Basic information

2010/0102(NLE) NLE - Non-legislative enactments Decision	Procedure completed
EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol See also 1994/0249(AVC) **Subject** 6.40.02 Relations with central and eastern Europe 6.40.15 European neighbourhood policy **Geographical area** Moldova	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	WATSON Sir Graham (ALDE)	10/06/2010
	Shadow rapporteur MACOVEI Monica (PPE) UNGUREANU Traian (PPE) PAŞCU Ioan Mircea (S&D) SCHULZ Werner (Verts /ALE) BIELAN Adam (ECR) HADJIGEORGIOU Takis (GUE/NGL) BELDER Bas (EFD)	

Council of the European Union

Council configuration	Meetings	Date
Foreign Affairs	3041	2010-10-25
Agriculture and Fisheries	3026	2010-07-12

European Commission

Commission DG	Commissioner
External Relations	FÜLE Štefan

Key events

Date	Event	Reference	Summary
30/04/2010	Preparatory document	COM(2010)0194	Summary
21/06/2010	Legislative proposal published	10496/2010	Summary
21/10/2010	Committee referral announced in Parliament		
25/10/2010	Resolution/conclusions adopted by Council		Summary
28/10/2010	Vote in committee		Summary
29/10/2010	Committee report tabled for plenary, 1st reading/single reading	A7-0300/2010	
24/11/2010	Decision by Parliament	T7-0428/2010	Summary
24/11/2010	Results of vote in Parliament		
24/11/2010	Act adopted by Council after consultation of Parliament		
24/11/2010	End of procedure in Parliament		
19/01/2011	Final act published in Official Journal		

Technical information

Procedure reference	2010/0102(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Amendments and repeals	See also 1994/0249(AVC)
Legal basis	Treaty on the Functioning of the European Union TFEU 114-p1 Treaty on the Functioning of the European Union TFEU 168 Treaty on the Functioning of the European Union TFEU 169-p3 Treaty on the Functioning of the European Union TFEU 172 Treaty on the Functioning of the European Union TFEU 188-p2 Treaty on the Functioning of the European Union TFEU 192-p1 Treaty on the Functioning of the European Union TFEU 352-p1sub1 Treaty on the Functioning of the European Union TFEU 218-p6a Treaty on the Functioning of the European Union TFEU 019-p2 Treaty on the Functioning of the European Union TFEU 173-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/02843

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE448.753	10/09/2010	

Committee report tabled for plenary, 1st reading/single reading		A7-0300/2010	29/10/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0428/2010	24/11/2010	Summary

Council of the EU

Document type	Reference	Date	Summary
Document attached to the procedure	10495/2010	21/06/2010	Summary
Legislative proposal	10496/2010	21/06/2010	Summary

European Commission

Document type	Reference	Date	Summary
Preparatory document	COM(2010)0194	30/04/2010	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Corrigendum to final act 32011D0028R(01)
OJ L 131 18.05.2011, p. 0026 Summary

Decision 2011/0283
OJ L 131 18.05.2011, p. 0001 Summary

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 12/07/2010 - Corrigendum to final act

The publication of Decision 2011/28/EU (OJ L 14, 19.01.2011, p. 5) is to be considered null and void.

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 21/06/2010 - Document attached to the procedure

This document details the content of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Moldova, of the other part, on the participation of Moldova in Union programmes.

On 18 June 2007 the Council authorised the Commission to negotiate this Protocol that now needs to be approved in the name of the European Union, following the entry into force of the Lisbon Treaty on 1 December 2009.

The Protocol should be signed on behalf of the Union, subject to its conclusion at a later date. It shall apply provisionally from the date of its signature.

The text of the Protocol is contained in the annex to the proposal. It lays down the specific terms and conditions, in particular financial contribution and reporting and evaluation procedures, regarding Moldova's participation in each particular programme.

Its main provisions may be summarised as follows:

- Moldova shall be allowed to participate in all current and future programmes of the Union opened to its participation in accordance with the relevant provisions adopting those programmes;
- Moldova shall contribute financially to the general budget of the European Union corresponding to the specific programmes in which it participates;
- its representatives shall be allowed to take part, as observers and for the points which concern Moldova, in the management committees responsible for monitoring the programmes to which Moldova contributes financially;
- projects and initiatives submitted by participants from Moldova shall, as far as possible, be subject to the same conditions, rules and procedures pertaining to the programmes concerned as applied to Member States;
- the specific terms and conditions regarding the participation of Moldova in each particular programme, in particular the financial contribution payable, as well as reporting and evaluation procedures, shall be determined by agreement in the form of a Memorandum of Understanding between the Commission, acting on behalf of the Union, and the competent authorities of Moldova;
- financial control or audits or other verifications, including administrative investigations, will be carried out by, or under the authority of, the Commission, the European Anti-Fraud Office and the Court of Auditors;
- with regard to funding, Moldova may seek external assistance of the Union to participate in a given Union programme by mobilising the European Neighbourhood and Partnership Instrument;
- the Protocol shall apply for the period for which the Agreement is in force;
- no later than three years after the date of entry into force of this Protocol, and every three years thereafter, both Parties may review the implementation of this Protocol on the basis of the actual participation of Moldova in Union programmes.

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 12/04/2011 - Final act

PURPOSE: the conclusion of a Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Moldova, of the other part, on the general principles for the participation of Moldova in Union programmes.

NON-LEGISLATIVE ACT: Decision 2011/283/EU of the Council on the conclusion of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part, on a Framework Agreement between the European Union and the Republic of Moldova on the general principles for the participation of the Republic of Moldova in Union programmes.

BACKGROUND: the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Moldova, of the other part, on the general principles for the participation of Moldova in Union programmes was signed on behalf of the Union on 30 September 2010.

It is now appropriate to conclude this Protocol on the EU's behalf.

CONTENT: by means of this decision, the EU concludes a Protocol on a Framework Agreement on the general principles for the participation of the Republic of Moldova in Union programmes.

The Protocol details the specific terms and conditions applicable to Moldova's participation in each programme, in particular the financial contribution as well as reporting and evaluation procedures that need to be settled in the context of an agreement between the European Commission, acting on behalf of the Union, and Moldova.

Its main provisions may be summarised as follows:

- Moldova shall be allowed to participate in all current and future programmes of the Union opened to its participation in accordance with the relevant provisions adopting those programmes;
- **Moldova shall contribute financially to the general budget of the European Union corresponding to the specific programmes in which it participates;**
- its representatives shall be allowed to take part, as observers and for the points which concern Moldova, in the management committees responsible for monitoring the programmes to which Moldova contributes financially;

- projects and initiatives submitted by participants from Moldova shall, as far as possible, be subject to the same conditions, rules and procedures pertaining to the programmes concerned as applied to Member States;
- the specific terms and conditions regarding the participation of Moldova in each particular programme, in particular the financial contribution payable, as well as reporting and evaluation procedures, shall be determined by agreement in the form of a Memorandum of Understanding between the Commission, acting on behalf of the Union, and the competent authorities of Moldova (Protocol to the Agreement);
- financial control or audits or other verifications, including administrative investigations, will be carried out by, or under the authority of, the Commission, the European Anti-Fraud Office and the Court of Auditors;
- the Protocol shall apply for the period for which the Agreement is in force;
- no later than three years after the date of entry into force of this Protocol, and every three years thereafter, both Parties may review the implementation of this Protocol on the basis of the actual participation of Moldova in Union programmes.

ENTRY INTO FORCE: the Decision enters into force on 12 April 2011. The Agreement enters into force once all of the necessary procedures have been completed.

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 25/10/2010

The Council adopted the following **conclusions on the EC/Moldova** Partnership and Cooperation Agreement.

Firstly, the Council acknowledges the European aspirations of Moldova and welcomes its efforts towards political association and economic integration with the EU. It underlines the very positive dynamics in EU-Moldova relations during the last year as well as the active contribution of the Republic of Moldova to it. It expresses satisfaction that negotiations in general are making very good progress. The Council also welcomes the ratification of the Rome statute of the International Criminal Court by the Republic of Moldova.

Progress report: as regards the progress report, the Council welcomes the achievements of Moldova as reflected in the Commission's Progress Report of May 2010, which highlighted the country's efforts to effectively implement structural reforms, based on a government programme fully aligned with the objectives of the EU-Moldova Action Plan. Moldova should continue to address important challenges such as strengthening democracy and the rule of law, improving the investment climate, pursuing EU approximation in all areas of the Action Plan, fighting corruption and organised crime, and tackling the problem of poverty. The Council stresses the EU's readiness to continue to deepen its relationship with Moldova and to provide **appropriate technical and financial assistance** to support reform efforts.

The EU is willing continue to support Moldova, including with macro-financial assistance and high-level advice to the government. Substantial macro-financial assistance - €90 million in the form of grants - will start being delivered shortly to Moldova's state budget.

Free-trade: the Commission is due to deliver its key recommendations in view of preparing the country for a deep and comprehensive free trade area. This will provide companies substantially improved access to the EU market, following the existing Autonomous Trade Preferences granted by the EU. The Council invites the Commission to **prepare directives for a deep and comprehensive free trade area** to be negotiated as an integral part of the Association Agreement. Such negotiations will start as soon as the necessary conditions are met.

Visas: on the issue of visas, the Council reiterates the importance of people-to-people contacts and welcomes the opening in June 2010 of the **visa dialogue** examining the conditions for **visa-free travel of citizens of Moldova to the EU as a long-term goal**. The Commission is invited to draft an action plan setting out all the conditions to be met by Moldova before the possible establishment of a visa-free travel regime, with a view to the visa dialogue entering a fully operational phase as soon as appropriate. Through the Council, EU Member States will be fully associated in the different steps of the process, including by being consulted on the draft action plan and both sets of benchmarks. The effective implementation of the readmission agreement will remain important in this context.

Democracy: the Council notes that Moldova has taken important steps during the past year in consolidating democracy. In this regard, the conduct of the constitutional referendum of 5 September in line with democratic standards was an encouraging sign. It is important that the parliamentary elections announced for 28 November 2010 take the country further forward on this path and fully meet international standards for free and fair elections.

Settlement efforts: lastly, the Council also welcomes the policy of constructive engagement of Moldova in the **Transnistria** settlement efforts and underlines the continued efforts of the EU to contribute to a sustainable settlement of the Transnistria conflict, based on the principles of sovereignty and territorial integrity of Moldova. The Council underlines the continued efforts of the EU to contribute to a sustainable settlement of the Transnistria conflict, based on the principles of sovereignty and territorial integrity of the Republic of Moldova. It re-affirms the EU's call for a resumption of official settlement talks in the 5+2 format as early as possible.

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 24/11/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a legislative resolution in which it consented to conclusion of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part, on a Framework Agreement between the European Union and the Republic of Moldova on the general principles for the participation of the Republic of Moldova in Union programmes.

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 21/06/2010 - Legislative proposal

PURPOSE: the conclusion of a Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Moldova, of the other part, on the participation of Moldova in Union programmes.

PROPOSED ACT: Council Decision.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASE: Articles 114, 168, 169, 172, 173 (3), 188 and 192, in conjunction with point (a) of Article 218(6), Article 218(7) and the second subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: this proposal seeks the formal approval in the name of the European Union, following the consent of the European Parliament, of the Protocol to the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Moldova, of the other part, on a Framework agreement between the European Union and Moldova on the general principles for the participation of Moldova in Union programmes.

EC/Moldova Partnership and Cooperation Agreement: framework agreement on the general principles for the participation of Moldova in Union programmes. Protocol

2010/0102(NLE) - 30/04/2010 - Preparatory document

PURPOSE: to conclude the Protocol to the Partnership and Co-operation Agreement between the EC and their Member States, of the one part, and Moldova, of the other part, on a framework Agreement between the EU and Moldova on the general principles for the participation of Moldova in Union programmes.

PROPOSED ACT: Council Decision.

LEGAL BASES: Articles 19, 114, 168, 169, 172, 173 (3), 188, 192, 352, in conjunction with Article 218(6)(a) and the second subparagraph of Article 218(8) the Treaty on the Functioning of the European Union.

IMPACT ASSESSMENT: no impact assessment has been carried out.

BACKGROUND: as part of the European Neighbourhood Policy, the gradual opening-up of certain Union programmes and agencies to the participation of European Neighbourhood Policy partner countries represents one of many measures to promote reform, modernisation and transition in the EU's neighbourhood. This policy aspect is outlined in the Commission Communication "on the general approach to enable European Neighbourhood Policy partner countries to participate in Community agencies and Community programmes". The Council endorsed this approach on 5 March 2007.

Based upon the Communication and those conclusions, the Council, on 18 June 2007, issued directives to the Commission to negotiate Framework Agreements with Algeria, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, the Palestinian Authority, Tunisia, and Ukraine, on the general principles for their participation in Community programmes.

The June 2007 European Council reaffirmed the paramount importance of the European Neighbourhood Policy and endorsed a Presidency Progress Report5 that had been submitted to the General Affairs and External Relations Council meeting on 18/19 June as well as the related Council Conclusions. This report recalled the Council directives to negotiate relevant additional protocols, identifying Israel, Morocco and Ukraine as being likely to be the first partner countries to benefit from these measures. Negotiations with Israel concluded in September 2007 leading to the signature of a Protocol in April 2008 while those with Morocco have concluded and those with Ukraine continue.

In March 2008, it was decided to start negotiations with **Moldova**. Negotiations with Moldova have since been completed to the satisfaction of the Commission.

CONTENT: accordingly, the Commission submits a proposal on the conclusion of the Protocol. This protocol contains a Framework Agreement on the general principles for the participation of Moldova in Union programmes. It contains standard stipulations that are intended to be applied to all European Neighbourhood Policy partner countries with which such protocols are to be concluded.

The specific terms and conditions regarding the participation of Moldova in each particular programme, in particular the financial contribution payable and reporting and evaluation procedures, will be determined by agreement between the Commission, acting on behalf of the Union, and the competent authorities of Moldova (Memorandum of Understanding).

The negotiated text also provides that the Parties shall provisionally apply the provisions of the Protocol from the date of its signature.

According to 218(6)(a) of the Treaty on the Functioning of the European Union, the European Parliament shall be requested to give its consent to the conclusion of this Protocol. In parallel, the Commission submits a proposal for a Council Decision on the signature and provisional application of the Protocol. The Council is invited to adopt the following proposed Decision.

FINANCIAL IMPLICATIONS: the proposal has no implication for the Community budget.

Moldova shall contribute financially to the general budget of the European Union corresponding to the specific programmes in which Moldova participates. To finance its participation, Moldova may apply for external assistance on the basis the Regulation laying down general provisions establishing a European Neighbourhood and Partnership Instrument or pursuant to any similar Regulation providing for Union external assistance to Moldova.