EC/Former Yugoslav Republic of Macedonia FYROM: participation in Community programmes, protocol to the Stabilisation and Association Agreement

2004/0279(AVC) - 02/06/2005 - Final act

PURPOSE : to conclude the Protocol to the Stabilisation and Association Agreement (SAA) between the EC and their Member States and the Former Yugoslav Republic of Macedonia (FYROM) on a Framework Agreement between the EC and FYROM on the general principles for the participation of FYROM in Community programmes.

LEGISLATIVE ACT : Council Decision 2005/528/EC.

CONTENT : The Thessaloniki European Council of June 2003 approved the "Thessaloniki Agenda for the Western Balkans: moving towards European integration", which provided for Community programmes to be opened up to the Stabilisation and Association Process (SAP) countries along the lines established for the participation of candidate countries. In its communication on "Preparing for the participation of the Western Balkan countries in Community programmes and agencies", the Commission advocated 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 accordance with the negotiating directives adopted by the Council on 29 April 2004, the Commission, on behalf of the Community, has negotiated a Protocol to the SAA on a Framework Agreement on the general principles for FYROM’s participation in Community programmes. The Agreement was signed, on behalf of the Community, on 22 November 2004 in Brussels. By this Decision, the Council concludes the Protocol. The text of the Agreement is attached to the Decision.

The Council has also concluded Framework Agreements with Albania (AVC/2004/0276), the Republic of Bosnia and Herzegovina (AVC/2004/0277), the Croatia (AVC/2004/0278) and Serbia and Montenegro (AVC/2004/0280).

The 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 Protocol will be an integral part of the SAA between the EC and their Member States and FYROM which entered into force on 1 April 2004.

It should be noted that the Commission is authorised to determine, on behalf of the Community, the specific terms and conditions applicable to the participation of FYROM in any given programme, including the financial contribution payable. The Commission is to be assisted in this task by a special committee appointed by the Council. Where FYROMrequests external assistance, the procedures provided for in Regulation 2666/2000/EC and in similar Regulations providing for Community external assistance to Croatiathat may be adopted in the future, will apply.

Finally, the Commission will review the implementation of the Agreements and report to the Council no later than three years after the date of entry into force of the Agreements, and every three years thereafter. The report will be accompanied where necessary by appropriate proposals.