



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 10.02.1998
COM(1998) 74 final

Proposal for a

COUNCIL DECISION

**ON THE COMMUNITY POSITION
CONCERNING
THE RULES OF PROCEDURE OF THE COOPERATION COUNCIL
ESTABLISHED BY THE COOPERATION AGREEMENT
BETWEEN THE EUROPEAN COMMUNITY
AND THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Article 33 of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia foresees the establishment of a Cooperation Council composed of representatives of the Community, on the one hand, and of representatives of the former Yugoslav Republic of Macedonia, on the other hand. Its role consists in providing a forum for consultation between the Contracting Parties and it has the power, for the purpose of attaining the objectives set out in the Agreement, to take decisions in the cases provided for in the Agreement. It may also formulate any resolutions, recommendations or opinions which it considers desirable for the attainment of the common objectives and the smooth functioning of the Agreement.
2. According to Article 33, paragraph 3 of the Cooperation Agreement, the Cooperation Council shall establish its own rules of procedure. Article 3 (2) of the Council Decision 97/831/EC of 27 November 1997 on the conclusion of the Cooperation Agreement provides that the position to be adopted by the Community in the Cooperation Council shall be determined by the Council, on a proposal from the Commission. In accordance with this provision, the annexed draft rules of procedure are proposed for adoption as Community position, by means of a decision by the Council.
3. The Cooperation Agreement with the former Yugoslav Republic of Macedonia follows to a large extent the model of the 1993 Cooperation Agreement with Slovenia. The Cooperation Council is, however, the only joint body provided for by that Agreement, whereas the Cooperation Agreement with Slovenia established a Cooperation Council and a Cooperation Committee. The Cooperation Council with the former Yugoslav Republic of Macedonia shall in general have the functions of Joint or Cooperation Committees established by other cooperation agreements concluded by the Community.
4. The draft proposal has been based on the rules of procedure for the Joint Committee with Albania, adjusted in the light of the above mentioned Council Decision, in particular with regard to the publication of the Cooperation Council's decisions . It also provides more detailed rules on working parties and on expenses.
5. The Council is requested to adopt the annexed Commission proposal on a Community position in relation to the rules of procedure of the Cooperation Council with the former Yugoslav Republic of Macedonia.

**PROPOSAL FOR A COUNCIL DECISION
ON A COMMUNITY POSITION
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ESTABLISHED BY THE COOPERATION AGREEMENT
BETWEEN THE EUROPEAN COMMUNITY
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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Decision 97/831/EC of 27 November 1997¹ on the conclusion of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia, and in particular Article 3 thereof,

Having regard to the Commission proposal²,

Whereas a Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia has been signed on 29 April 1997,

Whereas Article 33 of the Cooperation Agreement establishes a Cooperation Council,

Whereas Article 33 of the said Agreement further provides that the Cooperation Council shall adopt its own rules of procedure,

Whereas Article 36 of the said Agreement further provides that the Cooperation Council may decide to set up working parties, the composition, duties and functioning of which shall be determined in the rules of procedures,

Whereas the Community should therefore define its position to be adopted in the Cooperation Council with regard to these Rules of Procedure,

HEREBY DECIDES AS FOLLOWS:

The position to be adopted by the Community within the Cooperation Council established by virtue of Article 33 of the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia in relation to the rules of procedure of the said Cooperation Council shall be based on the draft rules of procedure annexed to the present decision. Minor modifications of the said draft rules of procedure may be accepted without further decision by the Council.

Done at Brussels,

¹ OJ L348, 18.12.1997, p.1

² OJ C79, 12.03.1997, p.1

**Decision n° 1 of the Cooperation Council
concerning the Rules of Procedure of the Cooperation Council established by the
Cooperation Agreement between the European Community
and the former Yugoslav Republic of Macedonia**

THE COOPERATION COUNCIL,

Having regard to the Cooperation Agreement between the European Community of the one part, and the former Yugoslav Republic of Macedonia, of the other part, and in particular Articles 33 to 36 thereof,

Whereas that Agreement entered into force on 1 January 1998.

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURES:

Article 1

CHAIRMANSHIP

The office of Chairman of the Cooperation Council shall be held alternately for periods of twelve months by a representative of the former Yugoslav Republic of Macedonia and a representative of the European Community, hereinafter referred to as the "Community". However, the first period shall begin on the date of the first Cooperation Council and end on 31 December of the same year.

Article 2

MEETINGS

1. Each session of the Cooperation Council shall be held at a time and place agreed by both Parties in the Community and the former Yugoslav Republic of Macedonia alternately.
2. The Cooperation Council shall meet once a year. Additional meetings may be held if both Parties so agree, at the request of either Party.
3. Unless otherwise agreed the sessions of the Cooperation Council shall not be public.

Article 3

DELEGATIONS

Prior to each session, the Community and the former Yugoslav Republic of Macedonia shall agree on the level of representation of the Cooperation Council. They shall also inform each other of the intended composition of their respective delegations.

Article 4

SECRETARIAT, COMMUNICATIONS

An official of the former Yugoslav Republic of Macedonia and an official of the Commission of the European Communities shall act jointly as Secretaries of the Cooperation Council.

All communications to and from the Chairman shall be forwarded to these Secretaries.

Article 5

AGENDA

1. The Chairman and the Secretaries shall draw up the provisional agenda for each session.

The provisional agenda shall consist of those items in respect of which a request for inclusion has reached the Secretaries not less than 21 days before the beginning of the session.

The only items which may appear on the provisional agenda shall be those in respect of which the relevant documentation has been forwarded to the Secretaries referred to in Article 4 not later than the date of dispatch of this agenda.

The agenda shall be adopted by the Cooperation Council at the beginning of each session. Where both Parties agree, items which do not appear on the provisional agenda may be included.

2. The Chairman may, in agreement with the two parties, shorten the time limits laid down in Paragraph 1 to take account of the requirements of a particular case.

Article 6

MINUTES

Minutes shall be taken for each session and shall include the summing up of the proceedings by the Chairman. Upon adoption by the Cooperation Council, the minutes shall be signed by the Chairman and the Secretaries and one original copy filed by each of the Parties.

Article 7

WORKING PARTIES

1. The Cooperation Council may establish working parties on specific subjects to assist it in carrying out its duties. They shall be composed of representatives of both Parties.
2. The working parties shall work under the authority of the Cooperation Council which shall determine their objectives and the scope of their activities . They shall not take decisions but can make recommendations to the Cooperation Council to which they shall report after each one of their meetings.
3. The Cooperation Council can at any time modify the terms of reference of the working parties and terminate their existence.

Article 8

AMENDMENTS

The Cooperation Council may make such amendments to the Rules of Procedure as it may find appropriate to facilitate the efficient performance of its tasks, without prejudice to Articles 33-36 of the Cooperation Agreement.

Article 9

ACTS

Decisions adopted by the Cooperation Council within the meaning of Article 33 (1) shall be signed by the Chairman and the Secretaries.

Decisions, Resolutions, Recommendations or Opinions of the Cooperation Council formulated within the meaning of Article 33 (2) of the Cooperation Agreement shall be followed by a serial number, by the place and date of their adoption and by a description of their subject.

Decisions taken by the Cooperation Council shall be published by the Parties in their respective official gazettes. The Cooperation Council may decide on the publication of any other of its acts.

Article 10

LANGUAGES

The official languages of the Cooperation Council shall be the official languages of the Parties.

The Cooperation Council shall normally base its deliberations on documentation prepared in these languages.

Article 11

EXPENSES

The Community, on the one hand, and the former Yugoslav Republic of Macedonia on the other, shall defray the expenses that they incur as a result of their participation in meetings of the Cooperation Council and of working parties in respect of staff, travelling and subsistence expenses and also of postal and telecommunications costs.

Expenditure in connection with interpretation at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpretation or translation into or from the official language of the former Yugoslav Republic of Macedonia, which shall be borne by the former Yugoslav Republic of Macedonia.

Other expenditure relating to the material organization of meetings shall be borne by the Party which hosts the meetings.

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Rules of Procedure of the Cooperation Council established by the Cooperation Agreement between the European Community and the former Yugoslav Republic of Macedonia (FYROM): Establishment of a Cooperation Council and, where appropriate, of special working parties.

2. BUDGET HEADING INVOLVED

A-701 : Mission expenses
(ex A-130)
A-7031 : Meetings of committees
(ex A-2510)

In accordance with Article 3 of Council decision 97/831/EC mentioned below, the Council may decide that the Presidency of the Council shall represent the Community in the Cooperation Council. In that case, budget heading A-7031 will not be involved and relevant meeting costs will be chargeable to the Council budget.

3. LEGAL BASIS

Articles 33-36 of the Cooperation Agreement between the European Community and FYROM. Council decision 97/831/EC of 27 November 1997 on the conclusion of that Agreement, and in particular Article 3 thereof.

4. DESCRIPTION OF OPERATION

4.1 General objective

Implementation of the institutional provisions of the Cooperation Agreement

4.2 Period covered and arrangements for renewal

unlimited

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Compulsory/Non-compulsory expenditure

Non-compulsory expenditure.

5.2 Differentiated/Non-differentiated appropriations

Non-differentiated appropriations.

5.3 Type of revenue involved

No revenues.

6. TYPE OF EXPENDITURE OR REVENUE

100% subsidy (missions by officials, organisation of conferences, interpretation, translation, reproduction of documents)

7. FINANCIAL IMPACT

7.1 Method of calculating total cost of operation (relation between individual and total costs)

See section 10. No operational expenditure involved.

7.2 Itemised breakdown of cost

Commitment appropriations ECU million (at current prices)

Breakdown	year n	n + 1	n + 2	n + 3	n + 4	n + 5 and subs. yrs	Total
Total							

7.3 Operational expenditure for studies, experts etc. included in Part B of the budget

Commitment appropriations ECU million (at current prices)

	year n	n + 1	n + 2	n + 3	n + 4	n + 5 and subs. yrs	Total
- Studies - Meetings of experts - Conferences and congresses - Information and publications							
Total							

7.4 Schedule of commitment and payment appropriations

ECU million

	year n	n + 1	n + 2	n + 3	n + 4	n + 5 and subs. yrs	Total
Commitment appropriations							
Payment appropriations							
year n							
n + 1							
n + 2							
n + 3							
n + 4							
n + 5 and subs. yrs							
Total							

8 FRAUD PREVENTION MEASURES

Checks by the responsible officials.

9 ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific and quantified objectives; target population

The institutionalised dialogue between the European Community and FYROM will be an essential prerequisite for achieving the aims of the Cooperation Agreement, namely the promotion of trade and investment flows, economic and social development in the country and close cooperation across a wide number of policy fields.

Targeted are economic operators and the general public in FYROM.

9.2 Grounds for the operation

Coordinated approach by the European Community to cooperation with FYROM. Approach is similar to that of Cooperation Agreements with other countries in the region (for example: Albania).

9.3 Monitoring and evaluation of the operation

Periodic stock-taking between the Commission and FYROM authorities.

10 ADMINISTRATIVE EXPENDITURE (SECTION III, PART A OF THE BUDGET)

Actual mobilization of the necessary administrative resources will depend on the Commission's annual decision on the allocation of resources, taking into account the number of staff and additional amounts authorized by the budgetary authority.

10.1 Effect on the number of posts

Type of post		Staff to be assigned to managing the operation		Source		Duration
		<u>Permanent posts</u>	<u>Temporary posts</u>	Existing resources in the DG or department concerned	Additional resources	
Officials or temporary staff	A	0.25	0	0,25	0	
	B		0			
	C	0.25	0	0.25		
Other resources		0	0	0	0	
Total		0,5	0	0,5	0	

10.2 Overall financial impact of existing human resources

ECU

	Amounts	Method of calculation
Officials	54.000	0.5 men/year x 108.000 = 54.000
Temporary staff	0	
Other resources (indicate budget heading)	0	
Total	54.0000	

10.3 Other administrative expenditure as a result of the operation

ECU

Budget heading	Amounts	Method of calculation
A-701 (ex A-130) (mission expenses)	10.000	Cooperation Council Involvement of 10 officials from the Commission (1/year alternated Skopje/Brussels) Skopje: 10 officials x 1.000 = 10.000 Brussels:
	9.000	Working Parties 3 working parties (2/year alternated Skopje/Brussels) Skopje: 3 officials x 3 working parties x 1.000 = 9.000
Total	19.000	
A-7031 (ex A-2510) (meeting of Committees)	p.m.	{Cooperation Council {Working Parties

N.B. The necessary resources for missions by Commission officials will be obtained through redeployment of existing resources. Travel costs for Council representatives participating in meetings of the Cooperation Council and working parties are paid by the Council Secretariat General. If the Presidency of the Council represents the Community in the Cooperation Council, Commission budget heading A-7031 will not be involved and relevant meeting costs will be chargeable to the Council budget.

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DOCUMENTS

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