

# Procedure file

Basic information	
CNS - Consultation procedure Regulation	1996/0096(CNS) Procedure completed
Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia  Amended by <a href="#">1998/0023(CNS)</a> Amended by <a href="#">1999/0132(CNS)</a> Repealed by <a href="#">2000/0111(CNS)</a>  Subject 6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management 6.40.03 Relations with South-East Europe and the Balkans  Geographical area Croatia Former Yugoslav Republic of Macedonia Yugoslavia, Federal Republic - 01/2003 Bosnia and Herzegovina	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>AFET</b> Foreign Affairs, Security and Defense Policy	ELDR <a href="#">CARS Hadar</a>	11/06/1996
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets	UPE <a href="#">GIANSILY Jean-Antoine</a>	04/06/1996
	<b>RELA</b> External Economic Relations	GUE/NGL <a href="#">ALAVANOS Alexandros</a>	29/05/1996
	<b>CONT</b> Budgetary Control	V <a href="#">MÜLLER Edith</a>	25/06/1996
Council of the European Union	Council configuration	Meeting	Date
	Budget	<a href="#">1945</a>	25/07/1996
	<a href="#">General Affairs</a>	<a href="#">1934</a>	10/06/1996
	<a href="#">General Affairs</a>	<a href="#">1902</a>	29/01/1996

Key events			
29/01/1996	Debate in Council	<a href="#">1902</a>	Summary

29/04/1996	Legislative proposal published	COM(1996)0123	Summary
10/06/1996	Resolution/conclusions adopted by Council		Summary
14/06/1996	Committee referral announced in Parliament		
15/07/1996	Vote in committee		
15/07/1996	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0247/1996</a>	
18/07/1996	Debate in Parliament		
19/07/1996	Decision by Parliament	T4-0429/1996	Summary
25/07/1996	Act adopted by Council after consultation of Parliament		
25/07/1996	End of procedure in Parliament		
14/08/1996	Final act published in Official Journal		

### Technical information

Procedure reference	1996/0096(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">1998/0023(CNS)</a> Amended by <a href="#">1999/0132(CNS)</a> Repealed by <a href="#">2000/0111(CNS)</a>
Legal basis	EC before Amsterdam E 235
Stage reached in procedure	Procedure completed
Committee dossier	AFET/4/07967

### Documentation gateway

Legislative proposal	<a href="#">COM(1996)0123</a> <a href="#">OJ C 179 22.06.1996, p. 0005</a>	29/04/1996	EC	Summary
Document attached to the procedure	<a href="#">08256/1996</a>	14/06/1996	CSL	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0247/1996</a> <a href="#">OJ C 261 09.09.1996, p. 0013</a>	15/07/1996	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0429/1996 <a href="#">OJ C 261 09.09.1996, p. 0182-0188</a>	19/07/1996	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

[Regulation 1996/1628](#)  
[OJ L 204 14.08.1996, p. 0001](#) Summary

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## Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia

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The Council calls on the Commission to submit a comprehensive report to the General Affairs Council on 26 and 27 February 1996 concerning: - the prospects for building up cooperation between the States concerned in the context of an overall approach to the region's future; - the means that the European Community and its Member States might employ, by way of assistance to the States of former Yugoslavia, to pave the way for such cooperation. On the basis of the Commission's report and the conclusions that the Council draws from it, the Presidency of the Council and the Commission might begin talks with the authorities, concerning the regional cooperation commitments that could be made. The Council also continues to press for the return of refugees at the earliest opportunity.?

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## Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia

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-OBJECTIVE: to provide a legal basis for aid to the rehabilitation and reconstruction in the Republics of Former Yugoslavia (Bosnia-Herzegovina, Croatia, Federal Republic of Yugoslavia and Macedonia). -SUBSTANCE: the aid measures concern projects, programmes and cooperation measures for reconstruction, the return of refugees and displaced persons and economic and regional cooperation between the different parties with a view to their reconciliation and the creation of economic and social conditions fundamental to the development of the beneficiaries. The financing of the measures shall be subject to an indicative multi-annual approach (1996-1999) within the limits of the financial perspectives. Financing shall take the form of non-reimbursable aid (except for certain investments which take the form of cofinancing up to 80%). The measures concerned shall cover in particular the following fields: . consolidation of civil society and strengthening of NGOs, cultural institutions and educational establishments, . rebuilding of infrastructure and other individual or collective facilities damaged in the fighting, . the return of refugees, . integration or reintegration of refugees, displaced persons and former soldiers into working life, . preparation of the production apparatus for economic recovery, . development of the private sector and promotion of investment, . regional cooperation. The granting of aid is subject to: . the application of the clauses of the Peace Agreement, . respect for human rights, the rights of minorities and the right of refugees to return home, . as regards Serbia and Montenegro, the granting of greater autonomy to Kosovo, . observance of the principles of a market economy, . cooperation with the International War Crimes Tribunal. Expenditure may cover the importation of goods and services, local expenditure, running and maintenance costs. Taxes, duties and charges are excluded from Community financing. Aid may be granted to regional and international organizations, public and semi-public bodies, organizations providing support to businesses, private operators, cooperatives, mutual societies, associations, foundations and NGOs. Provisions are made for the exchange of information between the Community and the Member States on their respective intentions regarding financing. The measures to be financed shall be subject to a selection based on assessment of the requests of potential recipients, the urgency and the actual take-up capacity. Invitations to tender and contracts shall be open on equal terms to all natural and legal persons in the Member States and in the recipient states. Service contracts up to a value of Ecu 200.000 shall be awarded by restricted invitations to tender (contracts below that sum may be awarded by private treaty). As regards commitment, the Commission shall be assisted by an advisory committee composed of representatives of the Member States. For financing decisions regarding sums exceeding Ecu 2 m, the Commission shall submit a draft of measures to be taken to the Committee which shall deliver an opinion of which the Commission shall take utmost account. The Committee shall also be informed of operations involving financing of less than Ecu 2 m. Decisions amending decisions adopted taking account of the opinion of the Committee shall be adopted by the Commission without consulting the Committee where they do not comprise substantial changes to the nature of the original projects and where they do not exceed 20% of the total amount of the initial commitment. The Commission shall implement the budget for this initiative and shall supervise the implementation of aid under this initiative. It will submit a report on the implementation of aid and their evaluation to the European Parliament and to the Council before 30 April of each year. In its financial form, the Commission states that the budgetary line concerned by this action is Line B7-54 pursuant to which the indicative budget of the initiative is Ecu 400 m for the period of 1996 to 1999.?

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## Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia

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At the General Affairs Council of 10 June 1996 the Council reached agreement on a new version of the proposal on reconstruction in the former Yugoslavia on which the European Parliament had been asked to give its opinion, making significant modifications to the Commission's initial text. The modifications made by the Council deal in particular with the following points: - inclusion of a financial reference amount in the body of the text (ECU 400 million from 1996 to 1999); - modification of the democratic basis of the regulation: the aid is based on respect for democratic principles and the rule of law and for human rights and fundamental freedoms. Furthermore, the specific conditions laid down by the Council on 30 October 1995 for the implementation of cooperation with former Yugoslavia are also an essential part of the agreement. The paragraphs relating in particular to the granting of autonomy to Kosovo and collaboration with the international war crimes tribunal have been removed; - additional areas for cooperation include regional cooperation and good neighbourliness projects; - among the expenditure eligible for aid, addition of interest rate subsidies for loans granted by the EIB Community co-financing for investment projects may possibly include EIB loans (up to 80%); - the acquisition of real estate is excluded from Community financing; - the Commission will implement expenditure for aid in accordance with the Financial Regulation applicable to the EC budget, but with effect from 1 January 1998 it must also comply with the rules set out in the annex to the regulation which govern the award of contracts by means of invitations to tender, in particular for actions involving capital investments (infrastructures, private sector, etc.). This annex can be amended by a qualified majority, on a proposal from the Commission; - with regard to commitment, the advisory committee proposed by the Commission is replaced by a management committee (primacy of the Member States). At the same time, for modifications of decisions on which the Commission is not required to inform the committee, only the decisions relating to an initial sum not exceeding ECU 4 million can be modified by the Commission without consultation of the committee and under the same conditions as in the initial proposal. The committee may also be required to assess the actions undertaken.

# Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia

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## Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia

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In adopting the report by Mr Hadar CARS (ELDR, S), Parliament approved the proposal for a regulation with the following amendments: - recalling the conclusions it had presented in its resolution of 20 June 1996 on reconstruction in the former Yugoslavia, the EP drew particular attention to the fact that the restoration of Bosnia-Herzegovina as a civil society free of ethnic ties and good-neighbourly cooperation between the Republics of the region are a prerequisite for peace and the application of international law in the Balkans, - with regard to the aid appropriations, it specified that the amount of such aid should be set annually and subject to the availability of budgetary resources, - it also specified that Community aid should be implemented on a multiannual basis until 31 December 1999, and that it should be accompanied by maximum transparency both in its implementation and in respect of the use of appropriations, - it asked in particular: . to be consulted in advance on the aid measures to be implemented as well as on the specific conditions for the granting of appropriations, . for the assistance to include measures in favour of demobilized armed-forces personnel and to cover arms control, good-neighbourly relations, inter-ethnic cooperation, and the consolidation of democracy, . with regard to the democratic basis of the Regulation, for the granting or continuation of aid to be subject to certain conditions which it enumerated (application of the peace agreement, respect for human rights, the right of minorities and the right of refugees to return home, granting of autonomy to Kosovo and special rights in Vojvodina, cooperation with the International War Crimes Tribunal and observance of the principles of a market economy). In the event of non-compliance, measures should be taken by the Council acting by a qualified majority after consulting the European Parliament, . with regard to the projects, for these to comply with the political conditions enumerated and to be implemented on a decentralized basis (the recipients should be closely involved in project preparation and implementation), . for invitations to tender and contracts to be free of tax and customs duties and for the countries eligible under PHARE also to be able to tender. - at the same time, the EP limited considerably the remit and powers of the Committee provided for by the Council, and proposed that in principle its meetings be held in public. It asked, in particular, to be informed quarterly of the implementation of the aid (with particular reference to compliance with the political conditions to which it is subject). ?

## Aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia

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OBJECTIVE: To implement aid measures comprising projects, programmes and cooperation actions for rehabilitation and reconstruction of the Republics of Former Yugoslavia (Bosnia-Herzegovina, Croatia, the Federal Republic of Yugoslavia and Macedonia). SUBSTANCE: Council Regulation (EC) No. 1628/96 on aid to Bosnia-Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia. SUBSTANCE: The Community shall implement aid measures comprising projects, programmes and cooperation schemes, return of refugees and displaced persons and for economic and regional cooperation in the various Republics of Former Yugoslavia in accordance with criteria set out by the Council; - reference quantity of aid: Ecu 400 million for the period of 1996 to 1999 in the form of non-reimbursable aid; - democratic basis for assistance: assistance is based on the respect of democratic principles, the rule of law, human rights and fundamental freedoms. In addition, the conditions set out by the Council on 30 October 1995 as regards the implementation of cooperation with former Yugoslavia are considered essential; - cooperation partners: regional and international organizations, public and semi-public bodies, organizations providing support to businesses, private operators, non-commercial undertakings, NGOs; - measures: the actions shall cover the following fields: . regional cooperation and good neighbourliness projects, and transborder projects, . rebuilding of infrastructure and other individual or collective facilities damaged in the fighting, . consolidation of democracy and civil society, . return of refugees, . integration or reintegration of refugees, displaced persons and former soldiers into working life, . preparation of the production apparatus for economic recovery, . development of the private sector (notably SMEs) and promotion of investment, . strengthening of non-governmental organizations, cultural institutions and educational establishments. - financing: expenditure may cover the importation of goods and services, local expenditure necessary to complete projects (notably running and maintenance costs) and interest rebates on loans by the EIB. With regard to investment projects, Community financing shall be combined with other sources of funding. Community funding, including EIB loans, may not exceed 80% of the total cost of the investment. Taxes, duties and charges are excluded from Community financing. - transparency and complementarity: provision is made for the exchange of information between the Community and the Member States on their respective intentions as regards financing. - selection of projects: actions shall be subject to a selection process based on the assessment of potential recipients' requests, their urgency and the aid take-up capacity. Invitations to tender and contracts shall be open without discrimination to all natural and legal persons in the Community and recipient states. Service contracts shall be awarded by restricted invitations to tender with the exception of operations not exceeding Ecu 200.000 which may be awarded by private treaty; - comitology: the Commission shall be assisted by a management committee composed of representatives of the Member States. For financing decisions exceeding Ecu 2 m, the Commission shall take utmost account of the opinion of the Committee. The Committee shall also be informed of operations involving financing of less than Ecu 2 m and of all decisions revised by the Commission without requesting the Committee's opinion. The Commission shall implement aid expenditure in accordance with the financial regulation applicable to the EC Budget and, as from 1 January 1998, the Commission shall also comply with the rules set out in the annex governing the award of contract by means of restricted invitations to tender, notably for measures involving capital investments (infrastructure, private sector, ...). The annex may be modified by qualified majority voting on a proposal from the Commission. - information and assessment: the Commission shall carry out an evaluation of projects in order to determine whether they conform to the objectives of the regulation. The Commission will regularly inform the Committee. The Commission shall inform the European Parliament and the Council quarterly of the implementation of the aid and shall submit a report on this subject to the European Parliament and to the Council by 30 April of each year at the latest. ENTRY INTO FORCE: 15 August 1996. The regulation shall apply until 31 December 1999.?