

Proposal for a Council Regulation on support to bodies set up by the international community after conflicts either to take charge of the interim civilian administration of certain regions or to implement peace agreements

(2000/C 177 E/14)

COM(2000) 95 final — 2000/0042(CNS)

(Submitted by the Commission on 21 February 2000)

THE COUNCIL OF THE EUROPEAN UNION,

must be adopted in accordance with the management procedure laid down in Article 4 thereof.

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

(8) The Treaty does not provide, for the adoption of this Regulation, powers other than those laid down in Article 308,

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Having regard to the opinion of the European Parliament,

Article 1

Whereas:

1. The Community shall contribute financially to the establishment and operation of the bodies listed in the Annex, which have been set up by the international community following conflicts either to take charge of the interim civilian administration of certain regions or to implement peace agreements.

(1) To help resolve conflicts, the international community may set up bodies to take charge of the interim civilian administration of certain regions and implement peace agreements.

2. Amendments to the Annex shall be decided by the Council acting by a qualified majority on a proposal from the Commission.

(2) The European Community must be able to play a full role in the establishment and operation of such bodies.

Article 2

(3) A legal framework should be established to cover the Community's financial contribution to such bodies and ensure its transparency.

1. The financing shall be in the form of a grant to the budget of the bodies referred to in Article 1.

(4) Two such bodies have been set up, one in Kosovo and one in Bosnia-Herzegovina, respectively, the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Office of the High Representative in Bosnia-Herzegovina (OHR).

2. The financing decisions shall be adopted in accordance with the procedure laid down in Article 4(2).

Article 3

(5) A legal basis should therefore be laid down to enable the Community to contribute to the operation of both bodies.

1. Operations covered by this Regulation and financed by the budget of the Communities shall be implemented by the Commission in conformity with the Financial Regulation applicable to the general budget of the European Communities.

(6) The same legal basis should also be able to cover the Community's participation in the establishment and operation of similar bodies which may be set up in future by the international community, should the Community decide to support them.

2. The amount of the grant, the eligible expenditure, the period covered, the implementing procedures and procedures for verifying the management and ultimate destination of the Community grant shall be the subject of a financing agreement between the Commission, acting on behalf of the Community, and the recipient bodies.

Article 4

(7) As the measures required to implement this Regulation constitute management measures within the meaning of Article 2 of Council Decision 1999/468/EC of 29 June 1999 laying down the procedures for the exercise of the implementing powers conferred on the Commission, they

1. The Commission shall be assisted by a management committee composed of the representatives of the Member States and chaired by the representative of the Commission.

2. Where this paragraph is referred to, the management procedure laid down in Article 4 of Decision 1999/468/EC shall apply.

3. The period as provided for in Article 4(3) of Decision 1999/468/EC shall be one month.

Article 5

Financing decisions and any contracts or implementing instruments resulting therefrom shall expressly provide that the Commission or bodies authorised by the Commission,

the Court of Auditors and the Anti-Fraud Office (OLAF) may carry out inspections on the spot, if necessary.

Article 6

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

ANNEX

Bodies referred to in Article 1 of this Regulation

United Nations Interim Administration Mission in Kosovo (UNMIK). The fourth pillar.

Office of the High Representative in Bosnia-Herzegovina (OHR).
