

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82)140 final

Brussels, 17 March 1982

RECOMMENDATION FOR COUNCIL DECISION

authorizing the Commission to negotiate an exchange
of letters between the European Economic Community
and the European Foundation

(submitted by the Commission to the Council)

COM(82)140 final

EXPLANATORY MEMORANDUM

1. The European Council session on 7/8 April 1978 decided that there should be set up a European Foundation having as its purpose to increase mutual understanding between the peoples of the Community and promote better knowledge of the European cultural heritage in its rich diversity and its unity and fuller understanding of European integration.

It was subsequently settled that the Foundation should be instituted by an agreement under international law to which all the European Community Member States would be contracting parties.

2. The draft Agreement establishing the Foundation provides that the Foundation's activities are to complement those of other existing Institutions or bodies, and are not to overlap with Community programmes. To ensure proper coordination between the respective activities, it provides that a number of members of the Board of the Foundation are to be appointed by the Community. The Commission considers the Community should accept this offer.

3. By the terms of the draft Agreement the funding for the Foundation would come from (a) a Community contribution and (b) voluntary contributions public and private.

The Commission considers that there will not be a sufficient flow of private contributions to the Foundation in the initial running-in period. There is therefore the danger that the Foundation will not be able to launch its activities effectively without a substantial contribution from the Community. The Commission also takes the view that some of the Foundation's activities are of particular value to the Community and hence warrant Community funding.

4. The Commission considers the best way to assure the Foundation of the funds essential to its launching is a contractual undertaking between the Community and the Foundation, whereby the Foundation would have a certain modicum of funds available to it

for its first few years: the overall sum it would need in its first three years would, the Commission estimates, be at least four million Ecus. The Budgeting Authority would of course determine each year in the course of the budget procedure what appropriation was to go into the Community Budget: that appropriation in the Commission's view would rank as non-compulsory expenditure.

5. The Member States now plan to sign the Act establishing the European Foundation on 29 March next. Although the Community/Foundation negotiations cannot begin until the establishing agreement has been ratified by the Member States in accordance with their respective internal arrangements, it would be well to get the directives for the negotiations laid down right away, thus giving the Member States advance notice of how it is intended the Community should take part in the Foundation's activities.

6. The Commission accordingly recommends that the Council authorize it to negotiate with the Foundation when the latter is legally established an agreement in the form of an exchange of letters as contained in the annex to this recommendation.

Recommendation for a
COUNCIL DECISION

authorizing the Commission to negotiate an exchange of
letters between the European Economic Community and the
European Foundation

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

having regard to the Treaty establishing the European Economic
Community,

having regard to the recommendation from the Commission,

whereas the Member States of the European Communities have by
an agreement of set up a European Foundation,

whereas that agreement contains provision for the European
Economic Community to appoint ten members of the Board of the
Foundation and to make a financial contribution to the Foundation,

DECIDES:

Sole Article

The Commission is hereby authorized to negotiate an
exchange of letters between the European Economic Community
and the European Foundation in accordance with the annexed
outline.

DRAFT LETTER TO EUROPEAN FOUNDATION

Sir,

The European Economic Community has noted with satisfaction that the Member States of the European Communities have set up the European Foundation.

It is of the opinion that the functions of the Foundation are complementary to its own activities. Proper coordination must therefore be ensured between Community and Foundation activities.

To help achieve this the Community, availing itself of the opportunities afforded by the terms of the Agreement setting up the Foundation, will

- . first, appoint ten members of the Board of the Foundation for a period of four years;
- . secondly, place at the disposal of the Foundation a financial contribution of four million Ecus for a period of three years.

This is on the understanding that the Foundation agrees, in compliance with the rules applying to the General Budget of the Communities, to scrutiny by the Commission and the Court of Auditors of the use made of the Community contribution.

I shall be glad if you will kindly acknowledge receipt of this letter and confirm that you agree to its terms.

Pray accept, Sir, the assurance of my highest consideration.

For the Council

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