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Proposal for a

COUNCIL DECISION

on the conclusion 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 Communication "*on the general approach to enable European Neighbourhood Policy partner countries to participate in Community agencies and Community programmes*"¹.

The Council endorsed this approach in conclusions on 5 March 2007².

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 programmes³.

The June 2007 European Council⁴ reaffirmed the paramount importance of the ENP and endorsed a Presidency Progress Report⁵ that had been submitted to the Council meeting on 18/19 June 2007 as well as the related Council conclusions⁶. 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*"⁷, 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 Armenia⁸, Georgia⁹, Israel¹⁰, Jordan¹¹, Moldova¹², Morocco¹³ and Ukraine¹⁴.

In December 2013, the Republic of Lebanon expressed its interest in participating in the broad range of programmes open to partner countries of the European Neighbourhood Policy. 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 conclusion of the Protocol. This Protocol contains a Framework Agreement on the general principles for the participation of Lebanon in Union programmes. It contains standard conditions that should be applied to all European Neighbourhood Policy partner countries with whom such protocols are to be concluded.

Under Article 218(6)(a) of the Treaty on the Functioning of the European Union, the Council shall obtain the consent of the European Parliament before concluding this Protocol.

¹ COM (2006) 724 final of 4 December 2006.

² GAERC conclusions of 5 March 2007.

³ Council Decision (restricted) authorising the Commission to negotiate Protocols [...], Doc 10412/07.

⁴ Presidency Conclusions – Brussels, 21/22 June 2007, Doc 11177/07.

⁵ Presidency Progress Report on "Strengthening the European Neighbourhood Policy", Doc 10874/07.

⁶ Conclusions on Strengthening the European Neighbourhood Policy, adopted by the Council (General Affairs and External Relations) on 18 June 2007, Doc 11016/07.

⁷ COM (2011) 303 final of 25 May 2011.

⁸ [to complete with OJ reference once published]

⁹ [to complete with OJ reference once published]

¹⁰ OJEU L129/39 of 17.5.2008;

¹¹ [to complete with OJ reference once published]

¹² OJEU L14/5 of 19.01.2011, OJEU L131/1 of 18.05.2011, entry into force on 01.05.2011;

¹³ OJEU L273/1 of 19.10.2010, OJEU L90/1 of 28.03.2012, entry into force on 01.10.2012;

¹⁴ OJEU L18/1-5 of 21.01.2011, OJEU L133/1 of 20.05.2011, entry into force on 01.11.2011

In parallel, the Commission submits a proposal for a Council Decision on the signature and provisional application of the said Protocol.

The Council is invited to adopt the following proposed Decision.

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on the conclusion 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

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(6)(a) and Article 218(7) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) 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 ("the Protocol") was signed on behalf of the Union on ...
- (2) 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 measure and allows the Republic of Lebanon to receive technical assistance, in particular financial assistance, from the European Union pursuant to the European Union programmes. This framework applies only to those Union programmes for which the relevant constitutive legal acts provide for the possibility of the participation of the Republic of Lebanon. The conclusion of the Protocol does not therefore entail the exercise of powers under the various sectoral policies pursued by the programmes, which are exercised when establishing the programmes.
- (3) The Protocol should be approved on behalf of the Union,

HAS ADOPTED THIS DECISION:

Article 1

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 (“the Protocol”) is hereby approved on behalf of the Union¹⁵.

Article 2

The President of the Council shall designate the person empowered to proceed, on behalf of the European Union, to the notification provided for in Article 10 of the Protocol¹⁶, in order to express the consent of the European Union to be bound by the Protocol.

The date of entry into force of the Protocol will be published in the Official Journal of the European Union.

Article 3

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 4

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

Done at Brussels,

For the Council
The President

¹⁵ The Protocol has been published in [OJ...] together with the decision on signature.

¹⁶The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.