support from the Partner Countries' governments is expected to introduce in-depth changes in water governance, which involves highly sensitive aspects;
- Demonstration projects of good quality will be identified, which will be achieved by intensive stakeholders consultation and a preference for projects of bigger size.

3.4. Crosscutting Issues

Good governance and human rights; By focussing on water governance issues, the present programme undoubtedly contributes to good governance in general.

Sustainable and equitable access to water and sanitation can be seen as a contribution to a better respect of Human Rights, in so far as it is a condition for decent living conditions, and directly impacts access to health, housing, food and dignity, which are already enshrined in international conventions such as the International Bill of Human Rights and the Convention on the Rights of the Child.

Gender equality; Women are very often excluded from important planning and decision making in water management, as well as from the right to land and water in rural areas. The participation of civil society will be sought in the programme's implementation with a special attention to involvement of women.

3.5. Stakeholders

Project partners will include a wide range of institutional, economic and social stakeholders who should be potentially interested in participating in the activities. These include, but are not limited to: among which the concerned ministries (finance, environment, water, agriculture, interior, external relations, etc), and national agencies, water and sanitation utilities, river basin organisations, but also local governments, universities, IFIs, users associations, NGOs and professional organisations.

In this regional context it is difficult to further describe the main stakeholders, but in the framework of both the implementation of Horizon 2020 and preparation of the SWM, the key regional stakeholders are actively participating. This will be complemented at national level by setting up or reinforcing, were existing, inter and intra-institutional coordination mechanisms.

4. IMPLEMENTATION ISSUES

4.1. Method of implementation

Direct centralised management.

The Support Mechanism and the Demonstration Projects will be managed in close cooperation with the EC Delegations in the region.

The Support Mechanism would be implemented through a services contract, (indicative total duration: **48 months**).

The Demonstration Projects will be implemented through grant contracts with a indicative maximum duration of activities of **36 months**. Additional funding from other donors might be mobilised for the implementation of these projects.

4.2. Procurement procedures

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 regulation EC/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. 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 regulation EC/1638/2006.

4.3. Budget and calendar

The overall budget for the program is EUR 22 million: EUR 7 million were committed in 2009 and EUR 15 million will be committed in 2010. There will be a new decision for the credits allocated for 2010, under condition of the vote of these credits by the budgetary authority.

- Support Mechanism: **EUR 7 million (commitment 2009)**. This component will be implemented through a service contract which will cover indicatively a four-year period. The Call for Tender is planned to be launched during first semester of 2010.
- Demonstration Projects: approximately **EUR 15 million (to be commitment 2010)**. They will be implemented through grant contracts to be awarded following a Call for Proposals. Implementation will cover indicatively a three-year period from the date of contracts signature.

Both the EU and the ENPI parties involved in the partnership will be required to provide co-financing for the Demonstration Projects, so as to ensure ownership. The minimum amount of co-financing requested for the demonstration projects will be 20%.

4.4. Performance monitoring

Objectively verifiable indicators (qualitative and quantitative) will have to be part of the methodologies included in the technical proposals for the two components of the programme.

Besides the regular follow up by the EU Delegations and the Headquarter, monitoring missions (contracted by the EU) will ensure an external follow-up. The

EC and the project coordinator will pay particular attention to the recommendations expressed by the external experts.

4.5. Evaluation and audit

Expenditure incurred will have to be certified, as part of the obligations of the contracted parties in the framework of the implementation of this project. 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

Special attention will be given to communication aspects.

A specific Communication and Awareness Raising Strategy will be defined and implemented in the framework of the Support Mechanism.

Relevant communication tools will be developed also in the demonstration Projects in order to keep the stakeholders regularly informed and to ensure the visibility of the programme.

Visibility and communication actions in the Partner Countries will be carried out in collaboration with the Delegations, in line with the Communication and Visibility Manual for EU External Actions.

The Euromed Info centre web portal and EuropeAid's ENPI Newsletter will be used regularly and press releases will be prepared when appropriate.