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COMMISSION DECISION

C(2009)6361 of 18/08/2009

adopting the Cross-border programme Bosnia and Herzegovina – Montenegro under the IPA-Cross-border Co-operation component, for the year 2009

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA)¹, and in particular Article 14(2)(a) thereof,

Whereas:

- (1) Regulation (EC) No 1085/2006 lays down the objectives and main principles for pre-accession assistance to candidates and potential candidate countries.
- (2) In accordance with Article 7 of Regulation (EC) No 1085/2006, the assistance should be provided through multi-annual or annual programmes, which can be established by country, by group of countries or by component. These programmes should be drawn up in accordance with the general policy framework referred to in Article 4 of Regulation (EC) No 1085/2006 and the relevant multi-annual indicative planning documents referred to in Article 6 of that Regulation.
- (3) The Council has established a European Partnership for Bosnia and Herzegovina² and a European Partnership for Montenegro³. The Commission has adopted on 23 September 2008 the Multi-annual Indicative Planning Document 2008-2010 for Bosnia and Herzegovina and on 11 August 2008 the Multi-annual Indicative Planning Document 2008-2010 for Montenegro which present the main priorities for pre-accession assistance to those countries⁴.
- (4) In accordance with Article 91 of Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-accession Assistance (IPA)⁵ (hereinafter referred to as the "IPA Implementing Regulation") the Commission adopted on 18 December 2007 the multi-annual cross-border programme Bosnia and Herzegovina – Montenegro 2007-2009 (Decision C(2007)6350).
- (5) This multi-annual cross-border programme Bosnia and Herzegovina - Montenegro aims at providing assistance to foster the joint development of the cross-border area and its economic, natural, cultural and human resources, and its potentials.

¹ OJ L 210, 31.7.2006, p. 82.

² Council Decision 2008/211/EC of 18.02.2008 (OJ L 80, 19.3.2008, p. 18-31).

³ Council Decision 2007/49/EC of 22.01.2007 (OJ L 20, 27.1.2007, p.16-31).

⁴ For Bosnia and Herzegovina: C(2008)5144; for Montenegro: C(2008)4275.

⁵ OJ L 170, 29.6.2007, p.1.

- (6) This cross border programme Bosnia and Herzegovina and Montenegro was implemented for the year 2007 by the financing Decision C(2007)6350 of 18 December 2007 and for the year 2008 by the financing Decision C(2008)3991 of 31 July 2008. A new financing decision needs to be adopted for the implementation in the year 2009.
- (7) For the year 2009, this decision meets the requirements of Article 90 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation No 1605/2002⁶ and constitutes thus a financing decision within the meaning of Article 75(2) of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁷.
- (8) The measures provided for by this Decision are in accordance with the opinion of the IPA Committee.

HAS DECIDED AS FOLLOWS:

Article 1

The Financing proposal for the year 2009 of the "Cross-Border programme Bosnia and Herzegovina - Montenegro", as set out in the Annex to this Decision is hereby adopted. This programme shall be implemented by centralised management.

The programme corresponding to budget year 2009 shall be implemented by means of Financing Agreements to be concluded between the Commission and the Government of each of the participating Countries in conformity with the Framework Agreements concluded between the same parties on 20 February 2008 for Bosnia and Herzegovina and on 15 November 2007 for Montenegro. Each such Financing Agreement shall cover the Community contribution for the beneficiary country and the year concerned.

Article 2

The maximum amount of Community contribution shall be EUR 500,000 for Bosnia and Herzegovina and EUR 600,000 for Montenegro to be financed through Item 22.020401 of the general budget of the European Communities for the year 2009.

Done at Brussels,

For the Commission

Member of the Commission

⁶ OJ L 357, 31.12.2002, p. 1.

⁷ OJ L 248, 16.9.2002, p.1.