

**Project Fiche No. 14**  
**Participation in EU Agencies**

**1. Basic information**

- 1.1 CRIS Number: 2011/022-964
- 1.2 Title: Preparatory measures for the participation of the candidates and potential candidates in EU Agencies
- 1.3 ELARG Statistical code: 01.65 Participation in Community programmes and Agencies
- 1.4 Location: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, as well as Kosovo<sup>1</sup> Iceland<sup>2</sup>, Turkey

**Implementing arrangements:**

- 1.5 Contracting Authority (EU): The European Union represented by the European Commission on behalf of the Beneficiaries
- 1.6 Implementing Agency: Not applicable
- 1.7 Beneficiaries:  
Western Balkans: Albania, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, as well as Kosovo, Turkey

**Financing:**

- 1.8 Overall cost (VAT excluded)<sup>3</sup>: EUR 8 000 000
- 1.9 EU contribution: EUR 8 000 000
- 1.10 Final date for contracting: 31 December 2012
- 1.11 Final date for execution of contracts: 30 November 2014
- 1.12 Final date for disbursements: 30 November 2015

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<sup>1</sup> under UNSCR 1244/99

<sup>2</sup> On a case by case basis in order to strengthen the participation of Iceland in certain Agencies and/or on certain matters

<sup>3</sup> The total cost of the project should be net of VAT and/or other taxes. Should this not be the case, the amount of VAT and the reasons why it should be considered eligible should be clearly indicated.

## 2. Overall Objective and Project Purpose

### 2.1 Overall Objective:

To ensure that Beneficiaries are able to participate effectively in the activities of EU Agencies either, if permitted, prior to accession or following accession to the EU.

### 2.2 Project purpose:

Support EU Agencies by allowing them to carry out preparatory measures in the Beneficiaries with the Beneficiary counterparts and stakeholders so as to facilitate future participation in these EU Agencies, and to stimulate cooperation between the Beneficiaries and their stakeholders

### 2.3 Link with AP/NPAA / EP/ SAA

In December 1997, the European Council in Luxembourg made participation in the Community programmes and agencies (following the adoption of the Lisbon Treaty renamed to EU programmes and agencies) a way of stepping up the enhanced pre-accession strategy for the Central and East European Candidate countries and territories, such participation being determined case by case.

The European Council of Helsinki (December 1999) confirmed the enlargement process launched at its meeting of December 1997 in Luxembourg. The enhanced Pre-Accession Strategy defined in 1997 was reiterated, including the participation of the Candidate and Potential candidate countries in EU Agencies, as an important part of such strategy. Their participation will not only contribute towards the implementation of the provisions relating to economic, social and cultural cooperation in the Europe Agreements but also enable these Beneficiaries to become familiar with the EU policies and working methods.

The European Council in Thessaloniki of June 2003 endorsed the Thessaloniki Agenda for the Western Balkans which gives these *SAP (Stabilisation and Association Process)* Beneficiaries the possibility to participate with EU Agencies in ways similar to those established for the Central and East European candidates.

Preparation for full participation in some Agencies is a fundamental step towards familiarising Candidates and Potential Candidates with the EU *acquis* in the broad sense of the term. As in the case of EU programmes, it could serve the interests of both the Union and the Candidates and Potential Candidates for the latter to participate in all of them as soon as possible on a basis that takes account of their respective constraints and circumstances.

### 2.4 Link with MIPD

The Multi-Beneficiary MIPD 2011-2013 foresees that in addition to the indicative allocation per sector support will be provided to the EU Agencies.

- **Description of project**

### 3.1 Background and justification:

An EU Agency is a body governed by European public law. It is distinct from the EU Institutions (Council, Parliament, Commission, etc.) and has its own legal personality. It is

set up by an act of secondary legislation in order to accomplish a very specific technical, scientific or managerial task, in the framework of the European Union's "first pillar".

The Member States who joined in the recent two enlargement rounds have benefited from preparatory measures carried out by the Agencies, financed under several multi-beneficiary Phare programmes. Over the six years that these programmes have taken place, the sum of €20.5 million has been awarded to Agencies to carry out such preparatory actions, allowing for a mutual beneficial full participation of these countries and territories upon accession and in some cases where the Agency's regulation has allowed for this as observers prior to accession.

The candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey have already been assisted in two earlier programmes by the following EU Agencies:

- European Centre for the Development of Vocational Training (CEDEFOP)
- Community Plant Variety Office (CPVO)
- European Centre for Disease and Disease Prevention (ECDC)
- European Agency for Safety and Health at Work (EU-OSHA)
- European Medicines Agency (EMA)
- European Food Safety Authority (EFSA)
- European Foundation for the Improvement of Living and Working Conditions (EUROFOUND)
- European Maritime Safety Agency (EMSA)
- European Monitoring Centre for Drugs and Drug Addiction (EMCDDA)
- European Monitoring Centre on Racism and Xenophobia (EUMC)

In 2009 this group was enlarged with other Agencies and with the other IPA Beneficiaries.

Under the CARDS Regional Action Programme 2005, support was provided to assist the Western Balkans in preparing for participation in the EU: EMSA, EMCDDA, EU-OSHA, European Aviation Safety Agency (EASA) and the European Environmental Agency (EEA). Only the contracts with EEA and EASA also covered Croatia. All contracts involved the former Yugoslav Republic of Macedonia.

In November 2007 the first IPA programme for preparatory measures involving the above-mentioned agencies was adopted. That programme did not cover EASA and EEA. For the latter, because Turkey was already participating in the EEA and Croatia was covered by the CARDS project, EASA preferred to continue first with the CARDS Beneficiaries (including Croatia) and to involve Turkey at a later stage. .

The 2009 IPA Multi-beneficiary programme on preparatory measures for participation of candidate and potential candidates in EU Agencies will end in November 2011. However, most Agencies will have ended their projects under this programme much earlier. Nevertheless, a contract under this new programme will of course only commence once these preceding projects have ended. In some cases the preceding programme will have allowed the Agencies and the Beneficiaries to determine the specific gaps that need to be filled within the framework of this new programme.

Since preparatory actions of this kind in anticipation of future full participation requires additional efforts of the Beneficiary and the Agencies themselves, the Commission – as on previous occasions - recommends that pre-accession funds be allocated in supporting the activities.

It is important to note is that Iceland already formally participates in the EU Agencies. However, due to lack of resources its actual participation is not as high as EU Member States in certain Agencies. This has resulted in an experience and knowledge gap that may call for some additional efforts. Agencies will therefore assess the situation and may subsequently invite Iceland to participate alongside the other Beneficiaries, the costs being covered by this programme.

Furthermore, as concerns a few Agencies, actions may need to be prioritised in such a way that additional attention has to be given to a certain beneficiary or beneficiaries to ensure that each and every beneficiary follows the path that is most appropriate to its own development. This will be reflected in the project description.

In the preparation of this programme, both the Commission's line DGs and the Agencies investigated the needs leading to this programme. This programme will focus on the following Agencies:

- CPVO (Community Plant Variety Office)
- EASA (European Aviation Safety Agency)
- ECDC (European Centre for Disease Prevention and Control)
- ECHA (European Chemicals Agency)
- EEA (European Environment Agency)
- EFSA (European Food Safety Authority)
- EMCDDA (European Monitoring Centre for Drugs and Drug Addiction)
- EMSA (European Maritime Safety Agency)
- ERA (European Railway Agency)
- EU-OSHA (European Agency for Safety and Health at Work)
- EUROFOUND (European Foundation for the Improvement of Living and Working Conditions)
- EMEA (European Medicines Agency)
- EIGE (European Institute for Gender Equality)

In November 2009 in Sintra (Lisbon, Portugal), the EMCDDA organised a conference gathering all Beneficiaries and EU Agencies to exchange views on the preparatory measures. From this event it became clear that there was a specific need to communicate to a wider audience about the programme and to strengthen the coordination of the actions implemented. It is for this purpose that a specific Information, Communication and Coordination component will be set aside. This component will be awarded to one of the Agencies, which subsequently will design and maintain an Inter-Agencies website, organise inter-Agency coordination meetings, joint events between Agencies, including one Regional Conference similar to the event in Sintra.

### 3.2 Assessment of project impact, catalytic effect, sustainability and cross-border impact

Activities under this programme will allow Beneficiaries to increase their understanding of the function and operations of the EU and more importantly the role that they should play within these bodies. Secondly, the support will allow them to involve other relevant stakeholders in ways similar to those of the EU Member States. Agencies will be able to support Beneficiaries by providing advice on organisational matters and by training the appropriate staff of the Beneficiaries. Furthermore, participation in specific events (if possible with EU Member States) will provide Beneficiaries with invaluable networking and opportunities to exchange experience.

### 3.3 Results and measurable indicators:

First of all, the understanding among Beneficiaries of the role and functioning of EU as well as the requirements of the national counterparts and its stakeholders will be increased. Secondly, Agencies will establish and in most cases strengthen their links with national agencies and other Beneficiary counterparts. Furthermore, Agencies will get a better understanding about the gaps that need to be filled to allow Beneficiaries to benefit fully from participation in the Agency and/or its activities.

### 3.4 Activities:

Grant agreements (financing in full) will be concluded with the Agencies to allow them to carry out where required awareness-raising activities and fact-finding missions to determine or fine-tune any gaps so to allow for participation in the Agencies' work, which may notably be the case for Iceland. For almost all Agencies the needs are already very clear, enabling them to organise and implement training activities, study visits, workshops, conferences and/or outreach actions as well as drafting/editing and if necessary translation of manuals, guides and/or other relevant documents and reports for the benefit of Beneficiaries .

In addition, one grant will be awarded to one Agency to design and maintain the website on the Preparatory Measures, organise inter-Agency meetings and joint events (including at least one Regional Conference).

### 3.5 Conditionality and sequencing:

Before carrying out preparatory actions for participation, the EU Agency should ensure that the Beneficiaries are determined to join the Agency eventually. This willingness can be demonstrated by a simple letter of intent or a formal request for participation. It is therefore essential that the project descriptions be designed in close cooperation with the Beneficiaries, which should endorse the project descriptions before they are submitted to the Commission.

These descriptions have to take into account the differences between the Beneficiaries in terms of adoption of the relevant *acquis*, available resources, etc., making sure that the efforts are targeted in such a way that the identified needs can be realistically fulfilled within the timeline of the project.

### 3.6 Linked activities:

Most Agencies are involved in monitoring the implementation of the EU *acquis*. Therefore participation in the activities of the Agencies can be seen as a crucial element in the ability of the Beneficiaries to adopt and implement the EU *acquis*.

### 3.7 Lessons learned:

Under the Phare programme, several programmes were created to facilitate the participation of previous Candidates from Central and Eastern Europe (CEECs) in Agencies.

Both these programmes and similar programmes under CARDS and IPA, proved to be very beneficial for Beneficiaries and Agencies. Beneficiaries learned about the operations of the Agencies and subsequently received assistance in establishing their own national structures and functions which allowed them to become a fully operational partner in the Agencies upon accession. The assistance also allowed the Beneficiaries to mobilise the relevant national stakeholders similar to those in the EU Member States.

Agencies learned more about the Beneficiaries and their specific problems and opportunities. As a result, the Agencies were better equipped to involve these new members in their activities.

The preceding programme adopted in 2009 and currently under implementation will form the basis for the new project descriptions.

From the Sintra meeting of November 2009, it became apparent that there was a need to strengthen coordination between the Agencies to allow for joint actions and to communicate to a wider audience about the work carried out under the preparatory measures.

#### 4. Indicative Budget (amounts in MEUR)

			SOURCES OF FUNDING									
			TOTAL EXP.RE	IPA EU CONTRIBUTION		DOMESTIC CONTRIBUTION					PRIVATE CONTRIBUTION	
ACTIVITIES	IB (1)	INV (1)	EUR (a)=(b)+(c)+(d)	EUR (b)	% (2)	Total EUR (c)=(x)+(y)+(z)	% (2)	Central EUR (x)	Regional/ Local EUR (y)	IFIs EUR (z)	EUR (d)	% (2)
Activity 1												
<u>CPVO</u>	x		0.4	0.4	100							
<u>EASA</u>	x		0.7	0.7	100							
<u>ECDC</u>	x		0.4	0.4	100							
<u>ECHA</u>	x		0.3	0.3	100							
<u>EEA</u>	x		1.0	1.0	100							
<u>EFSA</u>	x		1.0	1.0	100							
<u>EMCDDA</u>	x		0.9	0.9	100							
<u>EMSA</u>	x		0.3	0.3	100							
<u>ERA</u>	x		0.3	0.3	100							
<u>EU-OSHA</u>	x		0.9	0.9	100							
<u>EUROFOUND</u>	x		0.7	0.7	100							
<u>EMEA</u>	x		0.9	0.9	100							
<u>EIGE</u>	x		0.1	0.1	100							
Info, Com & Coord (ICC)	x		0.1	0.1	100							
<b>TOTAL IB</b>			<b>8</b>	<b>8</b>	<b>100</b>							
<b>TOTAL INV</b>			<b>-</b>	<b>-</b>	<b>-</b>							
<b>TOTAL PROJECT</b>			<b>8</b>	<b>8</b>	<b>100</b>							

Amounts net of VAT

(1) In the Activity row use "X" to identify whether IB or INV

(2) Expressed in % of the **Total** Expenditure (column (a))

## 5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contracts	Project Completion
All contracts	N/A	Q3 2011	Q3 2013

## 6. Cross-cutting issues (where applicable)

Cross-cutting issues are not applicable to this project.

## ANNEXES.

- I- Logframe in Standard Format
- II- Amounts (in EUR) contracted and Disbursed per Quarter over the full duration of Programme
- III- Description of Institutional Framework
- IV - Reference to laws, regulations and strategic documents:
- V- Details per EU funded contract



## ANNEX I: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche	<b>Preparatory measures for the participation of the candidate and potential candidates in EU</b>	CRIS No.: 022-964
	Contracting period expires 31 December 2012	Disbursement period expires 30/11/2015
	Total budget : EUR 8 000 000	IPA budget: EUR 8 000 000

<b>Overall objective</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	
To ensure that Beneficiaries are able to participate effectively in the activities of EU Agencies	Opinion of the Agency on readiness for participation	Opinion to be delivered by the Agency in cooperation with the relevant EU line DG and DG Enlargement following a formal request of the beneficiary for full participation in the Agency	
<b>Project purpose</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
Assure that the counterparts in the Beneficiaries are fully informed of the mission and function of the agencies Ensure that the counterparts have established the necessary working methods and networks	<ul style="list-style-type: none"> <li>• Counterparts have adopted their own mission statements bringing these line with those of the agency concerned</li> <li>• Counterparts have matched the needs linked to participation with appropriate working methods, networks and sufficient resources</li> <li>• Degree and quality of the involvement of the counterparts in Agency activities, evidenced with relevant reports</li> </ul>	<ul style="list-style-type: none"> <li>• Agencies will carry out assessments (with their own staff and/or independent assessors) to be incorporated in their progress reports on the 'readiness' of the counterparts to participate in their Agency</li> <li>• The counterparts organizational structure, working methods, etc. incorporated in their working programmes, manuals, etc. give evidence of a sufficient uptake of the requirements regarding their participation in the Agencies</li> </ul>	<ul style="list-style-type: none"> <li>• Continued commitment of the Beneficiaries on the uptake of the relevant acquis and participation in the Agencies</li> <li>• Agencies will provide the necessary resources to support the Beneficiaries</li> <li>• Other relevant stakeholders' interest in the Agencies and their national counterparts is satisfactory.</li> <li>• EU will take the necessary measures to allow for timely participation as observer in the Agencies as a result of the preparatory measures</li> </ul>
<b>Results</b>	<b>Objectively verifiable indicators</b>	<b>Sources of Verification</b>	<b>Assumptions</b>
•Increased readiness among the counterparts for full	•Degree and quality of participation of the counterpart's staff	•Agency will provide list of participants, minutes, reports regarding meetings/events carried out within the	•The Beneficiaries will make the necessary resources and support available to the Agency and

<p>participation in the Agencies as observer</p> <ul style="list-style-type: none"> <li>•Increased involvement of the counterparts in Agency activities, systems and networks</li> <li>•Local structures (if relevant) are linked with the counterpart</li> </ul>	<p>members</p> <ul style="list-style-type: none"> <li>•Involvement of local stakeholders in the counterpart activities</li> <li>•Nr of meetings, events, missions</li> <li>•Nr of translated and distributed information material</li> <li>• Nr of websites and their hits</li> </ul>	<p>framework of the action</p> <ul style="list-style-type: none"> <li>•Evaluation report to be completed by beneficiary staff and Agency staff</li> <li>•Quality of the reports submitted by the counterparts to the Agencies</li> <li>•Response of the local stakeholders</li> </ul>	<p>to their local stakeholders</p> <ul style="list-style-type: none"> <li>•Counterparts will pursue a pro-active approach in reaching out to local stakeholders and the Agencies</li> <li>•EU will remain supportive to the goal of participation of the Beneficiaries in Agencies</li> </ul>
<b>Activities</b>	<b>Means</b>	<b>Costs</b>	<b>Assumptions</b>
<ul style="list-style-type: none"> <li>•Establishing contacts and connections (networks) with the relevant counterparts;</li> <li>•Conduct specific missions;</li> <li>•Organising information activities (seminars, workshops, conferences);</li> <li>•Translating and publishing information material;</li> <li>•Establishing internet based connections including websites;</li> <li>•Organising training activities</li> <li>•Involve the counterparts in Agency activities alongside the member states</li> </ul>	<ul style="list-style-type: none"> <li>• Direct grants</li> </ul>	<p>The Agencies will provide for objective and verifiable data in their subsequent reports to the EU.</p>	<p>No particular political, economical and/or environmental set-backs will occur which may have a significant impact on the budgetary resources on both sides for instance as a result of subsequent and significant price increases.</p> <p>Staff of Agencies and counterparts will remain involved during the whole project period.</p>

**ANNEX II: amounts (in MEUR) Contracted and disbursed by quarter for the project**

<b>Contracted</b>	<b>Q3 2011</b>	<b>Q4 2011</b>	<b>Q1 2012</b>	<b>Q2 2012</b>	<b>Q3 2012</b>	<b>Q4 2012</b>	<b>Q1 2013</b>	<b>Q2 2013</b>	<b>Q3 2013</b>
<a href="#">CPVO</a>	0.4								
<a href="#">EASA</a>	0.7								
<a href="#">ECDC</a>	0.4								
<a href="#">ECHA</a>	0.3								
<a href="#">EEA</a>	1.0								
<a href="#">EFSA</a>	1.0								
<a href="#">EMCDDA</a>	0.9								
<a href="#">EMSA</a>	0.3								
<a href="#">ERA</a>	0.3								
<a href="#">EU-OSHA</a>	0.9								
<a href="#">EUROFOUND</a>	0.7								
<a href="#">EMEA</a>	0.9								
<a href="#">EIGE</a>	0.1								
<a href="#">ICC</a>	0.1								
<b>Cumulated</b>	<b>8.0</b>								
<b>Disbursed</b>	<b>Q3 2011</b>	<b>Q4 2011</b>	<b>Q1 2012</b>	<b>Q2 2012</b>	<b>Q3 2012</b>	<b>Q4 2012</b>	<b>Q1 2013</b>	<b>Q2 2013</b>	<b>Q3 2013</b>
<a href="#">CPVO</a>	0.2			0.16					0.04
<a href="#">EASA</a>	0.4			0.23					0.07
<a href="#">ECDC</a>	0.2			0.16					0.04
<a href="#">ECHA</a>	0.15			0.12					0.03
<a href="#">EEA</a>	0.6			0.3					0.1
<a href="#">EFSA</a>	0.6			0.3					0.1
<a href="#">EMCDDA</a>	0.5			0.31					0.09
<a href="#">EMSA</a>	0.15			0.12					0.03
<a href="#">ERA</a>	0.15			0.12					0.03
<a href="#">EU-OSHA</a>	0.5			0.31					0.09
<a href="#">EUROFOUND</a>	0.4			0.23					0.07
<a href="#">EMEA</a>	0.5			0.31					0.09
<a href="#">EIGE</a>	0.05			0.04					0.01
<a href="#">ICC</a>	0.05			0.04					0.01
<b>Cumulated</b>	<b>4.45</b>			<b>7.2</b>					<b>8</b>

## **ANNEX III: Description of Institutional Framework**

An EU Agency is a body governed by European public law. It is distinct from the EU Institutions (Council, Parliament, Commission, etc.) and has its own legal personality. It is set up by an act of secondary legislation in order to accomplish a very specific technical, scientific or managerial task, in the framework of the European Union's "first pillar".

There are two main types of Agencies

- **Regulatory:** dealing with specific technical and/or scientific tasks
- **Executive:** assisting in managing EU Programmes

The Agencies are funded by the EU budget and in some cases also by fees or payments.

In general terms the Agencies:

### ***1. Adopt individual binding decisions:***

- Community Plant Variety Office (CPVO),
- Office for Harmonisation in the Internal Market (OHIM),
- European Aviation Safety Agency (EASA),
- European Chemicals Agency (ECHA)

### ***2. Provide technical/scientific advice and/or inspection:***

- European Maritime Safety Agency (EMSA)
- European Food Safety Authority (EFSA)
- European Railway Agency (ERA)
- European Medicines Agency (EMA)

### ***3. Gather, analyse, provide objective, reliable, easy-to-understand information / networking:***

- European Centre for the Development of Vocational Training (Cedefop)
- European Training Foundation (ETF)
- European Foundation for the Improvement of Living and Working Conditions (EUROFOUND)
- European Environment Agency (EEA)
- European Monitoring Centre for Drugs and Drug Addiction (EMCCDA)
- European Agency for Safety and Health at Work (EU-OSHA)
- European Network and Information Security Agency (ENISA)
- European Centre for Disease Prevention and Control (ECDC)
- Fundamental Rights Agency (FRA) ex-EUMC
- European Institute for Gender Equality (EIGE)

### ***4. Provide services to other agencies and institutions:***

- *Centre de Traduction (CDT)*

### ***5. Carry out operational activities:***

- *European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (Frontex)*
- *GALILEO Supervisory Authority (GSA)*
- *Common Fisheries Control Agency (CFCA)*

## ANNEX IV: Reference to laws, regulations and strategic documents

- Commission Communication: "Participation of Candidate Countries in Community Programmes, Agencies and Committees" COM (1999) 710 final of 20/12/1999
- Commission Communication "Preparing for the participation of the Western Balkan countries in Community programmes and agencies" COM(2003) 748 final of 03/12/2003
- Communication from the Commission to the Council and the Parliament "Enlargement Strategy and Main Challenges 2008-2009" COM (2008)674 final of 05/11/2008

EU agency	Seat	Founding acts (including reference to third country participation)
<b>CPVO (Community Plant Variety Office)</b>	Angers/FR	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (see Art. 4), <i>OJ L 227, 1.9.1994, p. 1</i>  <i>No particular references regarding participation of third countries in the Office</i>
<b>EASA (European Aviation Safety Agency)</b>	Cologne/DE	Regulation (EC) No 1592/2002 of the European Parliament and of the Council of 15 July 2002 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, <i>OJ L 240, 7.9.2002, p. 1</i>  <i>Article 18, paragraph 2, International Relations: The Agency may cooperate with the aeronautical authorities of third countries and the international organisations competent in matters covered by this Regulation in the framework of working arrangements concluded with those bodies, in accordance with relevant provisions of the Treaty.</i>  <i>Note: The Regulation differentiates between "participation" and "cooperation": Participation in EASA: Article 55 of Regulation 1592/2002 is relevant only for European Chicago contracting parties and adoption and application of EC safety rules including JAA membership Cooperation with EASA: Articles 9 (Community agreements on mutual recognition of certification findings) and 18 (working arrangements between the civil aviation authority and EASA) of Regulation 1592/2002 relevant for all Contracting Parties to the Chicago Convention (legal impediment).</i>
<b>ECDC (European Centre for Disease Prevention and Control)</b>	Stockholm/SE	Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for disease prevention and control, <i>OJ L 142, 30.4.2004, p. 1</i>  <i>Article 30, Participation of third countries:</i> <i>1. The Centre shall be open to the participation of countries, which have concluded agreements with the Community by virtue of which they have adopted and apply legislation of equivalent effect to Community legislation in the field covered by this Regulation.</i> <i>2. Arrangements shall be made under the relevant provisions of those agreements, specifying in particular the nature, extent and manner in which those countries are to participate in the Centre's work, including provisions relating to participation in the networks operated by the Centre, inclusion in the list of competent organisations to which certain tasks may be entrusted by the Centre, financial contributions and staff.</i>

EU agency	Seat	Founding acts (including reference to third country participation)
<b>ECHA (European Chemicals Agency)</b>	Helsinki/FI	<p>Regulation (EC) 1907/2006 of 18 December 2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency and amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC, OJ L 396, 30.12.2006, p.1</p> <p><i>Article 106 - Participation of third countries -</i>  <i>The Management Board may, in agreement with the relevant Committee or the Forum, invite representatives of third countries to participate in the work of the Agency.</i></p> <p><i>Article 120 - Cooperation with third countries and international organisations</i>  <i>Notwithstanding Articles 118 and 119, information received by the Agency under this Regulation may be disclosed to any government or national authority of a third country or an international organisation in accordance with an agreement concluded between the Community and the third party concerned under Regulation (EC) No 304/2003 of the European Parliament and of the Council of 28 January 2003 concerning the export and import of dangerous chemicals (1) or under Article 181a(3) of the Treaty, provided that both the following conditions are met:</i>  <i>(a) the purpose of the agreement is cooperation on the implementation or management of legislation concerning chemicals covered by this Regulation;</i>  <i>(b) the third party protects the confidential information as mutually agreed.</i></p>
<b>EEA (European Environment Agency)</b>	Copenhagen/DK	<p>Council Regulation (EEC) No 1210/90 of 7 May 1990 on the establishment of the European Environment Agency and the European Environment Information and Observation Network, OJ L 120, 11.5.1990, p. 1</p> <p><i>Article 19 - The Agency is open to countries which are not members of the European Communities but which share the concerns of the Communities and the Members States for the objectives of the Agency under agreements concluded between them and the Community following the procedure in Article 228 of the Treaty.</i></p>
<b>EFSA (European Food Safety Authority)</b>	Parma/IT	<p>Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety, OJ L 31, 1.2.2002, p. 1</p> <p><i>Article 49 - Participation of third countries: The Authority shall be open to the participation of countries, which have concluded agreements with the European Community by virtue of which they have adopted and apply Community legislation in the field covered by this Regulation. Arrangements shall be made under the relevant provisions of those agreements, specifying in particular the nature, extent and manner in which these countries will participate in the Authority's work, including provisions related to participation in the networks operated by the Authority, inclusion in the list of competent organisations to which certain tasks may be entrusted by the Authority, financial contributions and staff.</i></p> <p><i>Article 50 - Rapid Alert System: 6. Participation in the rapid alert system may be opened up to applicant countries, third countries or international organisations, on the basis of agreements between the Community and those countries or international organisations, in accordance with the procedures defined in those agreements. The latter shall be based on reciprocity and shall include confidentiality measures equivalent to those applicable in the Community.</i></p>

EU agency	Seat	Founding acts (including reference to third country participation)
<b>EIGE (European Institute for Gender Equality)</b>	Vilnius/LT	<p>Regulation (EC) No 1922/2006 of the European Parliament and of the Council establishing a European Institute for Gender Equality, OJ L 403, 30.12.2006, p.1</p> <p><i>Article 8 -Cooperation with organisations at national and European level, international organisations and third countries:</i></p> <p>1. To help it carry out its tasks, the Institute shall cooperate with organisations and experts in the Member States, such as equality bodies, research centres, universities, non governmental organisations, social partners as well as with relevant organisations at European or international level and third countries.</p> <p>2. Should agreements with international organisations or with third countries prove necessary for the Institute to carry out its tasks efficiently, the Community shall, in accordance with the procedure provided for in Article 300 of the Treaty, enter into such agreements with the international organisations or with third countries in the interests of the Institute. This provision shall not preclude ad hoc cooperation with such organizations or third countries.</p> <p><i>Article 19 -Participation of third countries:</i></p> <p>1. The Institute shall be open to the participation of countries which have concluded agreements with the European Community by virtue of which they have adopted and apply Community legislation in the field covered by this Regulation.</p> <p>2. Arrangements shall be made under the relevant provisions of those agreements, specifying in particular the nature, extent and manner in which those countries are to participate in the Institute's work, including provisions relating to participation in the initiatives undertaken by the Institute, financial contributions and staff. As regards staff matters, those agreements shall, at all events, be in accordance with the Staff Regulations of officials of the European Communities and the Conditions of employment of other servants of the European Communities.</p>
<b>EMCDDA (European Monitoring Centre for Drugs and Drug Addiction)</b>	Lisbon/PT	<p>Council Regulation (EEC) No 1920/2006 of 12 December 2006 on the establishment of a European Monitoring Centre for Drugs and Drug Addiction, OJ L 376, 27.12.2006, p. 1 Note: This Regulation replaces Council Regulation (EEC) No 302/93 of 8 February 1993, OJ L 36, 8.2.1993, p. 1.</p> <p><i>Article 20 - Cooperation with other organisations and bodies: Without prejudice to relations which the Commission may maintain pursuant to Article 302 of the Treaty, the Centre shall actively seek to cooperate with international organisations and other, particularly European, governmental and non-governmental bodies competent in the sector of drugs. Such cooperation shall be based on working arrangements concluded with the organisations and bodies referred to in the first paragraph. Those arrangements shall be adopted by the Management Board on the basis of a draft submitted by the Director and after the Commission has delivered an opinion. Where the Commission expresses its disagreement with these arrangements, the Management Board shall adopt them by a three-fourths majority of the members with a right to vote.</i></p> <p><i>Article 21 - Participation of third countries: The Centre shall be open to the participation of any third country that shares the interest of the Community and of its Member States in the Centre's objectives and work, on the basis of agreements entered into between such third countries and the Community on the basis of Article 300 of the Treaty.</i></p>
<b>EMSA (European Maritime Safety Agency)</b>	Lisbon/PT	<p>Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency, OJ L 208, 5.8.2002, p. 1</p> <p><i>Article 17 - Participation of third countries:</i></p> <p>1. The Agency shall be open to the participation of third countries, which have entered into agreements with the European Community, whereby they have adopted and are applying Community law in the field of maritime safety and prevention of pollution by ships.</p> <p>2. Under the relevant provisions of these agreements, arrangements will be developed which shall, inter alia, specify the nature and the extent of the detailed rules for the participation of these countries in the work of the Agency, including provisions on financial contributions and staff.</p>

EU agency	Seat	Founding acts (including reference to third country participation)
<b>EMA . (European Medicines Agency)</b>	London/UK	<p>Council Regulation (EEC) No 2309/93 of 22 July 1993 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products, <i>OJ L 214, 24.8.1993, p. 1</i></p> <p><i>Article 51 -In order to promote the protection of human and animal health and of consumers of medicinal products throughout the Community, and in order to promote the completion of the internal market through the adoption of uniform regulatory decisions based on scientific criteria concerning the placing on the market and use of medicinal products, the objectives of the Agency shall be to provide the Member States and the institutions of the Community with the best possible scientific advice on any question relating to the evaluation of the quality, the safety, and the efficacy of medicinal products for human or veterinary use, which is referred to it in accordance with the provisions of Community legislation relating to medicinal products. To this end, the Agency shall undertake the following tasks within its Committees: (...f) upon request, providing technical and scientific support for steps to improve cooperation between the Community, its Member States, international organizations and third countries on scientific and technical issues relating to the evaluation of medicinal products;..)</i></p>
<b>ERA (European Railway Agency)</b>	Lille-Valenciennes/FR	<p>Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European railway agency (Agency Regulation), <i>OJ L 164, 30.4.2004, p. 1</i></p> <p><i>Article 36 - Participation by third countries:</i></p> <p><i>1. The Agency shall be open to participation by European countries which have concluded agreements with the Community, whereby the countries concerned have adopted and are applying Community legislation in the field covered by this Regulation.</i></p> <p><i>2. In accordance with the relevant provisions of the above-mentioned agreements, arrangements shall be made which shall specify the detailed rules for participation by these countries in the work of the Agency, in particular the nature and extent of such participation. These arrangements shall include, inter alia, provisions on financial contributions and staff. They may provide for representation, without vote, on the Administrative Board.</i></p>
<b>EU-OSHA (European Agency for Safety and Health at Work)</b>	Bilbao/ES	<p>Council Regulation (EC) No 2062/94 of 18 July 1994 establishing a European Agency for Safety and Health at Work, <i>OJ L 216, 20.8.1994, p. 1</i></p> <p><i>Article 9 - Observers: The Administrative Board may, after consulting the Commission, invite representatives of non-member countries, of Community institutions and bodies and of international organisations as observers.</i></p>
<b>EUROFOUND (European Foundation for the Improvement of Living and Working Conditions)</b>	Dublin/IE	<p>Regulation (EEC) No 1365/75 of the Council of 26 May 1975 on the creation of a European Foundation for the improvement of living and working conditions, <i>OJ L 139, 30.5.1975, p. 1</i></p> <p><i>Article 3 - Paragraph 2: The Foundation shall cooperate as closely as possible with specialised institutes, foundations and bodies in the Member States or at international level .</i></p>



## **ANNEX V: Details per EU funded contract**

Contribution Agreements (grant contracts) will be concluded with the EU Agencies based on Article 168(1)(f) of the Implementing Rules of the Financial Regulation.