

# ANSWERS TO QUESTIONS NO 1

## SERVICE CONTRACT NOTICE

Publication reference: EuropeAid/140555/IH/SER/MULTI

**Provision of Technical Assistance to private enterprises to become environmentally compliant and Business Advisory Services to SMEs along the Litani River Basin (Previously: Technical Assistance and Business Advisory Services to SMEs).**

**Governates of Bekaa valley, Baalbeck-Hermel, Nabatiyeh and South Lebanon**

#	Question	Answer
1	<p>If applicants decide to apply as consortium, do all applicant organizations need to meet the tech capacity criteria of providing services under at least one (1) contract with a budget of at least EUR 1,050,000 in pollution abatement and environmental management fields which was implemented at any moment during the reference period: 2019, 2018, 2017, 2016, and 2015.</p> <p>For example, if [<i>firm name cannot be mentioned</i>] having only experience in providing Business Advisory Services to SMEs and not necessarily in the area of pollution abatement and environmental management fields, would it be allowed for [<i>firm name cannot be mentioned</i>] to apply as non Lead applicant within consortium.</p>	<p>In the case of application submitted by a consortium, the consortium is considered to be a «candidate» and the selection criteria will be applied to the «consortium» as a whole. It is not compulsory that only the lead applicant satisfies all the selection criteria.</p>
2	<p>With reference to the subject contract notice, particularly concerning <u>selection criterion 21. 3) a)</u>, could you kindly clarify the following:</p> <ol style="list-style-type: none"><li>1. The budgetary value in the sentence «The candidate has provided services under at least one (1) contract with a budget of at least EUR 1,050,000 in pollution abatement and environmental management fields which was implemented at any moment during the reference period: 2019, 2018, 2017, 2016, and 2015» shall be meant as: a)each project must have an overall budget of at least EUR 1,050,000, independently of the value of the services carried out by the candidate under them or b) the value of the services carried out by the candidate under each project must be at least EUR 1,050,000?</li><li>2. In the same sentence, please clarify if grant contracts funded by international donors will be considered as «provided services» by the candidate.</li></ol>	<ol style="list-style-type: none"><li>1. The budget of <b>at least EUR 1,050,000</b> refers to «the value» or «the share» of the services carried out by the candidate that implemented the reference project.</li><li>2. The actual experience and its relevance will be considered regardless of the type of contract.</li></ol>

#	Question	Answer
3.	With reference to Request for Expression of Interest for the aforementioned project, we, as [ <i>firm name cannot be mentioned</i> ] would like to ask for some clarifications;	1. Pollution abatement and environmental management fields refer to activities implemented to address water pollution coming from various sources such as industrial effluents, waste water, solid waste, agricultural run off.
	1. What qualifies as pollution abatement and environmental management fields?	
	2. If the firm provided a contract with an overall value above 1 050 000 EUR, but was part of a JV and therefore its share was below 1 050 000 EUR, does it qualify for the criteria?	2. No. Please refer to Answer 2.1.
	3. Similarly, if the firm has an on-going contract with an overall value above 1 050 000 EUR, but it has only completed works for a total value below 1 050 000 EUR, does it qualify for the criteria?	3. In case of on-going contracts, only the portion satisfactorily completed during the reference period will be taken into consideration, which must be at least EUR 1,050,000.
4. Can an expert participate in more than 1 tender? Or he should be exclusive with 1 tender.	4. This stage does not require the nomination of key experts. However, if a key expert is proposed by more than one tenderer in the tendering phase, the corresponding tenders will be rejected.	
4	With regards to the service contract entitled «Provision of Technical Assistance to private enterprises to become environmentally compliant and Business Advisory Services to SMEs along the Litani River Basin ( <i>Previously: Technical Assistance and Business Advisory Services to SMEs</i> )», We would like to confirm if Canadian firms are eligible to submit a proposal as lead or in a consortium led by a European firm, as per the point 11 of the procurement notice.	<p>Please refer to the attached detailed list of eligible countries, «annex A2a: Eligibility programme 2014-2020», which is available on the Europeaid website: <a href="http://ec.europa.eu/europeaid/pr/ag/annexes.do?group=A">http://ec.europa.eu/europeaid/pr/ag/annexes.do?group=A</a>. knowing that the instrument under which this project is funded is ENI.</p> <p>In addition, please refer to point 12. «Candidature » of the Contract notice : The participation of an ineligible natural or legal person as per point 11 will result in the automatic exclusion of that person. In particular, if that ineligible person belongs to a consortium, the whole consortium will be excluded .</p> <p>Canada is not among the eligible countries for this call.</p>
5	We are contacting you from the [ <i>firm name cannot be mentioned</i> ] regarding your Service Contract Notice titled «Provision of Technical Assistance to Private Enterprises to Become Environmentally Compliant and Business Advisory Services to SMEs along the Litani River Basin». We would like to inquire if we are eligible to apply as lead applicant knowing that [ <i>firm name cannot be mentioned</i> ] is a private, independent, non-sectarian institution of higher education, chartered in New York State in 1863, and registered in the US as a tax-exempt, non-profit organization under section 501 (c) (3) of the Internal Revenue Code of 1954.	<p>Please refer to Answer 4.</p> <p>USA is not among the eligible countries for this call.</p>

#	Question	Answer
6	<p>Thank you for your willingness to accept questions related to EuropeAid/140555/IH/SER/MULTI. We have listed out our queries below, and would appreciate any additional information or guidance you can provide at this time.</p> <p>1. [<i>firm name cannot be mentioned</i>] is an International NG registered and headquartered in the United States. Are we eligible to apply (it was difficult to understand Regulation No 236/2014) for this opportunity?</p> <p>2. What does the term «environmentally compliant» refer to – are there specific Lebanese regulations that you’re seeking compliance with?</p> <p>3. What does the term «pollution abatement» refer to specifically? Are you looking at GHG reduction or carbon sequestration (a higher level approach to pollution)? Or something more like waste management, in terms of trash and recycling, workplace sanitation, etc.</p> <p>4. Under personnel, for the 3 staff currently employed, what are the «fields related to this contract» that are applicable? Given the dual focus on environment and business advisory services, are all personnel expected to have an environmental lens? Or would business incubation/SME development be considered an applicable field?</p> <p>5. We noticed a Tender that closed in December 2019, EuropeAid/140556/IH/SER/MULTI that was similar to this but without the environmental component. Are you able to share who is the contract holder?</p>	<p>1. Please refer to Answer 4.</p> <p>USA is not among the eligible countries for this call.</p> <p>2. «Environmentally compliant» refers to compliance with the laws, regulations, decrees and decisions issued by the relevant Lebanese administrations related to environment protection and compliance, such as Environment Protection Law 44, Ministry of Environment decision 8/1 (Environmental Limit Values ELV), and Decree No. 8471/2012 on Environmental Compliance for Establishments.</p> <p>3. Please refer to Answer 3.1</p> <p>4. «Fields related to this contract» means fields related to pollution abatement and environmental management fields. Please refer to Answer 3.1.</p> <p>5. Europe Aid/140556/IH/SER/MULTI is the reference for «prior information notice» of another contract that the related Contract Notice will be published soon.</p>
7	<p>I am communicating on the behalf of the [<i>firm name cannot be mentioned</i>] relation to the following RFP:Provision of Technical Assistance to private enterprises to become environmentally compliant and Business Advisory Services to SMEs along the Litani River Basin. Kindly note of our query as per the following: is it possible for one organization to apply as co-applicant in more than one consortium? Furthermore, is it possible for one organization to apply as lead applicant in a consortium, and as co-applicant in another?</p>	<p>Please refer to point 13. «Number of applications» of the Contract Notice.</p> <p>No more than one application can be submitted by a natural or legal person whatever the form of participation (as an individual legal entity or as leader or member of a consortium submitting an application).</p> <p>In the event that a natural or legal person submits more than one application, all applications in which that person has participated will be excluded.</p>

#	Question	Answer
8	We would kindly like to request a clarification on eligibility. Can a Swiss non-profit organization participate as a member of the consortium (if the Lead is a company of an EU Member State)?	Please refer to Answer 4. Switzerland is not among the eligible countries for this call.
9	<p>The <i>[firm name cannot be mentioned]</i> would like to express its interest in applying to the above-mentioned call for technical assistance services. We are planning to apply jointly with a local NGO and are currently considering whether to apply as a consortium or have the NGO as a subcontractor to <i>[firm name cannot be mentioned]</i>. To that end, kindly find below our questions/clarifications on the application process:</p> <p>1. If shortlisted, we understand we will be receiving an invitation to tender in April. Will we have the chance then to review the RFP and evaluate our suitability once we would have more details on the scope and decide accordingly whether we shall submit a Tender?</p>	1. Yes, only short-listed candidates will be invited to submit detailed tenders for this contract.
	<p>2. If we opt for the subcontracting option with the NGO of concern, kindly confirm the following:</p> <p>a. Please confirm if there is a limit on the contract value proportion that can be subcontracted, as well as any specific contractual conditions that apply to subcontracting if any.</p> <p>b. Please confirm if there are any specific requirements regarding the subcontractors for them to be eligible.</p> <p>c. Please confirm if there will be a need to carry out an internal tender to appoint a subcontractor.</p> <p>d. In the current application form, there is no section related to proposed subcontractors. Please confirm if this is the case and the subcontractor name/details should not be mentioned anywhere on the application.</p> <p>e. Section 7 of the Application form «Declarations»: kindly confirm if «capacity-providing entities» include potential subcontractors and as such if a proposed subcontractor is required to submit any of the 2 declaration forms as part of the application.</p>	<p>2. a &amp; c. The tender dossier that will be sent to shortlisted applicants including Instructions to Tenderers and Terms of reference will answer these clarification requests.</p> <p>2 .b. Subcontractors shall satisfy the eligibility criteria as per point 11 «Eligibility» of the Contract Notice .</p> <p>2. d.&amp;e. The subcontractor name/details are not required in this stage. Subsequently, data or declarations related to subcontractors must not appear in the application.</p>

# EXTERNAL ACTION FINANCIAL INSTRUMENTS AND EUROPEAN DEVELOPMENT FUND

## RULES ON PARTICIPATION IN PROCUREMENT PROCEDURES AND GRANTS

### TABLE OF CONTENT

<b>PART I: 2014-2020 instruments for external action</b>	<b>2</b>
1) DCI, ENI, PI, Greenland and INSC	2
2) IcSP and EIDHR	3
3) IPA II	3
<b>PART II: Rules on nationality and origin for public procurement, grants and other award procedures financed under the ACP-EC Partnership Agreement, laid down in Annex IV to the latter Agreement as revised by Decision No 1/2014 of the ACP-EU Council of Ministers of 20 June 2014 (2014/428/EU)</b>	<b>4</b>
<b>Part III: rules on nationality and origin for public procurement, grants and other award procedures for instruments for external action financed under the Overseas Association Decision</b>	<b>5</b>
<b>APPENDICES</b>	<b>6</b>
<b>TABLE OF REFERENCES PER COUNTRY</b>	<b>9</b>

<b>Part I: 2014-2020 instruments for external action</b>
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1) **Eligible countries for DCI, ENI, PI, Greenland and INSC** (CIR - Article 9)

Participation in the award of procurement contracts, grants and other award procedures for actions financed under **DCI, ENI, PI, Greenland and INSC** for the benefit of third parties shall be open to all natural persons who are nationals of, and legal persons that are effectively established in, one of the following eligible countries/territories/beneficiaries:

- (a) *EU Member States* ([appendix 1](#))
- (b) *IPA II beneficiaries* (listed in the Annex I of IPA II Instrument ([appendix 2](#)))
- (c) *European Economic Area* ([appendix 3](#))
- (d) Developing countries and territories, (included in the OECD-DAC list of ODA recipients<sup>1</sup>), which are not members of the G20 group<sup>2</sup>:
  - (i) *Least Developed Countries* (LDCs) ([appendix 4](#))
  - (ii) *Other Low Income Countries* ([appendix 5](#))
  - (iii) *Lower Middle Income Countries and Territories* ([appendix 6](#))
  - (iv) *Upper Middle Income Countries and Territories* ([appendix 7](#))
- (e) *Overseas Countries and Territories* (OCTs) covered by Council Decision 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ([appendix 8](#))
- (f) *Member States of the OECD* ([appendix 9](#)) are also eligible when contracts are exclusively implemented in a Least Developed Country<sup>3</sup> or in a Highly Indebted Poor Country (HIPC)<sup>4</sup>.
- (g)
  - (i) *Developing countries, as included in the list of ODA recipients, which are members of the G20 group* ([appendix 10](#));
  - (ii) *any other countries and territories* (ie. all countries of the world).

The entities of these countries can only participate in procedures, where the country itself is a beneficiary of the action. This can happen in particular, in thematic programmes,

<sup>1</sup> Please check the DAC List of ODA Recipients, effective for reporting on 2018, 2019 and 2020 flows.

<sup>2</sup> Non eligible G20 Members developing countries are: India, Indonesia, Argentina, Brazil, China, Mexico, South Africa. South Africa will be eligible when the action will be co-financed with the EDF. *Turkey* is also a developing country (upper middle income) G20 Member but is eligible as a beneficiary listed in the Annex I of the IPA II.

<sup>3</sup> See [appendix 4](#) for the full list of LDCs.

<sup>4</sup> HIPCs are: Afghanistan, Benin, Bolivia, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Côte d'Ivoire, Democratic Republic of Congo, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Nicaragua, Niger, Republic of Congo, Rwanda, São Tomé & Príncipe, Senegal, Sierra Leone, Tanzania, The Gambia, Togo, Uganda, Zambia.

programmes financed under the PI or where the success of a regional programme necessitates the participation of the said country.

- (h) any countries for which *reciprocal access* to external assistance is established by the Commission.

Currently there are no such countries.

- (i) **for ENI Instrument only:** in addition to the countries/territories/beneficiaries mentioned above that are eligible for ENI, the following countries/territories are also considered eligible for contracts financed under the ENI Instrument:

- (i) *Partner countries or territories covered by the Instrument* (annex I of the ENI Instrument) ([appendix 11](#));
- (ii) in the case of relevant procedures taking place in the context of the multi-country and cross-border co-operation programmes in which it<sup>5</sup> participates: *the Russian Federation*.

- (j) **For DCI, ENI, PI, Greenland and INSC:** where an agreement on widening the market for procurement of goods or services to which the Union is party applies, the procurement procedures for contracts financed by the budget shall also be open to natural and legal persons established in a third country other than those specified in the basic instruments governing the cooperation sector concerned, under the conditions laid down in that agreement.

## 2) **for IcSP and EIDHR (CIR – Article 11)**

*All countries* are eligible for participation in contracts financed under these Instruments that are fully untied without prejudice to the limitations inherent to the nature and the objectives of the action.

## 3) **for IPA II (CIR- Article 10)**

Participation in the award of procurement contracts, grants and other award procedures for actions financed under the CIR **for IPA II** for the benefit of third parties shall be open to all natural persons who are nationals of, and legal persons who are effectively established in, one of the following eligible countries/ territories/beneficiaries:

- (a) *EU Member States* ([appendix 1](#))
- (b) *Beneficiaries listed in the Annex I of the IPA II* ([appendix 2](#))
- (c) *European Economic Area* ([appendix 3](#))
- (d) *Partner countries and territories covered by ENI Instrument* (annex I of ENI Instrument) ([appendix 11](#))

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<sup>5</sup> In line with the upcoming corrigendum of the CIR, regarding Article 9(1)(b) (OJ L 316, 4.11.2014, p. 69) (FR).

- (e) countries for which Commission has adopted a decision approving the request for *reciprocal access* to external assistance.

Currently there are no such countries.

- (f) where an agreement on widening the market for procurement of goods or services to which the Union is party applies, the procurement procedures for contracts financed by the budget shall also be open to natural and legal persons established in a third country other than those specified in the basic instruments governing the cooperation sector concerned, under the conditions laid down in that agreement.

**Part II: Rules on nationality and origin for public procurement, grants and other award procedures financed under the ACP-EC Partnership Agreement, laid down in Annex IV to the latter Agreement as revised by Decision No 1/2014 of the ACP-EU Council of Ministers of 20 June 2014 (2014/428/EU)**

Participation in procedures for the award of procurement contracts or grants financed from the multi-annual financial framework of cooperation under the ACP-EC Partnership Agreement is open to all natural persons who are nationals of, or legal persons who are effectively established in:

- (a) *an ACP State* ([appendix 12](#));
- (b) *a Member State of the European Union* ([appendix 1](#));
- (c) *Beneficiaries of the Instrument for pre-accession assistance* ([appendix 2](#));
- (d) *a Member State of the European Economic Area* ([appendix 3](#));
- (e) *Overseas Countries and Territories* ([appendix 8](#));
- (f) *developing countries and territories, as included in the OECD-DAC list of ODA Recipients, which are not members of the G20 group, without prejudice to the status of the Republic of South Africa, as governed by Protocol 3 of the partnership Agreement* ([appendices 4, 5, 6 and 7](#));
- (g) *countries for which Commission has adopted a decision approving the request for reciprocal access to external assistance in agreement with ACP countries;*

Currently there are no such countries.

- (h) *a Member State of the OECD* ([appendix 9](#)), in the case of contracts exclusively implemented in a Least Developed Country (LDC)<sup>6</sup> or a Highly Indebted Poor Country (HIPC)<sup>7</sup>.

<sup>6</sup> See [appendix 4](#) for the full list of LDCs.

<sup>7</sup> See full list of HIPCs in [footnote 4](#)



**Part III: rules on nationality and origin for public procurement, grants and other award procedures for instruments for external action financed under the Overseas Association Decision.**

From the publication of the COUNCIL DECISION 2013/755/EU of 25 November 2013 on the association of the overseas countries and territories with the European Union ('Overseas Association Decision') the following rules are applicable to calls financed under the financial assistance of the EDF:

1. Tenderers, applicants and candidates from the following countries and territories shall be eligible to funding under this Decision:

- (a) *Member States of the European Union* ([appendix 1](#))
- (b) *candidate countries and potential candidates* as recognised by the Union ([appendix 2](#))
- (c) *members of the European Economic Area* ([appendix 3](#))
- (d) *OCTs* ([appendix 8](#))
- (e) developing countries and territories, as included in the OECD-DAC list of ODA Recipients, which are not members of the G-20 group ([appendices 4, 5, 6 and 7](#))
- (f) countries for which *reciprocal access* to external assistance is established by the Commission. Reciprocal access may be granted, for a limited period of at least one year, whenever a country grants eligibility on equal terms to entities from the Union and from OCTs;

Currently there are no such countries.

- (g) *Member States of the OECD* ([appendix 9](#)), in the case of contracts exclusively implemented in a Least Developed Country<sup>8</sup>.

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<sup>8</sup> See [appendix 4](#) for the full list of LDCs.

## APPENDICES

### **APPENDIX 1 : EU MEMBER STATES**

Austria, Belgium, Bulgaria, Czech Republic, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

### **APPENDIX 2 : IPA II BENEFICIARIES**

Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, Serbia, Turkey, Republic of North Macedonia.

\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

### **APPENDIX 3 : EUROPEAN ECONOMIC AREA**

(only non-EU MS are mentioned) Iceland, Lichtenstein, Norway.

### **APPENDIX 4 : LEAST DEVELOPED COUNTRIES**

Afghanistan, Angola, Bangladesh, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Lao People's Democratic Republic, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Myanmar, Nepal, Niger, Rwanda, Sao Tome & Principe, Senegal, Sierra Leone, Solomon Islands, Somalia, Sudan, South Sudan, Tanzania, Timor-Leste, Togo, Tuvalu, Uganda, Vanuatu, Yemen, Zambia.

### **APPENDIX 5: OTHER LOW INCOME COUNTRIES**

Democratic People's Republic of Korea, Zimbabwe.

**APPENDIX 6 : LOWER MIDDLE INCOME COUNTRIES AND TERRITORIES**

Armenia, Bolivia, Cabo Verde, Cameroon, Congo, Côte d'Ivoire, Egypt, El Salvador, Georgia, Ghana, Guatemala, Honduras, India, Indonesia, Jordan, Kenya, Kosovo, Kyrgyzstan, Micronesia, Moldova, Mongolia, Morocco, Nicaragua, Nigeria, Pakistan, Papua New Guinea, Philippines, Sri Lanka, Swaziland, Syrian Arab Republic, Tajikistan, Tokelau, Tunisia, Ukraine, Uzbekistan, Vietnam, West Bank and Gaza Strip.

**APPENDIX 7 : UPPER MIDDLE INCOME COUNTRIES AND TERRITORIES**

Albania, Algeria, Antigua and Barbuda, Argentina, Azerbaijan, Belarus, Belize, Bosnia and Herzegovina, Botswana, Brazil, China (People's Republic of), Colombia, Cook Islands, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Equatorial Guinea, Fiji, Republic of North Macedonia, Gabon, Grenada, Guyana, Iran, Iraq, Jamaica, Kazakhstan, Lebanon, Libya, Malaysia, Maldives, Marshall Islands, Mauritius, Mexico, Montenegro, Montserrat, Namibia, Nauru, Niue, Palau, Panama, Paraguay, Peru, Saint Helena, Saint Lucia, Saint Vincent & the Grenadines, Samoa, Serbia, South-Africa, Suriname, Thailand, Tonga, Turkey, Turkmenistan, Venezuela, Wallis and Futuna.

**APPENDIX 8 : OVERSEAS COUNTRIES AND TERRITORIES**

Anguilla (UK), Aruba (NL), Bermuda (UK), British Indian Ocean Territory (UK), British Virgin Islands (UK), Cayman Islands (UK), Curaçao (NL), Falkland Islands (UK), French Polynesia (FR), French Southern and Antarctic Territories (FR), Greenland (DK), Montserrat (UK), New Caledonia and Dependencies (FR), Pitcairn (UK), Saba (NL), Saint Barthelemy (FR), Saint Helena Ascension Island Tristan da Cunha (UK), Sint Eustatius (NL), Sint Maarten (NL), South Georgia and South Sandwich Islands (UK), St. Pierre and Miquelon (FR), Turks and Caicos (UK), Wallis and Futuna Islands (FR).

**APPENDIX 9 : OECD MEMBER STATES**

Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Luxembourg, Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

Australia, Canada, Chile, Iceland, Israel, Japan, Korea, Mexico, New Zealand, Norway, Switzerland, Turkey, United States of America.

**APPENDIX 10 : G20 MEMBER DEVELOPING COUNTRIES**

Argentina, Brazil, China, India, Indonesia, Mexico, South-Africa, Turkey.

**APPENDIX 11 : ENI PARTNER COUNTRIES AND TERRITORIES**

Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, occupied Palestinian territory (oPt), Syria, Tunisia, Ukraine.

**APPENDIX 12 : ACP COUNTRIES\*****Africa:**

South Africa\*\*, Angola, Benin, Botswana, Burkina Faso, Burundi, Central African Republic, Cameroon, Cabo Verde, Chad, Comoros Islands, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Equatorial Guinea, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mauritania, Mozambique, Namibia, Niger, Nigeria, Uganda, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Somalia, Sudan, Swaziland, Tanzania, Togo, Zambia and Zimbabwe.

**Caribbean:**

Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Surinam, Trinidad and Tobago.

**Pacific:**

Cook Islands, East Timor, Fiji, Kiribati, Marshall Islands, Micronesia, Nauru, Niue, Palau, Papua New Guinea, the Solomon Islands, Western Samoa, Tonga, Tuvalu, Vanuatu.

\*\* While natural and legal persons established in South Africa are eligible to participate in procedures financed by the 10<sup>th</sup>/ 11<sup>th</sup> EDF, South Africa cannot be a beneficiary of contracts financed by the 10<sup>th</sup>/11<sup>th</sup> EDF.

\* Cotonou Partnership Agreement of 23 June 2000 (as amended by the provisional application of Decision No 1/2000 of the ACP-EC Council of Ministers of 27 July 2000, Decision No 1/2000 of the ACP-EC customs cooperation committee of 18 October 2000, Decision No 1/2001 of the ACP-EC customs cooperation committee of 20 April 2001, Decision No 2/2001 of the ACP-EC customs cooperation committee of 20 April 2001, Decision No 3/2001 of the ACP-EC customs cooperation committee of 10 May 2001, Decision No 4/2001 of the ACP-EC customs cooperation committee of 27 June 2001, Decision No 5/2001 of the ACP-EC customs cooperation committee of 7 December 2001, Decision No 2/2002 of the ACP-EC customs cooperation committee of 28 October 2002, Decision No 1/2003 of the ACP-EC Council of Ministers of 16 May 2003, Council Decision (EC) of 19 December 2002, Decision No 1/2004 of the ACP-EC Council of Ministers of 6 May 2004, Decision No 2/2004 of the ACP-EC customs cooperation committee of 30 June 2004 and Decision No 4/2005 of the ACP-EC customs cooperation committee of 13 April 2005).

## TABLE OF REFERENCES PER COUNTRY

in alphabetical order

STATE	APPENDIX	PAGE	FOOTNOTE
Afghanistan	4	2, 5, 6	
Albania	2, 7	2, 4, 5, 6	
Algeria	7, 11	2, 3, 4, 5, 6	
Angola	4, 12	2, 5, 6	
Anguilla	8	2, 5, 6	
Antarctic	8	2, 5, 6	
Antigua and Barbuda	7, 12	2, 5, 6	
Argentina	7, 10	2, 3, 5, 6	2
Armenia	6, 11	2, 3, 4, 5, 6	
Aruba	8	2, 5, 6	
Australia	9	2, 5, 6	
Austria	1, 9	2, 3, 5, 6	
Azerbaijan	7, 11	2, 3, 4, 5, 6	
Bahamas	12	5	
Bangladesh	4	2, 5, 6	
Barbados	12	5	
Belarus	7, 11	2, 3, 4, 5, 6	
Belgium	1, 9	2, 3, 5, 6	
Belize	7, 12	2, 5, 6	
Benin	4, 12	2, 5, 6	
Bhutan	4	2, 5, 6	
Bolivia	6	2, 5, 6	
Bosnia and Herzegovina	2, 7	2, 4, 5, 6	
Botswana	7, 12	2, 5, 6	
Brazil	7, 10	2, 3, 5, 6	2
British Indian Ocean Territory	8	2, 5, 6	
British Virgin Islands	8	2, 5, 6	
Bulgaria	1	2, 3, 5, 6	
Burkina Faso	4, 12	2, 5, 6	
Burundi	4, 12	2, 5, 6	
Cabo Verde	6, 12	2, 5, 6	
Cambodia	4	2, 5, 6	
Cameroon	6, 12	2, 5, 6	
Canada	9	2, 5, 6	
Cayman Islands	8	2, 5, 6	
Central African Republic	4, 12	2, 5, 6	
Chad	4, 12	2, 5, 6	
Chile	9	2, 5, 6	
China (People's Republic of)	7, 10	2, 3, 5, 6	2
Colombia	7	2, 5, 6	

Comoros Islands	4, 12	2, 5, 6	
Congo (Republic of)	6, 12	2, 5, 6	
Cook Islands	7, 12	2, 5, 6	
Costa Rica	7	2, 5, 6	
Côte d'Ivoire	6, 12	2, 5, 6	
Croatia	1	2, 3, 5, 6	
Cuba	7	2, 5, 6	
Cyprus	1	2, 3, 5, 6	
Czech Republic	1, 9	2, 3, 5, 6	
Democratic People's Republic of Korea (North Korea)	5	2, 5, 6	
Democratic Republic of the Congo	4, 12	2, 5, 6	
Denmark	1, 9	2, 3, 5, 6	
Djibouti	4, 12	2, 5, 6	
Dominica	7, 12	2, 5, 6	
Dominican Republic	7, 12	2, 5, 6	
East Timor	4, 12	2, 5, 6	
Ecuador	7	2, 5, 6	
Egypt	6, 11	2, 3, 4, 5, 6	
El Salvador	6	2, 5, 6	
Equatorial Guinea	4, 12	2, 5, 6	
Eritrea	4, 12	2, 5, 6	
Estonia	1, 9	2, 3, 5, 6	
Ethiopia	4, 12	2, 5, 6	
Falkland Islands (Malvinas)	8	2, 5, 6	
Fiji	7, 12	2, 5, 6	
Finland	1, 9	2, 3, 5, 6	
Republic of North Macedonia	2, 7	2, 4, 5, 6	
France	1, 9	2, 3, 5, 6	
French Polynesia	8	2, 5, 6	
French Southern Territories	8	2, 5, 6	
Gabon	7, 12	2, 5, 6	
Gambia	4, 12	2, 5, 6	
Georgia	6, 11	2, 3, 4, 5, 6	
Germany	1, 9	2, 3, 5, 6	
Ghana	6, 12	2, 5, 6	
Greece	1, 9	2, 3, 5, 6	
Greenland	8	2, 5, 6	
Grenada	7, 12	2, 5, 6	
Guatemala	6	2, 5, 6	
Guinea	7, 12	2, 5, 6	
Guinea-Bissau	4, 12	2, 5, 6	
Guyana	7, 12	2, 5, 6	
Haiti	4, 12	2, 5, 6	

Honduras	6	2, 5, 6	
Hungary	1, 9	2, 3, 5, 6	
Iceland	3, 9	2, 4, 5, 6	
India	6, 10	2, 5, 6	2
Indonesia	6, 10	2, 5, 6	2
Iran	7	2, 5, 6	
Iraq	7	2, 5, 6	
Ireland	1, 9	2, 3, 5, 6	
Israel	9, 11	2, 3, 4, 5, 6	
Italy	1, 9	2, 3, 5, 6	
Jamaica	7, 12	2, 5, 6	
Japan	9	2, 5, 6	
Jordan	6, 11	2, 3, 4, 5, 6	
Kazakhstan	7	2, 5, 6	
Kenya	6, 12	2, 5, 6	
Kiribati	4, 12	2, 5, 6	
Korea (South Korea)	9	2, 5, 6	
Kosovo	2, 6	2, 4, 5, 6	
Kyrgyzstan	6	2, 5, 6	
Lao People's Democratic Republic	4	2, 5, 6	
Latvia	1,9	2, 3, 5, 6	
Lebanon	7, 11	2, 3, 4, 5, 6	
Lesotho	4, 12	2, 5, 6	
Liberia	4, 12	2, 5, 6	
Libya	7, 11	2, 3, 4, 5, 6	
Lichtenstein	3	2, 4, 5, 6	
Lithuania	1	2, 3, 5, 6	
Luxembourg	1, 9	2, 3, 5, 6	
Madagascar	4, 12	2, 5, 6	
Malawi	4, 12	2, 5, 6	
Malaysia	7	2, 5, 6	
Maldives	7	2, 5, 6	
Mali	4, 12	2, 5, 6	
Malta	1	2, 3, 5, 6	
Marshall Islands	7, 12	2, 5, 6	
Mauritania	4, 12	2, 5, 6	
Mauritius	7, 12	2, 5, 6	
Mayotte	8	2, 5, 6	
Mexico	7, 9, 10	2, 5, 6	2
Micronesia	6, 12	2, 5, 6	
Moldova	6, 11	2, 3, 4, 5, 6	
Mongolia	6	2, 5, 6	
Montenegro	2, 7	2, 4, 5, 6	
Montserrat	7, 8	2, 5, 6	
Morocco	6, 11	2, 3, 4, 5, 6	

Mozambique	4, 12	2, 5, 6	
Myanmar	4	2, 5, 6	
Namibia	7, 12	2, 5, 6	
Nauru	7, 12	2, 5, 6	
Nepal	4	2, 5, 6	
Netherlands	1, 9	2, 3, 5, 6	
Netherlands Antilles	8	2, 5, 6	
New Caledonia	8	2, 5, 6	
New Zealand	9	2, 5, 6	
Nicaragua	6	2, 5, 6	
Niger	4, 12	2, 5, 6	
Nigeria	6, 12	2, 5, 6	
Niue	7, 12	2, 5, 6	
Norway	3, 9	2, 4, 5, 6	
Occupied Palestinian territory (oPt)	6, 11	2, 3, 4, 5, 6	
Pakistan	6	2, 5, 6	
Palau	7, 12	2, 5, 6	
Panama	7	2, 5, 6	
Papua New Guinea	6, 12	2, 5, 6	
Paraguay	7	2, 5, 6	
Peru	7	2, 5, 6	
Philippines	6	2, 5, 6	
Pitcairn	8	2, 5, 6	
Poland	1, 9	2, 3, 5, 6	
Portugal	1, 9	2, 3, 5, 6	
Republic of the Congo (see Congo)			
Romania	1	2, 3, 5, 6	
Rwanda	4, 12	2, 5, 6	
Saint Helena	7, 8	2, 5, 6	
Saint Kitts and Nevis	12	5	
Saint Lucia	7, 12	2, 5, 6	
Saint Pierre and Miquelon	8	2, 5, 6	
Saint Vincent & the Grenadines	7, 12	2, 5, 6	
Samoa	7, 12	2, 5, 6	
Sao Tome & Principe	4, 12	2, 5, 6	
Senegal	4, 12	2, 5, 6	
Serbia	2, 7	2, 4, 5, 6	
Seychelles	12	2, 5, 6	
Sierra Leone	4, 12	2, 5, 6	
Slovakia	1, 9	2, 3, 5, 6	
Slovenia	1, 9	2, 3, 5, 6	
Solomon Islands	4, 12	2, 5, 6	
Somalia	4, 12	2, 5, 6	



South Georgia and South Sandwich Islands	8	2, 5, 6	
South Sudan	4	2, 5, 6	
South-Africa	7, 10, 12	2, 3, 5, 6	2
Spain	1, 9	2, 3, 5, 6	
Sri Lanka	6	2, 5, 6	
Sudan	4, 12	2, 5, 6	
Suriname	7, 12	2, 5, 6	
Swaziland	6, 12	2, 5, 6	
Sweden	1, 9	2, 3, 5, 6	
Switzerland	9	2, 5, 6	
Syrian Arab Republic	6, 11	2, 3, 4, 5, 6	
Tajikistan	6	2, 5, 6	
Tanzania	4, 12	2, 5, 6	
Thailand	7	2, 5, 6	
Timor-Leste (see East Timor)			
Togo	4, 12	2, 5, 6	
Tokelau	6	2, 5, 6	
Tonga	7, 12	2, 5, 6	
Trinidad and Tobago	12	5	
Tunisia	7, 11	2, 3, 4, 5, 6	
Turkey	2, 7, 9, 10	2, 3, 4, 5, 6	2
Turkmenistan	7	2, 5, 6	
Turks and Caicos	8	2, 5, 6	
Tuvalu	4, 12	2, 5, 6	
Uganda	4, 12	2, 5, 6	
Ukraine	6, 11	2, 3, 4, 5, 6	
United Kingdom	1, 9	2, 3, 5, 6	
United States of America	9	2, 5, 6	
Uruguay		2, 5, 6	
Uzbekistan	6	2, 5, 6	
Vanuatu	4, 12	2, 5, 6	
Venezuela	7	2, 5, 6	
Vietnam	6	2, 5, 6	
Wallis and Futuna	7, 8	2, 5, 6	
West Bank and Gaza Strip (see Occupied Palestinian territory)			
Western Samoa (see Samoa)			
Yemen	4	2, 5, 6	
Zambia	4, 12	2, 5, 6	
Zimbabwe	5, 12	2, 5, 6	