

## SUMMARY

### **Annual Action Programme 2016 (Part I) in favour of Egypt to be financed from the general budget of the European Union**

#### **1. IDENTIFICATION**

Budget heading	22.04.01.01 (EUR 10 million) and 22.04.01.02 (EUR 40 million)
Total cost	EUR 50 million of European Union (EU) contribution <sup>1</sup>
Legal basis	Regulation (EU) No. 232/2014 of the European Parliament and of the Council

#### **2. COUNTRY BACKGROUND**

Egypt's transitional roadmap proclaimed in July 2013 has been formally implemented. A new Constitution was voted in referendum in January 2014 followed by presidential elections in May 2014 and parliamentary elections in December 2015). However, Egypt remains in a political transition pending implementation of the Constitution and is still facing a difficult economic and security situation which continue to impact overall policy effectiveness.

The economic situation remains difficult, though the government has taken a number of economic reform measures throughout 2015 and has a medium-term strategy on fiscal consolidation, lowering fiscal deficit to 11.5% of Gross Domestic Product (GDP), and strengthening of social expenditure and public investment. Inflation remained high in 2015 but on a declining trend. However, the recent devaluation of the national currency and the expected introduction of a Value Added Tax (VAT), are likely to have an inflationary impact. GDP growth for fiscal year 2014-15 was 4.2%, though a considerable increase respect previous fiscal year, it remains below the 6-7% level considered to be necessary to absorb the estimated yearly 600.000 new market entrants and begin to curb an unemployment rate which officially stands at around 13%. GDP growth has been also strongly affected by the October 2015 Russian plane crash in the Sinai and its negative effects on tourist arrivals.

#### **3. SUMMARY OF THE ACTION PROGRAMME**

##### **1) Background:**

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<sup>1</sup> EUR 40 million from the Egypt's bilateral envelope (Single Support Framework) have been transferred to the Neighbourhood Investment Facility (NIF) 2016, to contribute to investments in the water and sanitation sectors, including climate change considerations; as well as to support projects in the field of private sector development (focusing on SMEs and job creation). Waiting for decision 2016.

The two programmes identified under the 2016 Annual Action Programme (AAP) for Egypt are designed to support Egypt's inclusive economic growth and the creation of decent jobs, as well as to encourage and support Egypt's process towards good governance and social justice. These objectives are set out within the three focal sectors of the Single Support Framework (SSF) for 2014-2016<sup>2</sup>, namely: i. Poverty Alleviation, Local socio-economic development and Social Protection; ii. Governance, Transparency and Business Environment (including Complementary support in favour of civil society and of EU Agreements), and; iii. Improved quality of life and environment.

2) Cooperation/Neighbourhood related policy of beneficiary country:

The 2001 EU-Egypt Association Agreement (AA), which entered into force in June 2004, forms the legal basis of EU-Egypt relations and heralded a closer and more intense phase of bilateral cooperation with a much wider spectrum of fields of cooperation than in the past. This was been further strengthened through the jointly agreed EU-Egypt Action Plan, adopted in 2007, which provides the basis for cooperation in the political, social and economic fields.

In 2015, the EU revived bilateral subcommittee meetings with Egypt in the framework of the Association Agreement, which had been on hold since 2010. A series of subcommittees have since taken place and are due to culminate in an Association Committee and a Ministerial Partnership Council.

The recently launched partnership priorities should be agreed between Egypt and the EU during 2016 and will inform future cooperation with Egypt.

3) Coherence with the programming documents:

The two actions under the 2016 AAP for Egypt are in line with the focal sectors of the SSF:

i. Poverty Alleviation, Local socio-economic development and Social Protection: National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector.

ii. Governance, Transparency and Business Environment: Advancing Women's Rights in Egypt.

iii. Improve the quality of life and environment: National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector.

4) Identified actions:

(i) Advancing Women's Rights in Egypt: This project will contribute to support efforts towards abandoning female genital mutilation/cutting (FGM/C) and to strengthen women's access to justice and enforcement of laws. It is articulated around two components: 1) Support to the implementation of the National Action Plan for FGM/C abandonment and family empowerment (2015-2020); and 2) Support women's access

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<sup>2</sup> C(2014) 7170 of 08.10.2014.

to justice and legal empowerment through the expansion of legal aid offices in Family Courts and women support offices in Primary Courts.

(ii) National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector: to increasing Egypt's agricultural production by providing adequate drainage infrastructure, and enhancing the capacities of different stakeholders to rehabilitate and extend subsurface drainage network.

#### 5) Expected results:

The two programmes will contribute to the achievement of the expected objectives of the SSF, and in particular:

- support Egypt's inclusive economic growth and the creation of decent jobs, as well as to foster social protection;
- encourage and support Egypt's process towards good governance and social justice;
- improve the quality of life and the environment.

Measures in favour of strengthening the role of the Egyptian civil society are mainstreamed in the two programmes under the AAP 2016.

#### 6) Past EU assistance and lessons learnt:

The two projects under the AAP 2016 build on previous programmes.

The programme on Advancing Women's Rights in Egypt is will address violence against women, and in particular FGM, through the implementation of the National Action Plan for FGM abandonment. The proposed action is designed as a follow-up project in order to support the implementation of the National Action Plan until its end, and possibly beyond its currently set timeframe. The EU has been supporting the "Abandonment of Female Genital Mutilation (FGM) and Empowerment of Families' Joint Programme" since December 2011. A main achievement under the first project is the development of the National Action Plan for FGM Abandonment launched by the Minister of State of Population. The project also achieved an important outreach to all actors, including hospitals and doctors, communities and others, which resulted in a high level of awareness on the risks of FGM. Decreasing rates of FGM practices confirmed by the last Egypt Demographic Health Survey (EDHS), published in May 2015, and the sentencing to prison in 2015 of a doctor practicing FGM, the first time ever practicing FGM was penalised in Egypt, are also direct achievements of the project. This project complements the on-going "Promotion and Protection of Human Rights" programme. It will also complement activities to be implemented under the "Citizen Rights Project" and through the "Support to the modernisation of the administration of Justice" project.

The National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector, is highly complementary to ongoing and planned EU interventions in the area of water sector reform and enhancing water resources management. It also complements two EU rural development programmes – which work in close cooperation with the Ministry of Water Resources and Irrigation and the Ministry of Agriculture and Land Reclamation, which amongst other activities, also provide support to the extension of irrigation services at Governorate level.

Both programmes also take into account the experience acquired by other member states and international donors.

7) Complementary actions/donor coordination:

The Development Partners Group (DPG) constitutes the main platform for coordination of financial assistance in Egypt. The EU has been very active in this platform and co-chairs several DPG thematic groups such as the one on energy and environment and the one on water resources and irrigation.

During the design phase of each action, interventions by the EU and other partners (EU member states, European Finance Institutions, UN organizations, other international donors, etc.) were taken into account to ensure and enhance complementarities and synergies between the proposed actions and completed or on-going interventions. Coordination will also be ensured during implementation.

#### 4. COMMUNICATION AND VISIBILITY

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

The two programmes proposed will comply with the provisions of the Communication and Visibility Manual for EU External Actions. They will contain communication and visibility measures, which shall be based on a specific Communication and Visibility Plan of Action, to be elaborated before the start of implementation and supported by a specific budget line in each programme.

#### 5. COST AND FINANCING

Advancing Women's Rights in Egypt	EUR 10 million
National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector	EUR 40 million
<b>Total EU contribution to the Annual Action Programme 2016 (Part 1) in favour of Egypt</b>	<b>EUR 50 million</b>



This action is funded by the European Union

### **ANNEX 1**

of the Commission implementing Decision on the Annual Action Programme 2016 (Part I) in favour of Egypt to be financed from the general budget of the European Union

### **Action Document for “Advancing Women’s Rights in Egypt”**

#### **INFORMATION FOR POTENTIAL GRANT APPLICANTS**

#### **WORK PROGRAMME FOR GRANTS**

This document constitutes the work programme for grants in the sense of Article 128(1) of the Financial Regulation (Regulation (EU, Euratom) No 966/2012) in the following sections concerning calls for proposals: Section 5.3.1.

<b>1. Title/basic act/ CRIS number</b>	<b>Advancing Women’s Rights in Egypt</b> CRIS number: ENI/2016/039 542 financed under the European Neighbourhood Instrument (ENI)			
<b>2. Zone benefiting from the action/location</b>	Neighbourhood South, Egypt			
<b>3. Programming document</b>	Single Support Framework for European Union (EU) support to Egypt (2014-2016)			
<b>4. Sector of concentration/ thematic area</b>	Human Rights, Women’s Rights			
<b>5. Amounts concerned</b>	Total estimated cost: EUR 10.24 million Total amount of EU budget contribution: EUR 10 million This action is co-financed by potential grant beneficiaries for an indicative amount of EUR 240,000.			
<b>6. Aid modality(ies) and implementation modality(ies)</b>	Project Modality Direct management: grants – call for proposals Indirect management with United Nations Development Programme (UNDP) Indirect management with Egypt			
<b>7. DAC code(s)</b>	15160; 15170; 15130			
<b>8. Markers (from</b>	<b>General policy objective</b>	<b>Not</b>	<b>Significant</b>	<b>Main objective</b>

CRIS DAC form)		targeted	objective	
	Participation development/good governance	<input type="checkbox"/>	X	<input type="checkbox"/>
	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input type="checkbox"/>	X
	Trade Development	X	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>				

## SUMMARY

The Egyptian 2014 Constitution provides for the respect of human rights, social justice and gender equality. In this framework, the overall objective of the proposed project is to contribute to the improvement of the situation of women in Egypt by advancing women's rights. The specific objective of the project is to support the Government's efforts towards abandoning Female Genital Mutilation/Cutting (FGM/C) and to strengthen women's access to justice and enforcement of laws. It is articulated around two components: 1) Support to the implementation of the National Action Plan for FGM/C abandonment and family empowerment (2015-2020); and 2) Support women's access to justice and legal empowerment through the expansion of legal aid offices in Family Courts and women support offices in Primary Courts.

The project responds to priority area 2 of the Single Support Framework (SSF) 2014-15 (to be extended to 2016), which covers co-operation to facilitate access of citizens to public services, particularly women and girls in light of these constitutional provisions. For the achievement of the second component of the programme the involvement of EU Member States will be sought in order to transfer EU best practices through peer-to-peer co-operation with national beneficiaries. The proposed action has been identified and formulated in conjunction with all relevant stakeholders.

## 1 CONTEXT

### 1.1 Sector/Country/Regional context/Thematic area

Even though the Egyptian Constitution guarantees the rights of all its citizens, men and women, gender discrimination remains a reality. Moreover, violence against

women and girls is prevalent in the home, the public sphere and in detention. The Government of Egypt (GoE) has adopted various initiatives and implemented policies to address this issue and through the National Council for Childhood and Motherhood (NCCM) and the National Council for Women (NCW), created in 1988 and 2000 respectively, has provided an institutional framework to address gender issues and support women's participation in the development process. It is difficult to assess the exact extent and nature of the gender gap and the different forms of violence against women and girls in Egypt, given the absence of accurate, official and up-to-date statistical information. Little information is publicly available on the number of complaints lodged with the police, or the rate of prosecutions and convictions for violence against women and girls. However, the piecemeal statistical information that is available points to extensive violence against women and girls in both the family and the community<sup>1</sup>. The mob attacks against women in Tahrir Square, which were widely reported during the 2011 revolution, have put the spotlight on the GoE and on the need for a better criminal justice response to all types of VAW. However, Egyptian law does not provide women adequate protection against violence and the Penal Code does not expressly criminalize domestic violence. Since the law does not differentiate between violence in the public and private spheres, the provisions of the Penal Code relating to assault also regulate instances of physical domestic violence against women and girls. However, no reference is made to sexual assault' but rather indecent assault', which is not defined.

Other discriminatory legal provisions exist which undermine women's status in the country. For example, under the Personal Status Law (which is based on Islamic sharī'a and governs marriage, divorce, custody, and inheritance), women are not treated as individuals with their own separate or equal rights but rather as legal minors under the guardianship of male family members. Civil society organisations and the NCW have advocated for a reform of the personal status law, however, no progress has been made so far and it is not one of the legislative priorities of the current Government.

On the other hand, social indicators show slow progress in closing the gender gap, especially on the education and health fronts. The economic indicators show slower progress in terms of the representation of women in the labour markets and current unemployment levels are particularly high for women. Political and even judicial institutions also show slow progress. According to the latest Global Gender Gap report 2015, Egypt ranks 136<sup>th</sup> out of 145 countries in gender equality in the world after Saudi Arabia, Kuwait and the United Arab Emirates (UAE). This highlights a decline in the status of women in the country as Egypt ranked 129<sup>th</sup> out of 142 countries according to the Global Gender Gap index in 2014, and 125<sup>th</sup> out of 136 countries in 2013.

### Female Genital Mutilation (FGM)

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<sup>1</sup> 99%: Women and girls who reported experiencing some form of sexual harassment in a 2013 survey by UN Women (*Study on ways and methods to eliminate sexual harassment in Egypt*). 47.4%: Married, divorced, separated or widowed women who reported some form of physical domestic violence (EDHS, *Egypt Demographic and Health Survey 2005*, Ministry of Health and Population, National Population Council).

The culture of impunity and pervasiveness of gender-based violence against women and girls is demonstrated in the widespread practice of female genital mutilation (FGM). In 2000, the Demographic and Health Survey in Egypt (EDHS) showed that 97% of married women included in the survey had experienced female genital cutting. Another study by the Egyptian Ministry of Health and Population in 2003 reported that over 94% of married women had been exposed to genital cutting and 69% of those women agreed to the procedure being carried out on their daughters. The 2008 EDHS states that 91% of women (ages 15-49) had been subjected to FGM. The ‘medicalisation’ of FGM continues to be a challenge to the eradication of this practice. According to available data, midwives or traditional birth attendants conducted 34.1% of operations compared to 57.3% of the cases that were conducted by trained medical specialists, such as either doctors, nurses or other health care specialists.

Despite these worrying numbers, improvements have been made in recent years, especially with regards to the attitudes of young people towards this harmful practice. According to the 2010’s Survey of Young People in Egypt, female genital mutilation prevalence decreased from 97.3% in 2000 to 84.6% in 2010 for women of the 15-49 ages, and 75.5% for girls of 10-29 ages. The referral notion of female genital mutilation to religious beliefs rapidly dropped from 72.6% in 2000 to 60.8% in 2005, and 49.1% in 2008. Lastly, the last EDHS, published in May 2015, showed that compared to the data of 2008, the FGM prevalence rates among young girls (aged 15-17) has dropped from 74,4 to 61,1%. Even though FGM practice was criminalised in 2008 (article 242 bis of the Penal Code), it was only in 2015 that a court sentenced a doctor practicing FGM and ultimately causing the death of a 13-year old girl to two years in prison. This is considered a landmark ruling and a very important step forward in eliminating this practice and creating social change.

The above demonstrates that there is a wide gap in the country between the provisions of the law and the enforcement through the courts of the said laws. Many international and national civil society organisations, as well as UN bodies, have repeatedly criticised the inadequate and discriminatory legal and policy framework in Egypt that hinders improvement of women’s rights in the country.

#### Access to Justice within the Egyptian Legal Framework

Access to justice is a crucial element not only to strengthen the rule of law, but also for the Egyptian Government to deliver on its duty to respect, protect, and fulfil human rights. Access to justice is enshrined in the 2014 Constitution and provides for the right to litigation and to a fair trial, including the right to defence and access to counsel<sup>2</sup>.

Egyptian civil procedures law does not stipulate that lawyers represent the cases of the citizens before the court, except in certain matter such as appearing before the court of Cassation. The position of Egyptian law, at least from the theoretical

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Art. 54: *Investigation may not start with the person unless his/her lawyer is present. A lawyer shall be seconded for persons who do not have one. Necessary assistance shall be rendered to people with disability according to procedures prescribed by Law*”. Art. 97: *“Litigation is a right that is safeguarded and an inalienable right for all. The State shall guarantee the accessibility of judicature for litigants and rapid adjudication on cases”*. Art. 98: *“The right of defence either in person or by proxy is guaranteed. The independence of the legal profession and the protection of its rights is a guarantee for the right of defence. The law shall provide all means by which those who are financially unable can resort to justice and defend their rights”*.



perspective, is to facilitate access to justice through allowing the citizens to appear before the court directly to represent their cases, without lawyers representing them. Egyptian criminal procedure laws stipulate that “If the accused is ... in a misdemeanor punishable by imprisonment, the court must assign him a lawyer to defend him.”<sup>3</sup> Such provision is compatible with international standards. However, in practice, many lawyers do not show up when they are assigned by the court as they do not receive any financial or other benefit from this duty.

Although legal assistance is incorporated within the various legal sources and different legislations, as described above, there is no available comprehensive law to regulate legal assistance for citizens, especially those who suffer from economic hardship. Marginalized groups, especially women, are still unable to access justice due to the relatively high litigation fees and their inability to pay lawyers’ fees. A comprehensive legal aid scheme or at least an institutionalised framework that provides a reliable legal aid delivery mechanism is yet to be implemented.

### **1.1.1 Public Policy Assessment and EU Policy Framework**

The proposed action is fully aligned to the Communication on the Review of European Neighbourhood Policy of November 2015. It contributes to promoting the rule of law and human rights, and particularly aims at achieving equal access to justice and gender equality. It also clearly recognises the role of civil society actors.

The action is also fully in line with the objectives of the EU Action Plan on Human Rights and Democracy, adopted by the Council in July 2015, in which the fair and impartial administration of justice is viewed as essential to safeguard human rights. In this regard, the project is expected to contribute to the following objectives: 4) “Targeted support to justice systems”; 8) “Empowering CSOs defending the rights of women and girls”; 14 b) “Prioritising actions targeting, inter alia, the protection of physical and psychological integrity of women and girls through activities which help protect women's human rights and freedom from violence with special attention to ending Female Genital Mutilation (FGM), Child Early and Forced Marriage, gender based and sexual violence in conflict; their economic, social and cultural rights,...”; and finally 27) “Pursue a rights based approach to development co-operation”. Moreover, equal access to justice has been recognized as a fundamental element to tackle poverty and, as part of the post-2015 development agenda, it has been put forward as part of Sustainable Development Goal Nr. 16.

Furthermore, the proposed action will contribute to the implementation of the new EU Gender Action Plan (GAP) for 2016-2020, in particular with regards to objectives 7) “Girls and women free from all forms of violence against them (VAWG) both in the public and in the private sphere” and 19) “Challenged and changed discriminatory social norms and gender stereotypes”.

The project will contribute to supporting several of the commitments made by the Government of Egypt, namely the National Action Plan for FGM Abandonment as well as implement various Constitutional provisions, such as the right to a free and fair trial, which have important repercussions towards strengthening women’s rights and the rule of law in the country. The proposed action will also contribute to the

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Art. 237 of the Egyptian criminal procedures - law number 95/2003.

country's sustainable development strategy – "Egypt's vision 2030", and more specially Goal 5c which states that "Egypt will adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels". Most importantly, the action will aim at providing a platform to strengthen partnerships among different stakeholders (governmental and non-governmental) in order to strengthen and encourage a more streamlined concept of access to justice and provision of effective legal aid. The project will also build on existing efforts from civil society organisations, especially women's organisations, to support actions in favour of women's rights in the country.

### **1.1.2 Stakeholder analysis**

The lead stakeholder for implementation of the National Action Plan on FGM is the National Population Council (NPC), now subsumed under the State Ministry for Population, which is in turn under the leadership of the Ministry of Health. The NPC coordinates with the other Ministries and Government agencies involved, such as the Ministry of Education, Office of the General Prosecutor, Ministry of Justice, Ministry of Interior, Higher Council for Media, National Council for Women, Ministry of Awkaf, Dar el-Ifta, Coptic Church, Universities (Cairo University and Regional Universities), as well as civil society organisations, including the Non-Governmental Organisation (NGO) Federation, Doctors and Lawyers Syndicates and other non-state actors. The lead stakeholders in the field of women's legal empowerment and access to justice are the Ministry of Justice, the judiciary, the Office of the Public Prosecutor and the National Center for Judicial Studies (NCJS).

A specific avenue towards strengthening access to justice provides the Family Court for civil matter and the Primary Courts for criminal matters.

Family Courts generally are mandated to deal with issues pertaining to personal status law, as well as adjudicating all family disputes. The Ministry of Justice has relied on family courts because of the growing numbers of litigants and the increased volume of cases, as well as their complexity. Family courts play a very important role for women's legal empowerment.<sup>4</sup> The Family Courts are assisted by Dispute Settlement Offices (DSOs), composed of a legal specialist, a psychologist and a social worker. DSO are responsible for the mediation process and help the judges in Family Courts with the preparation of litigant's file but do not provide legal advice. In addition, a limited number of 35 Legal Aid Offices (LAOs) exists, established through a Ministerial Decree and partly financed through a UNDP-led project.<sup>5</sup> LAOs were introduced in selected Family Courts as the majority of litigants facing family conflicts are women who are from disadvantaged groups and cannot afford to pay the lawyer's fee. They provide legal advice but they don't provide free representation in court for litigants.

The Ministry of Justice is working to reduce violence against women through the establishment of offices at the level of Primary Courts that provide legal advice and legal aid to women and girls who are subject to violence, starting from filing a police report and assisting in collecting evidence throughout pre-trial and trial stage. There

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<sup>4</sup> Almost one million cases are examined by these courts each judicial year, with 80% of these filed by women

<sup>5</sup> UNDP contribution is mainly directed towards the renovation/rehabilitation of office space.

currently 4 working offices located in 4 Primary Courts (North Cairo, Tanta, Alexandria and Aswan). The establishment of 4 additional offices is planned for 2016 in Beni Suef, Assiut, Mansoura and one location yet to be identified.<sup>6</sup> Additional support is needed to expand the establishment of these offices across the country.

As part of the Government's efforts to tackle VAW, the Ministry of Interior created in 2013 a specialised VAW unit within its human rights department. The unit's mandate was not to combat crimes but to follow-up with women who report violent crimes against them. One year later, the Minister of Interior (MoI) expanded the unit's operations by establishing specialised police stations in several governorates.

Also, the Council for Women (NCW) plays an important role with regard to policy and advocacy for women's rights. More practically, through its Ombudsman Office, the NCW provides legal advice through a telephone hotline, assists female complainants to approach specialised attorneys, as well as those volunteer attorneys working with the Ombudsman office and researches viable options for solving employment discrimination claims.

The proposed action, especially regarding the access to justice component, will also aim at including other important actors, such as the Egyptian Bar Association and those non-governmental entities that provide legal assistance to women. The Egyptian Bar Association "maintains a roster of lawyers eligible to serve as public defenders." The Bar Association Law explicitly states that one of its objectives is to ensure the right to defence for all citizens, and lawyers have an obligation to provide legal aid to those who cannot afford legal expenses. As per Art. 93 of the Egyptian Bar Association Law, legal aid covers a wide range of services, including legal representation, legal consultation and the drafting of contracts. Despite the provisions of the law, the Egyptian Bar Association does not have a pro-bono programme. Several non-state actors also provide some level of legal aid services (mostly legal advice and counselling) on a wide array of issues. These report a rather low number of cases per year (around 500) due to understaffing, with often only 1 to 2 full-time lawyers permanently working.

### ***1.1.3 Priority areas for support/problem analysis***

The judgement on the FGM case has been hailed as a success for women's rights in Egypt because, for the first time, the law will be enforced and the perpetrator punished. It has set a clear sign that certain attitudes and actions will not be tolerated by society. This example demonstrates that the advancement and realisation of women's rights not only depends on the existence and content of certain laws but that it is necessary for these laws to be enforced by the State. Thus, the design of this project tries to address the challenges for the advancement of women's rights in Egypt from a rights based perspective, meaning to support actions that further the realisation of their rights.

The provision of legal aid has been promoted as an effective means to ensure equality before the law, the right to legal counsel and the right to a fair trial. Ensuring access to affordable legal representation and adequate legal aid is often a determinant

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<sup>6</sup>

This will be done through the "My Rights" project financed by the British Embassy and implemented by the British Council.

in women's access to justice, and has proven particularly useful in helping women, especially poor women, to overcome practical and economic barriers. Access to justice is a human right in itself (Article 8 of the Universal Declaration of Human Rights) and essential for the realization of a range of other civil, cultural, economic, political and social rights.

The proposed action will address this issue by supporting the Government of Egypt, the judiciary, civil society and other actors to implement activities and policies that will lead to a realisation of women's rights. This will be done at two levels:

Firstly, this project will address violence against women, and in particular FGM, through the implementation of the National Action Plan for FGM abandonment. The EU has been supporting the *"Abandonment of Female Genital Mutilation (FGM) and Empowerment of Families' Joint Programme"* since December 2011 with a contribution of 3.8 m EUR. A main achievement under this project, which is expected to end June 2017, is the development of the National Action Plan for FGM Abandonment, which was launched by the Minister of State of Population in June 2015. The project also achieved an important outreach to all actors, including hospitals and doctors, communities and others, which resulted in a high level of awareness on the risks of FGM. Decreasing rates of FGM practices confirmed by the EDHS 2015 and the sentencing to prison in 2015 of a doctor practicing FGM, the first time ever practicing FGM was penalised in Egypt, are also direct achievements of the project. The duration of the FGM National Action Plan has been set to 5 years, that is, until 2020. The proposed action is designed as a follow-up project in order to support the implementation of the National Action Plan until its end, and possibly beyond its currently set timeframe. Given the recent positive changes in people's attitudes towards FGM and the strong national commitment to eradicate this practice, it is important not to lose momentum by capitalising on the previous EU's engagement in this area and the achievements made. As demonstrated by recent data from the 2015 EDHS, the Government's FGM abandonment policy is showing results (see page 4). Further to the currently ongoing project, the EU also supported the Government's efforts towards the abandonment of FGM under its project 'Children at Risk', which ended in 2008, indicating an important EU presence and commitment in this area.

Secondly, in order for women to claim and realise their rights, focus will be directed to supporting actions that increase women's access to justice. This would include creating an effective legal defence and expanding services to include legal aid by way of supporting the expansion of LAOs and DSOs in Family Courts and women support offices in Primary Courts. The process would include a variety of stakeholders such the Ministry of Justice, the judiciary, the National Center for Judicial Studies but also specialised civil society organisations, the Bar Association and possibly also academics. The NCW will also be closely associated with the action given its mandate to promote the advancement of women's rights.

In light of the Foreign Affairs Council conclusions of 21<sup>st</sup> August 2013, which reviewed EU Co-operation with Egypt, and the latest European Parliament resolution on Egypt (10<sup>th</sup> March 2016), confirming those conclusions, it won't be possible to include stakeholders such as the MoI into the proposed action.

The two proposed areas of intervention are currently the only entry points for further collaboration with the Government of Egypt on human rights issues given the current political environment and the state of EU-GoE bilateral co-operation. The activities envisaged under both components are complementary and reinforce each other so as to support the advancement of women's rights in the country.

## 2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures and assumptions
Increased instability at country and/or regional level impacting negatively the political, social and economic conditions in which the project is implemented	High	Instability is partly rooted in the lack of social and economic development prospects. The situation should improve thanks to the commitment of the Government and the alignment of stakeholders around the Sustainable Development Strategy/Vision 2030. The situation will be closely monitored by the EUD.
Discontinuation of political support to the FGM Abandonment Action Plan and the expansion/creation of DSO and LAO in Family Courts.	Medium	The project is designed under the assumption that the state will continue supporting the implementation of its national policies. The pace of implementation depends from the government resources. A firm policy dialogue will be carried out by the EUD.
Government commitment to address gender equality and protect women discontinues	Medium	The Government of Egypt has created a momentum to improve the situation of women in the country by committing to implement the relevant provisions under the Constitution. The assumption is that this support will prevail given that the Government does not seem to consider women empowerment as a threat to national security. To mitigate the remaining risk the proposed action intends to work with several actors (governmental and non-governmental stakeholders) so as to create a broader base for support.

## 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

### 3.1 Lessons learnt

One of the clear lessons learnt from the implementation of the FGM abandonment project is that more effort needs to be invested in making the FGM criminalisation law effective. This will be done through the training of prosecutors, judges, etc. The achievements made towards combatting FGM in the recent past confirm the relevance and effectiveness of the methodology used by ongoing EU-support, which is why it is recommended to expand its action to other areas of Egypt. Lessons learnt regarding the currently used implementation modality show that UNDP has an established role as coordinator of actions related to combatting FGM with national stakeholders and other UN agencies, which is of clear value to NPC and other

contributing partners. UNDP has encouraged ownership and leadership of the FGM abandonment agenda by the NPC and has also been successful in managing and supporting the role of the Project Management Unit (PMU) within the NPC. In addition, NGOs and CSOs have been able to participate very substantively in the implementation of this project because the NPC (through the PMU) has been directly responsible for the contracting and management of these organisations and therefore there was no "political" impediment to their engagement. The coordinating role of the PMU has also been fundamental in ensuring a synchronisation of activities between those implemented via state institutions and those implemented through NGOs. An area of improvement concerns the EU visibility which, however, has improved during the course of the implementation of the current project.

An external evaluation of the ongoing project was planned for the beginning of January 2016 but has been put on-hold due to the necessity to obtain the security clearance for the assignment. The detailed design of the new action will take into consideration the recommendations and lessons learned from the external evaluation, once it has been concluded. Furthermore, the results of the UNDP (external) verification, which is expected to take place in June 2016, will also be taken into consideration.

The EU Delegation is currently implementing the "*Support to the modernisation of the administration of justice*" project. While the project has not been designed to address the role of lawyers in the justice sector, this proposed new action provides an opportunity to reach out also to the lawyers by involving the Egyptian Bar Association through European counterparts and as such complement the ongoing support to justice administration reform.

### **3.2 Complementarity, synergy and donor coordination**

The proposed intervention is clearly complementary to the funded actions under the on-going "*Promotion and Protection of Human Rights*" programme and has been designed based on reflections, lessons learned and experiences from implementing this project. The proposed action particularly follows up on the on-going support to the NPC for the implementation of the FGM Abandonment policy which ends in July 2017. The new programme will also complement activities to be implemented under the "*Citizen Rights Project*", particularly with regards to component one, namely the support to the National Council for Human Rights (NCHR). Further, the future programme will complement those activities implemented through the "*Support to the modernisation of the administration of Justice*" project by expanding support to other actors and sections of the Egyptian justice system. In addition, the programme will seek synergies with those civil society organisations currently benefitting from EU funding through the various thematic programmes and EIDHR.

Important partners for Egypt in the field of women's rights, violence against women and gender equality are some EU Member States (Sweden, United Kingdom, Germany and Spain), as well as various United Nations agencies (UNDP, UN Women, United Nations Office on Drugs and Crime (UNODC)). The EU Delegation is in frequent dialogue with these organisations and MS in order to avoid any possible duplication of activities and ensure synergies with ongoing support. The Delegation participates regularly in sectorial development partner coordination meetings in the fields of Justice and Gender.

### 3.3 Cross-cutting issues

The promotion and realisation of women's rights is at the centre of the proposed action. While violence against women is particularly addressed under specific objective 1, legal empowerment of women and access to justice is specifically covered under specific objective 2. The project addresses in all its components institutional development and accountability measures and as such mainstreams governance. It is expected that both objectives will contribute to Egypt's agenda of realising gender equality and implementation of the Constitutional provisions guaranteeing the right to litigation and to a fair trial. Further, the proposed action envisages the engagement of civil society actors in the implementation of the programme objectives.

## 4 DESCRIPTION OF THE ACTION

### 4.1 Objectives and results

The overall objective of the project is to contribute to the improvement of the situation of women in Egypt by advancing women's rights.

The specific objective of the project is to support the Government's efforts towards abandoning FGM/C and to strengthen women's access to justice and enforcements of laws.

In order to achieve the mentioned objective, the project will be articulated around two components:

#### **Component 1: Support to the implementation of the National Action Plan for FGM/C abandonment and family empowerment (2015 – 2020)**

This component will support the GoE in the implementation of all 3 outcomes of the national action plan adopted in 2015. The envisaged results of this action are the following:

- (1) National policies, legislations and international conventions compelling the abandonment of FGM/C are being enforced and perpetrators who are directly or indirectly involved in practicing FGM/C are effectively convicted for committing a criminal act;
- (2) Public opinion is positive towards comprehensive set of girls' rights and their protection against FGM/C and all harmful practices, and
- (3) Institutionalization of M&E system at the Central, Governorate and community levels.

#### **Component 2: Support women's access to justice and legal empowerment through the expansion of LAOs and DSOs in Family Courts and women support offices in Primary Courts**

This component will support the achievement of the following outcomes/results:

- (1) Access to legal aid, assistance and advice for women is increased.

(2) Capacity of the LAOs/DSOs in Family Courts and women support offices in Primary Courts to provide affordable and quality access to justice for women is enhanced.

(3) Public awareness and understanding of women's rights under the law and their rights of access to justice is increased.

## **4.2 Main activities**

The envisaged main activities under component 1 are the following:

- 1) Training of prosecutors and judges in order to support the enforcement of the law criminalizing the practice of FGM.
- 2) Modification of school and university curricula to enhance knowledge and attitudes against FGM.
- 3) Monitoring of communities by NPC with regards to the prevalence and attitudes towards FGM/C in order to act as champions of change.
- 4) Continuation and expansion of the media platform against FGM practices.
- 5) Continuation and expansion of the civil society network throughout the country for NGOs to coordinate anti-FGM efforts.
- 6) Continuation and expansion of the community and village campaigns against FGM.

The envisaged main activities under component 2 are the following:

- 1) Improving and expanding specialized training for judges in both Family and Primary Courts, DSO and LAO staff, including exchanges of international experiences and best practices.
- 2) Raising the legal awareness of litigants in family courts and primary courts.
- 3) Develop a communications network between the DSOs, LAOs, women support offices and Ministry of Justice.
- 4) Raise the capacities of specialised non-governmental entities and the Bar Association to provide legal aid to women in both civil and criminal matters.
- 5) Establish a pro bono programme with the Egyptian Bar Association.

## **4.3 Intervention logic**

Gender equality and women empowerment is at the core of European values. Complimented with supporting economic and political empowerment of women, areas in which projects are already in place with EU support, the Delegation will further contribute to gender equality and women empowerment in Egypt by addressing specific aspects of women's rights and enhancing these. The specific aspects identified, where the EU's intervention can demonstrate value-added and have an impact are continued support to the FGM Abandonment strategy and access to justice.

While FGM is deeply rooted in the Egyptian tradition and culture, the decline in FGM prevalence rates among the younger generations of women indicates that a turning point in eradicating these practices can indeed be reached, particularly if the role of civil society in this process is further strengthened, as is envisaged - it however requires further commitment and persistent efforts. The EUD, having supported the national FGM abandonment programme for many years, sees the National Action Plan as the only effective way to address FGM in a comprehensive



and holistic manner. This plan reflects not only a political priority at the central level of the Government of Egypt, but it is also owned at all levels of Government, from the Ministries in Cairo to the various Governorates across the country, and across a great variety of actors, including religious and non-State actors. Such widespread commitment and political will is considered an indispensable factor for a successful eradication of FGM in the country. This commitment is reflected in the emphasis of the National Action Plan to enforce the law criminalising FGM and to step up activities with all relevant actors (Ministry of Justice, judges, Ministry of Health, etc.) that will allow prosecuting perpetrators of this crime.

Furthermore, ensuring access to affordable legal representation and adequate legal aid is often a determinant in women's access to justice, and has proven particularly useful in helping women, especially poor women, to overcome practical and economic barriers. Access to justice is also a human right in itself<sup>7</sup> and essential for the realization of a range of other civil, cultural, economic, political and social rights. Moreover, equal access to justice has been recognized as a fundamental element to tackle poverty.<sup>8</sup>

The approach of addressing women's legal empowerment and access to justice by supporting the expansion of LAOs/DSOs in Family Courts and women support offices in Primary Courts is considered a good entry point given the high amount of cases brought before these courts. These offices have been established based on a national policy so that ownership can be expected by the various stakeholders addressing access to justice. The expansion of these offices will be supported not only in terms of quantity, i.e. increased numbers of offices available across the country, but also in terms of quality, that is, how and what type of legal aid services are provided. This is a particularly important aspect because, as mentioned previously, no reliable legal aid delivery mechanism has been established in the country. The implementation of this component through a peer-to-peer approach with EU MS specialised administrations is in this respect very beneficial in order to transfer know-how, best practices and, above all, promote the adoption of international standards. Furthermore, by including other stakeholders, such as specialised NGOs and civil society organisations and the Egyptian Bar Association into the work of the LAOs/women support offices, the level of services provided to the citizens can be increased. This two-track approach will allow the project to reach and empower a high number of women, and especially the poorer among them. Thus, the potential for the action to have a wide impact is seen as very high. The political buy-in and ownership as well as the potential impact will further contribute to the sustainability of the proposed action.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in Article 184(2)(b) of Regulation (EU, Euratom) No 966/2012.

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<sup>7</sup> Article 8 of the Universal Declaration of Human Rights.

<sup>8</sup> Equal access to justice has been included as part of Sustainable Development Goal nr. 16.

## **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is **60 months** from the date of the entry into force of the Financing Agreement.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this Decision and the relevant contracts and agreements; such amendments to this Decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

## **5.3 Implementation modalities**

### **5.3.1 Grants: Call for proposals "Support to women's access to justice" (direct management)**

#### *(a) Objectives of the grants, fields of intervention, priorities of the year and expected results*

For component 2 a grant will be concluded with specialised EU Member States governmental or public administration bodies in the area of justice/legal affairs, preferably with a consortium involving different MS. According to the interest and willingness of MS to be involved in the implementation of this component, a direct award or a Call for Proposals could be envisaged. The objectives, expected results and main activities envisaged are described under sections 4.1 and 4.2. Further details will be defined jointly with the Egyptian institutions with a mandate to provide access to justice.

#### *(b) Eligibility conditions*

Applicants will be eligible for funding if they are governmental or public administration bodies in the area of justice/legal affairs. They must be established in a Member State of the European Union and be directly responsible for the preparation and management of the action with the co-applicant(s) and affiliated entity(ies), not acting as an intermediary.

Subject to information to be published in the call for proposals, the indicative amount of the EU contribution per grant is EUR 4,500,000 and the grant may be awarded to sole beneficiaries and to consortia of beneficiaries (coordinator and co-beneficiaries). The indicative duration of the grant (its implementation period) is 48 months.

#### *(c) Essential selection and award criteria*

The essential selection criteria are financial and operational capacity of the applicant.

The essential award criteria are relevance of the proposed action to the objectives of the call; design, effectiveness, feasibility, sustainability and cost-effectiveness of the action.

#### *(d) Maximum rate of co-financing*

The maximum possible rate of co-financing for the grant under this call is 95% of the eligible costs of the action.

In accordance with Articles 192 of Regulation (EU, Euratom) No 966/2012, if full funding is essential for the action to be carried out, the maximum possible rate of co-financing may be increased up to 100 %. The essentiality of full funding will be justified by the Commission's authorising officer responsible in the award decision, in respect of the principles of equal treatment and sound financial management.

(e) Indicative timing to launch the call

The call is envisaged to be launched in the first trimester of 2018.

### **5.3.2 Indirect management with an international organisation**

A part of this action may be implemented in indirect management with UNDP in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012. This implementation entails the achievement of all the results for component 1 (support to the FGM Abandonment National Action Plan), and in particular activities (1) to (4). This implementation is justified because of the need to continue implementing the activities under the National Action Plan and to ensure the continued functioning of the Programme Management Unit (PMU) at NPC. The involvement of UNDP is also justified because it builds on a long-standing relationship between UNDP and NPC in the sector.

The agreement with UNDP will contemplate two types of budget-implementation tasks: the first one will be to finance the implementation of the activities that are part of the National Action Plan (for example, family services and the community initiatives provided in the target villages through the state institutions – mainly health and education departments, media campaigns, communication and training activities, monitoring and evaluation activities, etc.). These activities are coordinated and managed by the NPC, through the Project Management Unit (PMU). The second budget-implementation task is for the support to the PMU as such, which is located at the National Population Council.

### **5.3.3 Indirect management with the partner country**

A part of this action (component 1, activities 5 and 6), with the objective of launching a Call for Proposals for local NGOs to implement activities at village level under the National Action Plan for FGM Abandonment, may be implemented in indirect management with Egypt in accordance with Article 58(1)(c) of the Regulation (EU, Euratom) No 966/2012, according to the following modalities:

The partner country will act as the contracting authority for the grant procedures. The Commission will control ex ante all the grant procedures.

Payments are executed by the Commission.

It is envisaged that the management and implementation of this part of the action shall be carried out by the following national body governed by public law: the National Population Council.

In accordance with Article 190(2)(b) of Regulation (EU, Euratom) No 966/2012 and Article 262(3) of Delegated Regulation (EU) No 1268/2012 shall apply procurement rules of Chapter 3 of Title IV of Part Two of Regulation (EU, Euratom) No 966/2012. These rules, as well as rules on grant procedures in accordance with Article 193 of Regulation (EU, Euratom) No 966/2012 will be laid down in the financing agreement concluded with the Arab Republic of Egypt.

#### 5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2)(b) of Regulation (EU) No 236/2014] on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

#### 5.5 Indicative budget

	<b>EU contribution (EUR)</b>	<b>Indicative third party contribution (EUR)</b>
Component 1 – Support to the implementation of the National Action Plan for FGM abandonment and family empowerment		
– Indirect management with UNDP	3,000,000	
– Indirect management with Egypt	1,600,000	
Component 2 – Support women's access to justice and legal empowerment		
– Grant with EU MS governmental or public administration bodies in the area of justice/legal affairs	4,500,000	240,000
Evaluation and Audit	300,000	
Communication and visibility	100,000	
Contingencies	500,000	
<b>Totals</b>	<b>10,000,000</b>	<b>240,000</b>

#### 5.6 Organisational set-up and responsibilities

Organisational arrangements under each contract will be designed to ensure a clear share of responsibilities and tasks. For each component a national counterpart will act as a main focal point. For the first component it will be the NPC, whilst for the second it will be the Ministry of Justice. The National Council for Women (NCW) will be closely associated to the implementation of both components wherever relevant.

The programme will be governed by a Steering Committee, which will oversee and guide the overall direction and policy of the programme. It shall meet twice a year as a general principle and can be convened whenever the project's implementation requires strategic decision or changes. The project steering committee shall be

chaired by the Ministry of International Co-operation (MOIC) and made up of representatives of the following entities:

- The National Population Council (NPC);
- The Ministry of Justice (MoJ);
- A representative of the EU Delegation (observer).

The Steering Committee has the right to invite further members of any of the stakeholders whenever deemed appropriate, including representatives of the national administrations and governorates benefitting from the project, the implementing bodies as well as civil society organisations.

The EU Delegation will maintain a constant policy dialogue with national stakeholders to ensure the highest possible support and political commitment needed for successful implementation.

## **5.7 Performance monitoring and reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, each implementing partner shall establish a permanent internal, technical and financial monitoring system for its part of the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix (for project modality) or the list of result indicators (for budget support). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.8 Evaluation**

Having regard to the importance and nature of the action, a mid-term and a final evaluation will be carried out for this action or its components via independent consultants contracted by the Commission.

The mid-term evaluation will be carried out for problem solving and learning purposes, in particular with respect to those activities implemented at Governorate level.

The final evaluation will be carried out for accountability and learning purposes at various levels.

The Commission shall inform the implementing partner at least 2 months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

Indicatively, two contracts for evaluation services shall be concluded under a framework contract in 2019 and in 2023.

## **5.9 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

Indicatively, 2 contracts for audit services shall be concluded under a framework contract in 2023.

## **5.10 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

Indicatively, 1 contract for visibility and communication shall be concluded under a framework contract by the Delegation in the beginning of project implementation (indicatively third quarter 2017) to ensure visibility and communication aspects of the EU engagement on women rights are covered at programme level.

## APPENDIX - INDICATIVE LOGFRAME MATRIX

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action without an amendment to the financing Decision. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for listing the activities as well as new columns for intermediary targets (milestones) when it is relevant and for reporting purpose on the achievement of results as measured by indicators.

	Intervention logic	Indicators	Baselines (incl. reference year)	Targets (incl. reference year)	Sources and means of verification	Assumptions
Overall objective	The situation of women in Egypt is improved by advancing their rights.	Provisions of the 2014 Constitution and existing laws related to the rights of women are explicitly operationalised and enforced	Existing Penal Code, Personal Status Law, and Executive Regulations of the Child Law	Amendments to Penal Code, including on VAW; Amendments to the Personal Status Law, Executive Regulations of Child Law adopted;	Legislative analysis	National commitment to operationalise the Constitution's provision related to women's rights; Parliament adopts new legislation
Specific objective	Support the Government's efforts towards abandoning FGM/C and to strengthen women's access to justice and enforcement of laws.	<ul style="list-style-type: none"> <li>• Prevalence of FGM/C among of women and girls (15-17 years)</li> <li>• Total number of women and girls benefitting from improved justice services per year</li> </ul>	61,1 % (2015)  MoJ records on number of cases successfully handled in Family and Primary Courts in 2016	10% in girls/women aged group 15-17 (2021) tbd	Results of the 2020 EDHS  MoJ records/statistics	National budget allocations for these two policy areas are maintained at the current level or increased

Outputs component 1	(1) National policies, legislations and international conventions compelling the abandonment of FGM/C are being enforced and perpetrators who are directly or indirectly involved in practicing FGM/C are effectively convicted for committing a criminal act	<ul style="list-style-type: none"> <li>- Task Force for following up on FGM Criminalization Law established</li> <li>- Number of judiciary sessions related to FGM-criminalization held per year</li> </ul>	<p>Not existent</p> <p>As per Court reports 2016</p>	<p>Task force established and functioning</p> <p>tbd</p>	<p>Reports on task force activities</p> <p>MoJ reports/statistics</p>	Priorities under the National Strategy and Action Plan for combating FGM/C remain unchanged
	(2) Public opinion is positive towards comprehensive set of girls' rights and their protection against FGM/C and all harmful practices	<ul style="list-style-type: none"> <li>- Continuous Anti-FGM Media Campaigns on TV, radio and social media are implemented</li> <li>- Opinion on girls' rights and their protection is increasingly positive</li> </ul>	<p>1 comprehensive media campaign in the past years</p> <p>Tbd through perception survey 2017</p>	<p>At least 2 media campaigns broadcasted per year (from 2018)</p> <p>Tbd determined based on perception survey (for 2020)</p>	<p>Media coverage, reports on media campaigns</p> <p>Regular perception surveys carried out by NPC and other stakeholders on women rights</p>	Priorities under the National Strategy and Action Plan for combating FGM/C remain unchanged
	(3) Institutionalization of M&E system at the Central, Governorate and community levels	<ul style="list-style-type: none"> <li>- Establishment of a central database and documentation system to track FGM-related initiatives and research</li> <li>- Number of NPC branches appropriately using a functioning M&amp;E system to monitor Action Plan implementation at Governorate and community levels</li> </ul>	<p>Not existent</p> <p>0 (2015)</p>	<p>Central database established and functioning (2020)</p> <p>15 (2020)</p>	<p>NPC reports; including data analysis</p> <p>NPC reports M&amp;E reports of NPC branches</p>	Priorities under the National Strategy and Action Plan for combating FGM/C remain unchanged



Outputs Component 2	(4) Access to legal aid, assistance and advice for women is increased	<ul style="list-style-type: none"> <li>- Proportion of cases satisfactorily resolved of all cases brought forward by disadvantaged and vulnerable women to Family and Primary courts</li> <li>- Number of LAOs/DSOs in Family Courts</li> </ul>	<p>Court statistics 2016</p> <p>35 LAO/DSO (2016)</p>	<p>80% (2022)</p> <p>70 LAO/DSO (2022)</p>	<p>Court statistics MoJ reports</p> <p>National reports LAO/DSO reports</p>	<p>MoJ strategic plan and corresponding budget is in place to improve and expand LAOs/DSOs and women support offices</p>
	(5) Capacity of the LAOs/DSOs in Family Courts and women support offices in Primary Courts to provide affordable and quality access to justice for women is enhanced	- Percentage of judges, lawyers and social workers assigned to LAO/DSO specifically trained to provide legal advise and legal aid services to women and girls	10% (2015)	70% (2022)	Staff and training reports	MoJ strategic plan and corresponding budget is in place to improve and expand LAOs/DSOs and women support offices
	(6) Public awareness and understanding of women's rights under the law and their rights of access to justice is increased	- Increase in knowledge and understanding of women's right to access justice among men and women	Tbd by perception survey (2017)	Tbd based findings of the perception survey (for 2022)	Survey report	MoJ strategic plan and corresponding budget is in place to improve and expand LAOs/DSOs and women support offices



This action is funded by the European Union

## ANNEX 2

of the Commission Implementing Decision on the Annual Action Programme 2016 (Part I) in favour of Egypt to be financed from the general budget of the European Union

### Action Document for National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector (NDP III - JISA)

<b>1. Title/basic act/ CRIS number</b>	<b><u>National Drainage Programme III in the framework of the Joint Integrated Sector Approach in the irrigation sector (NDP III - JISA)</u></b> CRIS number: ENI/2016 / 039-544 financed under European Neighbourhood Instrument			
<b>2. Zone benefiting from the action/location</b>	Neighbourhood South, Egypt The action shall be carried out at the following location: Egypt			
<b>3. Programming document</b>	Single Support Framework for EU support to Egypt (2014-2016)			
<b>4. Sector of concentration/ thematic area</b>	Objective 1 "Poverty Alleviation and Local Socio-Economic Development and Social Protection"			
<b>5. Amounts concerned</b>	Total estimated cost: EUR 254.700.000 Total amount of EU budget contribution EUR 40.000.000 This action is co-financed in joint cofinancing by: - Kreditanstalt für Wiederaufbau (KfW) for EUR 46.5 million And in parallel cofinancing by: - African Development Bank (AfDB) for EUR 50.2 million - Islamic Development Bank (IsDB) for USD 32.3 million (equiv. EUR 28.3 million) - Government of Egypt for EUR 89.7 million (to be paid in EGP equivalent)			
<b>6. Aid modality(ies) and implementation modality(ies)</b>	Project Modality Indirect management with KfW			
<b>7. DAC code(s)</b>	31120 Agricultural development 31140 Agricultural water resources			
<b>8. Markers (from CRIS DAC form)</b>	<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Participation development/good governance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Aid to environment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## SUMMARY

Under this action it is foreseen that the EU will contribute funding the National Drainage Programme Phase III (NDP III). The National Drainage Programme Phase III (NDP III) is a key part of the government's Water Resources Development Strategy that seeks to optimize water use as well as improve the efficiency of the drainage systems. The goal of NDP-III is to achieve economic growth through improved agricultural performance. NDP-III is also considered the top investment priority in the framework of the operationalization of the Joint Integrated Sector Approach (JISA), which is the main donor co-ordination mechanism aiming at enhancing investment effectiveness in the irrigation sector by means of an improved co-ordination of investment planning and implementation within the Ministry of Water Resources and Irrigation (MWRI) of the Government of Egypt.

**The general objective** of this project is to support socio economic development in Egypt through generating and strengthening sustainable economic activity. **The specific objective** will be to increase agricultural production by providing adequate drainage infrastructure, and enhancing the capacities of different stakeholders to rehabilitate and extend subsurface drainage network.

It is foreseen that through this project the following results will be achieved:

- (a) Increased efficiency of around 108,000 ha of sub-surface and around 8,000 ha of surface drainage in the intervention areas;
- (b) Improved livelihood of about 850,000 people via increasing their agricultural production and their rural incomes; and
- (c) Enhanced capacities within the MWRI, and other implementing bodies to be closely involved in the implementation and management of the drainage sector, including final user bodies (Branch Canal Water Users Associations, BCWUAs) for better operation and maintenance of the network.

The project will be implemented with KfW through a blending operation, following Indirect Centralized management mode for a total cost of EUR 86.5 million of which 40 million EUR are to be financed by the EU SSF bilateral envelope for Egypt

The intervention areas of the drainage works implemented under this action will comprise different locations in the Nile delta and the Nile valley, in accordance with the priorities identified in the framework of NDP-III.

The total costs for NDP-III, including government financing, are estimated at 254.7 million EUR. In addition to EU/KfW funds for the project, NDP III is receiving parallel finance from the Islamic Development Bank (IsDB) and the African Development Bank (AfDB). For this purpose IsDB is providing a loan of 32.3m USD<sup>1</sup> and AfDB a loan of 50.2m EUR.

<sup>1</sup> EUR 28.7 million at the current exchange rate.

The project is in line with EU-SSF first pillar of intervention for Egypt, *Poverty Alleviation and Local Socio-Economic Development and Social protection*. In particular, the project will contribute to enhancing the delivery of basic services and promoting integrated socio-economic development at the local level, targeting those most in need. It will as well generate and strengthen sustainable economic activities, in particular at community level. Furthermore, providing adequate drainage infrastructure and enhancing the capabilities of the community associations in operation and maintenance of the drainage network and irrigation techniques, it will allow increasing agricultural production, therefore ensuring the sustainability of the income and improving the quality of life of small scale irrigation farmers.

This action is **fully aligned** with the **ENP review** priority of supporting energy security and climate action, and the promotion of the full implementation of the expected Paris Climate Agreement and its subsequent developments. Furthermore, this action is fully in line with the **ENPARD**<sup>2</sup> initiative that is part of the EU's commitment to inclusive growth and stability in its Neighbourhood, recognising the importance of agriculture in terms of food security, sustainable production and rural employment.

## 1 CONTEXT

### 1.1 Sector/Country/Regional context/Thematic area

**The agricultural and irrigation sector is of major socio-economic importance for Egypt.** It accounts for 15% of national Gross Domestic Product (GDP) and for 30% of national employment. The sector is highly relevant for providing a livelihood and a source of income for the poorest segments of the Egyptian population. Together with their families these small-scale farmers represent a population segment amounting to 20.9 million people (23% of Egypt's population). With 29% of Egypt's rural population being classified as poor, its poverty incidence is significantly higher than that in urban areas (9%). Thus, the agricultural sector features a vast potential for growth and employment, among others for unskilled workers, the youth, poor and disadvantaged people in rural areas. Irrigation and drainage are amongst the priorities of Egypt's new Strategic Framework, the *National Income Doubling Plan (2012-22)*, prepared by the Ministry of Planning and defining short, medium and long-term national priorities. Proper management of **irrigation and drainage is of crucial importance for an effective and sustainable water resources management in Egypt**. Agricultural crop production in Egypt depends on irrigation and absorbs about 80% of Egypt's Nile water consumption.

**An appropriate drainage infrastructure is pivotal for the sustainability of irrigated agriculture in Egypt.** In the 1970s the completion of the Aswan High Dam enabled the introduction of perennial irrigation in Egypt. However, a side-effect of this was a rising ground water level entailing water logging and thus salinization of irrigated land. This, in turn, inevitably causes a steady and significant decline of soil fertility, if mitigating action is not taken. Moreover, climate change involving rising temperatures is adding to this effect, due to an increasing evaporation of soil humidity on irrigated land, and a rising sea-water level leading to sea-water intrusion in the Nile delta. Currently Egypt's irrigated cropping area amounts to about 6 million feddan (2.5 million hectares). Since the 1970s almost all of it has been gradually provided with drainage infrastructure, with a useful lifetime of 30 years. This means that, in order to avoid degradation of arable land, Egypt needs to rehabilitate its drainage infrastructure at an average rhythm of 200,000 feddan per year, if it is to avoid salinization of arable land and thus a critical decline of agricultural productivity. It is crucial in ensuring an appropriate drainage infrastructure of Egypt's irrigation sector in order to increase soil fertility and thus crop

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<sup>2</sup> European Neighbourhood Programme for Agriculture and Rural Development.

yields of largely poor small-scale farmers, thus enhancing farm incomes and reducing poverty in general.

The Egyptian **Ministry of Water Resources and Irrigation (MWRI)** features **structural shortcomings** preventing it from achieving a sustainable integrated water resources management (IWRM). One of the MWRI's major shortcomings consists of its present planning function related to agricultural water management being largely limited to budgeting and fund allocation. Moreover, the planning function is organisationally isolated within the MWRI's Planning Sector and insufficiently integrated with its eight major investment implementing entities.

Against this backdrop the **MWRI recently embarked on the development of a Joint Integrated Sector Approach (JISA)** in the irrigation sector. The study funded by KfW on the JISA presents how future investment planning (JISA) in MWRI could operate. MWRI develops and assigns planning capacity to co-ordination and portfolio management. This enables MWRI to streamline investment planning with its development partners. To achieve a more effective utilisation of funds, MWRI would use its professional project planning, monitoring and evaluation competence (i) to manage a dynamic portfolio of investment opportunities in the modernisation of agricultural water management and (ii) to co-ordinate in a systematic and transparent manner its intended investments internally within MWRI, with other Government agencies and with its development partners. A key result of the study was the identification of a pipeline of priority investment projects in the irrigation sector to be implemented in the framework of JISA.

Main development partners have agreed to harmonize their efforts in the sector under JISA, supporting integrated investment planning, as well as considering JISA as a platform for co-ordinating the financing of these investments.

It is worth mentioning that the EU under the Water Sector Reform Project (WSRP-II) has an ongoing TA for the Preparation of the National Water Resources Strategy for Egypt 2017-2050; This TA will establish the new strategy for Egypt in the area of integrated water resources management, building on the existing National Water Resources Plan (NWRP) to expand for the Horizon of 2050, which is considered a mainstream for JISA planning and structuring.

## **1.2 Public Policy Assessment and EU Policy Framework**

### ***Egyptian sector policy assessment***

The **Joint Integrated Sector Approach (JISA)** is a donor co-ordination mechanism aiming at enhancing investment effectiveness in the irrigation sector by means of an improved co-ordination of investment planning and implementation within the Ministry of Water Resources and Irrigation (MWRI) of the Government of Egypt. Through JISA, the MWRI will be able to better align its investment portfolio to the national objectives, and to prepare investment packages that attract and co-ordinate external funding. The national Drainage Programme Phase III comes as the top priority of JISA investment portfolio matrix. NDP-III is a key part of the government's Water Resources Development Strategy that seeks to optimise water use as well as to improve the efficiency of the drainage systems. Through the NDP-III the Egyptian Government intends to achieve economic growth through improved agricultural performance.

Furthermore, the project will contribute to **Egypt's National NWRP**, currently being updated through EU support under the Water Sector Reform Programme – Phase II (WSRP-II) TA component which aims to manage this valuable resource in a sustainable manner, to provide the various customer groups with the water they need (in quantity and quality), and to maximize the benefits of the economic activity for the whole Egyptian people.

### ***EU Policy Framework***

The proposed initiative draws inspiration from the **ENPARD** initiative that is part of the EU's commitment to inclusive growth and stability in its Neighbourhood, recognising the importance of agriculture in terms of food security, sustainable production and rural employment. In context of the EU Single Support Framework for Egypt (2014-16) the initiative falls under Objective 1 "Poverty Alleviation and Local Socio-Economic Development and Social Protection " and contribute to the specific objective 1.2 "To support socio-economic development at the local level targeting those most in need through generating and strengthening sustainable economic activities". Furthermore, the initiative will contribute to the Sustainable Development Goals No 2, and 6 to which both the EU and Egypt have recently committed to within the United Nations framework. And last while not least, the project is aligned with the European Neighbourhood Policy priority of supporting energy security and climate action, and the promotion of the full implementation of the expected Paris Climate Agreement and its subsequent developments.

### 1.2.1 Stakeholder analysis

The **MWRI** is in charge of water resource development and distribution. It also plans and implements water resources development projects related to the River Nile, surface water, and groundwater and drainage water. It undertakes construction, operation and maintenance of irrigation and drainage networks, and is responsible for the basic infrastructure and pumping stations in new agricultural lands. The ministry is also responsible for studies and research through the National Water Resources Centre. The government recognizes the high priority of providing all irrigated areas with subsurface drains and associated remodelling of open drainage networks. This is considered a vital requirement for the continued functioning of sustainable and intensive irrigated agriculture, which has developed in the last few decades after the completion of the High Dam.

The main public entity for drainage issues is the **Egyptian Public Authority for Drainage Projects (EPADP)**. EPADP is a public authority under the MWRI, established in 1973 by Presidential Decree No. 158. It is vested with power over the financial, technical and administrative aspects of implementation, operation and maintenance of drainage systems. Its activities involve field investigation, planning, designing and procurement of equipment for civil works, budgeting and operating budget accounts. The main features of EPADP's activities are surface and subsurface drainage projects, their maintenance and rehabilitation. The Government recognizes the high priority of providing all irrigated areas with subsurface drains and associated remodelling of open drainage networks.

The **Branch Canal Water User Associations (BCWUA)** are playing a role in the decision making and ensure the operation and maintenance of the local drains and flush pumps by themselves, although with significant assistance from the EPADP staff. In this respect, BCWUAs are not designed to take over the roles and responsibilities of the district engineers and others, but are seen as a mean of complementing and supplementing the work of the irrigation and drainage departments. Under NDP-II BCWUA actively supported implementation plans and prevented damage to the system once installed. Currently there are about 2,881 BCWUAs, where farmers are informally organized to carry out simple maintenance work in pipe collector drainage schemes. However, BCWUAs have until now been struggling to survive, because of lack of legal basis and, more importantly, their role and responsibilities were not enough recognised. Currently, however it has to be noted that MWRI is in the process of shifting towards a partial privatization and transfer of management to users in the irrigation and drainage sector through handing simple operation and maintenance responsibilities to the BCWUA. The project through its TA component will support the MRWI and the BCWUA associates in piloting the implementation of such novel approaches.

The final end beneficiaries' will be **poor farmers** in the project intervention rural areas. Rural areas in Egypt concentrate most of the poor population (78%) is and have agriculture as the main

source of income (40% of population in rural areas is dedicated to agriculture) suffering from underinvestment and high unemployment. Decreasing agricultural productivity due to land salinity and inadequate drainage amongst others paired with high population growth are leading rural areas deeper into poverty, which cannot offer an economic perspective for the young.

The **German Bank for Reconstruction (KfW – Kreditanstalt für Wiederaufbau)**, is the leading development partner in the water sector, with ongoing direct investments of more than 200 million EUR in the sector, and as the leading financing institution (Delegatee) for the Improved Water and Wastewater Services Programme- Phase I,II (IWSPI,II) investment projects amounting up to 600 million EUR. Some important efforts led by KfW and the EU towards harmonisation amongst EU development partners have been made through pooled funding in the sector, e.g. within the Neighbourhood Investment Facility (NIF) for water supply and sanitation and the currently prepared harmonised framework for irrigation and drainage (JISA) under which this project is to be implemented. The DPG-Subgroup Natural Renewable Resources (Water & Agriculture) is co-chaired by KfW and the EU.

### **1.2.2 Priority areas for support/problem analysis**

There are many water-related challenges facing Egypt. As the population continues to grow steadily and development efforts are intensifying in order to produce food and raise standards of living, it is expected that water demand will continue to increase. Another factor contributing to Egypt's growing water challenges is that environmental pollution is causing serious water quality deterioration, thus affecting public health and impairing the safe use of significant water resources for many purposes. Agricultural land in Egypt struggles with waterlogging and salinity due to irregular use and overuse of irrigation water, low soil hydraulic conductivity, over-irrigation on newly reclaimed lands and intrusion of saline groundwater from the high lying lands to the old lands of the Nile Delta and Valley. Proper management of irrigation and drainage is of crucial importance for an effective and sustainable water resources management in Egypt. Agricultural crop production in Egypt depends on irrigation and absorbs about 80% of Egypt's Nile water consumption. This requires extensive investment planning and management in the drainage subsector.

In general, financing of social investment projects in Egypt is currently limited due to Egypt's fluctuation in credit rating and uncertain financial capacity. Against this backdrop, the EU's funds could compensate for this shortfall. Interventions in these fields have a great potential to contribute to employment generation particularly of the youth and hence improve living conditions of rural Egyptian population. The majority of irregular migration from Egypt to Europe comes from rural areas.

The present planning function related to agricultural water management of MWRI is largely limited to budgeting and fund allocation. Moreover, the planning function is organisationally isolated within the MWRI Planning Sector. MWRI signalled their desire to develop a robust competence in project planning, monitoring and evaluation as a generic function of MWRI. In order to optimise effectiveness of investment dedicated to support the modernisation of agricultural water management in Egypt, the Planning Sector of MWRI established the JISA mechanism for the co-ordination of external funding to this sub-sector. The present project is supporting the MWRI in implementing JISA as a key sector reform approach. The specific interventions under this project will be identified on the basis of the Investment priority criteria that have been well identified under the JISA documents and will therefore be assessed according to their relevance, urgency, effectiveness and sustainability (see table below).

Category	Relevance	Urgency	Effectiveness / Sustainability
<b>National policy</b>	The project addresses an issue that is high on the political agenda and supports the promotion of government policy	It has the attention of Senior Policy Makers and Public Administrators and needs to be implemented without delay	Contributes to a significant success in delivery performance and resolves controversial issues
<b>Social-Economic</b>	Intervention with a high social or economic relevance, influencing the livelihood of a large portion of the population and/or significantly contributing to the economic development of the Nation	Investment funding available to support a poorly-performing national economic indicator	The intervention provides a better economic return than other opportunities and is welcomed by the stakeholders
<b>Environmental</b>	Intervention will stop or prevent environmental degradation	Intervention resolves a serious environmental problem	Intervention successfully protects ecological features and/or environmental health from deterioration
<b>Technical</b>	Project contributes effectively to the NWRP goals and results in a significant improvement with wide-ranging benefits	It is a critical pre-condition for the implementation of an important NWRP measure, or it is a project, which is simple to implement and has an immediate visible impact	The intervention does not depend on other actors and external factors. Implementation is within the core competencies of the Executing Agency

For this purpose the project comprises the top-ranking priority project resulting from the JISA study, the National Drainage Programme III (NDP III). NDP III is building on the lessons learnt during the implementation of NDP II, which was financed by the European Investment Bank, KfW and the World Bank.

**The main problems currently facing the sector and addressed by the project are as follows:**

- (a) **Egypt lacks the implementation of sustainable drainage infrastructure, oriented to maximise employment and related income generating activities:** The remodelling of surface drains and the installation of subsurface drainage systems would allow increasing agricultural production on land with salinity and high water table problems. This project will help address this issue through increasing the efficiency of surface and subsurface drainage.
- (b) **Weak socio economic development in rural and deprived areas:** The project would have a significant beneficial impact on farmers' incomes. The financial analysis prepared by the World Bank in 2011 for the NDP-II shows that net margin profit for a typical two acre farm would increase by almost 40% from LE 4146 (EUR 462) per farm to LE 5,772 (EUR 643) per farm at full development, while the likely economic rate of return per farm is 24%. This project will help address this issue through increasing the crop productivity and improve farmers' incomes.
- (c) **Inadequate IWRM sustainable implementation:** the absence of reliable operational and commercial data, untrained staff, and low technical, commercial and financial performance poses a risk to operations and maintenance and the whole concept of IWRM. The provision of funds for subsurface drainage will alleviate the burden on MWRI yearly budget, thus giving space to allocate funds for expanding the implementation of IWRM and integrated management districts; including rehabilitation. The Capacity Building provided through the TA component will address the weaknesses and reinforce MWRI in the provision of services and the sustainability of their activities. Improvements in drainage should go in parallel with improvement in irrigation. In this respect, the GoE with the support of WB and GIZ is implementing the "integrated districts" approach, as a clear illustration of IWRM, in which both drainage and irrigation departments are integrated for each watershed. This action shall investigate the possibility to set the presence of an active integrated district as criteria for prioritising investments to ensure appropriate synchronising between improved drainage and irrigation.



- (d) **lacking participatory measures at local level and income generating activities:** In addition, the project will help in enhancing civil society involvement in Water Management through the Branch Canal Water Users Associations (BCWUA) in the form of: (a) engagement in the policy dialogue, (This project will help address this issue through building the capacities within the MWRI, and (b) support in providing simple O&M activities by the final user bodies. This could have a significant impact on project sustainability. This project will help in addressing gender related issues through specific capacity building within the BCWUA, and other implementing bodies that will be closely involved in the implementation and management of the drainage sector. This capacity building will include in particular final user bodies such as the BCWUA and the Water User Associations.

## 2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
<b>Weak co-ordination</b>	<b>M</b>	The TA component will strengthen co-ordination in the legislative reform, dialogue in the water sector by supporting the implementation of national strategies and mechanisms.
<b>Credit Risk</b>	<b>M</b>	The EU grant will have a great impact in both softening the loans conditions and covering the existing gap in requested finance for project implementation which cannot be supported by loans due to the current limitations for financing projects in Egypt because of its credit rating
<b>Insufficient ownership</b>	<b>L</b>	Continuous dialogue with representatives of the concerned Ministries and Governorates during implementation: KfW and EU monitoring missions and high-level meetings as required. A Steering Committee including all involved Ministries/institutions will be set up at central level while local committees will be established at Governorates level to guarantee all the needed measures of co-ordination and coherence of implementation
<b>Corruption and fraud</b>	<b>H</b>	Overall risk for corruption and fraud in Egypt is considered substantial, as witnessed by low ranking of Egypt in international transparency and corruption perception rankings, high perceived corruption in population corruption surveys, a fragmented institutional framework of anti-corruption entities, incomplete legal framework and inconsistencies in judicial treatment of corruption cases. Procurement practice favours direct award. On the positive side government has adopted anti-corruption strategy and some streamlining of inspection agencies is underway The project will mitigate exposure to corruption risks, through entrusting the implementation of budgetary tasks to KfW in respect of its technical and financial management rules, procedures and systems which have been positively assessed by the commission ("pillar assessment" for indirect management)..
<b>Increased instability at country and/or regional level impacting negatively the political, social and economic conditions in which the project is implemented</b>	<b>H</b>	The Presidential Elections,, the implementation of the new Constitution in 2014 and the establishment of an elected Parliament have contributed to a substantial political and social stabilisation in Egypt Instability is also partly rooted in the lack of social and economic development prospects. In this respect the adoption of the Sustainable Development Strategy/Vision 2030 for Egypt offers a framework for economic stability and sustainable development. The

		situation will be closely monitored by the EUD and KfW, together with the other financiers of the project, in the framework of their regular dialogue with the Egyptian authorities
<b>Assumptions</b>		
<ul style="list-style-type: none"> <li>• All concerned authorities and stakeholders will collaborate during the project's implementation</li> <li>• The social and economic development agenda, including water strategies, is implemented by the Egyptian Authorities and is not halted due to social or political instability.</li> <li>• Momentum to strengthen inter-institutional co-operation as well as policy and regulatory reforms within the Government is maintained after Egypt's Economic Development Conference.</li> <li>• Policy dialogue with private sector and non-governmental organisations in water sectors remains a priority.</li> <li>• A strong and stable senior management team at the concerned Egyptian authorities willing to collaborate in close co-operation with the TA expert.</li> </ul>		

### 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

#### 3.1 Lessons learnt

The proposed project builds on lessons learned from the ongoing National Drainage Programme – Phase I and II (funded by the WB, EIB, and KfW) which was completed in 2015. The project managed to connect more than the targeted 1,000,000 acres, but there was delay in processing some of the procurement packages due to the large number of packages and consequently, in the installation of the flushing machines.

**The lessons from the implementation of NDP II include the need for:**

- i. Ensuring a reduced number of procurement packages by combining lots to a manageable number and allowing advance procurement to avoid delay in project implementation;
- ii. Continually monitor human health and environmental aspects by the EPADP Monitoring and Evaluation Unit, as the re-use of drainage water, which will have higher salinity levels than Nile water, is generally increasing and poses human health and environmental concerns.
- iii. Include a dedicated result-oriented capacity building component to the beneficiary staff (EPADP), in particular of its Project Implementation Units (PIUs) and for its management for planning and implementation of investment projects and the proper estimation of local consultants required to do the design and supervision of construction in accordance with EDPs' quality requirements;
- iv. Including in the project design specific components to provide financial support or farmers' compensation for crops destroyed during installation, and an administrative charge of ten per cent of the installation contract. This would positively contribute to the sustainability of project gains.
- v. Need of continuing budgetary support from the GOE for major maintenance and repairs.
- vi. Emphasise the participatory approaches during project implementation. The promotion of the feeling of ownership of the drainage system by farmers themselves is extremely crucial, in order to ensure their co-operation in the prevention of throwing waste into the manholes, assisting in keeping the open surface drains clear and contributing to the simple maintenance of the drainage network. These actions, will greatly contribute to the sustainability.
- vii. Ensuring Donor co-ordination all over the formulation and implementation stage to avoid the recurrent issues facing projects of similar structure as NDP-III; such as delay in project

kick-off due to long intervals between the donors signature of their respective financing agreements (specially the delegatee).

- viii. Agreeing upon clear instructions for the quantity and timing of government contribution cash flow to avoid delays in implementation

### 3.2 Complementarity, synergy and donor co-ordination

The programme is highly complementary to ongoing and planned EU interventions in the area of water sector reform and enhancing water resources management.

The EU is currently supporting two rural development programmes – which work in close co-operation with MWRI, and the Ministry of Agriculture and Land Reclamation (MALR) and which also provide support to the extension of irrigation services at Governorate level:

- In 2010, the "**Support to Rural Development Programme**", with a total budget of EUR 10 million, was initiated by the Union of Producers and Exporters of Horticultural Crops (MALR). It aims to contribute to poverty reduction and socio-economic development of the rural poor of Minya and Fayoum Governorates, through an increase of the land productivity, employment creation and income generation.
- The **Joint EU Rural Development programme** (started in 2015 for 58 months) has a total budget of EUR 22 million and aims at increasing agricultural production and rural livelihood opportunities through more effective management of water resources, adoption of Good Agricultural Practices, and the valorisation of the territories.

Under AAP 2016 the EU also foresees to provide blending support, via NIF, to the National Rural Sanitation Programme by supporting investment projects that aim to provide universal access to improved sanitation services in rural areas. The proposed programme is a natural continuum to the programme for supporting reforms in water and energy approved as part of the AAP 2015, which has a strong focus on the strengthening of capacities of MWRI. The proposed programme is thus part of a holistic and sequential package of EU support to socio economic development in Egypt, capitalising on a broad array of support modalities.

Finally, the programme is aligned with the European Neighbourhood Programme for Agriculture and Rural Development (ENPARD). This initiative recognises the potential importance of agriculture in terms of food security, sustainable production, and rural employment. Through ENPARD the EU experience and know-how has been shared with southern Mediterranean countries in the framework of a solid partnership for rural development and sustainable valorisation of agricultural potential. The second phase of the programme, initiated in 2015 focuses on three thematic areas: Good Agricultural Practices, extension services and contract farming.

**As explained, the NDP-III has been divided into three (3) sub phases:** The total estimated costs for NDP-III are estimated by the Egyptian Public Authority for Drainage Projects (EPADP) at 254.7 million EUR. The Islamic Development Bank will finance the first sub phase with estimated cost of 32.3 million USD. The African Development Bank will finance the second sub phase with estimated cost of 50.2 million EUR. The Third phase is proposed to be financed by the EU and KfW with an estimated cost of 86.5 million EUR. EU contribution is expected to count for 40 million EUR from the bilateral envelope of the EU SSF for Egypt. It is therefore worth noting that an EU contribution to the NDP III will give us the opportunity to further enhance our ties with these International Financial Institutions (IFIs) which are a major provider of external financial assistance and driver of economic development in Egypt.

Finally, it should be noted that the implementation of a Joint Integrated Sector Approach (JISA) in the irrigation sector is geared to improve the effectiveness and the efficiency of the implementation of Egypt's on-going NWRP. JISA is expected to enable the MWRI to better

align its investment planning to national priorities and to more effectively attract and co-ordinate external funding for this purpose. On this basis JISA shall also be the platform for future co-ordination of development partners in the sector.

### 3.3 Cross-cutting issues

**Environmental sustainability:** The EIA for NDP-II conducted by the World Bank resulted in an EIA-report dated 4/2001, including an Environmental management plan. In 2010<sup>3</sup> the World Bank provided additional financing for NDP-II establishing that the above mentioned EIA and EMP were still valid. Since phase-II of NDP, the Programme has been classified as a category (B)<sup>4</sup> project in the environmental category. Given that the nature, scope as well as the geographical area of intervention of NDP-III will be the same and the conditions have not fundamentally changed it has been estimated by the GoE and the different IFIs involved that NDP-III does not require a new EIA. Furthermore, the EPADP has an environmental unit and an environmental management plan (EMP) established in the framework of NDP-II. The TA component will support EPADP to strengthen the environmental unit's capacity, with particular focus on the management of the environmental impact aspects.

**Gender equality:** Branch Canal Water Users Associations (BCWUA) Water management systems established by the MWRI are composed mainly of poor small-scale irrigation farmers; women will benefit from the project as they are key actors in the Water User Associations and the District Water Boards. Through TA component; specific communication campaigns could be prepared for women to be encouraged to be members in the BCWUA board members. The Project will support mainstreaming a gender perspective at the overall water resources level monitored through the introduction of gender disaggregated data figures for improved targeted support.

**Good governance:** The TA component of NDP-III project will focus on the strengthening of management and administrative systems at local level (BCWUA and local community CSO). The TA involves, among others, improving EPADP's capacity related to timely and proper farmers' involvement, monitoring and evaluation regarding project implementation including environmental standards as well as its Management Information Systems. Moreover, it is to improve EPADP's internal interfaces between central and decentral units, as well as its critical interfaces with other entities within the MWRI. Particular emphasis will be given on improving monitoring, evaluation and maintenance of the drainage network through local participatory approaches.

## 4 DESCRIPTION OF THE ACTION

### 4.1 Objectives/results

The **general objective** of this project is to support socio economic development in rural areas in Egypt through generating and strengthening sustainable economic activity. The **specific objective** will be to increase crop productivity by providing adequate drainage infrastructure, and enhancing the capacities of different stakeholders to rehabilitate and extend subsurface drainage networks.

Under this action it is foreseen that the EU will contribute funding the National Drainage Programme Phase III (NDP III). This project will be implemented with KfW, following Indirect

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<sup>3</sup> The Additional Financing effectively started in August 2011 and has been completed in June 2015.

<sup>4</sup> A proposed project is classified as Category B by the WB if it is expected to have limited adverse social and/or environmental impacts that can be readily addressed through mitigation measures. These impacts are site-specific; few if any of them are irreversible; and in most cases migratory measures.

Centralized management mode between EU, and KfW for EUR 86.5 million through delegated co-operation out of which 40 million EUR to be financed by the EU SSF bilateral envelope for Egypt. In parallel, the NDP-III is financed through two additional financial packages; the first is with AFDB for EUR 50.2 million in parallel finance, and the second is with IsDB for USD 32.3 million (equiv. EUR 28.3 million). The intervention area of the drainage works will comprise the Nile delta and the Nile valley in middle and Upper Egypt.

The project foresees the implementation of subsurface and surface drain works for around 257,000 feddan (108,000 ha) and around 20,000 feddan (8,000 ha), respectively. Furthermore, the project TA component will include activities focusing on (i) strengthening the capacity of EPADP for planning, implementing and maintaining drainage infrastructure as well as to align the implementation of NDP III to the principles of JISA and (ii) assisting the MWRI in adopting and implementing the Joint Integrated Sector Approach (JISA)

Throughout the implementation of the project a close co-ordination with the local community will be maintained to ensure sustainability of the project after implementation. Dedicated support will be given on *empowering EPADP to deliver improved services to beneficiaries*. Particular emphasis will be put on improving monitoring, evaluation and maintenance of the drainage infrastructure through local participatory approaches.

The project will be structured in two components:

- **Component A** related to investments,
- **Component B** related to capacity building activities for strengthening the MWRI.

**The expected results are as follows:**

- (a) Increased efficiency of around 108,000 ha of sub-surface and around 8,000 ha of surface drainage in the intervention areas;
- (b) Improved livelihood of about 850,000 people via increasing their agricultural production and their rural incomes; and
- (c) Enhanced capacities within the MWRI, and other implementing bodies to be closely involved in the implementation and management of the drainage sector, including final user bodies (Branch Canal Water Users Associations, BCWUAs) for better operation and maintenance of the network.

## **4.2 Main activities**

**Component A (Investment Component)**, This Component will support activities related to results (a, b) and will be implemented mainly through works contracts.

The three main activities foreseen under this component are as follows:

- Implementation of subsurface drainage (around 108.000 ha) in the areas of intervention in accordance with EPADP's annual implementation plan; This includes the purchase of equipment related to the production of drainage pipes in EPADP's factories;
- Implementation of surface drainage (around 8.000 ha) according to EPADP's annual implementation plan
- Supply of other equipment for drainage maintenance.

Improving the drainage network; will contribute to reverse the deterioration of the land resource base through the transport of excess water and salt out of the area providing a significant positive impact on the environment as well as on the socio economic and health conditions of the population. It is expected that the amelioration of the soil environment will allow the increase in

crop yields and accrue the poor farmers' revenues, resulting also in reduced income variability and increased job opportunities for unskilled workers.

**Component B (Technical Assistance)** This Component will support activities related to result c<sub>2</sub> and will be implemented mainly through capacity building for strengthening **EPADP's and MWRI's planning sector**.

**This component will include two (2) main groups of activities:**

The first (B1) will focus on building the capacities at drainage implementation and maintenance tasks for EPADP on the basis of an initial need assessment and taking into account the lessons learnt of NDP II:

The EPADP will receive technical support in the two following areas:

- **Operational and maintenance concepts**, which will include support to improve M&E planning, the monitoring of EPADP's environmental and social standards, as well as supporting the farmers' participation in planning, supervision of works and maintenance of drainage infrastructure.
- **Development and implementation to automation processes**, which will include support to EPADP interfaces with other MWRI units such as the Irrigation Department (ID) and the Mechanical and Electrical Department (MED), as well as with MALR, and assist EPADP to improve their Management Information System (MIS).

**The second group of activities (B2) will focus** mainly on enhancing capacities for strengthening **MWRI's planning sector and the Minister's office** in adopting and implementing JISA methodology on the basis of the JISA study and of an initial need assessment.

Furthermore, targeted TA will be implemented in order to strengthen the capacity of MWRI for planning, implementing and maintaining infrastructure as well as to align the implementation to the principles of JISA.

In this respect, the **MWRI's planning sector** will receive **technical support** in the following areas:

- **Support to the training function**, which will include support to the training institutes of the MWRI on training strategies and practices; as well as provision of training programmes for the Planning Sector and the major 8 contracting entities within the MWRI.
- **Support to the fine-tuning and improvement of the JISA methodology, including** establishing an effective dialogue and communication on the implementation of JISA; within the MWRI, between the MWRI, MARL, MoIC and MoF, and between MWRI and the development partner sub-group for water.

#### **4.3 Intervention logic**

The intervention logic behind the action is based on the gaps and needs identified during various analyses and stakeholder consultations carried out as part of the formulation of this programme. The intervention logic is that the remodelling of surface drains and the installation of subsurface drainage systems would allow increasing crop productivity on land with salinity and high water table problems. Also, it will improve the economic status of the local communities and have a significant beneficial impact on farmers' incomes in the project areas. The financial analysis prepared by the World Bank at 2011 for the NDP-II shows that net margin profit for a typical two acre farm would increase by almost 40%, while the likely economic rate of return per farm

is 24%. The implementation of subsurface drainage will furthermore have a direct positive impact on health.

The EU through the EUR 40 million grant support will cover the existing funding gap for both the investment and capacity development components of the project. The EU's grant funds shall finance TA as well as investment costs.

The EU Support through the **investment component** will be addressing the improvement of a sub optimal social infrastructure. It is worth mentioning in this respect that most of the infrastructure works at farm level will be directed toward Rehabilitation (Replacement) of existing deteriorated / expired subsurface drainage networks and that without this intervention the situation is well expected to be deteriorated.

In addition, through **the Capacity Building component** the EU grant will assist in strengthening the capacities of the stakeholders at central and local level. the EU support will also ensure alignment with the country water sector strategies which is currently being updated via EU financial assistance (the update of the Water resource plan of Egypt until 2037 and well as the National Rural Sanitation Strategy) and, as mentioned, the JISA platform supported by this project will play an important role in the specific irrigation sector reform. Finally, the support will also focus on enhancing the participatory and integrated approach in the sector. From the participatory point of view, the feeling of ownership of the drainage system by farmers themselves is extremely crucial, as it will ensure that they voluntarily co-operate in the prevention of throwing trash into the manholes, assist in keeping the open surface drains clear and contribute to the simple maintenance of the drainage network. These actions will also contribute to the sustainability of the project.

It is expected that the EU grant will have a direct impact on the project scale (without EU contribution to the project area will be decreased by 124,700 feddan, which corresponds to about 416,000 additional beneficiary farmers' family members and nearly 500,000 seasonal workers. This contribution will also reduce the cost to the Egyptian government for investments that it could otherwise not afford to implement as foreseen. It will also thus have a fungible effect on the overall sector, as it will allow the government to direct more internal resources to cover the annual maintenance and rehabilitation costs.

Also, the EU grants will have a great impact in both softening the loans conditions, covering the existing gap in requested finance for project implementation which cannot be supported by loans due to the current limitations for financing projects in Egypt.

Recent statistics by EPADP show that 92% of the beneficiaries own less than 2 ha including 18% who are landless, average size farm in 0.8 ha being definitely not big farm owners and pretty poor with average rural income/farmer of 2 USD/day which by definition means that they can be considered ultra-poor. The project is expected to increase the net income of the final beneficiary farmers by 10-15%, which will represents in average between 2.2-23 USD/farmer/Day. Given the target group's poverty profile and the level they are departing from, further squeezing farmers' project benefit in order to increase the cost recovery does not appear to be socio-economically and politically viable in the Egyptian context. Cost recovery from farmers is, as defined by a governing law, limited to interest-free nominal repayment of subsurface-drainage infrastructure cost over 20 years for subsurface network constructed at their lands only, while all other social infrastructure on the main drains are borne by the government. This implies that the real investment cost is mainly borne by the government. According to law farms larger (8.4 hectare) do not benefit from NDP. Moreover it would require a lengthy process for changing the underlying law. In addition, a national law would need to be modified and in the current context we do not think that GoE will prioritise this kind of legislation impacting income of poor people as it could lead to social unrest.

At each level of the project, there is specific intervention logic and set of assumptions in terms of transforming the outputs into a higher level result and impact. **At the local level**, the key assumption is that communities are willing to engage in the participatory processes supported by the project and implement the resilience building measures. **At the national level**, the most significant assumption relates to the availability of the necessary data to conduct the investment priority analysis, including at the correct spatial scale. **At the global level**, the most significant assumptions relate to the project's ability to engage in a dialogue with the relevant institutions about improved policy and project responses for more effective country level engagement.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is foreseen to conclude a financing agreement with the partner country, referred to in [Article 184(2) (b) of Regulation (EU, Euratom) No 966/2012].

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.1 will be carried out and the corresponding contracts and agreements implemented, is 84 months from the date of entry into force of the financing agreement. Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this Decision and the relevant contracts and agreements; such amendments to this Decision constitute technical amendments in the sense of point (i) of Article 2(3)(c) of Regulation (EU) No 236/2014.

### **5.3 Implementation modalities**

#### **5.3.1 Indirect management with a Member State agency**

This action with the objective to increase crop productivity by providing adequate drainage infrastructure, and enhancing the capacities of different stakeholders to rehabilitate and extend subsurface drainage network may be implemented in indirect management with KfW in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012. This implementation entails overall administration of the activities and Project supervision and no-objection during implementation for tendering of goods and services, disbursement and management of funds. This implementation is justified because of KfW previous and ongoing successful experience in managing similar infrastructure projects in Egypt. Since 1990's KfW has contributed to the implementation of NDP-I, II in which NDP-III is considered a natural continuation for. Also KfW is implementing the "Improved Water and Wastewater Services Programme (IWSP) – Phase I,II", co- financed by the EU. The Delegatee Body will be in charge of the administration, monitoring and reporting; and will monitor and report on implementation of the Action including the no objection of the project's interim and final reports (technical and financial).

### **5.4 Scope of geographical eligibility for procurement and grants**

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 9(2) (b) of Regulation (EU) No 236/2014 on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly



substantiated cases where the eligibility rules would make the realization of this action impossible or exceedingly difficult.

KfW as the delegatee shall apply its own rules on the geographical eligibility in terms of place of establishment for participating in procurement and in terms of origin of supplies purchased, provided that this scope is not narrower than the EU's geographical scope of eligibility.

## 5.5 Indicative budget

	<b>EU contribution (amount in EUR)</b>	<b>Delegatee contribution</b>
<b>Indirect management with KfW</b>	<b>40,000,000</b>	<b>46,500,000</b>
<b>- Component A( Investment Component)</b>	37,000,000	43,500,000
<b>- Component B (Technical Assistance)</b>	2,650,000	2,650,000
B1 – TA for EPADP	1,650,000	1,650,000
B2 – TA for MWRI- Planning	1,000,000	1,000,000
<b>5.8 Evaluation</b>	200,000	350,000
<b>5.10 Communication and visibility</b>	150,000	
Totals	40,000,000	46,500,000

## 5.6 Organisational set-up and responsibilities

The implementation of NDP-III will follow indirect management. The project will be implemented under the responsibility of KfW and in accordance with the relevant rules and procedures of KfW in force at the time of the launch of the procedures in question. Payment modalities and payment arrangements will be executed according to the delegation agreement signed by the Commission and KfW.

The implementing partners of KfW will be EPADP representing the Ministry of Water Resources and Irrigation for component A; EPADP, and the Planning Sector within the MWRI for component B, who is the beneficiary of the project. EPADP and MWRI will be the contracting authority on the basis of KfW's procurement guidelines.

The sub-delegatee exact role and responsibilities in awarding contracts and making payments shall be further detailed in the Delegation Agreement signed between the EU and KfW.

A Steering Committee (SC) will meet on a regular basis, to be defined by all partners. The approved minutes and conclusions from the Project Steering Committee meetings will be regularly submitted to the EU Delegation via KfW as lead donor for information.

It is foreseen that the composition of the programme SC shall be as follows:

- MWRI Minister as the Chairman of the SC;
- EPADP;
- Planning Sector within MWRI
- The Ministry of International Co-operation
  - Ministry of Finance;
  - Ministry of Planning and;
- KfW,
- and the EU as an observer.

The Steering Committee will have the right to invite further members of any of the stakeholders whenever deemed appropriate, including the BCWUA, the Governorates benefiting from the action, as well as civil society organisations.

The Responsibilities of the Steering Committee will include:

- a) Overseeing the implementation of the NDP-III.
- b) Monitoring and controlling (cost, quality, timing).
- c) Taking decisions with regard to major changes in the general project set-up of the NDP-III (including procedures and their further harmonization) compared to the set-up agreed with all stakeholders before.
- d) Initiating and reviewing regular independent monitoring of the NDP-III.

## **5.7 Performance monitoring and reporting**

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of KfW's responsibilities, as the implementing partner. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the log frame matrix (for project modality). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.8 Evaluation**

KfW, as implementing partner, will be responsible for evaluation according to its procedures. The following external evaluations, to be agreed with the Commission, appear recommendable:

- A mid-term evaluation mission;
- A final evaluation, at the beginning of the closing phase;
- Possibly, an ex-post evaluation.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The Commission reserves its right to recruit if needed and on its own expenses outside the Action's budget, independent consultants on specifically established terms of reference to carry out external evaluations. The Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner. The budget for Evaluation is to be used by KfW under indirect management.

## **5.9 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits

or expenditure verification assignments for one or several contracts or agreements. Any such audit will be covered by a separate financing Decision.

#### **5.10 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.5 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations. Further detailed communication plan will be prepared by the delegatee and annexed in the Delegation Agreement signed between the EU and the delegatee. The budget for Communication and visibility is to be used by KfW under indirect management.

**[APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY<sup>5</sup>)<sup>6</sup>]**

	<b>Intervention logic</b>	<b>Indicators</b>	<b>Baselines (incl. reference year)</b>	<b>Targets (incl. reference year)</b>	<b>Sources and means of verification</b>	<b>Assumptions</b>
<b>Overall objective: Impact</b>	To support socio economic development in Egypt through generating and strengthening sustainable economic activity	<ul style="list-style-type: none"> <li>- % of increase in crop income of small scale farmers.</li> <li>- Number of people affected by water-borne diseases ( disaggregated by gender) as reported by the Ministry of Health*</li> </ul>	<ul style="list-style-type: none"> <li>- 5000 EUR/year is the average small-scale farmers' crop income (2016)</li> <li>- The baseline is the prevailing situation in 2016</li> </ul>	<ul style="list-style-type: none"> <li>Increase by 10% 4 years after implementation % (2022)</li> <li>- 15% decrease in the ratio in the areas of intervention.</li> </ul>	<ul style="list-style-type: none"> <li>- EPADP annual reports.</li> <li>- CAPMAS Annual reports</li> <li>-Ministry of Health annual reports.</li> </ul>	
<b>Specific objective(s): Outcome(s)</b>	To increase agricultural production by providing adequate drainage infrastructure, and enhancing the capacities of different stakeholders to rehabilitate and extend subsurface drainage network	- % of increase in small scale farmers average crop yields.	<ul style="list-style-type: none"> <li>- average small-scale farmers' yield (2014/15) for major crops Rice: 3 t/fed Maize: 3 t/fed Wheat: 2.3 t/fed Beans: 1.2 t/fed Cotton: 1 t/fed</li> </ul>	Increase by 15% 4 years after implementation % (2022)	-EPADP annual reports.	
<b>Outputs</b>	Increased efficiency of around 108,000 ha of sub-surface and around 8,000 ha of surface drainage in the intervention areas;	<ul style="list-style-type: none"> <li>- Additional area covered by subsurface drainage</li> <li>- Additional area covered by improved surface drainage</li> </ul>	<ul style="list-style-type: none"> <li>- The baseline is the prevailing situation in 2016</li> </ul>	<ul style="list-style-type: none"> <li>- Implement subsurface drainage for (108,000 ha)</li> <li>- Install surface drainage (8,000 ha)</li> </ul>	-EPADP annual reports, and Project progress reports.	

<sup>5</sup> Detailed targets and baseline to be established shall be agreed upon in later stage during DA preparation.

<sup>6</sup> Mark indicators aligned with the relevant programming document mark with '\*' and indicators aligned to the EU Results Framework with '\*\*'.

	Enhanced capacities within the MWRI, and other implementing bodies to be closely involved in the implementation and management of the drainage sector, including final user bodies (Branch Canal Water Users Associations, BCWUAs) for better operation and maintenance of the network.	<ul style="list-style-type: none"> <li>- Number of competitively selected candidates (disaggregated by gender) that have received the relevant training to carry out their duties appropriately*</li> <li>- Number of Public Hearing sessions organised for local farmer/BCWUA members during implementation/ prior to investment project execution.</li> <li>- % of female member at the BCWUA in the project intervention areas</li> </ul>	<ul style="list-style-type: none"> <li>- Current training plans available in beneficiary institutions.</li> <li>- The current Number of Public hearings held in 2016 = 0.</li> <li>- The baseline is the prevailing situation in 2016 (5%)</li> </ul>	<ul style="list-style-type: none"> <li>- Approved training needs assessment carried out by the project, and the implementation of the relevant number of trainings</li> <li>- At least 1 public hearing per project site is held in the lifetime of the project based on the number of projects launched.</li> <li>- 15% increase of female member at the BCWUA in the project intervention areas</li> </ul>	<ul style="list-style-type: none"> <li>- Training plans and evaluation sheets in the beneficiary institutions HR departments.</li> <li>- Project reports and surveys.</li> <li>- Project reports and surveys.</li> </ul>	
	Improved investment planning and implementation activities at MWRI level.	<ul style="list-style-type: none"> <li>- updates of priority investment planning matrix according to JISA</li> <li>- Number of contracting entities within MWRI applying this investment planning matrix.</li> </ul>	<ul style="list-style-type: none"> <li>No update to the high priority investment matrix since 2015</li> <li>3 out of 8 contracting entities</li> </ul>	<ul style="list-style-type: none"> <li>- bi-annual update of priority investment planning matrix according to JISA</li> <li>- involvement of all 8 contracting entities within the MWRI</li> </ul>	Planning Sector's reporting with the assistance of the international consultant	Sufficient willingness from the government and MWRI