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**COMMUNICATION TO THE COMMISSION**

**by Vice-President M. Šefčovič in agreement with the President, Vice President Reding,  
and Mr Füle**

**Phasing-out of Commission pre-accession activities in Croatia – Creation of a  
Commission Representation in Croatia**

{SWD(2012) 208 final}

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## TABLE OF CONTENTS

<b>Introduction .....</b>	<b>4</b>
<b>1. Commission Representation and phasing-out of Commission pre-accession activities in Croatia .....</b>	<b>5</b>
1.1. Communication and information activities of the Representation.....	5
1.2. Language services .....	6
1.3. Phasing-out of Commission pre-accession activities in Croatia .....	6
<b>2. Estimated human resources needs in the Commission Services in Croatia and conditions of employment.....</b>	<b>8</b>
2.1. Number of staff in the Commission Representation in Croatia and their conditions of employment.....	9
2.2. Human Resources issues during the post-accession transitional period .....	9
2.2.1. Measures for the reassignment of Commission staff kept on after the date of accession and duration of stay throughout the post-accession transitional period.....	9
2.2.2. Special arrangements to maintain material conditions.....	9
<b>3. Organisation of the Commission services .....</b>	<b>9</b>
3.1. Infrastructure .....	9
3.1.1. Commission Representation.....	9
3.1.2. Temporary location for the Transition Team .....	9
3.2. Service contracts and Equipment .....	9
3.3. Archives .....	9
<b>4. Work programme and timetable .....</b>	<b>9</b>
<b>5. Conclusions .....</b>	<b>9</b>

## COMMUNICATION TO THE COMMISSION

### INTRODUCTION

In accordance with the Treaty of Accession of Croatia<sup>1</sup>, signed on 9 December 2011 in Brussels, Croatia is to become the 28<sup>th</sup> Member State of the European Union on 1 July 2013. The Treaty of Accession, ratified by the Croatian Parliament on 9 March 2012, must also be ratified by all 27 Member States.

On the day before accession, the EU Delegation in Croatia, which is under the authority of the High Representative<sup>2</sup>, will cease its foreign policy functions and will be closed.

On the date of accession, a Commission Representation in Croatia will be opened. The functions of an EU Delegation in an acceding country are not the same as those of a Commission Representation in a Member State: the main tasks of the former are to manage the pre-accession programmes, while the latter has an important information and communication function.

In addition to the Representation, the Commission will have staff in the post-accession Transition Team, which is tasked with phasing-out the pre-accession activities of the Commission (currently in the EU Delegation). Under the terms of Article 44 of the Act of Accession<sup>3</sup> annexed to the Treaty of Accession, the Commission may take all appropriate measures to ensure that the necessary staff is maintained in Croatia for a maximum period of 18 months following the accession on 1 July 2013, i.e. until 31 December 2014. In line with the same legal basis, special measures will apply to the staff remaining in Croatia.

Timely and clear practical arrangements are necessary in order both to keep the staff currently serving in Croatia informed of the measures to be taken, and to meet the future requirements in terms of human resources, infrastructure and logistics. It is also worth noting that the current exercise is the first after the entry into force of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, involving two different organisational entities: the European External Action Service (EEAS) and the Commission.

The present *Communication to the Commission*, which is submitted for adoption by the College:

1. Analyses the implications of the changes for the various categories of staff and explores options consistent with the applicable legal and budgetary constraints. A distinction is

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<sup>1</sup> Treaty between the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Republic of Croatia concerning the accession of the Republic of Croatia to the European Union (OJ L 112, of 24 April 2012).

<sup>2</sup> According Article 5 of the Decision 2010/427/EU establishing the organisation and functioning of the European External Action Service (EEAS), OJ L 201 of 03.08.2010, p.30.

<sup>3</sup> Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community (OJ L 112, of 24 April 2012).

made between: (a) staff required for the functioning of the Commission Representation; and (b) staff assigned to the phasing out of pre-accession programmes, needed during the post-accession transitional period;

2. Describes the organisation of the new Commission Representation in Croatia, including the new structure of the different departments in line with the existing ones in the other Member States, in particular in terms of office space. As was the case during the 2004 and 2007 enlargements, account must be taken of the Commission's political undertaking that the Commission Representation should operate from the same building as the Parliament's Information Office (i.e. European Union House);
3. Describes the logistical organisation of the Commission services in Croatia, particularly in terms of infrastructure, management of archives, service contracts and equipment – for both the Commission Representation and the post-accession Transition Team.
4. Sets out a timetable for the measures to be adopted, aiming at ensuring an optimal transition.

## **1. COMMISSION REPRESENTATION AND PHASING-OUT OF COMMISSION PRE-ACCESSION ACTIVITIES IN CROATIA**

This section outlines the activities that will be undertaken by the Commission following the accession of Croatia to the European Union: they will consist of permanent activities (communication and information activities as part of the new Commission Representation and the language services) and temporary activities (IPA phasing-out activities during the 18-month post-accession transitional period).

### **1.1. COMMUNICATION AND INFORMATION ACTIVITIES OF THE REPRESENTATION**

The Commission Representation acts as the official representative of the European Commission in each Member State and serves the interests of the institution as a whole. The Representation has an important function in terms of communication and information. After accession, the new Representation will implement the core functions set out in its mandate. These include: supporting the President and the Commissioners, representing the Commission, providing political information and analysis, communicating with the media and providing outreach and communication services to citizens and stakeholders in the Member States. The Representation liaises and coordinates, as appropriate, with other institutions of the Union, in particular with the European Parliament Information Offices and other partners on issues of common interest.

Under the terms of the Agreement with the European Parliament to share premises in a single building in all EU capital cities, the Commission Representation and the Parliament will share office space in a European Union House<sup>4</sup>.

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<sup>4</sup> Commission Communication C(2005) 4010 concerning "An inter-institutional policy for offices of the Representations in the European Union" of 19 October 2005, last modified by Commission Communication C(2008) 3721 by of 23 July 2008 with a view to adapting the key of distribution between the Commission and the European Parliament of the costs incurred by the acquisition of buildings intended as premises for the European Union Houses.

In December 2006, the EU Delegation opened a European Union Information Centre in Zagreb, which is funded by IPA. As from the date of accession, no new financing from IPA funds will be possible and the responsibility for information policy will be transferred from DG ELARG to DG COMM.

DG COMM will take over responsibility for information and communication activities, including the launching of a call for proposal for Europe Direct Information Centres. The Europe Direct Contact Centre will also be operational in the Croatian language.

## 1.2. LANGUAGE SERVICES

The Commission will provide language services in Croatia with a view to meeting its local translation needs, maintaining contacts with the competent national and professional bodies in the language field, and ensuring the circulation of information about competitions, the selection of contract staff and the launching of calls for tenders for freelance translation.

To this end, DG Translation (DGT) will set up a small Field Office attached to the Delegation in Zagreb in July 2012. After accession, it will be attached to the new Commission Representation in Croatia.

The framework service-level agreement of 16 June 2009 between DGT and DG COMM will apply *mutatis mutandis* from the date of accession of Croatia. The Field Office will report to DGT headquarters on local language issues.

## 1.3. PHASING-OUT OF COMMISSION PRE-ACCESSION ACTIVITIES IN CROATIA

Upon accession, and up to the end of the post-accession transitional period, the Commission will implement<sup>5</sup> both the remaining pre-accession aid and the Transition Facility without *ex ante* controls<sup>6</sup>. This type of management requires a formal Decision by the Commission, expected by the second half of 2012, to accredit the authorised Croatian bodies to manage the EU funds. IPA<sup>7</sup> components I to IV are currently being managed in the EU Delegation by

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<sup>5</sup> After having assessed as satisfactory the effective functioning of the management and control systems, in accordance with Article 56(2) of the Financial Regulation.

<sup>6</sup> Article 29(1) of the Act of Accession provides that procurement and tendering for IPA components I and II should be carried out, as of the date of accession, without *ex ante* approval by the Commission.

<sup>7</sup> The Instrument for Pre-Accession (IPA), the new financial instrument for all pre-accession activities funded by the European Commission as of 1 January 2007, has the following 5 components:

Component I, Transition Assistance and Institution Building, supports institution-building via measures to drive stabilisation and the transition to a democratic society and market economy. It is open to all candidates and potential candidates and it is managed by DG ELARG. After accession, 2009–2013 programmes (around € 184 million) will still be in the process of implementation (outstanding contracting and payments).

Component II, Cross-Border Co-operation, between candidates and potential candidates and with EU Member States (open to all candidates and potential candidates; managed by DG ELARG for programme allocation with Western Balkan countries and DG REGIO for transnational cooperation programmes). Following accession, an amount of € 10 million will be under implementation from 2009-2013 programmes.

Component III, Regional Development, finances investments and technical assistance in areas such as transport, environment and economic cohesion (open to candidate countries only; managed by DG REGIO). The maximum commitments of the 2007-2013 allocations for IPA component III still open at the date of accession would be € 204 million (2010-2013 allocations).

Component IV, Human Resources Development, aims to support Candidate countries in policy development as well as preparation for the implementation and management of the Community's

operational and financial teams under decentralised management with *ex ante* control. Component V is already managed by the national authorities without *ex ante* control by the EU Delegation.

Concerning IPA components I and II, as well as the management of the Transition Facility, the key functions to be considered by the Transition Team after accession will include the following:

- Provision of the operational visa on requests for funds, underlying assurance that the implementation system in place is adequate, and that funds are used in a legal and regular manner and in accordance with the principle of sound financial management.
- Monitoring and control tasks, namely *ex post* controls on concluded contracts, appropriate and close monitoring of programme implementation (e.g. on the spot checks, participation in various committees); analysing and assessing requests for programme and project amendments (e.g. extensions, reallocations); and input for reporting and programming.
- Audits and evaluations through (or contracted by) the Transition Team may also be required.

As far as IPA components III and IV are concerned, all projects will be managed under the ERDF<sup>8</sup> and ESF rules<sup>9</sup> as of the date of accession. After accession, these programmes will be implemented by shared management between Croatia and the Commission. The Commission (DG REGIO and DG EMPL) will exercise its responsibility for implementing the budget as described in the Structural Funds Regulation. While the role of the Transition Team for these components will be limited, proper handover of files to Headquarters will need to be ensured, as well as maintaining some monitoring activities<sup>10</sup>.

Subject to the 18-month limit of the transitional period, the staff<sup>11</sup> in charge of the pre-accession programmes will remain in Croatia until remaining tasks are repatriated to Commission headquarters, at the latest by 31 December 2014.

Decisions need to be taken concerning office space and other logistical costs relating to the staff remaining during the phasing-out period. The related financial needs are to be dealt with under the normal budgetary procedure. There will be no substantial change in the tasks and

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cohesion policy, in particular in their preparation for the ESF. It is managed by DG EMPL. The maximum commitments of the 2007-2013 allocations for IPA component IV still open at the date of accession would be € 57 million (2010-2013 allocations).

Component V, Rural Development, is open to candidate countries only and is managed by DG AGRI. This component aims at preparing Croatia for the programming, implementation and management of the Rural Development Fund. Component V already operates without *ex ante* controls. By the time of accession, maximum commitments still open under this component will amount to €106 million.

<sup>8</sup> According to Annex III, Heading 7 Regional Policy and Coordination of Structural Instruments of the Act of Accession, all IPA Regional Development Component funds (III) will be transformed into the European Regional development Fund (ERDF) on the date of accession.

<sup>9</sup> Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No. 1260/1999 (OJ L 210, 31.7.2006, p. 25), as amended by the Treaty of Accession with Croatia.

<sup>10</sup> Remaining informed about the monitoring activities of the Croatian authorities, accompanying them to check on progress and identifying potential problems, attending kick-off meetings of Commission auditors.

<sup>11</sup> The staff in the Transition Team will be made up of officials and Contract Agents.

duties of those staff currently serving in the EU Delegation who will be required to remain in service in Croatia after the date of accession. They will continue to work under the authority and responsibility of the relevant home DGs, whose role in this sense will remain unchanged. In addition to the staff managing assistance in Croatia during the transition period, DG ELARG likewise needs to maintain the appropriate human resources at headquarters to deal with phasing-out activities after accession.

## **2. ESTIMATED HUMAN RESOURCES NEEDS IN THE COMMISSION SERVICES IN CROATIA AND CONDITIONS OF EMPLOYMENT**

This section outlines the estimated human resources needs in the Commission Representation in Croatia and conditions of employment with regard to the staff in the new Representation, as well as the staff that will need to remain in Croatia during the 18-month post-accession transitional period.

As at 1 April 2012, the EU Delegation in Croatia employed a total of 65 persons, of whom 53 are Commission staff (5 officials, 13 contract agents<sup>12</sup> and 35 local staff<sup>13</sup>); the remainder are from the EEAS.

The **estimated human resources needs** after Croatia's accession are the following:

- 21 full-time equivalents (FTE) in the Commission Representation (DG COMM) and 1 FTE in the Field Office (DGT). These staff will undertake permanent activities in the fields of communication and language.
- 37 FTE who will form the Transition Team (30 FTE from DG ELARG, of which 5 officials and 25 FTE; 4 FTE from DG REGIO; and 3 FTE from DG EMPL).

The **conditions of employment** of staff within and outside the Union are not governed by the same rules. Thus, the organisational entities which originally employed the staff maintain the responsibility for follow-up and consequences in the field of human resources.

Given that, as from the date of enlargement, the Framework Rules laying down the conditions of employment of **local staff** of the European Commission serving in non-Member States<sup>14</sup> will no longer apply in Croatia, all local staff contracts, whether fixed-term or of indeterminate duration, will expire (fixed-term contracts) or be terminated (contracts of indeterminate duration) with effect from 30 June 2013. The staff concerned will be formally notified of the legal and statutory obligations and they will receive their entitlements in accordance with the applicable legislation. The EEAS will inform its own local staff of the termination of their contracts and deal with the administrative and financial consequences of the expiration of their contracts with the EU Delegation in Croatia.

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<sup>12</sup> Out of the 13 Commission Contract Agents, 11 are under the budget of DG ELARG, with the remaining 2 being under the budget of DG REGIO.

<sup>13</sup> Out of the 35 Commission Local Agents, 27 are under the budget of DG ELARG, 4 are under the budget of DG REGIO and 4 are under the budget of DG EMPL.

<sup>14</sup> Special Administrative Notice of 26 June 1990. For local staff on contracts of indeterminate duration the provisions of Article 18(5) of the Framework Rules laying down the conditions of employment of local staff of the European Commission serving in non-member countries will apply and severance grants will be paid to staff who have completed at least three years of service. Contributions to the supplementary pension fund will be returned to the staff concerned.



Contracts in accordance with Article 3a of the Conditions of Employment of Other Servants (CEOS), for a maximum period of three years, may be offered following a **simplified Contract Agents selection procedure**<sup>15</sup> (by way of temporary derogation – ending on 31 December 2014 – from the existing general implementing rules on the recruitment of contract staff<sup>16</sup>). Such contracts may be offered in line with the profiles needed in the Representation and in the Transition Team. Any renewal of these contracts beyond the initial period of three years will be possible only on the basis of applicable rules.

The EEAS is responsible for the career management of its own staff currently employed in the EU Delegation. This will need to be done no later than the last day before accession, i.e. 30 June 2013.

## **2.1. NUMBER OF STAFF IN THE COMMISSION REPRESENTATION IN CROATIA AND THEIR CONDITIONS OF EMPLOYMENT**

The number of FTE allocated to DG COMM to manage the Commission Representation and to fulfil the tasks assigned to it, is 21, as detailed below. These staff are to be gradually recruited centrally. The **Commission Representation in Croatia** will employ two types of staff: officials and contract agents. The total number of 21 FTE will comprise 8 officials and 13 contract agents. DG COMM is responsible for identifying suitable candidates for the Commission Representation.

Subject to the availability of resources and after needs have been scrutinised, temporary (type AT2b) contracts could be offered in some cases in order to ensure a smooth transition after the date of accession, pending the appointment of officials. These staff will count against the DG COMM allocation.

The DGT Field Office in Croatia will consist of one official.

## **2.2. HUMAN RESOURCES ISSUES DURING THE POST-ACCESSION TRANSITIONAL PERIOD**

With a view to the post-accession transitional period (1 July 2013 – 31 December 2014), 37 FTE will be required to remain in Croatia on a temporary basis, in order to manage the phasing-out of the pre-accession programmes. These will consist of 5 officials and 32 FTE. Of those 32 FTE, 7 are from DG REGIO and DG EMPL and will remain up to six months in Croatia; the remaining 25 FTE are from DG ELARG and their number will be gradually reduced to zero by the end of the 18-month post-accession transition period. Subject to the interest of the service, the FTE will have their contracts maintained/ extended by their respective home DGs (DGs ELARG, REGIO and EMPL) or will be recruited by these DGs for a period starting on 1 July 2013 and ending at the latest on 31 December 2013 (for DGs REGIO and EMPL) and on 31 December 2014 (for DG ELARG). The 37 FTE will continue to work under the authority and responsibility of the relevant home DGs, whose operational role in this sense will remain unchanged. DG ELARG will ensure supervision of the site from Brussels and will liaise with the other home DGs, as appropriate.

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<sup>15</sup> A specific Commission Decision encompasses the conditions and procedures governing the application and use of the temporary derogation.

<sup>16</sup> Commission Decision C(2011)1264 of 2.3.2011 on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b of the said Conditions.

Article 44 of the Act of Accession provides the legal basis in conformity with which officials, temporary staff and contract staff assigned to posts in Croatia before accession and who are required to remain in service in Croatia during the post-accession transitional period, shall benefit from the same financial and material conditions as were applied prior to accession, in accordance with Annex X of the Staff Regulations<sup>17</sup> and with Title IV (Chapter 11) of CEOS<sup>18</sup>.

#### 2.2.1. MEASURES FOR THE REASSIGNMENT OF COMMISSION STAFF KEPT ON AFTER THE DATE OF ACCESSION AND DURATION OF STAY THROUGHOUT THE POST-ACCESSION TRANSITIONAL PERIOD

As a **general principle**, the relevant home DGs (DGs ELARG, REGIO and EMPL), in with cooperation the COMDEL coordination committee (which will liaise with the EEAS) when required and duly complying with the rules applicable to the management of Commission staff in Delegations<sup>19</sup>, will endeavour according to the duty of care to facilitate, where feasible, changes of assignment and/or to assist the reintegration of those returning to the Commission or being transferred to the EEAS, within the limits of the principle of good administration and taking budgetary availability into account.

Commission officials assigned to the EU Delegation in Croatia, whose functions are no longer required after accession and/or after the post-accession transitional period, will return to their home DGs. This will not be the case if they have successfully applied, under the rotation exercise, for another Commission post in an EU Delegation or have applied and been selected for a job advertised in another Commission DG or, as an inter-institutional transfer, a job with the EEAS, either at Headquarters or in an EU Delegation.

The obligation to serve for two years before being considered for another Commission posting will be waived for the officials concerned.

A distinction will have to be made between functions (and therefore home DGs) in order to determine the order in which departures are to take place:

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<sup>17</sup> Annex X of the Staff Regulations lays down special and exceptional provisions applicable to officials serving in a third country, which by definition differ from the arrangements applicable to officials serving in Representations in Member States.

<sup>18</sup> Chapter 11 of Title IV of CEOS lays down the special and exceptional provisions applicable to members of the contract staff serving in a third country.

<sup>19</sup> The treatment of Contract Agents (CAs) in Delegations (article 3a of CEOS) depends on the situation of the agent (art. 9 of the General Implementing Provisions):

If the CA has already an indeterminate contract, s/he will keep it, event if hired in another function group.

If the CA has not yet received an indeterminate contract, and if he stays in the same function group, the principle of continuity of contract applies to count the time needed before an indeterminate contract.

If s/he is hired in another function group, the previous contracts are not taken into account for the indeterminate contract.

- (a) 30 FTE (5 officials and 25 FTE) from DG ELARG<sup>20</sup> are to remain in Croatia in order to manage the pre-accession programmes. Their number will be gradually reduced to zero (according to the needs of DG ELARG) by 31 December 2014 at the latest.
- (b) 4 FTE from DG REGIO could stay on up to 6 months after accession in order to complete their activities (on IPA component III) and provide handover files to headquarters.
- (c) 3 FTE from DG EMPL could stay up to 6 months after accession in order to complete their activities on IPA component IV<sup>21</sup>.

The financial and administrative management of the Transition Team, which consists of staff from DGs ELARG, REGIO and EMPL, will be the responsibility of DG ELARG<sup>22</sup>, in close cooperation with the other DGs concerned.

In order to ensure that the right profiles are retained to handle the transition activities, the simplified procedure for the selection of contract agents, as described in section 2, will apply for points a), b) and c).

#### 2.2.2. SPECIAL ARRANGEMENTS TO MAINTAIN MATERIAL CONDITIONS

The special arrangements enshrined in Article 44 of the Act of Accession preserve the benefits of the officials, temporary staff and contract staff remaining in Croatia for the duration of the post-accession transition period, as Commission statutory staff posted outside the Union – particularly in terms of remuneration, housing, sickness insurance and education allowances.

DG ELARG will be responsible for the administrative and financial management of the special arrangements and of the corresponding appropriations.

Budgetary provisions should also be made available for office space, logistical costs and the IT environment needed for the staff remaining during the phasing-out period.

By 16 April 2013, at the latest, the home DGs (DGs ELARG, REGIO and EMPL) will need to notify DG HR of the persons making up the Transitional Team, so as to finalise the administrative preparations in a timely manner (including the legal provisions of Article 44 of the Act of Accession) for the Transition Team.

### 3. ORGANISATION OF THE COMMISSION SERVICES

#### 3.1. INFRASTRUCTURE

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<sup>20</sup> The staff working in the EU Delegation in Croatia on 1 April 2012 and financed under the DG ELARG budget (43 people) is composed of the following categories: 5 officials, 11 Contract Agents and 27 Local Agents.

<sup>21</sup> Guaranteeing a smooth transition with the national authorities from IPA IV to an ESF programme under shared management and providing handover files to the headquarters.

<sup>22</sup> Budget line 22010402 is of application for external staff and infrastructure financed by the BA line Phasing-out and XX 01 01 01 for officials.

### 3.1.1. COMMISSION REPRESENTATION

When dealing with any infrastructure-related matter concerning the new Commission Representation in Zagreb, account will have to be taken of the inter-institutional policy applicable to the European Commission and the European Parliament, according to which sharing of premises is foreseen under the 'European Union Houses'.

On 23 March 2012, in Zagreb, the European Commission and the European Parliament launched a joint prospection of the market that will enable the ideal installation of the services of both Institutions. The new premises are due to become operational as from 1 July 2013.

The prospection will take into account the standard requirements of visibility, proximity to government offices and the political centre of the city, as well as surface area relative to the number of staff, security requirements, etc. Based on the results of the prospection of the market, the Commission and the European Parliament will decide on the future location of the 'European Union House' in Zagreb.

The budgetary provisions include the necessary amounts for the building, the equipment needed and the overall functioning.

The Commission (DG COMM acting on the basis of the framework contract with DG DIGIT) will put in place the network connectivity in the new building that will host the Representation.

### 3.1.2. TEMPORARY LOCATION FOR THE TRANSITION TEAM

DG ELARG will be in charge of contractual and financial management of the Transition Team, including logistics, infrastructure and IT services as well as the special arrangements related to material conditions according to Article 44 of the Act of Accession and in accordance with Annex X of the Staff Regulations and Chapter 11 of Title IV of CEOS.<sup>23</sup>

The Transition Team will be hosted in the current headquarters of the EU Delegation<sup>24</sup> and will be managed by DG ELARG.

## 3.2. SERVICE CONTRACTS AND EQUIPMENT

Since all contracts held by the EU Delegation will be ended once it is closed, the relevant Commission services will analyse during 2012 the opportuneness of transferring those contracts from the EEAS to the Commission.

Moreover, the Commission (DG ELARG) and the EEAS will together assess all the equipment of the former EU Delegation (including IT equipment) before its closure.

The EEAS and the Commission (DG ELARG, with the support of competent services where necessary) will accordingly conduct a special detailed inventory in order to examine whether property/equipment should be kept by DG ELARG (for the needs of its staff during the post-

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<sup>23</sup> Budget line 22010402 Phasing-out is of application for external staff and infrastructure and XX 01 01 01 for officials.

<sup>24</sup> The leasing contract for the current headquarters of the EU Delegation in Zagreb foresees a 6-months notice. If necessary, DG ELARG will negotiate an extension of the lease.

accession transitional period) and/or by relevant Commission services (for use by the Commission in another EU Delegation), or be disposed of by the EEAS<sup>25</sup>.

DG COMM will assist DG ELARG in concluding the necessary contracts for telecommunication, the duration of which will cover the transitional period ending on 31 December 2014.

In order to maintain available an IT environment for DG ELARG staff, that is compatible with the headquarters' standards, the DG ELARG IT team will be responsible for reconfiguring the necessary IT equipment handed over by EEAS. In July 2013, both the DG ELARG and DG COMM IT Helpdesks will be managed by DG DIGIT under the ITIC. DG COMM will share its Zagreb local IT proximity services with DG ELARG until the post-accession transition period end.

### **3.3. ARCHIVES**

The return of the Delegation's archives to Commission headquarters and to the EEAS, where applicable, will need to be organised by the EEAS and the Commission. The archives will be transferred to Headquarters in line with the existing guidelines in the Commission<sup>26</sup>.

The main types of files in the Delegation are: financial files, personnel files and files dealing with policy issues. The Delegation's financial files (relating to programmes, projects and grants) will be returned to Commission headquarters to be dealt with further by the relevant home DGs (DGs ELARG, REGIO and EMPL). Personnel files concerning Commission staff will become the responsibility of DG HR, while those concerning EEAS staff will become the responsibility of EEAS. The Delegation's files dealing with policy issues touching on enlargement aspects will be returned to Commission headquarters to be managed by DG ELARG.

## **4. WORK PROGRAMME AND TIMETABLE**

The attached annex sets out the work programme and timetable for the relevant Commission services, in terms of implementing the action points identified in this Communication.

A monitoring group will be set up. DG HR will be responsible for coordination until all of the planned tasks have been fulfilled. The EEAS will be associated with the monitoring group, where relevant. DG HR will prepare six-monthly reports for Vice-President Šefčovič on the state of play of the phasing-out of the post-accession transition activities until 31 December 2014.

This programme has been drawn up on the basis that the accession date will be 1 July 2013.

## **5. CONCLUSIONS**

The European Commission is invited to:

- Decide on the creation of a Commission Representation in Croatia, to be managed by DG COMM and adopt the proposed work programme and timetable;

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<sup>25</sup> If the latter is the case, the Commission and EEAS will need to define specific rules on the means to return the received funds to the Commission, if these were originally Commission assets paid for by the Commission's administrative (or operational) budgets.

<sup>26</sup> <http://www.cc.cec/home/dgserv/sg/edomec/index.cfm?lang=en>.

- Take note of the provisions described in the present *Communication to the Commission*;
- Take note of the accompanying *Commission Staff Working Document on Administrative Preparations for Enlargement (Croatia)*;
- Instruct the departments concerned, and in particular DGs HR, ELARG, COMM, EMPL, REGIO, DEVCO and DGT to implement the work programme in accordance with the established timetable, including the 18-month post-accession period, and to assign the task of coordination to DG HR;
- Instruct DGs HR, ELARG and COMM to provide regular information, regarding the effects of the implementation of the measures contained in the present *Communication*, to the concerned Commission staff in Croatia.
- Invite Vice-President Šefčovič to provide regular information to the College on the state of play of the phasing-out of the post-accession transition activities.