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Proposal for a

**COUNCIL AND COMMISSION DECISION**

**on a Union Position concerning a Decision of the EU – Montenegro Stabilisation and  
Association Council amending its Rules of Procedure**

## EXPLANATORY MEMORANDUM

- (1) The Stabilisation and Association Agreement between the European Communities and their Member States and Montenegro, which entered into force on 1 May 2010, provides, in Article 124 thereof, that the Stabilisation and Association Council may decide to set up any other special committee or body that can assist it in carrying out its duties, determining in its rules of procedure the composition and duties of such committees or bodies and how they shall function.
- (2) The European Economic and Social Committee and the Committee of the Regions of the European Union and the Montenegrin authorities have expressed their interest in setting up two Joint consultative committees to organise dialogue and cooperation between their social partners and other civil society representatives and their regional and local authorities. To do this, the Stabilisation and Association Council needs to amend its Rules of Procedure.
- (3) The Commission therefore proposes that two Joint consultative committees be set up by the Stabilisation and Association Council:
  - One Joint Consultative Committee will represent the social partners and other civil society organisations, in support of the keen interest expressed in this respect, by both sides, represented by the European Economic and Social Committee, on the part of the European Union, and by the Montenegrin social partners and other civil society organisations, on the part of Montenegro.
  - The other Joint Consultative Committee will represent the local and regional authorities of both parties, in support of the keen interest expressed, in this respect, by both sides, represented by the Committee of the Regions of the European Union, on the part of the European Union, and by the elected representatives of local and regional authorities of Montenegro, on the part of Montenegro.
- (4) The proposed Joint consultative committees are intended to constitute forums for dialogue and co-operation between the social partners and other civil society organisations and the local and regional authorities in the European Union and Montenegro, which can make a major contribution to the development of their relations and to the integration of Europe. This dialogue and co-operation will prepare for future work with the European Economic and Social Committee and the Committee of the Regions of the European Union and for Montenegrin membership of the European Union; facilitate exchanging information on current issues of mutual interest, in particular up-to-date state of play concerning EU economic, social and regional policy and the accession process; encourage information exchange in practical implementation of the principle of subsidiarity in all aspects of life on regional and local level; discussing any other relevant matters proposed by any side, as they can arise in the context of implementation of the Stabilisation and Association Agreement and in the framework of the Pre-accession Strategy. The Stabilisation and Association Council may also consult the proposed Joint consultative committees before taking decisions in relevant areas. Consultation of the committees remains, however, at the discretion of the Stabilisation and Association Council.

- (5) The establishment of the proposed Joint consultative committees does not have any financial impact on the EU budget, the Montenegrin participants being responsible for their own expenses and the expenses on the European Union side being covered by the budget of the European Economic and Social Committee and the Committee of the Regions of the European Union.
- (6) The text of the proposal for a Council and Commission decision on the position to be taken by the European Union in the Stabilisation and Association Council, as provided for by Article 3 (1) of the Council and Commission decision of 29 March 2010 on the conclusion of the aforementioned Stabilisation and Association Agreement, is attached hereto.

Proposal for a

**COUNCIL AND COMMISSION DECISION**

**on a Union position concerning a Decision of the EU – Montenegro Stabilisation and Association Council amending its Rules of Procedure**

THE COUNCIL OF THE EUROPEAN UNION,

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 218, paragraph 9 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community (Euratom), and in particular Article 101 thereof,

Having regard to Council and Commission Decision of 29 March 2010 on the conclusion of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro (hereinafter referred to as “Montenegro”), of the other part, and in particular Article 3(1) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Article 119 of the Stabilisation and Association Agreement establishes a Stabilisation and Association Council.
- (2) Article 120 of said Agreement provides that the Stabilisation and Association Council shall adopt its own rules of procedures.
- (3) Article 124 of said Agreement provides that the Stabilisation and Association Council may decide to set up other special committees or bodies that can assist it in carrying out its duties. The same provision of said Agreement further provides that the Stabilisation and Association Council shall, in its rules of procedure, determine the composition and duties of such committees or bodies and how they shall function,

HAVE DECIDED AS FOLLOWS:

*Sole Article*

The position to be adopted by the Union within the Stabilisation and Association Council established by Article 119 of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of

Montenegro, of the other part, in relation to the setting up of the Joint Consultative Committee with the European Economic and Social Committee and the Joint Consultative Committee with the Committee of the Regions of the European Union and the amendment of the rules of procedures of the said Stabilisation and Association Council as provided for in Article 124 of said Agreement shall be based on the draft decision of the Stabilisation and Association Council, annexed to this Decision. Minor amendments to this draft decision may be accepted without further decision of the Council.

Done at Brussels,

*For the Commission*

*For the Council*

*The President*

*The President*

## ANNEX

### **Decision No 1/2011 of the EU – Montenegro Stabilisation and Association Council of 20 June 2011 amending Decision No 1/2010 adopting the rules of procedure of the Stabilisation and Association Council, in view of setting up a Joint Consultative Committee with the European Economic and Social Committee and a Joint Consultative Committee with the Committee of the Regions of the European Union**

THE STABILISATION AND ASSOCIATION COUNCIL,

Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro (hereinafter referred to as “Montenegro”), of the other part, and in particular Article 124 thereof,

Whereas:

- (1) Dialogue and cooperation between social partners and other civil society organisations as well as regional and local authorities in the European Union and those in Montenegro can make a major contribution to the development of their relations and the integration of Europe.
- (2) It seems appropriate that such cooperation should be organised by setting up two Joint Consultative Committees. One between the European Economic and Social Committee of the one part, and the Montenegrin social partners and other civil society organisations of the other part. The other between the Committee of the Regions of the European Union of the one part and the elected representatives of local and regional authorities of Montenegro of the other part.
- (3) It follows that the rules of procedure of the Stabilisation and Association Council, adopted by Decision No 1/2010, need to be amended accordingly,

HAS DECIDED AS FOLLOWS:

#### *Article 1*

Decision No 1/2010 shall be amended by adding the following Articles:

#### *Article 14*

#### **Joint Consultative Committee with the European Economic and Social Committee**

- (1) A Joint Consultative Committee with the European Economic and Social Committee is hereby established, entrusted with the task of assisting the Stabilisation and Association Council with a view to promoting dialogue and cooperation between the social partners and other civil society organisations, in the European Union and Montenegro. Such dialogue and cooperation shall encompass all relevant aspects of relations between the European Union and Montenegro, as they arise in the context of the implementation of the Stabilisation and Association Agreement. Such dialogue and cooperation shall be aimed in particular at:

- (a) Preparing Montenegrin employers, employed and other civil society organisations for activity in the framework of future membership of the European Union;
  - (b) Preparing Montenegrin employers, employed and other civil society organisations for their participation in the work of the European Economic and Social Committee after the accession of Montenegro;
  - (c) Exchanging information on issues of mutual interest, in particular on up-to-date state of play on the accession process as well as preparation of Montenegrin employers, employed and other civil society organisations for this process;
  - (d) Encouraging exchanges of experience and structured dialogue between A) Montenegrin employers, employed and other civil society organisations and B) employers, employed and other civil society organisations from Member States, including through networking in specific areas where direct contacts and cooperation might prove the most effective way of solving particular problems;
  - (e) Discussing any other relevant matters proposed by any side, as they can arise in the context of implementation of the Stabilisation and Association Agreement and in the framework of the Pre-accession.
- (2) The Joint Consultative Committee with the European Economic and Social Committee shall comprise six representatives of the European Economic and Social Committee and six representatives of Montenegro's social partners and other civil society organisations. Observers can be also invited to participate.
- (3) The Joint Consultative Committee with the European Economic and Social Committee shall carry out its tasks on the basis of consultation by the Stabilisation and Association Council or, with regard to promoting dialogue between economic and social circles, on its own initiative.
- (4) Members shall be chosen to ensure that the Joint Consultative Committee with the European Economic and Social Committee is as faithful a reflection as possible of the various social partners and other civil society organisations, in both the European Union and Montenegro. Official nominations of Montenegrin members shall be made by the government of Montenegro based on proposals from social partners and other civil society organisations. Those proposals shall be based on inclusive and transparent selection procedures among social partners and other civil society organisations.
- (5) The Joint Consultative Committee with the European Economic and Social Committee shall be co-chaired by a member of the European Economic and Social Committee and a representative of Montenegro's social partners and other civil society organisations.
- (6) The Joint Consultative Committee with the European Economic and Social Committee shall adopt its own Rules of Procedure.
- (7) The European Economic and Social Committee, on the one hand, and the Montenegrin Government, on the other hand, shall each defray the expenses they incur by reason of



the participation of their delegates in the meetings of the Joint Consultative Committee and of its working groups with regard to staff, travel and subsistence expenditure.

- (8) Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.

#### *Article 15*

#### **Joint Consultative Committee with the Committee of the Regions of the European Union**

- (1) A Joint Consultative Committee with the Committee of the Regions of the European Union is hereby established with the task of assisting the Stabilisation and Association Council with a view to promoting dialogue and cooperation between the local and regional authorities in the European Union and those in Montenegro. Such dialogue and cooperation shall be aimed in particular at:
- (a) Preparing Montenegrin local and regional authorities for activity in the framework of future membership of the European Union;
  - (b) Preparing Montenegrin local and regional authorities for their participation in the work of the Committee of the Regions after the accession of Montenegro;
  - (c) Exchanging information on current issues of mutual interest, in particular on up-to-date state of play concerning European regional policy and accession process as well as preparation of Montenegrin local and regional authorities for these policies;
  - (d) Encouraging multilateral structured dialogue between A) Montenegrin local and regional authorities and B) local and regional authorities from the Member States, including through networking in specific areas where direct contacts and cooperation between Montenegrin local and regional authorities and the local and regional authorities from Member States might prove the most effective way of addressing specific topics of mutual interest;
  - (e) Providing regular exchange of information on inter-regional cooperation between Montenegrin local and regional authorities and local and regional authorities from Member States;
  - (f) Encouraging exchange of experience and knowledge in the field of regional policy and structural interventions, between A) Montenegrin local and regional authorities and B) local and regional authorities from Member States, in particular know-how and techniques concerning preparation of local and regional development plans or strategies and most efficient use of the pre-accession and Structural Funds;
  - (g) Assisting Montenegrin local and regional authorities by means of information exchange in particular implementation of the principle of subsidiarity in all aspects of life on local and regional level;
  - (h) Discussing any other relevant matters proposed by any side, as they can arise in the context of implementation of the Stabilisation and Association Agreement and in the framework of the Pre-accession talks.

- (2) The Joint Consultative Committee with the Committee of the Regions of the European Union shall comprise [seven] representatives of the Committee of the Regions, on the one hand, and [seven] elected representatives of the local and regional authorities of Montenegro, on the other hand. An equal number of alternate members shall be appointed.
- (3) The Joint Consultative Committee with the Committee of the Regions of the European Union shall carry out its activities on the basis of consultation by the Stabilisation and Association Council or, as concerns the promotion of the dialogue between the local and regional authorities, on its own initiative.
- (4) The Joint Consultative Committee with the Committee of the Regions of the European Union may make recommendations to the Stabilisation and Association Council.
- (5) Members shall be chosen to ensure that the Joint Consultative Committee with the Committee of the Regions is a faithful reflection of the various levels of local and regional authorities in both the European Union and Montenegro. Official nominations of Montenegrin members shall be made by the government of Montenegro based on proposals from organisations representing local and regional authorities in Montenegro. Those proposals shall be based on inclusive and transparent selection procedures among representatives holding local or regional electoral mandates.
- (6) The Joint Consultative Committee with the Committee of the Regions of the European Union shall adopt its own Rules of Procedure.
- (7) The Joint Consultative Committee with the Committee of the Regions of the European Union shall be co-chaired by a member of the Committee of the Regions and a representative of the local and regional authorities of Montenegro.
- (8) The Committee of the Regions, on the one hand, and the Government of Montenegro, on the other hand, shall each defray the expenses incurred by reason of the participation of their delegates and supporting staff in the meetings of the Joint Consultative Committee with the Committee of the Regions of the European Union, in particular with regard to travel and subsistence expenditure.
- (9) Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.'

## *Article 2*

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

Done at Luxemburg, [ ] June 2011

For the Stabilisation and Association Council

The Chairman