

No. 48893

**Switzerland
and
Romania**

Framework Agreement between the Swiss Federal Council and the Government of Romania concerning the implementation of the Swiss-Romanian cooperation programme to reduce economic and social disparities within the enlarged European Union (with annexes). Bern, 7 September 2010

Entry into force: *10 November 2010 by notification, in accordance with article 11*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *Switzerland, 1 August 2011*

Only the authentic English text of the Agreement with Annexes 1- 5 and the French translation of the Agreement are published herein, in accordance with article 12 (2) of the General Assembly Regulations to give effect to Article 102 of the Charter of the United Nations, as amended, and the partial publication practice of the Secretariat.

**Suisse
et
Roumanie**

Accord-cadre entre le Conseil fédéral suisse et le Gouvernement de Roumanie concernant la mise en œuvre du programme de coopération helvético-roumain visant à réduire les disparités économiques et sociales au sein de l'Union européenne élargie (avec annexes). Berne, 7 septembre 2010

Entrée en vigueur : *10 novembre 2010 par notification, conformément à l'article 11*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Suisse, 1^{er} août 2011*

Seuls sont publiés ici le texte authentique anglais de l'Accord et de ses annexes 1 à 5 ainsi que la traduction en français de l'Accord, conformément au paragraphe 2 de l'article 12 du règlement de l'Assemblée générale destiné à mettre en application l'Article 102 de la Charte des Nations Unies, tel qu'amendé, et à la pratique du Secrétariat en matière de publication partielle.

FRAMEWORK AGREEMENT

BETWEEN

THE SWISS FEDERAL COUNCIL

AND

THE GOVERNMENT OF ROMANIA

CONCERNING

**THE IMPLEMENTATION OF THE SWISS-
ROMANIAN COOPERATION PROGRAMME
TO REDUCE ECONOMIC AND SOCIAL
DISPARITIES WITHIN THE ENLARGED
EUROPEAN UNION**

THE SWISS FEDERAL COUNCIL (hereinafter referred to as "the Swiss Party")

AND

THE GOVERNMENT OF ROMANIA (hereinafter referred to as "the Romanian Party")

hereinafter collectively referred to as "the Parties",

- AWARE of the importance of the enlargement of the European Union (hereinafter referred to as "EU") for stability and prosperity in Europe;
- NOTING the solidarity of the Swiss Party with the endeavours of the EU to reduce economic and social disparities within the EU;
- BUILDING upon the previous successful cooperation between the two countries;
- HAVING regard to the friendly relations between the two countries;
- DESIROUS of strengthening these relations and the fruitful cooperation between the two countries;
- INTENDING to promote further the social and economic development in Romania;
- IN VIEW of the fact that the Swiss Federal Council has expressed, in the Addendum of 25 June 2008 (hereinafter referred to as "Addendum") to the Memorandum of Understanding with the European Community of 27 February 2006 (hereinafter referred to as "Memorandum of Understanding"), the intention that the Swiss Party shall increase its contribution of CHF 1,000,000,000 (one billion Swiss francs) to reduce economic and social disparities within the enlarged EU by an additional contribution amounting up to CHF 257,000,000 (two hundred and fifty seven million Swiss francs) to Romania and Bulgaria;

have agreed as follows:

Article 1 – Definitions

For the purpose of this Framework Agreement:

- "Contribution" means the non-reimbursable financial contribution granted by the Swiss Party;
- "Swiss-Romanian Cooperation Programme" means the bilateral programme for the implementation of this Framework Agreement;
- "Supporting Measure" means a Project, a Thematic Fund, the Project Preparation Facility, the Technical Assistance Fund or other joint activities;

- "Project" means an individual project or a programme. A programme consists of component projects linked by a common theme or shared objectives;
- "Thematic Fund" means a grant-provision scheme for financing activities to address specific thematic areas or to target specific beneficiary groups;
- "Activity" means specific assistance for, inter alia, projects, scholarships, partnerships and knowledge transfer provided within a Thematic Fund;
- "Commitment" means the allocation of a certain amount of the Contribution to a Supporting Measure agreed upon by the Parties;
- "Project Agreement" means an agreement between the Parties and, if need be, additional contracting parties, on the implementation of a Project agreed upon by the Parties;
- "Thematic Fund Agreement" means an agreement between the Parties and, if need be, additional contracting parties, on the implementation of a Thematic Fund agreed upon by the Parties;
- "National Coordination Unit" (NCU) means the Romanian unit in charge of the coordination of the Swiss-Romanian Cooperation Programme;
- "Intermediate Body" means any legal public or private entity appointed by the NCU which acts under the responsibility of the NCU or which carries out duties on behalf of the NCU with regard to Executing Agencies implementing Projects;
- "Swiss Intermediate Body" means any legal public or private entity mandated by the Swiss Party for the management of a Thematic Fund;
- "Paying Authority" means the unit established in the Ministry of Public Finance ensuring on the Romanian side appropriate financial control of the Swiss-Romanian Cooperation Programme;
- "Audit Authority" means the unit established in the Ministry of Public Finance responsible on the Romanian side for the control of the use of financial resources of the Swiss-Romanian Cooperation Programme;
- "Executing Agency" means any legal public or private entity, as well as any organisation recognised by the Parties and mandated to implement Supporting Measures;
- "Implementation Agreement" means an agreement between the NCU and/or the Intermediate Body and the Executing Agency for the implementation of the Project;

- "Mandate Agreement" means an agreement between the Swiss Party, the Swiss Intermediate Body and/or possibly the Executing Agency for the implementation of a Thematic Fund;
- "Delegation Agreement" means an agreement between the NCU and the Intermediate Body / Executing Agency / Paying Authority in order to delegate tasks from the NCU to the Intermediate Body / Executing Agency / Paying Authority for the implementation of projects;
- "Project Preparation Facility" means the facility providing financial support for the preparation of the Final Project Proposals;
- "Technical Assistance Fund" means the fund set up to finance the tasks performed by the Romanian authorities additionally and exclusively for the implementation of the Contribution;
- "Block Grant" means a fund set up within a Thematic Fund for a clearly defined purpose, dedicated to financing small Activities in a cost-effective way.

Article 2 – Objectives

1. The Parties shall promote the reduction of economic and social disparities within the enlarged EU through Supporting Measures mutually agreed upon between the Parties and in line with the Memorandum of Understanding and its Addendum and the Conceptual Framework for the Swiss-Romanian Cooperation Programme as outlined in Annex 1 of this Framework Agreement.
2. The objective of this Framework Agreement is to establish a framework of rules and procedures for the planning and implementation of the cooperation between the Parties.

Article 3 – Amount of the Contribution

1. The Swiss Party agrees to grant a non-reimbursable Contribution towards the reduction of economic and social disparities within the enlarged EU of up to CHF 181 million (one hundred and eighty one million Swiss francs) to Romania for a Commitment period of five years and a disbursement period of up to 10 years, starting from the approval date of the Contribution by the Swiss Parliament, which is 7 December 2009.
2. The Parties shall accept submissions of final proposals for Supporting Measures for commitment of funds until two months before the end of the Commitment period.
3. Funds not committed during the Commitment period shall no longer be available for the Swiss-Romanian Cooperation Programme.