

# COMMISSION OF THE EUROPEAN COMMUNITIES

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94/0293(AVC) 94/0294(AVC)  
94/0295(AVC) 94/0296(AVC)  
94/0297(AVC) 94/0298(AVC)

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION** 94/0293(AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Republic of Bulgaria, of the other part**

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION** 94/0294(AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Republic of Hungary, of the other part**

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION** 94/0295(AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Republic of Poland, of the other part**

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION** 94/0296(AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and Romania, of the other part**

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION** 94/0297(AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Czech Republic, of the other part**

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION** 94/0298(AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Slovak Republic, of the other part**

(presented by the Commission)



## EXPLANATORY MEMORANDUM

1. The attached proposals for Council and Commission Decisions are the legal instruments under which Additional Protocols to the Europe Agreements are to be concluded between the European Economic Community and the European Atomic Energy Community and the Republic of Bulgaria, the Republic of Hungary, the Republic of Poland, the Czech and Slovak Republics and Romania on these countries participation in Community programmes.
2. On 27 July the Council adopted negotiating directives and a draft protocol. Negotiations were conducted on 17 October and Additional Protocols have been initialled.
3. The Additional Protocols cover areas of Community jurisdiction and have been concluded for an unlimited period.

The associated countries' participation in Community programmes of interest to them is crucial to their integration into the European Union and their future accession.

4. The following principles are set out in the Additional Protocols:
  - the country in question may participate in programmes in the areas listed in Article 1; this list is not exhaustive and parties may agree to add other areas to it;
  - the Association Council will decide on the terms and conditions for participation;
  - the country in question will meet the costs of its participation; if necessary, the Commission may decide, on a case-by-case basis, to make a supplementary contribution.
5. As soon as the Additional Protocol enters into force all the general, institutional and final provisions of the Europe Agreement will apply. This is to enable the Association Council, if necessary, to take up the duties assigned to it under the Additional Protocol even before the Europe Agreement comes into force.
6. In view of the wide range of Community programmes in which the countries concerned may participate under the Additional Protocols, the same legal bases as used for that part of the Europe Agreements relating to the EC's and Euratom's jurisdiction (Article 238 of the EC Treaty and Article 101 of the Euratom Treaty) should be used for these Protocols. The ECSC is not concerned.

Since the Additional Protocols cover only Community programmes, i.e. exclusive Community matters, they do not have to be ratified by each Member State before they can enter into force.

7. The procedures of the two Communities (EEC and Euratom) for the signing and conclusion of the Additional Protocols differ as regards conclusion:
  - after receiving Parliament's assent the Council will conclude the Additional Protocols on behalf of the European Community pursuant to Article 238 of the EC Treaty by adopting the Decisions annexed hereto;
  - the Council will approve the Additional Protocols in accordance with the second paragraph of Article 101 of the Euratom Treaty. The Protocols will then be concluded by the Commission (on behalf of the European Atomic Energy Community).
8. In view of the foregoing the Commission requests the Council to adopt the proposals annexed hereto.

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**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION**

94/0293 (AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Republic of Bulgaria, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,<sup>1</sup>

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of Central and Eastern Europe, taking as a starting point programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Economic Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with the Republic of Bulgaria,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and the Republic of Bulgaria, of the other part, signed on ... is hereby approved on behalf of the European Community.

The text of the Additional Protocol is attached to this Decision.

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<sup>1</sup> OJ No C

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Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community.

Done at

For the Council

The President

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## ADDITIONAL PROTOCOL

**to the Europe Agreement between the European Communities and  
their Member States, of the one part,  
and the Republic of Bulgaria, of the other part**

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY  
COMMUNITY, hereinafter referred to as "the Community",

of the one part and,

THE REPUBLIC OF BULGARIA, hereinafter referred to as "Bulgaria";

of the other part,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States and Bulgaria (hereinafter referred to as "the Europe Agreement") was signed in Brussels on 8 March 1993,

Whereas the objectives of the Europe Agreement referred to in Article 1 thereof include the provision of an appropriate framework for Bulgaria's gradual integration into the Community;

Whereas the Community and Bulgaria have agreed in Title VI and Title VII of the Europe Agreement to promote economic and cultural cooperation;

Whereas the European Council at its meeting in Copenhagen on 21 and 22 June 1993 welcomed the possibility offered to the associated countries of participating in Community programmes under the Europe Agreements;

Whereas the conclusions of the Presidency of the European Council meeting in Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated countries shall be geared to the objective of membership which has now been established, and that such cooperation shall include the participation of the associated countries in Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN COMMUNITY

THE EUROPEAN ATOMIC ENERGY COMMUNITY

BULGARIA

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

## Article 1

Bulgaria may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development
- information services
- the environment
- education, training and youth
- social policy and health
- consumer protection
- small and medium-sized enterprises
- tourism
- culture
- the audiovisual sector
- civil protection
- trade facilitation
- energy
- transport, and
- the fight against drugs and drug addiction.

The parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

## Article 2

Without prejudice to the existing participation of Bulgaria in the activities referred to in Article 1, the Association Council provided for in the Europe Agreement shall decide the terms and conditions for the participation of Bulgaria in the activities referred to in Article 1.

## Article 3

The financial contribution of Bulgaria to the activities referred to under Article 1 shall be based on the principle that Bulgaria shall meet the costs resulting from its participation.

If necessary the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to Bulgaria's contribution.

The parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.



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Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and Bulgaria. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol, even before the entry into force of the Europe Agreement.

Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Bulgarian languages, each of these texts being equally authentic.

For the Community

For the Republic of Bulgaria

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**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION**

94/0294 (AVC)

**concluding the Additional Protocol to the Europe Agreement between the  
European Community and the European Atomic Energy Community,  
of the one part, and the Republic of Hungary, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,<sup>2</sup>

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of Central and Eastern Europe, taking as a starting point programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Economic Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with the Republic of Hungary,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and the Republic of Hungary, of the other part, signed on ... is hereby approved on behalf of the European Community.

The text of the Additional Protocol is attached to this Decision.

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<sup>2</sup> OJ No C

Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community.

Done at

For the Council

The President

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## **ADDITIONAL PROTOCOL**

**to the Europe Agreement between the European Communities and  
their Member States, of the one part,  
and the Republic of Hungary, of the other part**

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY  
COMMUNITY, hereinafter referred to as "the Community",

of the one part and,

THE REPUBLIC OF HUNGARY, hereinafter referred to as "Hungary",

of the other part,

Whereas the Europe Agreement establishing an association between the European  
Communities and their Member States and Hungary (hereinafter referred to as "the  
Europe Agreement") was signed in Brussels on 16 December 1991;

Whereas the objectives of the Europe Agreement referred to in Article 1 thereof include  
the provision of an appropriate framework for Hungary's gradual integration into the  
Community;

Whereas the Community and Hungary have agreed in Title VI and Title VII of the  
Europe Agreement to promote economic and cultural cooperation;

Whereas the European Council at its meeting in Copenhagen on 21 and 22 June 1993  
welcomed the possibility offered to the associated countries of participating in  
Community programmes under the Europe Agreements;

Whereas the conclusions of the Presidency of the European Council meeting in  
Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated  
countries shall be geared to the objective of membership which has now been established,  
and that such cooperation shall include the participation of the associated countries in  
Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their  
plenipotentiaries:

THE EUROPEAN COMMUNITY

THE EUROPEAN ATOMIC ENERGY COMMUNITY

THE GOVERNMENT OF THE REPUBLIC OF HUNGARY

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

#### Article 1

Hungary may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development
- information services
- the environment
- education, training and youth
- social policy and health
- consumer protection
- small and medium-sized enterprises
- tourism
- culture
- the audiovisual sector
- civil protection
- trade facilitation
- energy
- transport, and
- the fight against drugs and drug addiction.

The parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

#### Article 2

Without prejudice to the existing participation of Hungary in the activities referred to in Article 1, the Association Council established by the Europe Agreement shall decide the terms and conditions for the participation of Hungary in the activities referred to in Article 1.

#### Article 3

The financial contribution of Hungary to the activities referred to under Article 1 shall be based on the principle that Hungary shall meet the costs resulting from its participation.

If necessary the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to Hungary's contribution.

The parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.

Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and Hungary. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol.

Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Hungarian languages, each of these texts being equally authentic.

For the Community

For the Government of the  
Republic of Hungary

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**DECLARATION OF THE REPUBLIC OF HUNGARY**

"In the implementation of Articles 2 and 3 of this Protocol a particular attention should be given to the appropriate application of the rules and principles laid down in Protocols 31 and 32 of the Agreement on the European Economic Area."

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**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION**

94/0295 (AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Republic of Poland, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,<sup>3</sup>

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of Central and Eastern Europe, taking as a starting point programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Economic Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with the Republic of Poland,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and the Republic of Poland, of the other part, signed on ... is hereby approved on behalf of the European Community.

The text of the Additional Protocol is attached to this Decision.

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<sup>3</sup> OJ No C



Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community.

Done at

For the Council

The President

**ADDITIONAL PROTOCOL**

**to the Europe Agreement between the European Communities and  
their Member States, of the one part,  
and the Republic of Poland, of the other part**

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY  
COMMUNITY, hereinafter referred to as "the Community",

of the one part and,

THE REPUBLIC OF POLAND, hereinafter referred to as "Poland",

of the other part,

Whereas the Europe Agreement establishing an association between the European  
Communities and their Member States and Poland (hereinafter referred to as "the Europe  
Agreement") was signed in Brussels on 16 December 1991;

Whereas the objectives of the Europe Agreement referred to in Article 1 thereof include  
the provision of an appropriate framework for Poland's gradual integration into the  
Community;

Whereas the Community and Poland have agreed in Title VI and Title VII of the Europe  
Agreement to promote economic and cultural cooperation;

Whereas the European Council at its meeting in Copenhagen on 21 and 22 June 1993  
welcomed the possibility offered to the associated countries of participating in  
Community programmes under the Europe Agreements;

Whereas the conclusions of the Presidency of the European Council meeting in  
Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated  
countries shall be geared to the objective of membership which has now been established,  
and that such cooperation shall include the participation of the associated countries in  
Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their  
plenipotentiaries:

THE EUROPEAN COMMUNITY

THE EUROPEAN ATOMIC ENERGY COMMUNITY

POLAND

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

#### Article 1

Poland may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development
- information services
- the environment
- education, training and youth
- social policy and health
- consumer protection
- small and medium-sized enterprises
- tourism
- culture
- the audiovisual sector
- civil protection
- trade facilitation
- energy
- transport, and
- the fight against drugs and drug addiction.

The parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

#### Article 2

Without prejudice to the existing participation of Poland in the activities referred to in Article 1, the Association Council established by the Europe Agreement shall decide the terms and conditions for the participation of Poland in the activities referred to in Article 1.

#### Article 3

The financial contribution of Poland to the activities referred to under Article 1 shall be based on the principle that Poland shall meet the costs resulting from its participation.

If necessary the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to Poland's contribution.

The parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.

Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and Poland. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol.

Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Polish languages, each of these texts being equally authentic.

For the Community

For the Republic of Poland

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**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION**

94/0296 (AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and Romania, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,<sup>4</sup>

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of Central and Eastern Europe, taking as a starting point programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Economic Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with Romania,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and Romania, of the other part, signed on ... is hereby approved on behalf of the European Community.

The text of the Additional Protocol is attached to this Decision.

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<sup>4</sup> OJ No C

Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community.

Done at

For the Council

The President

**ADDITIONAL PROTOCOL**

**to the Europe Agreement between the European Communities and  
their Member States, of the one part,  
and Romania, of the other part**

**THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY  
COMMUNITY, hereinafter referred to as "the Community",**

of the one part and,

"Romania",

of the other part,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States and Romania (hereinafter referred to as "the Europe Agreement") was signed in Brussels on 1 February 1993;

Whereas the objectives of the Europe Agreement referred to in Article 1 thereof include the provision of an appropriate framework for Romania's gradual integration into the Community;

Whereas the Community and Romania have agreed in Title VI and Title VII of the Europe Agreement to promote economic and cultural cooperation;

Whereas the European Council at its meeting in Copenhagen on 21 and 22 June 1993 welcomed the possibility offered to the associated countries of participating in Community programmes under the Europe Agreements;

Whereas the conclusions of the Presidency of the European Council meeting in Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated countries shall be geared to the objective of membership which has now been established, and that such cooperation shall include the participation of the associated countries in Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN COMMUNITY

THE EUROPEAN ATOMIC ENERGY COMMUNITY

ROMANIA

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

## Article 1

Romania may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development
- information services
- the environment
- education, training and youth
- social policy and health
- consumer protection
- small and medium-sized enterprises
- tourism
- culture
- the audiovisual sector
- civil protection
- trade facilitation
- energy
- transport, and
- the fight against drugs and drug addiction.

The parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

## Article 2

Without prejudice to the existing participation of Romania in the activities referred to in Article 1, the Association Council provided for in the Europe Agreement shall decide the terms and conditions for the participation of Romania in the activities referred to in Article 1.

## Article 3

The financial contribution of Romania to the activities referred to under Article 1 shall be based on the principle that Romania shall meet the costs resulting from its participation.

If necessary the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to Romania's contribution.

The parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.



Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and Romania. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol, even before the entry into force of the Europe Agreement.

Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Romanian languages, each of these texts being equally authentic.

For the Community

For the Government of Romania

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**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION**

94/0297 (AVC)

**concluding the Additional Protocol to the Europe Agreement between the European Community and the European Atomic Energy Community, of the one part, and the Czech Republic, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,<sup>5</sup>

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of Central and Eastern Europe, taking as a point of departure those programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Economic Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with the Czech Republic,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and the Czech Republic, of the other part, signed on ... is hereby approved on behalf of the European Community.

The text of the Additional Protocol is attached to this Decision.

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<sup>5</sup> OJ No C

Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community.

Done at

For the Council

The President

**ADDITIONAL PROTOCOL**

**to the Europe Agreement between the European Communities and  
their Member States, of the one part,  
and the Czech Republic, of the other part**

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY  
COMMUNITY, hereinafter referred to as "the Community",

of the one part and,

the Czech Republic,

of the other part.

Whereas the Europe Agreement establishing an association between the European Communities and their Member States and the Czech Republic (hereinafter referred to as "the Europe Agreement") was signed in Luxembourg on 4 October 1993;

Whereas the objectives of the Europe Agreement referred to in Article 1 thereof include the provision of an appropriate framework for the Czech Republic's gradual integration into the Community;

Whereas the Community and the Czech Republic have agreed in Title VI and Title VII of the Europe Agreement to promote economic and cultural cooperation;

Whereas the European Council at its meeting in Copenhagen on 21 and 22 June 1993 welcomed the possibility offered to the associated countries of participating in Community programmes under the Europe Agreements;

Whereas the conclusions of the Presidency of the European Council meeting in Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated countries shall be geared to the objective of membership which has now been established, and that such cooperation shall include the participation of the associated countries in Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN COMMUNITY

THE EUROPEAN ATOMIC ENERGY COMMUNITY

THE CZECH REPUBLIC

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

#### Article 1

The Czech Republic may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development
- information services
- the environment
- education, training and youth
- social policy and health
- consumer protection
- small and medium-sized enterprises
- tourism
- culture
- the audiovisual sector
- civil protection
- trade facilitation
- energy
- transport, and
- the fight against drugs and drug addiction.

The parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

#### Article 2

Without prejudice to the existing participation of the Czech Republic in the activities referred to in Article 1, the Association Council provided for in the Europe Agreement shall decide the terms and conditions for the participation of the Czech Republic in the activities referred to in Article 1.

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### Article 3

The financial contribution of the Czech Republic to the activities referred to under Article 1 shall be based on the principle that the Czech Republic shall meet the costs resulting from its participation.

If necessary the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to the Czech Republic's contribution.

The parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.

### Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

### Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and the Czech Republic. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol, even before the entry into force of the Europe Agreement.

### Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and the Czech languages, each of these texts being equally authentic.

For the Community

For the Czech Republic

**PROPOSAL FOR A COUNCIL AND COMMISSION DECISION**

94/02 3 (AVC)

**concluding the Additional Protocol to the Europe Agreement between the  
European Community and the European Atomic Energy Community,  
of the one part, and the Slovak Republic, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 238 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the proposal from the Commission,

Having regard to the assent of the European Parliament,<sup>6</sup>

Having regard to the approval given by the Council pursuant to Article 101 of the Treaty establishing the European Atomic Energy Community,

Whereas, at its meeting in Copenhagen on 21 and 22 June 1993, the European Council called for further Community programmes to be opened up to the associated countries of Central and Eastern Europe, taking as a point of departure those programmes which are already open to EFTA countries;

Whereas the Commission has negotiated, on behalf of the European Economic Community and the European Atomic Energy Community, an Additional Protocol to the Europe Agreement with the Slovak Republic,

HAVE DECIDED AS FOLLOWS:

Article 1

The Additional Protocol to the Europe Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and the Slovak Republic, of the other part, signed on ... is hereby approved on behalf of the European Community.

The text of the Additional Protocol is attached to this Decision.

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<sup>6</sup> OJ No C

Article 2

The position to be taken by the Community within the Association Council shall be decided by the Council, acting on a proposal from the Commission, in accordance with the relevant provisions of the Treaties establishing the European Community and the European Atomic Energy Community.

Article 3

The President of the Council shall undertake the notification provided for in Article 4 of the Additional Protocol on behalf of the European Community.

Done at

For the Council

The President



**ADDITIONAL PROTOCOL**

**to the Europe Agreement between the European Communities and  
their Member States, of the one part,  
and the Slovak Republic, of the other part**

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY  
COMMUNITY, hereinafter referred to as "the Community",

of the one part and,

THE SLOVAK REPUBLIC, hereinafter referred to as "Slovakia",

of the other part,

Whereas the Europe Agreement establishing an association between the European  
Communities and their Member States and Slovakia (hereinafter referred to as "the  
Europe Agreement") was signed in Luxembourg on 4 October 1993;

Whereas the objectives of the Europe Agreement referred to in Article 1 thereof include  
the provision of an appropriate framework for Slovakia's gradual integration into the  
Community;

Whereas the Community and Slovakia have agreed in Title VI and Title VII of the  
Europe Agreement to promote economic and cultural cooperation;

Whereas the European Council at its meeting in Copenhagen on 21 and 22 June 1993  
welcomed the possibility offered to the associated countries of participating in  
Community programmes under the Europe Agreements;

Whereas the conclusions of the Presidency of the European Council meeting in  
Copenhagen on 21 and 22 June 1993 provide that future cooperation with the associated  
countries shall be geared to the objective of membership which has now been established,  
and that such cooperation shall include the participation of the associated countries in  
Community programmes, with a view to fostering integration,

HAVE DECIDED to conclude this Protocol and to this end have designated as their  
plenipotentiaries:

THE EUROPEAN COMMUNITY

THE EUROPEAN ATOMIC ENERGY COMMUNITY

SLOVAKIA

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

#### Article 1

Slovakia may participate in Community framework programmes, specific programmes, projects or other actions in the fields of:

- research and technological development
- information services
- the environment
- education, training and youth
- social policy and health
- consumer protection
- small and medium-sized enterprises
- tourism
- culture
- the audiovisual sector
- civil protection
- trade facilitation
- energy
- transport, and
- the fight against drugs and drug addiction.

The parties may agree to add other fields of Community activities to those listed above, where it is considered to be of mutual interest or to contribute to the attainment of the objectives of the Europe Agreement.

#### Article 2

Without prejudice to the existing participation of Slovakia in the activities referred to in Article 1, the Association Council provided for in the Europe Agreement shall decide the terms and conditions for the participation of Slovakia in the activities referred to in Article 1.

#### Article 3

The financial contribution of Slovakia to the activities referred to under Article 1 shall be based on the principle that Slovakia shall meet the costs resulting from its participation.

If necessary the Community may decide, on a case-by-case basis, and pursuant to the rules applicable to the general budget of the European Communities, to pay a supplement to Slovakia's contribution.

The parties may agree that the relevant provisions of Title VIII of the Europe Agreement on financial cooperation shall apply.

Article 4

This Protocol shall enter into force on the first day of the second month following the date upon which the parties notify each other of the completion of the procedures necessary for that purpose.

Article 5

This Protocol shall be regarded as additional to the Europe Agreement between the Community and Slovakia. All general, institutional and final provisions shall apply accordingly as from the entry into force of this Protocol, even before the entry into force of the Europe Agreement.

Article 6

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Slovak languages, each of these texts being equally authentic.

For the Community

For the Slovak Republic

## FINANCIAL STATEMENT

### 1. Title of operation

**Opening-up of Community programmes to the associated countries of Central and Eastern Europe**

### 2. Budget headings involved

- B7-633      Initiation of Community programmes for associated countries of Central and Eastern Europe (new heading proposed in 1995 PDB)
- B7-6000     Aid for economic restructuring of the countries of Central and Eastern Europe
- B6-7211     Cooperation with third countries and international organizations

### 3. Legal basis

Europe Agreements ratified with Poland and Hungary, and in the process of being ratified with the Czech Republic, Slovakia, Bulgaria and Romania.

On the basis of preliminary expressions of interest from Central and Eastern European countries the following instruments could serve as legal bases provided they are amended with a view to opening them up to the associated Central and Eastern European countries:

Council Decision 90/685/EEC of 21 December 1990 on the implementation of an action programme to promote the development of the European audiovisual industry (MEDIA) - OJ No L 380, 31.12.1990.

Parliament and Council Decision 94/... of ... (adoption procedure under way for SOCRATES, LEONARDO AND YOUTH FOR EUROPE).

Council Decision 93/500/EEC of 13 September 1993 concerning the promotion of renewable energy sources in the Community (ALTENER programme) - OJ No L 235, 18.9.1993, p.41.

Council Decision 91/565/EEC of 29 October 1991 concerning the promotion of energy efficiency in the Community (SAVE programme) - OJ No L 307, 8.11.1991, p.34.

Council Regulation (EEC) No 1973/92 establishing a financial instrument for the environment (LIFE) - OJ No L 206, 22.7.1992, p.1.

Council Regulation (EEC) No 2008/90 of 29 June 1990 concerning the promotion of energy technologies in Europe (THERMIE programme) - OJ No L 185, 17.7.1990, p.1.

These legal bases cannot, however, be determined definitively until the Association Councils have decided on the opening-up of the programmes concerned.

Decision No 1110/94/EC of the European Parliament and of the Council of 26 April 1994 concerning the fourth framework programme of the European Community activities in the field of research and technological development and demonstration (1994 to 1998)- OJ No L 126, 18.5.1994.

Recommendation for a Council decision authorizing the Commission to negotiate additional protocols to the Europe Agreements (Articles 228 and 238).

#### **4. Description of operation**

##### 4.1 General objective

The European Council, meeting in Copenhagen on 21 and 22 June 1993, agreed that "future cooperation with the associated countries shall be geared to the objective of membership which has now been established" and "invited the Commission to make proposals before the end of the year for opening up further programmes to the associated countries, taking as a point of departure those programmes which are already open for participation by the EFTA countries", the aim being to encourage the integration of the countries concerned with the Community.

The participation of the associated Central and Eastern European countries in these Community programmes will help them integrate with the European Union in line with the decision taken at the June 1993 European Council. It will help implement the Europe Agreements' provisions on economic and cultural cooperation and enable the associated countries to familiarize themselves with the management methods used in Community programmes in a wide range of fields.

Among the Community programmes in which these countries have expressed interest, those in the field of human resources (SOCRATES, LEONARDO, YOUTH FOR EUROPE) are aimed at progressively establishing an open European space for education and vocational training and fostering the development of quality education, particularly through exchange activities in the broadest sense of the term.

The objective of the MEDIA programme is to promote the development of the audiovisual industry.

LIFE will provide technical and financial support to the associated countries to implement international conventions and resolve common or global problems in the field of the environment.

The three energy programmes (THERMIE, ALTENER and SAVE) are designed to promote the implementation of new energy technologies, activities to develop new and renewable energy sources and to make the use of forms of energy other than electricity more efficient.

The central objective of the fourth RTD framework programme, which includes details of the activities to be undertaken in cooperation with non-member countries and international organizations, is to use targeted RTD cooperation in tandem with

other Community operations to improve the added value of Community RTD, to improve the science and technology base of the Community and to back up other Community policies towards non-Community countries. Such cooperation will be based on the principle of mutual benefit.

#### 4.2 Duration of operation and arrangements for its extension.

Five-year action programme (1995-99)

### 5. Classification of expenditure or revenue

#### 5.1 Non-compulsory

#### 5.2 Differentiated

#### 5.3 Type of revenue involved = NOT APPLICABLE

### 6. Type of expenditure or revenue

- subsidy up to 100%
- subsidy for joint financing with other sources in the public and/or private sectors
- no repayment.

**Type of expenditure or revenue determined on basis of basic programmes.**

### 7. Financial impact

#### 7.1 Method of calculating total cost of operation in 1995 financial year (link between individual costs and overall cost)

As this is a start-up period for the associated Central and Eastern European countries' participation in Community programmes the necessary appropriations cannot at present be estimated with any precision.

Since the funding of their participation in the programmes is to be on the basis that they will meet the costs of their participation, the Community budget may, if necessary, on a case-by-case basis, provide funding:

- under the Phare programme, up to 10% of the National Indicative Programme;
- under the new budget heading B7-633 for 1995 (for which a PM is foreseen);
- for expenditure arising from participation in the fourth framework RTD programme, under the relevant headings:
  - . appropriations for the fourth framework RTD programme to fund their participation in actual RTD projects;
  - . external policy appropriations to develop these countries' scientific and technical potential and build up the infrastructure they need for RTD.

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## 7.2 Breakdown of operation into constituent parts

EC, million ecus

Breakdown	'94 Budget	'95 draft prelim. budget	Var. %
not applicable at this stage			--
TOTAL	0		--

7.3 Operational expenditure relating to studies, experts meetings, etc. included in Part B  
 NOT APPLICABLE  
 (see Annex III to Commission communication of 22 April 1992, attached as Annex VIII)

7.4 Schedule for multiannual operations, giving amounts deemed necessary (entered in basic instrument)

Amount deemed necessary: ... million ecus NOT APPLICABLE

## 8. Anti-fraud measures planned (and results of implementation)

All the Commission's contracts, agreements and other legal commitments provide for on-the-spot controls by the Commission and the Court of Auditors. Among other things, the beneficiaries of the operations are obliged to file reports and financial statements. These are analysed from the point of view of their content and the eligibility of the expenditure in line with the objective of Community financing.

Anti-fraud operations are carried out by the Commission DGs responsible for the programmes concerned in conjunction with DG I and the Commission delegations.

## 9. Elements of cost-effectiveness analysis

9.1 Target population

- Target population: the peoples of Central and Eastern European countries which have concluded association agreements with the EC.

9.2 Monitoring and evaluation of the operation

Generally speaking, monitoring and evaluation of the countries' participation in the programmes will be undertaken by the Association Councils and Committees which, pursuant to Article 2 of the Additional Protocols, will determine the terms and conditions of participation. In view of the wide range of programmes open to these countries, monitoring and evaluation of the individual programmes in question will be on a case-by-case basis in accordance with the rules and terms of each programme.

**SME FICHE**

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Any economic impact the additional protocols might have would necessarily be indirect.

A precise evaluation is therefore impossible.





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# DOCUMENTS

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