



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 29.4.2004
COM(2004) 330 final

Proposal for a

COUNCIL DECISION

**outlining the general approach for the reallocation of resources under Regulation (EC)
No 1268/1999 on Community support for pre-accession measures for agricultural and
rural development in the applicant countries of Central and Eastern Europe
in the pre-accession period**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Copenhagen European Council in December 2002 finalised the accession negotiations for eight countries (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia) currently benefiting from assistance under Council Regulation (EC) No 1268/1999 on Community support for pre-accession measures for agricultural and rural development (SAPARD). These countries will become members of the European Union on 1 May 2004.

Consequently, only Bulgaria and Romania will benefit from SAPARD allocations during the period 2004–2006.

Furthermore, the Copenhagen European Council, by endorsing the roadmaps for Bulgaria and Romania, as proposed by the Commission [COM(2002) 624 final], has agreed to increase the financial resources for pre-accession assistance and to fix the ratio for the division of allocation between these two countries at a rate of 70% for Romania and 30% for Bulgaria..

As regards the increase of the financial resources, the European Parliament and the Council decided on 19 May 2003 to adjust the financial perspectives for enlargement (Decision 2003/429/CE¹). The adjusted financial perspectives contain an annex where, *inter alia*, a general envelope on commitment appropriations for the three pre-accession instruments is established for the years 2004, 2005 and 2006 whereby Heading 7 covers SAPARD, ISPA and PHARE instruments.

In relation to the division of the financial allocation between Romania and Bulgaria there is still a need to adopt a legally binding act. In the case of SAPARD this act shall be adopted in accordance with the second subparagraph of Article 15 of Regulation (EC) No 1268/1999, which provides that: "*The Council acting by qualified majority on a proposal from the Commission, shall take a decision outlining the general approach for reallocation.*"

Therefore, the Council is requested to adopt the attached proposal for a Council Decision outlining the general approach for the reallocation of the available financial resources for the SAPARD instrument between Romania to Bulgaria, as provided for by Article 15 of Regulation (EC) No 1268/1999.

¹ OJ L 147, 14.6.2003, p. 25.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1268/1999 of 21 June 1999 on Community support for pre-accession measures for agricultural and rural development in the applicant countries of central and eastern Europe in the pre-accession period², and in particular the second subparagraph of Article 15 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Copenhagen European Council of 12 and 13 December 2002 endorsed the results of the negotiations, which will result in the accession to the Community in 2004 of eight countries currently benefiting from the provisions of Regulation (EC) No 1268/1999. Consequently, in the period from 2004 to 2006 only Bulgaria and Romania will continue to benefit from commitments under that Regulation.
- (2) By endorsing the roadmaps for Bulgaria and Romania, as proposed by the Commission, the Copenhagen European Council agreed to fix the ratio for the division of allocation at 30/70 respectively under the PHARE programme set up under Council Regulation (EEC) No 3906/89 of 18 December 1989 on economic aid to the Republic of Hungary and the Polish People's Republic³, the special accession programme for agriculture and rural development (SAPARD) set up under Council Regulation (EC) No 1268/1999 and the Instrument for Structural Policies for Pre-accession (ISPA), set up under Council Regulation (EC) No 1267/1999⁴.
- (3) That ratio takes account of the need and capacity for absorbing assistance referred to in the first paragraph of Article 15 as well as the criteria for the financial allocation to each applicant country as stipulated in Article 7(3) of Regulation (EC) No 1268/1999.

² OJ L 161, 26.6.1999, p. 87. Regulation last amended by Regulation (EC) No 696/2003 (OJ L 99, 17.4.2003, p. 24).

³ OJ L 375, 23.12.1989, p. 11. Regulation last amended by Regulation (EC) No 807/2003 (OJ L 122, 16.5.2003, p. 36).

⁴ OJ L 161, 26.6.1999, p. 73. Regulation last amended by Regulation (EC) No 2500/2001 (OJ L 342, 27.12.2001, p. 1).

- (4) The Council, in accordance with Article 15 of Regulation (EC) No 1268/1999, shall adopt the general approach for reallocation of the available financial resources for the SAPARD instrument between the remaining beneficiary countries, namely Romania and Bulgaria,

HAS DECIDED AS FOLLOWS:

Sole Article

For the period from 2004 to 2006 inclusive, the division of available resources between Romania and Bulgaria under this instrument shall be established at a rate of 70% to Romania and 30% for Bulgaria.

Done at Brussels,

*For the Council
The President*