EU/Palestinian Authority of the West Bank and the Gaza Strip Framework Agreement: participation of Palestinian Authority in Union programmes. Protocol to the EC/Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip Euro-Mediterranean Interim Association Agreement on Trade and Cooperation

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PURPOSE: to conclude, on behalf of the European Union, a Protocol to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, on a Framework Agreement between the European Union and the Palestinian Authority of the West Bank and the Gaza Strip on the general principles for its participation in Union programmes.

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, was signed on 24 February 1997 and entered into force on 1 July 1997.

As part of the European Neighbourhood Policy (ENP), the gradual opening up of certain European Union programmes and agencies to ENP partner countries is one of many measures to promote reform, modernisation and transition in the European Union's neighbourhood.

The Council, on 5 March 2007, expressed support for the general and global approach outlined in the Commission's Communication of 4 December 2006 to enable ENP partners to participate in Community agencies and Community programmes on their merits and where the legal bases so allow.

The Joint Communication by the Commission and the High Representative of the Union for Foreign Affairs and Security Policy on a new response to a changing Neighbourhood, endorsed by the Council conclusions of 20 June 2011, further emphasised the EU's intention to facilitate partner countries' participation in EU programmes.

In September 2018, during the EU-Palestinian Authority Joint Committee, the Palestinian Authority expressed its interest in signing a Protocol to a Framework Agreement for their potential full participation in a number of selected EU programmes. To date, similar protocols have been signed with Algeria,

Armenia, Azerbaijan, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, Tunisia and Ukraine, and a protocol with Egypt is under discussion.

CONTENT: the Commission proposes that the Council decide to approve, on behalf of the Union, the Protocol to the Euro-Mediterranean Interim Association Agreement on trade and cooperation between the European Community, of the one part, and the Palestine Liberation Organisation (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, on a Framework Agreement between the European Union and the Palestinian Authority of the West Bank and the Gaza Strip on the general principles for its participation in Union programmes is hereby approved on behalf of the Union.

The objective of the Protocol is to lay down the financial and technical rules enabling the Palestinian Authority to participate in certain EU programmes.

The horizontal framework established by the Protocol sets out principles for economic, financial and technical cooperation and allows the Palestinian Authority to receive assistance, in particular financial assistance, from the European Union pursuant to the programmes. This framework applies only to these programmes for which the relevant constitutive legal acts provide the possibility of the participation of the Palestinian Authority.

No later than three years after the date of entry into force of this Protocol and every three years thereafter, the Parties may review the implementation of this Protocol on the basis of the actual participation of the Palestinian Authority in Union programmes.

BUDGETARY IMPLICATIONS: the Palestinian Authority shall contribute financially to the general budget of the European Union corresponding to the specific programmes in which the Palestinian Authority participates. The specific terms and conditions regarding the participation of the Palestinian Authority in each programme, in particular the financial contribution payable, shall be determined in a Memorandum of Understanding between the Commission and the competent authorities of the Palestinian Authority on the basis of the criteria established by the programmes concerned.

Detailed provisions shall be adopted on financial control and auditing, administrative measures, penalties and recovery enabling the Commission, the European Anti-Fraud Office, and the Court of Auditors to be granted powers equivalent to their powers with regard to beneficiaries or contractors established in the Union.