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Proposal for a

COUNCIL DECISION

on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, on a Framework Agreement between the European Union and the Republic of Tunisia on the general principles for the participation of the Republic of Tunisia in Union programmes

EXPLANATORY MEMORANDUM

As part of the European Neighbourhood Policy (ENP), the gradual opening-up of certain Union programmes and agencies to the participation of ENP partner countries represents one of many measures to promote reform, modernisation and transition in the European Union's neighbourhood. The Commission outlined this policy aspect more extensively in its Communication of December 2006 'on the general approach to enable European Neighbourhood Policy partner countries to participate in Community agencies and Community programmes'¹.

The Council endorsed this approach in its conclusions of 5 March 2007².

Based upon this Communication and those conclusions, on 18 June 2007 the Council 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 programmes³.

The June 2007 European Council⁴ reaffirmed the paramount importance of the ENP and endorsed a Presidency Progress Report⁵ that had been submitted to the General Affairs and External Relations Council (GAERC) meeting on 18/19 June 2007 as well as the related Council Conclusions⁶. The report referred to the Council directives for negotiating the relevant additional protocols.

The Joint Communication by the Commission and the High Representative of the European Union for Foreign Affairs and Security Policy 'A new response to a changing Neighbourhood'⁷, endorsed by Council Conclusions on 20 June 2011, further stressed the EU's intention to facilitate partner countries' participation in EU programmes.

To date, protocols have been signed with Armenia, Georgia, Israel, Jordan, Moldova, Morocco and Ukraine.

In December 2013, Tunisia expressed its interest in participating in the broad range of programmes open to partner countries of the European Neighbourhood Policy. The text of the protocol negotiated with Tunisia is attached.

The Commission herewith submits a proposal for a Council Decision on the conclusion of the protocol. This protocol contains a framework agreement on the general principles for the participation of Tunisia in Union programmes. It contains standard clauses that are intended to be applied to all European Neighbourhood Policy partner countries with which such protocols are to be concluded.

In accordance with Article 218(6)(a) of the Treaty on the Functioning of the European Union, the European Parliament will be asked to give its consent to the conclusion of this protocol.

The Commission is submitting a parallel proposal for a Council decision on the signing and provisional application of the protocol.

The Council is invited to adopt the following proposal for a decision.

¹ COM(2006) 724 final of 4 December 2006.

² GAERC conclusions of 5 March 2007.

³ Council Decision (restricted) authorising the Commission to negotiate Protocols [...], Doc 10412/07.

⁴ Presidency Conclusions – Brussels, 21/22 June 2007, Doc 11177/07.

⁵ Presidency Progress Report on 'Strengthening the European Neighbourhood Policy', Doc 10874/07.

⁶ Conclusions on Strengthening the European Neighbourhood Policy, adopted by the Council (General Affairs and External Relations) on 18 June 2007, Doc 11016/07.

⁷ COM(2011) 303 final of 25 May 2011.

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on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, on a Framework Agreement between the European Union and the Republic of Tunisia on the general principles for the participation of the Republic of Tunisia in Union programmes

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212, in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament⁸,

Whereas:

- (1) The Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, on a Framework Agreement between the European Union and the Republic of Tunisia on the general principles for the participation of the Republic of Tunisia in Union programmes (hereinafter referred to as ‘the Protocol’) was signed on behalf of the Union on ...
- (2) The objective of the Protocol is to lay down the financial and technical rules enabling Tunisia to participate in certain Union programmes. The horizontal framework established by the Protocol constitutes an economic, financial and technical cooperation measure which allows for access to assistance, in particular financial assistance, to be provided by the Union pursuant to the Union programmes. This framework applies only to those Union programmes for which the relevant constitutive legal acts provide for the possibility of Tunisia’s participation. The signing and provisional application of the Protocol therefore does not entail the exercise of powers under the various sectoral policies pursued by the programmes, which are exercised when establishing the programmes.
- (3) The Protocol should be approved,

HAS ADOPTED THIS DECISION:

Article 1

The Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part, on a Framework Agreement between the European Union and the Republic

⁸ OJ C [...] of [...], p. [...].

of Tunisia on the general principles for the participation of the Republic of Tunisia in Union programmes ('the Protocol') is hereby approved on behalf of the Union⁹.

Article 2

The President of the Council shall designate the person empowered to proceed, on behalf of the European Union and its Member States, to the notification provided for in Article 10 of the Protocol, in order to express the consent of the European Union and its Member States to be bound by the Protocol.

The date of entry into force of the Protocol will be published in the Official Journal of the European Union by the General Secretariat of the Council.

Article 3

The Commission is authorised to determine, on behalf of the Community, the specific terms and conditions applicable to the participation of Tunisia in any given programme, including the financial contribution payable. The Commission will keep the relevant Council working party informed.

Article 4

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

For the Council
The President

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