

Commission Regulation (EC) No 718/2007 of 12 June
2007 implementing Council Regulation (EC) No 1085/2006
establishing an instrument for pre-accession assistance (IPA)

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an instrument for pre-accession assistance (IPA)⁽¹⁾ and in particular Article 3(3) thereof,

Whereas:

- (1) The purpose of Regulation (EC) No 1085/2006 (hereinafter referred to as ‘the IPA Regulation’) is to provide pre-accession assistance to beneficiary countries and support them in their transition from Annex II to Annex I of that Regulation and through to membership of the European Union.
- (2) Given that the IPA Regulation is the sole pre-accession instrument for the 2007 to 2013 period, the rules for the programming and delivery of assistance within the framework of that Regulation should be streamlined and brought together in one single implementing regulation covering all five components established in the IPA Regulation (hereinafter referred to as ‘the IPA components’).
- (3) To ensure coherence, coordination and efficiency, especially in the context of the action plan of the Commission towards an Integrated Internal Control Framework, common rules for the implementation of assistance under the IPA Regulation are required for all five IPA components. The specific features of the individual IPA components should nevertheless be taken into account.
- (4) Differences in the socio-economic, cultural and political contexts within beneficiary countries should also be taken into account, since such differences give rise to a need for a specific approach and differentiated support depending upon a country's status as candidate or potential candidate country, political and economic context, needs, and absorption and management capacities.
- (5) Assistance granted under the IPA Regulation should be in conformity with Community policies and actions in the field of external assistance.
- (6) Assistance should fall within the scope laid down in Article 2 of the IPA Regulation. It should be targeted to support a wide range of institution building measures in all beneficiary countries. It should strengthen democratic institutions and the rule of law, reform public administration, carry out economic reforms, respect human and minority

Status: Point in time view as at 14/12/2011.

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rights, encourage gender equality and non-discrimination, promote civil rights and the development of civil society, support advanced regional cooperation and reconciliation and reconstruction, and contribute to sustainable development and poverty reduction, as well as to a high level of environmental protection in these countries.

- (7) Assistance for candidate countries should additionally focus on the adoption and implementation of the full *acquis communautaire*, and compliance with the accession criteria; it should also help prepare candidate countries for the programming, management and implementation of the European Regional Development Fund, Cohesion Fund, European Social Fund and Rural Development that will be made available to them upon accession.
- (8) Assistance for potential candidate countries should promote a degree of alignment with the *acquis communautaire* and approximation with the Accession criteria, as well as operations of a similar nature to those which will be available for candidate countries under the IPA components concerning regional development, human resources development and rural development.
- (9) In order to guarantee consistency, complementarity and concentration of assistance, the coherence and coordination of actions carried out in a given country under the different IPA components should be ensured at the multi-annual planning level provided for by Article 6 of the IPA Regulation.
- (10) The Commission and the beneficiary countries should sign framework agreements in order to lay down the principles for their cooperation under this Regulation.
- (11) It needs to be made clear which of the management methods laid down in Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽²⁾ shall apply in relation to each of the components as provided for under the IPA Regulation.
- (12) In particular, as the IPA Regulation provides for assistance in the context of the pre-accession process, decentralised management of funds should be applied, where possible, in its implementation, with a view to enhancing ownership of the management of assistance by the beneficiary countries. It should, however, be possible to apply centralised, joint and shared management where appropriate.
- (13) In the event of decentralised management, the respective roles of and requirements from the Commission and the beneficiary countries need to be made clear. The provisions relating to the beneficiary countries should be included in the framework, sectoral or financing agreements.
- (14) It is necessary to lay down detailed rules for the financial management of funds under the IPA Regulation according to which management method is to be applied to the implementation of the assistance. The obligations of the beneficiary countries in this respect should be laid down in the framework, sectoral or financing agreements.
- (15) In addition to the general evaluation of the IPA Regulation as provided for in Article 22 thereof, assistance under the said regulation should be monitored and evaluated regularly. The programmes should in particular be subject to evaluation by specific

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monitoring committees, and the overall implementation of assistance under the IPA Regulation should be supervised on a regular basis.

- (16) The visibility of the IPA assistance programmes and their impact on the citizens of the beneficiary countries is essential to ensure public awareness of EU action and to create a consistent image of the measures concerned in all beneficiary countries, in line with the action plan of the Commission 'Communicating Europe', the white paper of the Commission on a European communication policy and the enlargement communication strategy for 2005 to 2009.
- (17) As the IPA Regulation applies from 1 January 2007, the Commission rules for the implementation of that Regulation should apply from 1 January 2007 as well.
- (18) The provisions laid down in this Regulation are in accordance with the opinion of the IPA Committee,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 210, 31.7.2006, p. 82.
- (2) OJ L 248, 16.09.2002, p. 1. Regulation as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

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