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COMMISSION DECISION

C(2009)8703 of 12 November 2009

adopting the Cross-border programme Croatia – Serbia 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 Serbia³. The Commission has adopted the Multi-annual Indicative Planning Documents 2008-2010 for Croatia on 18 September 2008 and for Serbia on 4 September 2008, 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 20 December 2007 the multi-annual Cross-border programme Croatia-Serbia 2007-2009 (Decision C(2007)6565).
- (5) This multi-annual "Cross-border programme Croatia-Serbia aims at providing assistance to stimulate cross-border cooperation in order to diversify and improve the regional economy in a socially and environmentally sustainable way, whilst at the

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 2008/213/EC of 18 February 2008 (OJ L 80, 19.3.2008, p. 46-70).

⁴ For Croatia: C(2008)5057; for Serbia C(2008)4693,

⁵ OJ L 170, 29.6.2007, p.1

same time, improving good neighbourly relations across the border. An additional objective of the programme is to build the capacity of local, regional and national institutions to manage EU programmes and to prepare them to manage future cross-border programmes under the European Territorial Co-operation objective of the EU Structural Funds.

- (6) The "Cross-border programme Croatia-Serbia" was implemented for the year 2007 by the financing Decision C(2007)6565 adopted on 20 December 2007 and for the year 2008 by the financing Decision C(2008)4595 adopted on 29 August 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 – Serbia", 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 Serbia 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 29 November 2007 for Serbia. Each such Financing Agreement shall cover the Community contribution for the beneficiary country and the year concerned.

⁶ OJ L 357, 31.12.2002, p. 1.

⁷ OJ L 248, 16.9.2002, p.1.

Article 2

The maximum amount of Community contribution shall be EUR 800 000 for Croatia and EUR 1 000 000 for Serbia 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
Olli Rehn
Member of the Commission