

## **PLATFORMA Working Group on European Development Policy**

### **Comments on European Commission Proposal for a new Regulation establishing a European Neighbourhood Instrument (ENI)**

PLATFORMA<sup>1</sup> would like to commend the efforts of the European Commission to undertake a sincere and detailed review of the current ENPI Regulation, as illustrated by Impact Assessment - SEC(2011) 1466.

With regard to the Proposal for a new Regulation establishing a European Neighbourhood Instrument (ENI), PLATFORMA expresses its support for the following aspects of the Commission's proposals:

- (i) The development of an increasingly clear policy framework for cooperation with neighbourhood countries vis-à-vis the establishment of "an area of prosperity and good neighbourliness" (Proposal for ENI, point 2) and "mutual commitment to and promotion of the values of democracy and human rights, the rule of law, good governance and the principles of market economy and sustainable development" (point 5);
- (ii) The introduction of "greater support to partners committed to building democratic societies and undertaking reforms, in line with the 'more for more' and 'mutual accountability' principles" (point 7);
- (iii) In this regard, the development of a Single Support Framework as a means to measure "progress made in relation to the policy framework" (Article 7);
- (iv) The streamlining of the instrument's scope to include broader policy objectives, in particular efforts at "establishing deep and sustainable democracy" (Article 2(a));
- (v) The emphasis that "gender equality and anti-discrimination should be a cross-cutting objective in all actions undertaken under this Regulation" (point 21);
- (vi) The intention to address the complexity and length of the programming process and allow for greater flexibility.

PLATFORMA would like to take this opportunity to appraise a few key elements included in the Commission's proposals for the new ENI Regulation, and takes the liberty of suggesting some pertinent adjustments which might help to broaden the impact of EU development policy vis-à-vis reform in ENI countries:

- (i) PLATFORMA encourages the Commission to undertake a detailed analysis on the ways in which the instrument and implementing provisions can most effectively contribute to "establishing deep and sustainable democracy" in ENI countries.

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<sup>1</sup> PLATFORMA coordinates the voice of European local and regional authorities in the field of development cooperation. It brings together the main national, European and international associations of local and regional government. PLATFORMA represented these actors during the structured dialogue implemented by the European Commission in 2010-2011 and is now involved in the EU policy forum on development. More information: [www.platforma-dev.eu](http://www.platforma-dev.eu)

**Within the scope of the Specific Objectives of Union Support, it encourages the Commission to introduce specific wording on 'decentralisation and local democracy' (Article 2(a)), and 'capacity building for service delivery' (Article 2(d)).**

**Furthermore, given the previous tendency towards centralisation in many ENI countries, and the new emphasis on democratic reform under ENI, PLATFORMA urges the Commission to consider mainstreaming support to decentralisation and local democracy within Single Support Frameworks or Strategy/Multi-Annual Indicative Programmes.**

- (ii) PLATFORMA supports the proposals put forward during the AFET Committee of 27<sup>th</sup> March 2012 for a clearer elaboration of indicators/incentives/benchmarks/monitoring mechanism for country performance according to 'more for more' principles, and **encourages that local democratic institutions be engaged in human rights and democracy assessments.**
- (iii) PLATFORMA encourages the Commission to draw from, and **disseminate, lessons from earlier Commission evaluations on the utilization and impact of different types of programmes (bilateral, multi-country and cross-border) under ENPI, and requests specific clarification on how much this has affected the emphasis on different types of programmes under the (more reform-oriented) ENI.** To the same effect, it would be interesting to learn how the Commission will actually use the Single Support Framework as a tool for monitoring progress on the agreed policy framework?
- (iv) One of the biggest challenges with EU assistance relates to the fact that the implementing provisions (currently applied for bilateral programmes) require that a beneficiary institution is usually a national Ministry. In this context, it has proved very difficult to effectively engage local actors or their national representatives in reform-oriented (decentralisation) programmes. Even where there is a genuine interest in reform, it isn't practical to expect a Ministry to play a responsive coordination role, where it has rarely been charged to do so before.  
**PLATFORMA therefore urges the Commission to go beyond the statement that different partners should be involved in preparing, implementing and monitoring Union support (Article 4, 2), and seek to clarify/elaborate a wider range of potential beneficiaries, including local and regional governments.**
- (v) **PLATFORMA welcomes the ENI programming as based on the three following programmes: bilateral, multi-country and cross-border cooperation, and underlines how useful the cross-border cooperation programme has been for European regions to develop partnerships with their counterparts in the Neighbourhood region.** The CBC programme has been instrumental in building capacity of Neighbourhood countries and their local and regional governments in terms of participation in EU programmes.
- (vi) The proposal for the new ENI Regulation does not include separate chapters concerning the Programming and Allocation of Funds specifically for bilateral and multi-country programmes. Whereas there is a separate chapter that elaborates on the eligibility, programming, operational and management requirements for Cross-

Border Cooperation programmes, Article (7) concerning country and multi-country programmes mainly contains information on programming.

**This should be addressed, particularly since the rationale, conditions and likely nature of multi-country programmes are not well-elaborated, and because CBC programmes will receive only 5% of the total share of ENI budget.**

- (vii) PLATFORMA would like to request further clarification on the intended thematic focus and anticipated budgetary commitment for multi-country programmes under ENI, in addition to the likely process of identification and formulation of new programmes? **PLATFORMA encourages the introduction of a wider range of multi-country programmes specifically targeting effective engagement of local and regional authorities and local government associations in ENI countries.**
  
- (viii) **PLATFORMA urges the European Commission to build on the principles of the EU cohesion policy and examine how this experience based on a multi-sector approach could be feed in the ENI programmes.**
  
- (ix) PLATFORMA would also like to stress and ensure that multi-country programmes under ENI will be eligible for all EU member states regardless of their geographic proximity to partner countries. PLATFORMA believes that it is important to give this type of programme more emphasis (and financing), since they will contribute more widely to 'harmonious territorial integration across the Union and with neighbouring countries' (Point 8), by engaging countries in northern, western and central Europe that do not have a physical or maritime boundary with ENI countries. **PLATFORMA believes that the body of knowledge and experience from all EU member states should be considered, so that programmes can benefit from EU best practice in areas like gender equality, environmental sustainability, etc.**
  
- (x) The requirement for co-financing (Point 11) prevents the participation of certain actors in both EU member states and Partner Countries. In the case of Partner Countries, financial resource constraints may prevent the engagement of local actors, while in some member states like Sweden, local and regional government cannot participate in programmes with co-financing because they are not permitted to utilise local taxes to finance international development cooperation. **In some cases, when it is in the interest of EU and its external cooperation programmes, PLATFORMA encourages the Commission to adopt the rules (Implementing Rules of the Financial Regulations) for full financing "where it is in the interests of the Community to be the sole donor to an action" (Article 253 - 1(e)).**
  
- (xi) Article 5 would benefit from the inclusion of an additional focus on 'Competences' at the level of EU Delegations. Much can be done to support the knowledge of EUD staff in all areas covered by ENI, specifically for decentralisation and local democracy.  
**The Commission is encouraged to reintroduce an Article similar to Article 16 in the current ENPI so that training and exposure of Commission staff can be foreseen. PLATFORMA would be prepared to organise tailored seminars to assist EU Delegations in new programme formulation.**

- (xii) **PLATFORMA requests that the Commission puts more emphasis on Institutional Twinning and TAIEX in the ENI Regulations. In this regard, it encourages the Commission to undertake a detailed analysis on how these mechanisms have been utilised in different sectors/countries, as well as considering options to stimulate a wider utilisation of these mechanisms in Partner Countries.** It is PLATFORMA's experience that there have been very few institutional twinning and TAIEX initiatives involving local government in the ENI region; local government Ministries often lack the capacity/interest to put forward a request for Institutional Twinning or TAIEX support.
- (xiii) Some important aspects that are included within the text of the current ENPI Regulation regarding monitoring and evaluation (Articles 24 and 25) have been removed from the proposed ENI Regulation. **In the interests of transparency and lessons-learning, PLATFORMA urges the Commission to consider introducing an Article which elaborates clearly how the Commission intends to regularly evaluate the results of ENI interventions.**