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COMMISSION DECISION

C(2009)7724 of 14 October 2009

adopting the Cross-border programme Croatia – Montenegro under the IPA-Cross-Border Co-operation Component for the year 2009

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)¹, and in particular Article 14(2)(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidates and potential candidate countries.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country, by group of countries or by component. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning documents referred to in Article 6 of that Regulation.
- (3) The Council has established an Accession Partnership for Croatia² and a European Partnership for Montenegro³. The Commission has adopted on 18 September 2008 the Multi-annual Indicative Planning Documents 2008-2010 for Croatia and on 11 August 2008 the Multi-annual Indicative Planning Document 2008-2010 for Montenegro which present the main priorities for pre-accession assistance to those countries⁴.
- (4) In accordance with Article 91 of Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-accession Assistance (IPA)⁵ (hereinafter referred to as the "IPA Implementing Regulation"), the Commission adopted on 12 December 2007 the multi-annual Cross-border programme Croatia - Montenegro 2007-2009 (Decision C(2007)6139).

¹ OJ L 210, 31.7.2006, p. 82.

² Council Decision 2008/119/EC of 12 February 2008 (OJ L 42, 16.02.2008, p. 51-62).

³ Council Decision 2007/049/EC of 22 January 2007 (OJ L 20, 27.01.2007, p. 16).

⁴ For Croatia: C(2008)5057; for Montenegro: C(2008)4275.

⁵ OJ L 170, 29.6.2007, p.1

- (5) This multi-annual "Cross-border programme Croatia - Montenegro" aims at providing assistance for improving the quality of life in the cross border area between the two countries. The programme defines two priorities for achieving this objective: through the creation of favourable environmental and socio-economic conditions in the programming area by improving the co-operation in the jointly selected sectors and good neighbourly relations in the eligible area; and through technical assistance to the programme administration and implementation. The selected sectors for the joint actions cover environment, nature and cultural heritage protection, joint tourism and cultural space as well as small cross-border community development projects.
- (6) This "Cross-border programme Croatia - Montenegro" was implemented for the year 2007 by the financing Decision C(2007)6139 of 12 December 2007 and for the year 2008 by the financing Decision C(2008)3604 of 17 July 2008. A new financing decision needs to be adopted for the implementation in the year 2009.
- (7) For the year 2009 this decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002⁶ and constitutes thus a financing decision within the meaning of Article 75(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁷.
- (8) As regards operating structure for the part of the programme concerning Croatia, the Agency for Regional Development (ARD) replaces the Central Finance and Contracting Agency (CFCA) as Implementing Agency, as a result of streamlined procedures put in place by the Croatian authorities in order to comply with IPA requirements for the conferral of management powers on Croatia which was decided by the Commission on 14 November 2008.
- (9) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The Financing proposal for the year 2009 of the "Cross-border programme Croatia – Montenegro", as set out in the Annex to this Decision is hereby adopted.

The part of this programme concerning Croatia shall be implemented by decentralised management. The part of this programme concerning Montenegro shall be implemented by centralised management.

The programme corresponding to budget year 2009 shall be implemented by means of Financing Agreements to be concluded between the Commission and the Government of each of the participating countries in conformity with the Framework Agreements concluded between the same parties on 27 August 2007 for Croatia and on 15 November 2007 for

⁶ OJ L 357, 31.12.2002, p. 1.

⁷ OJ L 248, 16.9.2002, p.1.

Montenegro. Each such Financing Agreement shall cover the Community contribution for the beneficiary country and the year concerned.

Article 2

The maximum amount of Community contribution shall be EUR 0.4 million for Croatia and EUR 0.5 million for Montenegro to be financed through Item 22.020401 of the general budget of the European Communities for the year 2009.

Done at Brussels,

For the Commission

Member of the Commission