

Regulation (EC) No 1638/2006 of the European Parliament and of
the Council of 24 October 2006 laying down general provisions
establishing a European Neighbourhood and Partnership Instrument

TITLE I

OBJECTIVES AND PRINCIPLES

Article 1

Subject matter and scope

1 This Regulation establishes a Neighbourhood and Partnership Instrument to provide Community assistance for the development of an area of prosperity and good neighbourliness involving the European Union, and the countries and territories listed in the Annex (hereinafter partner countries).

2 Community assistance shall be used for the benefit of partner countries. Community assistance may be used for the common benefit of Member States and partner countries and their regions, for the purpose of promoting cross-border and trans-regional cooperation as defined in Article 6.

3 The European Union is founded on the values of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law and seeks to promote commitment to these values in partner countries through dialogue and cooperation.

Article 2

Scope of Community assistance

1 Community assistance shall promote enhanced cooperation and progressive economic integration between the European Union and the partner countries and, in particular, the implementation of partnership and cooperation agreements, association agreements or other existing and future agreements. It shall also encourage partner countries' efforts aimed at promoting good governance and equitable social and economic development.

2 Community assistance shall be used to support measures within the following areas of cooperation:

- (a) promoting political dialogue and reform;
- (b) promoting legislative and regulatory approximation towards higher standards in all relevant areas and in particular to encourage the progressive participation of partner countries in the internal market and the intensification of trade;
- (c) strengthening of national institutions and bodies responsible for the elaboration and the effective implementation of policies in areas covered in association agreements, partnership and cooperation agreements, and other multilateral agreements to which the Community and/or its Member States and partner countries are parties, whose purpose is the achievement of objectives as defined in this Article;

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE I. (See end of Document for details)

- (d) promoting the rule of law and good governance, including strengthening the effectiveness of public administration and the impartiality and effectiveness of the judiciary, and supporting the fight against corruption and fraud;
- (e) promoting sustainable development in all aspects;
- (f) pursuing regional and local development efforts, in both rural and urban areas, in order to reduce imbalances and improve regional and local development capacity;
- (g) promoting environmental protection, nature conservation and sustainable management of natural resources including fresh water and marine resources;
- (h) supporting policies aimed at poverty reduction, to help achieve the UN Millennium Development Goals;
- (i) supporting policies to promote social development, social inclusion, gender equality, non-discrimination, employment and social protection including protection of migrant workers, social dialogues, and respect for trade union rights and core labour standards, including on child labour;
- (j) supporting policies to promote health, education and training, including not only measures to combat the major communicable diseases and non-communicable diseases and disorders, but also access to services and education for good health, including reproductive and infant health for girls and women;
- (k) promoting and protecting human rights and fundamental freedoms, including women's rights and children's rights;
- (l) supporting democratisation, *inter alia*, by enhancing the role of civil society organisations and promoting media pluralism, as well as through electoral observation and assistance;
- (m) fostering the development of civil society and of non-governmental organisations;
- (n) promoting the development of a market economy, including measures to support the private sector and the development of small and medium-sized enterprises, to encourage investment and to promote global trade;
- (o) promoting cooperation in the sectors of energy, telecommunication and transport, including on interconnections, networks and their operations, enhancing the security and safety of international transport and energy operations and promoting renewable energy sources, energy efficiency and clean transport;
- (p) providing support for actions aimed at increasing food safety for citizens, in particular in the sanitary and phytosanitary domains;
- (q) ensuring efficient and secure border management;
- (r) supporting reform and strengthening capacity in the field of justice and home affairs, including issues such as asylum, migration and readmission, and the fight against, and prevention of, trafficking in human beings as well as terrorism and organised crime, including its financing, money laundering and tax fraud;
- (s) supporting administrative cooperation to improve transparency and the exchange of information in the area of taxation in order to combat tax avoidance and evasion;
- (t) promoting participation in Community research and innovation activities;

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE I. (See end of Document for details)

- (u) promoting cooperation between the Member States and partner countries in higher education and mobility of teachers, researchers and students;
- (v) promoting multicultural dialogue, people-to-people contacts, including links with communities of immigrants living in Member States, cooperation between civil societies, cultural institutions and exchanges of young people;
- (w) supporting cooperation aimed at protecting historical and cultural heritage and promoting its development potential, including through tourism;
- (x) supporting participation of partner countries in Community programmes and agencies;
- (y) supporting cross-border cooperation through joint local initiatives to promote sustainable economic, social and environmental development in border regions and integrated territorial development across the Community's external border;
- (z) promoting regional and sub-regional cooperation and integration, including, where appropriate, with countries not eligible for Community assistance under this Regulation;
- (aa) providing support in post-crisis situations, including support to refugees and displaced persons, and assisting in disaster preparedness;
- (bb) encouraging communication and promoting exchange among the partners on the measures and activities financed under the programmes;
- (cc) addressing common thematic challenges in fields of mutual concern and any other objectives consistent with the scope of this Regulation.

Article 3

Policy framework

1 The partnership and cooperation agreements, the association agreements and other existing or future agreements which establish a relationship with partner countries, and the relevant Commission communications and Council conclusions laying down guidelines for European Union policy towards these countries, shall provide an overall policy framework for the programming of Community assistance under this Regulation. Jointly agreed action plans or other equivalent documents shall provide a key point of reference for setting Community assistance priorities.

2 Where no agreements, as mentioned in paragraph 1, between the European Union and partner countries exist, Community assistance may be provided when it proves useful to pursue European Union policy objectives, and shall be programmed on the basis of such objectives.

Article 4

Complementarity, partnership and co financing

1 Community assistance under this Regulation shall normally complement or contribute to corresponding national, regional or local strategies and measures.

2 Community assistance under this Regulation shall normally be established in partnership between the Commission and the beneficiaries. The partnership shall involve, as

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE I. (See end of Document for details)

appropriate, national, regional and local authorities, economic and social partners, civil society and other relevant bodies.

3 The beneficiary countries shall involve, as appropriate, the relevant partners at the appropriate territorial level, in particular at regional and local level, in the preparation, implementation and monitoring of programmes and projects.

4 Community assistance under this Regulation shall normally be co-financed by the beneficiary countries through public funds, contributions from the beneficiaries or other sources. Co-financing requirements may be waived in duly justified cases and when this is necessary to support the development of civil society and non-state actors for measures aimed at promoting human rights and fundamental freedoms and supporting democratisation.

Article 5

Coherence, compatibility and coordination

1 Programmes and projects financed under this Regulation shall be consistent with European Union policies. They shall comply with the agreements concluded by the Community and its Member States with the partner countries and respect commitments under multilateral agreements and international conventions to which they are parties, including commitments on human rights, democracy and good governance.

2 The Commission and the Member States shall ensure coherence between Community assistance provided under this Regulation and financial assistance provided by the Community and the Member States through other internal and external financial instruments and by the European Investment Bank (EIB).

3 The Commission and the Member States shall ensure coordination of their respective assistance programmes with the aim of increasing effectiveness and efficiency in the delivery of assistance in line with the established guidelines for strengthening operational coordination in the field of external assistance, and for the harmonisation of policies and procedures. Coordination shall involve regular consultations and frequent exchanges of relevant information during the different phases of the assistance cycle, in particular at field level, and shall constitute a key step in the programming processes of the Member States and the Community.

4 The Commission shall, in liaison with the Member States, take the necessary steps to ensure proper coordination and cooperation with multilateral and regional organisations and entities, such as international financial institutions, United Nations agencies, funds and programmes, and non-European Union donors.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1638/2006 of the European Parliament and of the Council, TITLE I.