



Brussels, 31.3.2014  
COM(2014) 200 final

2014/0109 (NLE)

Proposal for a

## **COUNCIL DECISION**

**on the signing and provisional application, on behalf of the Union, of a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, on a Framework Agreement between the European Union and the Republic of Lebanon on the general principles for the participation of the Republic of Lebanon in Union programmes**

## EXPLANATORY MEMORANDUM

As part of the European Neighbourhood Policy (ENP), the gradual opening up of certain European Union programmes and agencies to ENP partner countries is one of many measures to promote reform, modernisation and transition in the European Union's neighbourhood. The Commission has expanded on this in its December 2006 "*on the general approach to enable European Neighbourhood Policy partner countries to participate in Community agencies and Community programmes*"<sup>1</sup>.

The Council endorsed this approach in its conclusions of 5 March 2007<sup>2</sup>.

Further to this Communication and the subsequent conclusions, the Council, on 18 June 2007, issued directives to the Commission to negotiate Framework Agreements with Algeria, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine, on the general principles for their participation in Community programmes<sup>3</sup>.

The June 2007 European Council<sup>4</sup> reaffirmed the paramount importance of the ENP and endorsed a Presidency Progress Report<sup>5</sup> that had been submitted to the Council meeting on 18/19 June 2007 as well as the related Council conclusions<sup>6</sup>. This report recalled the Council directives to negotiate relevant additional protocols.

The Joint Communication by the Commission and the High Representative of the European Union for Foreign Affairs and Security Policy *A new response to a changing Neighbourhood*<sup>7</sup>, endorsed by Council conclusions on 20 June 2011, further emphasised the EU's intention to facilitate partner countries' participation in EU programmes.

To date, Protocols have been signed with Armenia<sup>8</sup>, Georgia<sup>9</sup>, Israel<sup>10</sup>, Jordan<sup>11</sup>, Moldova<sup>12</sup>, Morocco<sup>13</sup> and Ukraine<sup>14</sup>.

In December 2013, Lebanon expressed its interest in participating in the broad range of programmes open to partner countries of the ENP. The text of the Protocol negotiated with the Republic of Lebanon is attached.

The Commission herewith submits a proposal for a Council Decision on the signing of the Protocol. This Protocol contains a Framework Agreement on the general principles for the participation of the Republic of Lebanon in European Union programmes. It contains the standard stipulations that should be applied to all ENP partner countries with whom such protocols are to be concluded. The negotiated text also stipulates that the parties shall provisionally apply the provisions of this Protocol from the date of its signature.

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<sup>1</sup> COM(2006) 724 final of 4 December 2006.

<sup>2</sup> GAERC conclusions of 5 March 2007.

<sup>3</sup> Council Decision (restricted) authorising the Commission to negotiate Protocols [...], Doc 10412/07; Presidency Conclusions — Brussels, 21/22 June 2007, Doc 11177/07.

<sup>4</sup> Presidency Progress Report on 'Strengthening the European Neighbourhood Policy', Doc 10874/07.

<sup>5</sup> Conclusions on Strengthening the European Neighbourhood Policy, adopted by the Council (General Affairs and External Relations) on 18 June 2007, Doc 11016/07.

<sup>6</sup> COM(2011) 303 final of 25 May 2011.

<sup>7</sup> [to complete with OJ reference once published].

<sup>8</sup> [to complete with OJ reference once published].

<sup>9</sup> OJEU L129/39 of 17.5.2008.

<sup>10</sup> [to complete with OJ reference once published].

<sup>11</sup> OJEU L14/5 of 19.1.2011, OJEU L131/1 of 18.5.2011, entry into force on 01.5.2011.

<sup>12</sup> OJEU L273/1 of 19.10.2010, OJEU L90/1 of 28.3.2012, entry into force on 01.10.2012.

<sup>13</sup> OJEU L18/1-5 of 21.1.2011, OJEU L133/1 of 20.5.2011, entry into force on 01.11.2011.

<sup>14</sup> OJEU L18/1-5 of 21.1.2011, OJEU L133/1 of 20.5.2011, entry into force on 01.11.2011.

In parallel, the Commission submits a proposal for a Council Decision on the conclusion of the said Protocol.

The Council is invited to adopt the following proposed Decision.

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## **COUNCIL DECISION**

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212, in conjunction with Article 218(5) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 18 June 2007 the Council authorised the Commission to negotiate a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part<sup>15</sup>, on a Framework Agreement between the European Union and the Republic of Lebanon on the general principles for the participation of the Republic of Lebanon in Union programmes ("the Protocol").
- (2) The negotiations have been concluded.
- (3) The objective of the Protocol is to lay down the financial and technical rules enabling the Republic of Lebanon to participate in certain EU programmes. The horizontal framework established by the Protocol sets out principles for economic, financial and technical cooperation and allows the Republic of Lebanon to receive assistance, in particular financial assistance, from the European Union pursuant to the programmes. This framework applies only to those programmes for which the relevant constitutive legal acts provide for the possibility of the participation of the Republic of Lebanon. The signing and provisional application of the Protocol does not therefore entail the exercise of powers under the various sectoral policies, which are exercised when establishing the programmes.
- (4) The Protocol should be signed on behalf of the European Union and it should be applied on a provisional basis pending the completion of the procedures for its conclusion,

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<sup>15</sup>

HAS ADOPTED THIS DECISION:

*Article 1*

The signing of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, on a Framework Agreement between the European Union and the Republic of Lebanon on the general principles for the participation of the Republic of Lebanon in Union programmes (hereinafter referred to as “the Protocol”) is hereby approved on behalf of the Union, subject to the conclusion of the said Protocol.

The text of the Protocol is attached to this Decision.

*Article 2*

The Council Secretariat General shall establish the instrument of full powers to sign the Protocol, subject to its conclusion, for the person(s) indicated by the negotiator of the Protocol.

*Article 3*

The Protocol shall be applied on a provisional basis, in accordance with Article 10(2), as from the date of its signature, pending the procedures necessary for its conclusion.

The date of signature of the Protocol will be published in the *Official Journal of the European Union*.

*Article 4*

The Commission is authorised to determine, on behalf of the Union, the specific terms and conditions applicable to the participation of Lebanon in any given programme, including the financial contribution payable. The Commission shall keep the relevant working party of the Council informed.

*Article 5*

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council  
The President*