

# Procedure file

| Basic information   |                                       |
|---|---------------------------------------|
| CNS - Consultation procedure<br>Regulation  | 1998/0023(CNS)<br>Procedure completed |
| Aid to Bosnia and Herzegovina, Croatia, FR Yugoslavia, Former Yugoslav Republic of Macedonia FYROM<br>Amending Regulation (EC) No 1628/96 <a href="#">1996/0096(CNS)</a>  |                                       |
| Subject<br>6.10.05 Peace preservation, humanitarian and rescue tasks, crisis management<br>6.30.02 Financial and technical cooperation and assistance<br>6.40.03 Relations with South-East Europe and the Balkans |                                       |
| Geographical area<br>Croatia<br>Former Yugoslav Republic of Macedonia<br>Yugoslavia, Federal Republic - 01/2003<br>Bosnia and Herzegovina   |                                       |

| Key players                   |  |   |            |
|-------------------------------|--|---|------------|
| European Parliament           | Committee responsible                                    | Rapporteur                                | Appointed  |
|                               | <b>AFET</b> Foreign Affairs, Security and Defense Policy |   | 04/02/1998 |
|                               |  | PPE <a href="#">SCHWAIGER Konrad K.</a>   |            |
|                               | Committee for opinion                                    | Rapporteur for opinion                    | Appointed  |
| <b>BUDG</b> Budgets           |  | 13/02/1998                                |            |
|                               |  | UPE <a href="#">GIANSILY Jean-Antoine</a> |            |
|                               | <b>RELA</b> External Economic Relations                  |   |            |
|                               | <b>CONT</b> Budgetary Control                            |   |            |
| Council of the European Union | Council configuration                                    | Meeting                                   | Date       |
|                               | <a href="#">Agriculture and Fisheries</a>                | <a href="#">2082</a>                      | 20/04/1998 |
|                               | <a href="#">General Affairs</a>                          | <a href="#">2070</a>                      | 23/02/1998 |

| Key events |   |                              |         |
|------------|---|------------------------------|---------|
| 21/01/1998 | Legislative proposal published                                  | COM(1998)0018                | Summary |
| 20/02/1998 | Committee referral announced in Parliament                      |                              |         |
| 23/02/1998 | Debate in Council   | <a href="#">2070</a>         |         |
| 30/03/1998 | Vote in committee   |                              |         |
| 30/03/1998 | Committee report tabled for plenary, 1st reading/single reading | <a href="#">A4-0123/1998</a> |         |

|            |   |   |         |
|------------|---|---|---------|
| 01/04/1998 | Debate in Parliament                                    |  |         |
| 02/04/1998 | Decision by Parliament                                  | T4-0205/1998  | Summary |
| 20/04/1998 | Act adopted by Council after consultation of Parliament |   |         |
| 20/04/1998 | End of procedure in Parliament                          |   |         |
| 24/04/1998 | Final act published in Official Journal                 |   |         |

### Technical information

|                            |  |
|----------------------------|--|
| Procedure reference        | 1998/0023(CNS)   |
| Procedure type             | CNS - Consultation procedure                                       |
| Procedure subtype          | Legislation  |
| Legislative instrument     | Regulation   |
|                            | Amending Regulation (EC) No 1628/96 <a href="#">1996/0096(CNS)</a> |
| Legal basis                | EC before Amsterdam E 235  |
| Stage reached in procedure | Procedure completed  |
| Committee dossier          | AFET/4/09785   |

### Documentation gateway

|   |   |            |    |         |
|---|---|------------|----|---------|
| Legislative proposal  | <a href="#">COM(1998)0018</a><br><a href="#">OJ C 100 02.04.1998, p. 0021</a> | 21/01/1998 | EC | Summary |
| Committee report tabled for plenary, 1st reading/single reading | <a href="#">A4-0123/1998</a><br><a href="#">OJ C 138 04.05.1998, p. 0015</a>  | 30/03/1998 | EP |         |
| Text adopted by Parliament, 1st reading/single reading          | T4-0205/1998<br><a href="#">OJ C 138 04.05.1998, p. 0138-0160</a>             | 02/04/1998 | EP | Summary |

### Additional information

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

### Final act

|   |
|---|
| <a href="#">Regulation 1998/851</a><br><a href="#">OJ L 122 24.04.1998, p. 0001</a> Summary |
|---|

## Aid to Bosnia and Herzegovina, Croatia, FR Yugoslavia, Former Yugoslav Republic of Macedonia FYROM

OBJECTIVE: to make technical changes to Regulation (EC) no. 1628/96 on reconstruction and rehabilitation in the former Yugoslavia to improve the measures applicable to the granting of Community aid. CONTENTS: In view of the multiple complications which have arisen during the 18-month application of Regulation (EC) no. 1628/96 granting reconstruction and rehabilitation aid to the republics derived from the former Yugoslavia (length of the decision-making process, administrative difficulties etc.), the Commission proposes to amend the basic Regulation on aid to the former Yugoslavia in order to simplify the procedures. It is therefore proposed that: - service contracts in the form of technical services may be awarded by private treaty for actions with a maximum value of ECU 400 000 (instead of the current ceiling of ECU 200 000), in particular for the preparation, supervision and evaluation of Community aid; - works and supply contracts not exceeding ECU 3 m may be awarded using a procedure limited to one of the beneficiary countries (especially if the project has a strong local factor). If such geographically limited procedures prove inadequate or do not result in a contract being awarded, works and supply contracts not exceeding ECU 3 m may be awarded, by way of exception, by private treaty to natural or legal persons in Member States or, exceptionally, to PHARE Member States; - works and supply contracts which facilitate the return of refugees with a value exceeding ECU 3 m (but less than ECU 10 m)

may be awarded under open or restricted invitations to tender; - the amount above which the management committee (Article 12 of Regulation (EC) no. 1628/96) is to be consulted be increased from ECU 2 m to 5 m. However, the committee is to be kept duly informed of actions corresponding to funding of less than ECU 5 m; - in order to increase the flexibility of the programme, the Commission may decide to contribute to cooperation programmes and actions submitted by municipalities or regional bodies in consultation with central government; - in order to streamline procedures, the comitology procedure provided for in Article 12 of the Regulation will be amended in order to bring it into line with the PHARE Regulation comitology procedure. ?

## Aid to Bosnia and Herzegovina, Croatia, FR Yugoslavia, Former Yugoslav Republic of Macedonia FYROM

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In adopting the report by Mr Konrad SCHWAIGER (EPP, D) on aid to the former Yugoslavia, Parliament considered that the amendments proposed by the Commission were along the right lines but it deplored the gap which still remained between the amount of appropriations made available to the various republics derived from that country and the inadequacy of implementation. It considered that the lack of success of this programme was due to the legislative framework, which it considered to be inadequate, and a lack of visibility for the Union as donor. It therefore called for a marked improvement in the coordination of aid, proposing that: - the management committee should be involved in financing decisions only for projects with funding of ECU 10 million and not ECU 5 million; - Commission staff in Sarajevo should be increased; - 10% of funding should be earmarked for providing adequate staffing; - the implementation, management and coordination of all projects supported by the Commission in collaboration with the Member States in Bosnia-Herzegovina should be entrusted to a special delegate of the Union. This person would have special powers and would assume responsibility locally for all EU activities, would enjoy largely autonomous powers to act and take decisions and would be assisted by a strong management and monitoring team (technical assistance unit). In Bosnia, Parliament also considered that schemes put forward by the municipalities should be decided on with the High Representative of this region when he performed Central Government functions. The Commission should provide information regularly (at a monthly Conference) to the representatives of the Member States on all proposed projects in that country costing at between ECU 2 and 10 million. ?

## Aid to Bosnia and Herzegovina, Croatia, FR Yugoslavia, Former Yugoslav Republic of Macedonia FYROM

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**OBJECTIVE:** to make technical changes to Regulation 1628/96/EC on reconstruction and rehabilitation in the former Yugoslavia to improve the measures applicable to the granting of Community aid. **COMMUNITY MEASURE:** Council Regulation 851/98/EC amending Regulation 1628/96/EC relating to aid for Bosnia and Herzegovina, Croatia, the Federal Republic of Yugoslavia and the former Yugoslav Republic of Macedonia. **SUBSTANCE:** In view of the exceptional circumstances prevailing in the countries covered by Regulation 1628/96/EC relating to aid to the former Yugoslavia, an amending Regulation has been adopted to render the application procedures more flexible and speed up the implementation of projects. Measures are provided for, in particular, to improve the consistency of the measures envisaged. Close coordination is to be established between the Council and Commission and, where appropriate, with the High Representative for Bosnia to improve the effectiveness of aid. In this particular region, a special delegate is also to be appointed who will assume responsibility for all the Commission's activities. This person will enjoy largely autonomous powers of decision and will be assisted by a solid team to carry out management, technical assistance and monitoring functions. Besides the sending of extra staff to Bosnia, the Regulation provides for a series of specific measures designed to raise the profile of EU aid (the EU being the principal donor) and render aid more effective and rapid. These measures concern: - service contracts: technical assistance contracts with a maximum value of ECU 400 000 may be awarded by private treaty, whereas previously the ceiling was ECU 200 000 (technical assistance and project supervision and evaluation contracts); - certain works and supply contracts: contracts not exceeding ECU 3 m may be awarded, under exceptional circumstances and subject to certain conditions, by geographically limited call for tender. If such procedures prove inadequate or do not result in a contract being awarded, the contracts may possibly be awarded by private treaty with international contractors; - flexibility of aid: in certain cases, the Commission is authorized - after consulting central government - to provide municipalities or regional organizations with direct financial aid in the form of cooperation programmes and measures. In Bosnia, the granting of such aid will be subject to the decision of the High Representative for the region to the extent that he assumes the functions of central government; - projects which facilitate the return of refugees: works and supply contracts to facilitate the return of refugees, with a value exceeding ECU 3 m (but less than ECU 10 m) may be awarded under restricted invitations to tender; - the amount above which the management committee (Article 12 of Regulation 1628/96/EC) is to be consulted: this is increased from ECU 2 m to 5 m. However, the committee is to be duly kept informed of actions corresponding to financing of less than ECU 5 m; - transparency: monthly information meetings are to be organized locally between the Commission and representatives of the Member States concerning all the projects awarded. In addition, the Commission is required to issue in the Official Journal or over the Internet, once a year, an invitation for expressions of interest to allow all interested parties to make themselves known. The Commission must take account of these expressions of interest before awarding contracts. **ENTRY INTO FORCE:** 25.04.1998. It is applicable from 31.12.1999. ?