EC/Serbia and Montenegro Framework Agreement: participation in Community programmes

2004/0280(AVC) - 11/02/2005 - Legislative proposal

PURPOSE : to conclude a Framework Agreement between the EC and Serbia and Montenegro on the general principles of the participation of Serbia and Montenegro in Community programmes.

PROPOSED ACT : Council Decision.

CONTENT : The "Thessaloniki Agenda for the Western Balkans: moving towards European integration", endorsed at the European Council on 20 June 2003, confirmed the European prospects of the Western Balkan countries participating in the stabilisation and association process (SAP). To give them a practical and operational foothold in the EU, the Agenda provides for Community programmes to be opened up to the SAP countries along the lines established for the participation of candidate countries.

In its communication of 3 December 2003 entitled "Preparing for the participation of the Western Balkan countries in Community programmes and agencies", the Commission advocated following the approach taken with Cyprus, Malta and Turkey and concluding with Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia and Serbia and Montenegro framework agreements laying down the general principles governing each country's participation in Community programmes. In the case of Croatia and the former Yugoslav Republic of Macedonia, the framework agreement will be an integral part of their Stabilisation and Association Agreements (SAA).

The framework agreements have been negotiated in accordance with the negotiating directives annexed to the Council's decision of 29 April 2004. The negotiations have resulted in the draft framework agreements annexed to this communication. Agreements were initialled by the authorised representatives of both parties. The agreement with Albania was initialled on 2 September 2004. The draft framework agreements lay down the general principles and the general terms and conditions for the participation of the Western Balkan countries in Community programmes, and in particular:

- the Community programmes concerned: programmes now running are listed in Annex I; future programmes must include a clause providing for the participation of the Western Balkan countries;

- the principle of a prior contribution to the Community budget and the application of financial control and audit rules;

- the invitation of representatives of the signatory countries to attend, as observers, meetings of the programme committees on issues that concern them;

- the application, where possible, to projects and initiatives submitted by participants from the signatory countries of the same conditions, rules and procedures pertaining to the programmes concerned as are applied to Member States, especially with regard to the submission, assessment and selection of applications and projects;

- the application of the framework agreements for an indeterminate period, subject to a traditional denunciation clause;

- the subsequent drafting, in memoranda of understanding between the European Commission and the authorities of the signatory countries, of detailed arrangements for their participation in a given Community programme, including the specific duration of such participation.

The framework agreements were signed, on behalf of the European Community, on 22 November 2004.

The Commission proposes that the Council:

- approve, on behalf of the Community, after consultation of the European Parliament for assent, the Framework Agreements with the Republic of Albania (AVC/2004/0276), Bosnia and Herzegovina (AVC /2004/0277), the Republic of Croatia (AVC/2004/0278), the Former Yugoslav Republic of Macedonia (AVC/2004/0279) and Serbia and Montenegro (AVC/2004/0280), and

- notify the authorities of the Republic of Albania, Bosnia and Herzegovina, the Republic of Croatia, the Former Yugoslav Republic of Macedonia and Serbia and Montenegro that the European Community has completed the procedures necessary for the entry into force of the Framework Agreements.