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KOMISIJA EVROPSKIH SKUPNOSTI

Bruselj, 29.10.2004  
KOM(2004) 732 končno

2004/0260 (CNS)

Predlog

**UREDBA SVETA**

**o spremembi Uredbe (EGS) št. 3906/1989, Uredbe (ES) št. 1267/1999, Uredbe (ES) št. 1268/1999 in Uredbe (ES) št. 2666/2000, da bi se upošteval status Hrvaške kot države kandidatke**

(predložena s strani Komisije)

## OBRAZLOŽITVENI MEMORANDUM

Hrvaška je dobila status države kandidatke na zasedanju Evropskega sveta v Bruslju 17. in 18. junija 2004 in Evropski svet je zaprosil Komisijo, naj pripravi predpristopno strategijo za Hrvaško, vključno s potrebnimi finančnimi instrumenti.

Komisija je odločila, da ima Hrvaška kot država kandidatka dostop ne le do sredstev iz programa Phare, temveč bo že v tej finančni perspektivi upravičena tudi do sredstev na podlagi ISPA in SAPARD, predvsem zato, da bi se lahko pripravila na strukture upravljanja, spoznala pravila in modalitete ter pripravila projekte za naslednje finančne perspektive, ko bo imela dostop do vseh strukturnih in kmetijskih sredstev, ki so predvidena na podlagi prihodnjega instrumenta predpristopne pomoči (IPA). Zato je sklenila, da Hrvaški odobri dostop do vseh treh predpristopnih instrumentov in da predlaga dodelitev določenih sredstev po sedanji finančni perspektivi. Ker bo financiranje omejeno na sredstva, predvidena po sedanji finančni perspektivi, je nujno tudi odstopanje od meril, ki opredeljujejo financiranje v členu 4 Uredbe ISPA. Zaradi tega Komisija predlaga, da se temu primerno spremenijo Uredbe Phare, ISPA, SAPARD in CARDS.

Da bi se zagotovilo nadaljevanje dejavnosti v podporo regionalnemu sodelovanju na zahodnem Balkanu, ki ga je spodbudila Uredba CARDS, in stabilizacijsko-pridružitvenemu procesu kot politiki Skupnosti na zahodnem Balkanu, je v dopolnilu k Uredbi CARDS jasno navedeno, da se od Hrvaške pričakuje nadaljevanje sodelovanja v regionalnem programu CARDS, kolikor to zadeva vprašanja, ki niso zajeta s predpristopnimi instrumenti.

Nekaj manjših popravkov zadevnih uredb je bilo narejenih tudi zato, da bi se jih prilagodilo novemu izrazoslovju Finančne uredbe. S tem v zvezi je treba opozoriti, da se odstopanje, določeno v členu 269 Izvedbenih pravil Finančne uredbe, po katerem je predpristopna pomoč<sup>1</sup> izvzeta iz pogoja iz člena 164 Finančne uredbe, še naprej uporablja za Romunijo in Bolgarijo (glej tudi člen 155 Finančne uredbe), za Hrvaško pa se ne bo uporabljalo. Glede na izčrpno obravnavo tega vprašanja v Finančni uredbi in Izvedbenih pravilih so službe Komisije zaključile, da v Uredbi ISPA ni treba ponoviti, da je kljub dejstvu, da se za Romunijo in Bolgarijo ne bo izvajalo presoje, se to za Hrvaško zahteva, preden bo lahko prešla na decentralizirano upravljanje.

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<sup>1</sup> Člen 269 ne navaja izrecno Uredb SAPARD in ISPA, pravi pa, da „v zvezi s predpristopno pomočjo, navedeno v Uredbi Sveta 3906/89 (...), pravila glede predhodnih preverjanj (...) ne bodo vplivala na decentralizirano upravljanje pri zadevnih državah kandidatkah“. ISPA in SAPARD sta tako zajeta, ker ju omenja Uredba Phare (glej člen 3(3) Uredbe 3906/89)

Predlog

**UREDBA SVETA**

**o spremembi Uredbe (EGS) št. 3906/1989, Uredbe (ES) št. 1267/1999, Uredbe (ES) št. 1268/1999 in Uredbe (ES) št. 2666/2000, da bi se upošteval status Hrvaške kot države kandidatke**

SVET EVROPSKE UNIJE JE –

ob upoštevanju Pogodbe o ustanovitvi Evropske skupnosti in zlasti člena 181a(2) Pogodbe,

ob upoštevanju predloga Komisije<sup>2</sup>,

ob upoštevanju mnenja Evropskega parlamenta<sup>3</sup>,

ob upoštevanju naslednjega:

- (1) Evropski svet je na svojem zasedanju v Bruslju 17. in 18. junija 2004 sklenil, da je Hrvaška država kandidatka za članstvo v Evropski uniji, in je zaprosil Komisijo, naj pripravi predpristopno strategijo za Hrvaško, vključno s potrebnimi finančnimi instrumenti.
- (2) Da bi se Hrvaški zagotovila predpristopna pomoč, jo je primerno vključiti kot državo upravičenko na podlagi Uredbe Sveta (EGS) št. 3906/1989 z dne 18. decembra 1989 o gospodarski pomoči nekaterim državam srednje in vzhodne Evrope (Phare)<sup>4</sup>, Uredbe Sveta (ES) 1267/99 o vzpostavitvi instrumenta strukturnih politik v predpristopnem obdobju (ISPA)<sup>5</sup> in Uredbe Sveta (ES) 1268/99 z dne 21. junija 1999 o podpori Skupnosti za predpristopne ukrepe za kmetijstvo in razvoj podeželja v državah prosilkah iz srednje in vzhodne Evrope v predpristopnem obdobju<sup>6</sup> (SAPARD).
- (3) Stabilizacijsko-pridružitveni sporazum med evropskimi skupnostmi in njihovimi državami članicami ter Republiko Hrvaško, ki je bil podpisan 29. oktobra 2001, v naslovu III zahteva, da Hrvaška dejavno spodbuja regionalno sodelovanje na zahodnem Balkanu.

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<sup>2</sup> UL C , , str. .

<sup>3</sup> UL C , , str. .

<sup>4</sup> UL L 375, 23.12.1989, str. 11. Uredba, kakor je bila nazadnje spremenjena z Uredbo (ES) št. 769/2004 (UL L 123, 27.4.2004, str. 1).

<sup>5</sup> UL L 161, 26.6.1999, str. 73. Uredba, kakor je bila nazadnje spremenjena z Uredbo (ES) št. 769/2004 (UL L 123, 27.4.2004, str.1).

<sup>6</sup> UL L 161, 26.6.1999, str. 87. Uredba, kakor je bila nazadnje spremenjena z Uredbo (ES) št. 769/2004 (UL L 123, 27.4.2004, str.1).

- (4) Regionalna razsežnost pomoči Skupnosti zahodnemu Balkanu je deležna posebne pozornosti z Uredbo Sveta (ES) 2666/2000 z dne 5. decembra 2000 (CARDS), z namenom spodbujanja regionalnega sodelovanja, in Hrvaška naj bi bila še naprej upravičena do projektov in programov regionalne razsežnosti.
- (5) Sklep Sveta 2004/648/ES z dne 13. septembra 2004 določa načela, prednostne naloge in pogoje za Evropsko partnerstvo s Hrvaško<sup>7</sup>.
- (6) Memorandum o soglasju glede razvoja jedrnega regionalnega prometnega omrežja jugovzhodne Evrope naj bi olajšal izbiro prednostnih ukrepov za razvoj vseevropskega prometnega omrežja v predpristopnem obdobju.
- (7) Z začetkom veljavnosti Uredbe (ES, Euratom) 1605/2002 (Finančna uredba) so nujne nekatere prilagoditve Uredb, da bi se izrazoslovje in sedanje prakse uskladilo z zgoraj navedeno uredbo;
- (8) Čepprav nove države članice niso navedene v tej uredbi, člen 33 Akta o pristopu za te države v prehodnem obdobju predvideva uporabo Uredb Sveta (ES) 3906/1989 in (ES) 1267/1999.
- (9) Komisija je sprejela Uredbo (ES) št. 1419/2004 in Uredbo (ES) št. 447/2004, ki tvorita pravno podlago za financiranje ukrepov na podlagi SAPARD pri obveznostih, ki se z datumom pristopa še niso končale. Vse odločitve Komisije, ki bodo morda še potrebne pred dokončanjem takih obveznosti in ne bodo mogle temeljiti na obeh zgoraj navedenih uredbah, bodo lahko še vedno temeljile na Uredbi (ES) št. 1268/1999, saj je bila v veljavi še pred spremembo navedene uredbe s sedanjo uredbo.
- (10) Uredbe (EGS) št. 3906/89, (ES) št. 1267/1999, (ES) št. 1268/1999 in (ES) št. 2666/2000 naj bi se skladno s tem spremenile –

SPREJEL NASLEDNJO UREDBO:

#### *Člen 1*

Uredba Sveta (EGS) 3906/89 se spremeni:

(1) Člen 3 se spremeni:

(a) Odstavek 3 se nadomesti z naslednjim besedilom:

„3. Za države prosilke s sklenjenim partnerstvom za pristop z Evropsko unijo se financiranje po programu PHARE usmeri na prednostne naloge za sprejetje pravnega reda Evropske unije, t. j. na krepitev upravnih in institucionalnih zmogljivosti držav prosilk ter večanje naložb, razen tistih naložb, ki se financirajo v skladu z Uredbama (ES) št. 1267/1999 in (ES) št. 1268/1999, če so seveda izpolnjeni pogoji financiranja ukrepov po obeh navedenih uredbah. Sredstva iz programa PHARE se lahko uporabijo tudi za financiranje ukrepov na področju okolja, transporta ter kmetijstva in razvoja podeželja, ki tvorijo obstranski, vendar neobhoden del programov celovite industrijske obnove in regionalnega razvoja.“

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<sup>7</sup> UL L 297, 22.9. 2004, str. 19-28.

(b) Dodata se naslednja odstavka 4 in 5:

„4. Pomoč se lahko uporabi za financiranje udeležbe držav prejemnic na podlagi te uredbe pri regionalnem, čezmejnem in, kjer je to primerno, nadnacionalnem in medregijskem sodelovanju med državami prejemnicami ter med njimi in državami članicami EU.

5. Kjer je to primerno, se lahko pomoč uporabi tudi za financiranje sodelovanja države prejemnice pri regionalnih programih na podlagi drugih pravnih instrumentov.“

(2) V členu 8 se doda naslednji odstavek 2:

„2. Komisija lahko sklene, v okviru omejitev, ki jih postavlja člen 54 Uredbe Sveta (ES, Euratom) št. 1605/2002<sup>8</sup>, da bo naloge javnih pooblastil, zlasti nalogo izvajanja proračuna, poverila telesom, ki so naštetja v členu 54(2) navedene uredbe. Telesom, ki so opredeljena v členu 54(2)(c) Uredbe (ES, Euratom) št. 1605/2002, se lahko poverijo naloge javnih pooblastil, če imajo mednarodno priznan položaj, če so usklajena z mednarodno priznanimi sistemi upravljanja in nadzora in so pod nadzorom organa oblasti.“

(3) Seznam v Prilogi se nadomesti z naslednjim seznamom:

„Bolgarija

Hrvaška

Romunija“

## Člen 2

Uredba Sveta (ES) št. 1267/1999 se spremeni:

(1) V členu 1 se odstavek 1 nadomesti z naslednjim besedilom:

„1. Vzpostavljen je instrument strukturnih politik v predpristopnem obdobju, v nadaljnjem besedilu „ISPA“.

ISPA zagotavlja pomoč kot prispevek k pripravam na pristop k Evropski uniji Bolgarije, Hrvaške in Romunije, v nadaljnjem besedilu „države upravičenke“, na področju ekonomske in socialne kohezije, nanaša pa se na okoljsko in transportno politiko v skladu z določbami te uredbe.“

(2) Na koncu člena 3 se doda odstavek 3:

„3. Ne glede na zgoraj navedeno se Hrvaški dodeli pomoč Skupnosti za obdobje od leta 2005 do leta 2006.

(3) Na koncu člena 4 se doda odstavek 3:

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<sup>8</sup> UL L 248, 16.9. 2002, str.1.

3. Z odstopanjem od stavkov 1 in 2 tega člena bo o dodelitvi sredstev Hrvaški za leti 2005 in 2006 po tem instrumentu odločila Komisija na podlagi presoje upravne sposobnosti črpanja sredstev in pristopno spodbujenih naložbenih potreb te države upravičenke.“

(4) V členu 9, odstavek 1, točka (a) se črtajo besede „s 1. januarjem 2000 in vsekakor najpozneje do 1. januarja 2002“.

### *Člen 3*

Uredba Sveta (ES) št. 1268/99 se spremeni:

(1) Odstavek 1 člena 1 se nadomesti z naslednjim besedilom:

„1. Ta uredba vzpostavlja okvir za podporo Skupnosti trajnostnemu razvoju kmetijstva in trajnostnemu razvoju podeželja v predpristopnem obdobju za Bolgarijo, Hrvaško in Romunijo. Uredba se še naprej uporablja tudi za dokončanje vseh programov, ki so se na njeni podlagi začeli v Češki republiki, Estoniji, Latviji, Litvi, Madžarski, Poljski, Slovaški in Sloveniji pred njihovim pristopom k Evropski uniji kot države članice.“

(2) Na koncu člena 4(2) se doda naslednji pododstavek:

„Z odstopanjem od prvega pododstavka načrt za Hrvaško zajema, pod enakimi pogoji, kakor so določeni v prvem pododstavku, obdobje do dveh let od leta 2005 naprej.“

(3) Na koncu člena 5(1) se doda naslednji stavek:

„Vendar pa v zvezi s Hrvaško posamezen program ni odvisen od vmesne ocene.“

(4) Člen 7 se spremeni:

(a) Odstavek 1 se nadomesti z naslednjim besedilom:

„1. Pomoč Skupnosti po tej uredbi se dodeli v obdobju od leta 2000 do leta 2006, razen pomoči Skupnosti Hrvaški, ki se dodeli v obdobju od leta 2005 do leta 2006. Letna proračunska sredstva odobri proračunski organ v mejah finančne perspektive.“

(b) Odstavku 3 se doda naslednji pododstavek:

„Vendar pa se za Hrvaško letna dodelitev finančnih sredstev določi posebej.“

(5) V členu 11 piše naslednje:

„Komisija dodeli razpoložljiva sredstva državam prosilkam za izvajanje člena 7(2). V treh mesecih po sprejetju sklepa, da država postane upravičena do pomoči po tej uredbi, Komisija sporoči navedeni državi prosilki svoj sklep glede okvirnih finančnih sredstev, dodeljenih za tekočo finančno perspektivo.“

### *Člen 4*

Uredba Sveta (ES) št. 2666/2000 se spremeni:

(1) Na koncu odstavka 1 člena 1 se dodata naslednja stavka:

„Od leta 2005 naprej je Hrvaška kot država prejemnica upravičena samo do programov in projektov regionalne razsežnosti, kakor so načrtani v členu 2, odstavek 2. Ne glede na prejšnji stavek je Hrvaška še naprej upravičena do programov in projektov na podlagi Uredbe Sveta 311/1999.“

(2) Člen 7 se spremeni:

(a) Odstavek 1 se nadomesti z naslednjim besedilom:

„1. Komisija izvaja pomoč Skupnosti v skladu z Uredbo Sveta (ES) 1605/2002 z dne 25. junija 2002.“

(b) Vstavi se naslednji odstavek 2a:

„2 a. Komisija lahko sklene, v okviru omejitev, ki jih postavlja člen 54 Uredbe 1605/2002, da bo naloge javnih pooblastil, zlasti nalogo izvajanja proračuna, poverila telesom, ki so naštetja v členu 54(2) navedene uredbe. Telesom, ki so opredeljena v členu 54(2)(c) navedene uredbe, se lahko poverijo naloge javnih pooblastil, če imajo mednarodno priznan položaj, če so usklajena z mednarodno priznanimi sistemi upravljanja in nadzora ter so pod nadzorom organa oblasti.“

#### *Člen 5*

Kadar se pri izvajanju predpristopnih instrumentov in pri izvajanju Uredbe Sveta (ES) št. 1266/1999 o usklajevanju pomoči državam prosilkam v okviru predpristopne strategije<sup>9</sup> sklicuje na partnerstvo za pristop<sup>10</sup> in Evropski sporazum, to v primeru Hrvaške pomeni sklicevanje na Evropsko partnerstvo<sup>11</sup> in Stabilizacijsko-pridružitveni sporazum.

#### *Člen 6*

Ta uredba začne veljati tretji dan po objavi v Uradnem listu Evropske unije.

Ta uredba je v celoti zavezujoča in se neposredno uporablja v vseh državah članicah.

V Bruslju,

*Za Svet*  
*Predsednik*

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<sup>9</sup> UL L 161, 26.6.1999, str. 68.

<sup>10</sup> UL L 85, 20.3.1998, str.1.

<sup>11</sup> UL L 86, 23.3.2004, str. 1.





## LEGISLATIVE FINANCIAL STATEMENT

Policy areas: Enlargement

Activity: Pre-accession assistance for Croatia

**TITLE OF ACTION: PRE-ACCESSION ASSISTANCE FOR CROATIA**

### **1. BUDGET LINES + HEADINGS**

05 01 04 03 The SAPARD pre-accession Instrument – Expenditure on administrative management

05 05 01 01 The SAPARD pre-accession Instrument

13 01 04 02 Instrument for structural policies for pre-accession (ISPA) – Expenditure on administrative management

13 05 01 01 Instrument for structural policies for pre-accession

22 01 04 01 Pre-accession assistance for countries of central and eastern Europe – Expenditure on administrative management

22 01 04 05 Technical Assistance Information Exchange Office (TAIEX) actions in the framework of the pre-accession instruments – Expenditure on administrative management

22 02 01 Pre-accession assistance for countries of central and eastern Europe

22 02 02 Cross-border co-operation for central and eastern Europe

22 02 06 Technical Assistance Information Exchange Office (TAIEX) actions in the framework of the pre-accession instruments

22 02 10 Pre-accession multi-country horizontal programmes

### **2. OVERALL FIGURES**

#### **2.1. Total allocation for action (Part B): € million for commitment**

€ 245.0 million

#### **2.2. Period of application:**

(start and expiry years)

2005 - 2006

**2.3. Overall multi-annual estimate of expenditure:**

- (a) Schedule of commitment appropriations/payment appropriations (financial intervention) (see point 6.1.1)

€ million

	2005	2006	2007	2008	2009	2010 and subs. years	Total
Commitments							
Phare	77.5	77.1					154.6
ISPA	24.6	34.4					59.0
SAPARD	-	24.6					24.6
Total	102.1	136.1					238.2
Payments							
Phare	15.5	38.6	46.3	38.7	15.5		154.6
ISPA	-	14.3	17.7	15.2	11.8		59.0
SAPARD	-	4.9	7.4	7.4	4.9		24.6
Total	15.5	57.8	71.4	61.3	32.2		238.2

- (b.1) Technical and administrative assistance: of which staff (see point 6.1.2)

Commitments							
Total	2.1	2.1					4.2
Payments							
Total	2.1	2.1					4.2

- (b.2) Technical and administrative assistance: of which support expenditure (see point 6.1.2)

Commitments							
Phare	0.6	1.2					1.8

ISPA	0.2	0.4					0.6
SAPARD	-	0.2					0.2
Total	0.8	1.8					2.6
Payments							
Phare	0.6	1.2					1.8
ISPA	0.2	0.4					0.6
SAPARD	-	0.2					
Total	0.8	1.8					2.6

Subtotal a+b							
Commitments							
Phare	80.0	80.0					160.0
ISPA	25.0	35.0					60.0
SAPARD	-	25.0					25.0
Total	105.0	140.0					245.0
Payments							
Phare	18.0	41.5	46.3	38.7	15.5		160.0
ISPA	0.4	14.9	17.7	15.2	11.8		60.0
SAPARD	-	5.3	7.4	7.4	4.9		25.0
Total	18.4	61.7	71.4	61.3	32.2		245.0

(c) Overall financial impact of human resources and other administrative expenditure (see points 7.2 and 7.3)

Commitments/ payments	5.0	5.0					10.0
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TOTAL a+b.2+c							
Commitments	107.9	142.9					250.8

Payments	21.3	64.6	71.4	61.3	32.2		250.8
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#### 2.4. Compatibility with financial programming and financial perspective

Proposal is compatible with existing financial programming, as set out in the Financial Perspective for 2000 -2006.

#### 2.5. Financial impact on revenue

Proposal has no financial implications (involves technical aspects regarding implementation of a measure)

### 3. BUDGET CHARACTERISTICS

Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial perspective
Non-comp	Diff	NO	NO	YES	7

### 4. LEGAL BASIS

(Show main legal basis only.)

3906/1989

1267/1999

1268/1999

### 5. DESCRIPTION AND GROUNDS

#### 5.1. Need for Community intervention

##### 5.1.1. Objectives pursued

The European Council has decided to accept Croatia as a candidate country for membership, to launch the accession process, and to convene a bilateral intergovernmental conference with Croatia in early 2005 to begin negotiations, and has requested the Commission to prepare a pre-accession strategy, including the necessary financial instrument.

Further to that request, the Commission is proposing that Croatia should benefit from the current pre-accession instruments - Phare, ISPA and SAPARD – to finance the corresponding pre-accession strategy under heading 7 of the financial perspective. The proposed inclusion of Croatia under heading 7 is in accordance with the revision of the financial perspective of 19

May 2003 which states that “The European Parliament and the Council may decide, on a proposal from the Commission, the inclusion of other candidate countries under heading 7”.

These instruments – Phare, ISPA and SAPARD – will also help Croatia prepare for the unified Instrument for Pre-accession (IPA), which will apply from 2007.

The Phare allocation will build on the work already started under CARDS – i.e. to promote the Copenhagen political criteria, help Croatia align with the *acquis communautaire*, strengthen administrative and judicial capacity - and to start to prepare for Structural Funds after accession. The allocation for ISPA will co-finance technical assistance and infrastructure projects in the fields of transport and environment, and help Croatia prepare for Cohesion and Structural Funds after accession. The allocation for SAPARD will contribute to the sustainable adaptation of the agricultural sector and rural areas in Croatia and to Croatia’s preparations for the implementation of the *acquis* concerning the Common Agricultural Policy and related policies. A part of these appropriations will be used to cover the necessary administrative support expenditure entailed by these programmes.

5.1.2. Measures taken in connection with ex ante evaluation

5.1.3. Measures taken following ex post evaluation

## **5.2. Action envisaged and budget intervention arrangements**

In 2004, under CARDS, the national programme to Croatia was € 76 million. Under Phare, in 2005 and 2006, it is proposed to maintain a programme of about € 80 million a year, to promote the Copenhagen political criteria, help Croatia align with the *acquis communautaire*, strengthen administrative and judicial capacity, and start to prepare for Structural Funds after accession.

Under ISPA, support will be given to align Croatia’s infrastructure with Community standards in two key sectors, environment and transport, and to familiarise the Croatian authorities with the principles of structural policies. Through ISPA, Croatia will thus obtain the twin benefits of accelerated infrastructure investment and enhanced capacity for project preparation and implementation, which must commence without delay (“learning by doing”) and of becoming acquainted with Commission procedures and rules, similar to those that apply to Member States.

A preliminary assessment of funding opportunities, involving IFIs, indicates that preparatory work is sufficiently advanced to allow the Commission to decide on a sufficient number of high-quality projects in both sectors already in 2005. About € 60 million in total, phased in over the two years, is considered a reasonable allocation for ISPA. This will allow for a real commitment towards core infrastructure investment, but also take account of administrative capacity.

In addition, and given the necessity for Croatia to strengthen its capacity as well as to catch up with other candidate countries, there is the need to launch under ISPA a number of technical assistance projects for institutional strengthening, including for sector planning, and project preparation for these two sectors for IPA.

In the case of SAPARD, € 25 million for 2006 seems appropriate, applying the same criteria which were applied for the current SAPARD countries provided for in Article 7(3) of the Regulation 1268/1999.

According to the information provided by Croatia there are 64 (industrial) establishments in the food processing sector not yet EU approved. On the basis of experiences from the current SAPARD countries the average project size is between € 250,000 and € 500,000. The size of rural infrastructure projects has been similar.

Farm investment projects tend to be smaller (average € 50,000). Croatia's farm structure (approx. 1million farms) is dominated by family farms, with 86% farming less than 5ha, and 22% of the rural population currently employed in agriculture. Increasing the competitiveness of the agri-food sector to enable it to prepare for participation in the EU single market will require support for modernisation of farms, in particular to implement acquis standards in relation to health and hygiene and animal welfare.

The accreditation of the SAPARD agency is planned to be completed during 2005 to enable Croatia to start with project selection and disbursement under SAPARD in 2006.

### 5.3. Methods of implementation

The three pre-accession instruments employ a wide range of implementation methods (from centralised to partial or full decentralisation of financial management to the beneficiary countries, as well as joint management with international organisations). It is, nonetheless, important that the highest level of decentralisation possible for Croatia should be pursued as soon as feasible. A move to partially decentralised management will, therefore, be made in 2005, with full decentralisation (a requirement for SAPARD) planned for 2006.

## 6 FINANCIAL IMPACT

### 6.1. Total financial impact on Part B (over the entire programming period)

#### 6.1.1. Financial intervention

Commitments (in € million)

Breakdown	2005	2006	2007	2008	2009	2010 and subs. years	Total
Phare	77.5	77.1					154.6
ISPA	24.6	34.4					59.0
SAPARD	-	24.6					24.6
<b>TOTAL</b>	<b>102.1</b>	<b>136.1</b>					<b>238.2</b>

6.1.2. *Technical and administrative assistance, support expenditure and IT expenditure (commitment appropriations)*

	2005	2006	2007	2008	2009	2010 and subs. years	Total
Phare	2.5	3.1					5.6
ISPA	0.4	0.6					1.0
SAPARD	-	0.2					0.2
TOTAL	2.9	3.9					6.8

7. IMPACT ON STAFF AND ADMINISTRATIVE EXPENDITURE

7.1. Impact on human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources		Total	Description of tasks deriving from the action
		Number of permanent posts	Number of temporary posts		
Officials or temporary staff	A			8	If necessary, a fuller description of the tasks may be annexed.
	B			8	
	C			8	
Other human resources				28	
Total				52	

	Headquarters (Statutory Staff)		Zagreb EC Delegation			
	Existing staff coming from RELEX	New or Redeployed staff	Statutory Staff		Other human resources (ALAT, etc)	
			Current	New	Current	New staff



	(4) and AIDCO (12)		staff	staff	staff	
Phare (Cards)	16		4		22	4
ISPA		2				2
SAPARD		2				
Total	16	4	4	0	22	6
Grand total	20		4		28	
"	24				28	
"	52					

The needs for human and administrative resources shall be covered within the allocation granted to the managing DG in the framework of the annual allocation procedure

### 7.2. Overall financial impact of human resources

Type of human resources	Amount (€)	Method of calculation *
Officials	2,592,000	24 x 108,000
Temporary staff		
Other human resources	2,141,720	28 x 76490
Total	4,733,720	

The amounts are total expenditure for twelve months.

### 7.3. Other administrative expenditure deriving from the action

	Amount €	Method of calculation

Overall allocation (Title A7)		
A0701 – Missions		
A07030 – Meetings		
A07031 – Compulsory committees		
A07032 – Non-compulsory committees		
A07040 – Conferences		
A0705 – Studies and consultations		
Other expenditure (specify)		
Information systems (A-5001/A-4300)		
Other expenditure - Part A (specify)		
Total	250,000	

The amounts are total expenditure for twelve months.

I.	Annual total (7.2 + 7.3)	€ 4,983,720
II.	Duration of action	2 years
III.	Total cost of action (I x II)	€ 9,967,440

## 8. FOLLOW-UP AND EVALUATION

### 8.1. Follow-up arrangements

Art. 27 (4) of the Financial Regulation obliges the Commission to undertake both ex ante and ex post evaluations, to be applied to all programmes and activities which entail significant spending. Evaluation results are to be disseminated to spending, legislative and budgetary authorities.

Provisions will be made within the Framework Agreement with Croatia to ensure the necessary arrangements to enable independent monitoring and evaluation. In outline, the system operates as follows:

- Project implementation will be monitored through a Joint Monitoring Committee (JMC). This includes the NAO, the NAC and the Commission services. The JMC will meet at least once a year to review all programmes to assess their progress towards meeting the objectives set out in the Financing Agreements and the Accession/European Partnership. The JMC may recommend a change of priorities and/or reallocation of funds.

- The JMC will be assisted by Sectoral Monitoring Sub-Committees (SMSC), which will include all relevant institutions and partners involved, including the Commission Services, in accordance with the specific monitoring arrangements established for each Instrument. The SMSC, inter alia, will, review in detail the progress made towards achieving the objectives set out in its relevant programme and will report to the JMC on all programmes in its sector.
- The Commission services shall ensure that an ex-post evaluation is carried out after completion of the programme.

## 8.2. Arrangements and schedule for the planned evaluation

In application of current rules, an evaluation system covering the different levels of intervention and types of instruments has been set up for each instrument.

Notably, the financial regulation, as well as the internal control standards, calls for regular evaluation of all (sizable) activities. This is translated into the evaluation of single operations (e.g. projects), of programmes (e.g. national programmes) and policy sectors or themes (e.g. transport or gender issues). Evaluations of are also necessary and ongoing of wider legal obligations such as the 3 Cs (Coherence, Complementarity, Coordination).

As set out above, project implementation will be monitored through the Joint Monitoring Committee (JMC), assisted by Sectoral Monitoring Sub-Committees (SMSC). Each Instrument has its own specific evaluation scheme. For Phare, there is an ongoing scheme of Interim Evaluation, and these interim evaluations, prepared by independent evaluators, are reviewed by the JMC. This Interim Evaluation scheme generates over 130 individual country, sectoral and thematic reports a year. Thematic reports covering such issues as nuclear issues, civil society, public administration, justice and home affairs, national aid coordination, twinning, SMEs, and statistics have been prepared.

These works will be complemented by relevant works on databases, meta-analyses, methodology and training.

## 9. ANTI-FRAUD MEASURES

The Framework Agreement with Croatia will contain provisions ensuring the protection of the Community's financial interests.

- (1) These Framework agreements expressly provide for the Commission and the Court of Auditors to have the power of audit, on the basis of documents and on the spot, over all contractors and subcontractors who have received Community funds. They shall also expressly authorise the Commission to carry out on-the-spot checks and inspections as those set down in Council Regulation (EC, Euratom) 2185/96.
- (2) All contracts resulting from the implementation of pre-accession assistance shall ensure the right of the Commission and the Court of Auditors during and after the implementation of contracts.

In practise, this means that the Framework Agreement will contain provisions making reference notably to the following:

- Definitions of the notions of irregularity, fraud, active and passive corruption and conflict of interest;
- Measures in the field of financial control by the contracting authority, the Commission and the Court of Auditors;
- The possibility for OLAF to conduct on-the-spot checks equivalent to the ones foreseen by Regulation (EC) 2185/96
- The obligation of the contracting authority of the third country to take preventive measures in the field of corruption
- The procedure for the communication of cases of suspected fraud and irregularities to the Commission;
- The procedures for the clearance of accounts in the case of decentralised management
- The application of administrative and financial sanctions (including the exclusion of non-reliable candidates and tenderers)
- Enforceability of Commission decisions in the area of recovery in case of centralised management.