



COMMISSION OF THE EUROPEAN COMMUNITIES

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98/0203 (CNS)

Proposal for a

COUNCIL DECISION

concerning the Community position within the Association Council on the participation of Latvia in a Community programme in the field of culture

(presented by the Commission)

Explanatory Memorandum

The European Council, at its meeting in Luxembourg on 12 and 13 December 1997, reconfirmed the importance of the participation of candidate countries from Central Europe in Community programmes in the context of the enhanced pre-accession strategy, as a means to familiarise them with Community working methods and procedures.

In addition to Community programmes in the fields of education, training and youth, it is now proposed to decide terms and conditions for the participation of Latvia in a Community cultural programme (Raphael) in 1998, 1999 and 2000.

Community cultural policy aims to contribute to the flowering of the European cultures, while respecting their national diversity and at the same time bringing the common cultural heritage to the fore. In particular, the Community cultural programme Raphael is aimed at encouraging cooperation between Member States and third countries in the field of conservation and safeguarding of cultural heritage of European significance.

According to the provisions of the Europe Agreement (article 109), Latvia will itself meet the costs resulting from its participation; Latvia confirmed to the Commission in writing that it is willing to pay its contribution entirely from its own budget. Latvia may thus join the eight other candidate countries, namely Bulgaria, the Czech Republic, Estonia, Hungary, Lithuania, Poland, Romania and the Slovak Republic, for which the Commission formulated proposals for Association Council decisions recently (COM(1998)239). The attached proposal is similar to the former ones, except that Latvia's participation concerns Raphael only, and that it does not intend to use part of its Phare allocation for complementing its own contribution.

In order to allow the participation of Latvia in Raphael as from 1998, the Council is requested to adopt the annexed proposal for Association Council Decision.

**Proposal for a
Council Decision
of ...**

concerning the Community position within the Association Council on the participation of Latvia in a Community programme in the field of culture.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 128, paragraph 3, in conjunction with Article 228, paragraph 3, 1st subparagraph thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Latvia, of the other part, entered into force on 1 February 1998.

Whereas according to Article 109 of the Europe Agreement, Latvia may participate in Community framework programmes, specific programmes, projects or other actions notably in the field of culture, and the terms and conditions for the participation of Latvia in the activities referred to in the said Article shall be decided by the Association Council,

Whereas, Decision No 2228/97/EC of the European Parliament and of the Council of 13 October 1997 adopting a programme in the field of cultural heritage (hereinafter called "Raphael")¹ and in particular Article 6 thereof, provide that this programme shall be open to the participation of associated Central European countries in accordance with the conditions set out in the Additional Protocols to the Association Agreements on participation in Community programmes.

HAS DECIDED AS FOLLOWS:

The position to be taken by the Community within the Association Council established by the Europe Agreement between the European Communities and their Member States, of the one part, and Latvia, of the other part, concerning the participation of Latvia in a Community Programme in the field of culture, is that set out in the attached draft decision of the Association Council.

Done at Brussels,

For the Council,

¹ OJ No L 305/31 of 08.11.97

Draft Decision n°.../98 of the EC-Latvia Association Council of.....1998 adopting the terms and conditions for the participation of Latvia in a Community Programme in the field of culture.

The ASSOCIATION COUNCIL

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and Latvia of the other part, and in particular Article 109 thereof,¹

Whereas according to Article 109 of the said Europe Agreement, Latvia may participate in Community framework programmes, specific programmes, projects or other Community actions notably in the field of culture, and the terms and conditions for the participation of Latvia in the activities referred to in the said Article are to be decided by the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Latvia shall participate in the European Community programme Raphael according to the terms and conditions set out in Annexes I and II which shall form an integral part of this Decision.

Article 2

This Decision shall apply for the duration of the Programme.

Article 3

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

For the Association Council

Done at

The Chairman

¹ OJ N° L 26/1 of 02.02.1998

ANNEX I

Terms and conditions for the participation of Latvia in the Programme Raphael.

1. Latvia shall participate in all activities of the programme Raphael (hereinafter called "the Programme") in conformity, unless otherwise provided in this Decision, with the objectives, criteria, procedures and timelimits laid down in Decision No. 2228/97/EC of the European Parliament and of the Council of 13 October 1997 adopting a programme in the field of cultural heritage (hereinafter called "Raphael").
2. The terms and conditions for the submission, assessment and selection of applications related to eligible institutions, Latvian organisations and individuals shall be the same as those applicable to eligible institutions, organisations and individuals of the Community.
3. To ensure the Community dimension of the Programme, transnational projects and activities proposed by Latvia will be required to include a minimum number of partners from the Member States of the Community. This minimum number will be decided in the framework of the implementation of the Programme, taking into account the nature of the various activities, the number of partners in a given project, and the number of countries participating in the Programme.
4. Latvia will pay each year a contribution to the general budget of the European Communities to cover the costs resulting from its participation in the Programme (see Annex II). The Association Committee is entitled to adapt this contribution whenever necessary.
5. The Member States of the Community and Latvia will make every effort, within the framework of the existing provisions, to facilitate the free movement and residence of all eligible persons to the Programme moving between Latvia and the Member States of the Community for the purpose of participating in activities covered by the Decision.
6. Without prejudice to the responsibilities of the Commission and the Court of Auditors of the European Community in relation to the monitoring and evaluation of the programme pursuant to the Decision concerning Raphael (Article 10), the participation of Latvia in the Programme will be continuously monitored on a partnership basis involving Latvia and the Commission of the European Communities. Latvia will submit the necessary reports to the Commission and take part in other specific activities set out by the Community in that context.
7. Without prejudice to the procedures referred to in Article 7 of the Decision on Raphael, Latvia will be invited to any co-ordination meetings on questions concerning the implementation of this Decision prior to the regular meetings of the Programme Committee. The Commission will inform Latvia about the results of such regular meetings.

8. The language to be used as regards the application process, contracts, reports to be submitted and other administrative arrangements for the Programme, will be one of the official languages of the Community.

ANNEX II

FINANCIAL CONTRIBUTION OF LATVIA TO RAPHAEL

1. The financial contribution of Latvia will cover;
 - financial support from the Programme to Latvian participants,
 - supplementary costs of an administrative nature related to the management of the Programme by the Commission stemming from Latvia's participation.
2. For every financial year, the aggregated amount of subsidies or any other financial support received from the Programme by Latvian beneficiaries will not exceed the contribution paid by Latvia, after deduction of the supplementary costs of an administrative nature.

Should the contribution paid by Latvia to the general budget of the European Communities, after deduction of supplementary costs of an administrative nature, be higher than the aggregated amount of subsidies or other financial support received by Latvian beneficiaries from the Programme, the Commission will transfer the balance to the next budgetary exercise, and it will be deducted from the following year's contribution. Should such a balance be left when the Programme comes to an end, the corresponding amount will be reimbursed to Latvia.

3. Latvia's annual contribution will be of ECU 14,561 per year from 1998. From this sum, an amount of ECU 953 per year will cover supplementary costs of an administrative nature related to the management of the Programme by the Commission stemming from Latvia's participation.

4. The financial regulations applicable to the general budget of the Community will apply, notably to the management of the contribution of Latvia.

Upon entry into force of this Decision and at the beginning of each following year, the Commission will send to Latvia a call for funds corresponding to its contribution to the costs under this Decision.

This contribution will be expressed in ECU and paid into an ECU bank account of the Commission.

Latvia will pay its contribution to the annual costs under this Decision according to the call for funds and at the latest three months after the call for funds is sent. Any delay in the payment of the contribution shall give rise to the payment of interest by Latvia on the outstanding amount from the due date. The interest rate corresponds to the rate applied by the European Monetary Co-operation Fund, for the month of the due date, for its operations in ECU, increased by 1.5 percentage points.

5. Latvia shall pay the cost of its participation in the programme and the supplementary administrative costs referred to in paragraph 3 from its national budget.

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Opening of a Community Programme in the field of culture to Latvia

2. BUDGET HEADING INVOLVED

B7-503 - Opening of Community Programmes to the associated countries of Central Europe

3. LEGAL BASIS

Treaty establishing the European Community, and in particular Article 128, paragraph 3, in conjunction with Article 228, paragraph 3, 1st subparagraph thereof,

Article 109 of the Europe Agreement with Latvia (Articles 228 and 238) of 12 June 1995, providing for the opening-up of Community programmes (OJ No L26/1 of 2.2.1998), entered into force on 1 February 1998,

Decision No 2228 /97/EC of the European Parliament and of the Council of 13 October 1997 adopting a programme in the field of cultural heritage ("Raphael") and in particular Article 6 thereof,

4. DESCRIPTION OF OPERATION:

4.1 General objective

Latvian participation in a Community programme in the field of culture will further contribute to its preparation for accession as a key feature of a reinforced pre-accession strategy. It will also enable Latvia to familiarise itself with the procedures and methods used in these Community programmes.

The decision-making process for the opening-up of programmes involves a decision by the Association Council between the Union and the associated country. This decision also lays down the practical arrangements for opening up the programmes.

The Europe Agreement with Latvia entered into force on 1 February 1998 and provides for Latvian participation in a wide range of areas, amongst which culture.

Other Community programmes, notably in the fields of education, training and youth, will shortly be opened up to the participation of Latvia.

4.2 Period covered and arrangements for renewal

Until the end of the Community programme concerned, i.e. 31.12.2000, but dependent on decisions taken as regards the budget after 1999.

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Non-compulsory expenditure

5.2 Differentiated appropriations

5.3 Type of revenue involved:

Since Article 109 of the Europe Agreement stipulates that Latvia itself will meet the costs resulting from its participation, it will be invited to transfer its contribution to item 6091 of the EU's budget receipts. There are no budgetary implications therefore for item B7-503.

6. TYPE OF EXPENDITURE OR REVENUE

- 100% subsidy
- subsidy for joint financing with other sources in the public and/or private sector
- no provision for all or part of the Community contribution to be reimbursed

RAPHAEL

Action 1 - "Conservation, safeguarding and development of the European cultural heritage through European cooperation"

- may not exceed 50% of the total costs of the project or 250,000 ECU

Action 2 - "Cooperation for the exchange of experiences and the development of techniques applied to heritage"

- may not exceed 50% of the total cost of the project or 50,000 ECU, except in certain cases for which Community contributions may be up to 150,000 ECU or 100,000 ECU

Action 3 - "Public access to, participation in and awareness of the cultural heritage"

- may not exceed 50% of the total costs of the project or 50,000 ECU, except in certain cases for which Community contribution may be up to 150,000 ECU

Action 4 - "Cooperation with third countries and international organisations"

- support for cooperation with third countries is covered by actions 1,2,3
- support for international organisations will be decided on an individual basis in accordance with Article 7(3) of the Decision.

As far as revenue is concerned, provision for the Latvian contribution to cover the cost of its participation is made under item 6091. The revenue will be allocated to the items for expenditure on the programme and, where appropriate, to the relevant items of operating expenditure.

The total revenue expected is given under item 7.4.

7. FINANCIAL IMPACT

7.1 Method of calculating total cost of operation for 1998, 1999 and 2000 financial years (link between individual costs and total cost)

The calculation is based on the following preconditions:

- the Latvian contribution to the financing of the activities referred to in the Europe Agreement is calculated according to the principle that the country bears the cost of participation itself. Heading 6091 has been created in the statement of budget revenue for that purpose;

Based on the Europe Agreement with Latvia, the financial and budgetary arrangements for the programme concerned are as follows: the cost has been calculated on the basis of various parameters inherent in the programme, i.e. GDP per capita as weighted with PPP (purchasing power parities).

For Raphael the annual cost will be ECU 14,561 in 1998, 1999 and 2000.

The above-mentioned amount, which includes the supplementary costs of an administrative nature amounting to 953 ECU in 1998, 1999 and 2000 respectively, will be covered entirely from the Latvian national budget.

7.2 Itemised breakdown of cost in ECU

Programme	1998	1999	2000	Total	in ECU	
					of which Latvia	of which Phare
Raphael	13,608	13,608	13,608	40,824	40,824	0
Total	13,608	13,608	13,608	40,824	40,824	0

7.3 Operational expenditure on studies, expert meetings, etc., included in Part B: None

7.4 Schedule for multiannual operations

Amounts to be charged to item B7-503
No impact on item B7-503.

The foreseeable annual receipts are as follows:

Item 6091	1998	1999	2000	subsequent years	TOTAL
operational part	13,608	13,608	13,608		40,824
administrative part	953	953	953		2,859
Total	14,561	14,561	14,561		43,683

8. FRAUD PREVENTION MEASURES; RESULTS OF MEASURES TAKEN

All the Commission's contracts, agreements and other legal commitments provide for on-the-spot checks by the Commission and Court of Auditors. Among other things, the beneficiaries of the operations are obliged to file reports and financial statements. These are analysed from the point of view of their content and the eligibility of the expenditure in line with the objective of Community financing.

The anti-fraud provisions of the basic budget headings apply to this heading too when adapted to the case of Latvia.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1. Specific and quantified objectives; target population

The aim of opening up a Community cultural programme to Latvia is to bring it the same benefits as the Member States of the Community already enjoy from the programme. The essential aim of Community action in the field of culture should be to enable all European citizens to contribute to their national and regional cultural diversity whilst at the same time bringing the common cultural heritage to the fore.

In the field of culture, the principal aim of the Raphael programme is to support and supplement, through cooperation, the action taken by Member States in the field of cultural heritage (movable and immovable heritage). The specific aims are :

to encourage the conservation and restoration of aspects of the cultural heritage which are of European importance, helping to develop and promote them ;

to encourage the development of transnational cooperation between institutions and/or operators in the cultural heritage field, in order to contribute to the pooling of skills and the development of best practice in the preservation of the cultural heritage;

to improve access to the cultural heritage in its European dimension and encourage the active participation of the general public, in particular children, young people, the under privileged and those living in the outlying and rural areas of the Community, in the safeguarding and development of the European cultural heritage ;

to encourage transnational cooperation in developing new technologies for application in the various heritage categories and disciplines and in preserving traditional cultural heritage trades and techniques ;

to have account taken of the heritage dimension in other Community programmes and policies; to encourage cooperation with third countries and the relevant international organisations.

9.2. Grounds for the operation

- *Need for Community financial aid*

No requirement on item B7-503.

- *Choice of ways and means*

Latvian participation will contribute to getting acquainted with the internal policies and proceedings of the Community in the field of culture. The integration of Latvia nationals in Community networks will make a definite contribution to preparing Latvia for future membership.

- *Main factors of uncertainty which could affect the specific results of the operation*

Since projects will be selected according to qualitative criteria, it will only be possible to measure the real impact on the basis of Latvian entities' and citizens' capacity to respond to the calls for proposal to be launched by the Commission under the programme.

9.3 Monitoring and evaluation of the operation

The monitoring and evaluation procedures included in the programme, will also cover operations financed for Latvian beneficiaries.

10. ADMINISTRATIVE EXPENDITURE

The administrative resources required will actually be mobilised following the annual Commission Decision on the allocation of resources, taking account in particular of manpower and additional amounts granted by the budgetary authority. The supplementary needs can not, in any case, prejudice the decision that the Commission will need to take concerning:

- a) the request of new posts in the framework of the APB
- b) the resources allocation

10.1 Effect on the number of posts (in man/years)

Type of post	Staff required to manage the operation		Source		duration
	Permanent posts	Temporary posts	Existing resources of the DG or department concerned	Additional resources	1998-2000
Officials or temporary staff					
A	0.1		0.1		
B	0.05		0.05		
C					
Other resources (Technical Assistance, item A-7002)				0.00667	
TOTAL	0.15		0.15	0.00667	from 1998

10.2 Overall financial impact of the human resources

(in ECU)

	Total	Method of calculation (total cost of the action for the period 1998-2000)
Officials *	48,600	0.15 man/year x 108,000 ECU x 3 years
Temporary staff		
Other resources (Technical assistance, item A-7002)	2,002	0.00667 man/year x 100,000 ECU x 3 years = roundup to 2,002
TOTAL	50,602	

* By using existing resources required to manage the operation (calculation based on A-1, A-2, A-4, A-5, A-7).

The expenditure of item A-7002 (technical assistance) will be met from the receipts (art. 489, third indent of the Financial Regulation) received from the Latvian participation in Community programmes (see 5.3 of the Financial Statement).

10.3 Increase in other administrative expenditure as a result of the operation**(in ECU)**

Budget heading (No and title)	Total	Method of calculation (total cost of the action for the period 1998-2000)
A-701 - travel expenditure		Participation of 1 Latvian expert in 1 meeting (857 ECU)
A-7030 - meetings in general	857	
A-7031 - compulsory meetings		
Total	857	

The above expenditure will be met from the receipts (article 4§2, third indent of the financial regulation) received from Latvian participation in the Community Programme (see § 5.3 of the financial statement).

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DOCUMENTS

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