Basic information

1999/0132(CNS) CNS - Consultation procedure Regulation	Procedure completed
Setting up of a European Agency for Reconstruction Amending Regulation (EC) No 1628/96 1996/0096(CNS) **Subject** 6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management 6.40.03 Relations with South-East Europe and the Balkans 6.40.13 Relations with/in the context of international organisations: UN, OSCE, OECD, Council of Europe, EBRD 8.40.08 Agencies and bodies of the EU **Geographical area** Kosovo under UNSCR 1244/1999	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs, Human Rights, Common Security, Defense	PACK Doris (PPE-DE)	28/07/1999

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	TILLICH Stanislaw (PPE-DE)	28/07/1999
CONT Budgetary Control	VAN DER LAAN Lousewies (ELDR)	27/07/1999
ITRE Industry, External Trade, Research, Energy	MCNALLY Eryl Margaret (PSE)	01/09/1999

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2198	1999-07-19
General Affairs	2217	1999-11-15

European Commission

Commission DG	Commissioner
External Relations	

Key events

Date	Event	Reference	Summary
23/06/1999	Legislative proposal published	COM(1999)0312	Summary
19/07/1999	Debate in Council		
13/09/1999	Committee referral announced in Parliament		
14/09/1999	Vote in committee		
14/09/1999	Committee report tabled for plenary, 1st reading/single reading	A5-0013/1999	
16/09/1999	Decision by Parliament	T5-0022/1999	Summary
16/09/1999	Debate in Parliament		
27/10/1999	Decision by Parliament	T5-0060/1999	Summary
12/11/1999	Modified legislative proposal published	COM(1999)0609	Summary
15/11/1999	Act adopted by Council after consultation of Parliament		
15/11/1999	End of procedure in Parliament		
20/11/1999	Final act published in Official Journal		

Technical information

Procedure reference	1999/0132(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 1628/96 1996/0096(CNS)
Legal basis	EC Treaty (after Amsterdam) EC 308 Rules of Procedure EP 170
Stage reached in procedure	Procedure completed
Committee dossier	AFET/5/12024

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0013/1999 OJ C 054 25.02.2000, p. 0030	14/09/1999	
Text adopted by Parliament, partial vote at 1st reading /single reading		T5-0022/1999 OJ C 054 25.02.2000, p. 0058	16/09/1999	Summary
		T5-0060/1999		

Text adopted by Parliament, 1st reading/single reading		OJ C 154 05.06.2000, p. 0022-0044	27/10/1999	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1999)0312 OJ C 021 25.01.2000, p. 0013 E	23/06/1999	Summary
Modified legislative proposal	COM(1999)0609 OJ C 337 28.11.2000, p. 0001 E	12/11/1999	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1999/2454
OJ L 299 20.11.1999, p. 0001 Summary

Setting up of a European Agency for Reconstruction

1999/0132(CNS) - 15/11/1999 - Final act

PURPOSE : to support the reconstruction in Kosovo and to create a European Agency tasked with the implementation of the aid programme to Kosovo. COMMUNITY MEASURE : Council Regulation 2454/1999/EC amending Regulation 1628/96/EC relating to aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia, in particular by the setting up of a European Agency for Reconstruction. CONTENT : this new Regulation aims to : - amend Regulation 1628/96/EC relating to aid to Bosnia and other countries of the former Yugoslavia ("Obnova Regulation") with a view to restructuring Kosovo following the war in this region ; - set up the European Agency for Reconstruction tasked with the implementation of programmes for reconstruction and assistance to returning refugees, initially in Kosovo, and when conditions are right also in other parts of the FRY. - The "Obnova" Regulation is modified in a such a way as to take account of the specific requirements for Kosovo·s reconstruction, which will demand the rapid implementation of numerous small-scale projects, measures to support returning refugees and the assistance of experts covering a wide range of fields; provisions should therefore be laid down for setting up and running a European Agency for Reconstruction that can be charged by the Commission with implementing the reconstruction programme. Moreover, it is important that the reconstruction efforts be united with those of the people of Kosovo. Furthermore, in Kosovo's specific framework, provision should be made for the participation in invitations to tender and contracts, these shall be open on all equal terms to all natural and legal person in the Member States and States which are recipients under this Regulation or countries benefiting from the PHARE programme, and States of south-east Europe. Provisions are also provided to ensure co-ordination of the assistance for the reconstruction with the European Investment Bank, the international financial institutions, the United Nations/High Commissioner for Refugees and the non-governmental organisations concerned. As regards the implementation of the Agency, it is provided that the operational centre of the Agency with a considerable degree of autonomy shall be established initially in Pristina, in order to embark on the reconstruction work in Kosovo using the Agency's general services located at the seat in Thessaloniki (in the case of the Agency extending its activities to other regions of the FRY, other operational centres may be created). The provisional authority responsible for administering Kosovo under the international mandate shall be consulted on the implementation of the reconstruction programmes. The reconstruction programmes shall be managed on-the-spot, in strict consultation with the other sponsors by contributing to the reconstruction of this region. The Regulation specifies the tasks that will be attributed to the Agency (it is worth noting that the Regulation provides its dissolution on the Commission·s proposal once the reconstruction of Kosovo has been completed). These various tasks can only be carried out in conformity with the decisions taken by the Commission according to the Management Committee's procedure. In addition, the Regulation defines the way of working (management bodies, personnel, the budget and financial rules, etc.) of the Agency, which is essentially separate from other existing agencies (its Director is appointed by the Governing Board that is made up of representatives from the Member States and the Commission). It shall dispose of its own financial rules and adopt internalrules relating to investigations carried out by the European Anti-Fraud Office (OLAF). This Regulation shall not

bare any burden on the Community's financial situation for the reconstruction of Kosovo. The Commission shall submit to the Council before 30.06.2000 a progress report on the implementation of this Regulation; it may if appropriate make proposals, notably with a view to establishing a unified regulatory framework for assistance in the region. In addition, at least 6 months before this Regulation expires, the Commission shall submit a proposal to the Council on the status of the Agency. ENTRY INTO FORCE : this Regulation shall enter into force on the 21.11.1999. The Obnova Regulation (1628/96/EC) is extended until 31.12.2004.

Setting up of a European Agency for Reconstruction

1999/0132(CNS) - 23/06/1999 - Legislative proposal

PURPOSE: proposed revision of Regulation 1628/98/EC on aid to the countries of the former Yugoslavia (the "Obnova Regulation") in order to introduce adjustments to cope with the specific situation in Kosovo and to lay down provisions governing the establishment and operation of the European Agency for Reconstruction (EAfR). CONTENT: The programme aims to back the peace process begun by the agreements ending the fighting by implementing operations focusing on the reform of institutions and the economic system, the return of refugees and bolstering democracy. EU assistance is conditional on adherence to the political and economic conditions attached to the peace conditions. The period covered by the programme is up to 31 December 2004. The types of expenditure envisaged are : - 100% grants, - grant part of joint financing with other official or private donors, - co-financing possible. The operations financed will generally be covered entirely by grants, but some may attract a mixture of grants and loans. These operations will be in the form of interest-rate subsidies from the European Investment Bank resources or investment-project loans from other international financial institutions. The first phase of reconstruction efforts in Kosovo is based on an initial estimate of requirements of between EUR 500 million and 700 million over three years 2000-2002. It is considered too soon to estimate the total costs of requirements and this is why there is a cost bracket in the financial statement for the year 2001 and 2002. The first non-humanitarian aid operations to be carried out this year have been costed at EUR 150 million. This sum includes the funds needed to set up the Agency requested by the Council (EUR 38 million). As soon as the Agency is set up, contracts to hire personnel for at least a year will have to be signed and material and equipment purchased to get the agency and local offices up and running. The Agency will have considerable autonomy and will be given an annual budget by the Commission on the basis of its work programmes. It will also have its own financial regulation, which means its management can be decentralised. Subject to the annual budget procedure, the Commission proposes that EUR 1.900 million be entered in Chapter B7-54 for the reconstruction of Kosovo over the period 2000-2004.

Setting up of a European Agency for Reconstruction

1999/0132(CNS) - 27/10/1999 - Text adopted by Parliament, 1st reading/single reading

The proposal was approved as amended on 16 September 1999. Parliament's rapporteur was Ms. Doris Pack (EPP, Germany).

Setting up of a European Agency for Reconstruction

1999/0132(CNS) - 12/11/1999 - Modified legislative proposal

The Commission's amended proposal presents some of the amendments voted by Parliament and seeks to take account of the specific requirements for Kosovo's reconstruction, which will demand the rapid implementation of numerous small-scale projects, measures to support returning refugees and the assistance of experts covering a wide range of fields. These amendments concern accompanying measures, participation of local communities in reconstruction, coordination with NGOs and consultation of Parliament before any decision to extend the Agency's activities to other areas of the Federal Republic of Yugoslavia. The amended proposal also addresses two issues of particular importance to Parliament. The first relates to the establishment of the Agency's seat in Thessaloniki and its operational centre in Pristina, the extension of its mandate to the whole of the Western Balkans and the bringing of its activity within the framework of the Stability Pact. At Parliament's session of 27/10/1999, in Strasbourg, the Commission pointed out that the Agency's aim is the reconstruction initially in Kosovo and, subsequently, when conditions permit, of other parts of the Federal Republic of Yugoslavia. It is an instrument of the European Union and must retain its autonomy of action. Its headquarters can only be established in Thessaloniki if its operational centre retains its autonomy. This amended proposal, therefore, provides for a joint declaration by the Council and the Commission specifying which of the Agency's departments could be based in Thessaloniki with a view to safeguarding the autonomy of the operational centre and referring to coordination with the Stability Pact. It also permits the Commission to submit proposals next year for the extension of the Agency's activities to other Balkan countries under a new regulation. The second issue which has given rise to a number of amendments is the desire to bring the Agency under the sole and direct responsibility of the Commission, which would appoint the Director, Independent experts appointed by the Commission would replace the Member States' representatives on the Governing Board. The Management Committee would be replaced by an Advisory Committee. The Commission's view is that the presence of the Member States on the Governing Board will be good for the Agency and will make it easier to coordinate the Community's and Member States' reconstruction activities. However, with a view to strengthening the Commission's role in those activities of the Agency directly concerning the selection and implementation of projects, the Commission is proposing that the Governing Board's decision-making powers on these issues be replaced by an advisory role and that the Director of the Agency be appointed by the Commission.

Setting up of a European Agency for Reconstruction

1999/0132(CNS) - 16/09/1999 - Text adopted by Parliament, partial vote at 1st reading/single reading

Before taking its decision to postpone its vote on its report drafted by Ms. Doris Pack (PPE, D), the Parliament voted on the amendments to the proposal in which it called for the Agency to be also able to implement accompanying measures, in particular in favour of democratic institutions of civil society. Reconstruction efforts will only be effective if they are combined with those of the population of Kosovo and the EP stresses that the operational centre should work in an autonomous way. It has to be avoided that 2 different structures (ECHO and the Agency) work on the

reconstruction of Kosovo. Thus the EP wants the development of the Agency accompanied by a gradual reduction in ECHO's activities. Lastly, the EP insists that the Agency acts under the Commission's responsibility and that, from the beginning, practical and efficient measures are taken in comabting fraud and corruption.