



CONGRESS OF STATE

Sitting of: 29 April 2014

Decision no. 12 File no. 0782

Subject: Government provisions on the start of negotiations with the European Union, authorisation of expenditure and transfer from the Reserve Fund for unforeseen expenditure

THE CONGRESS OF STATE

taking note of the report by the Minister of Foreign Affairs on the status of the relations between the Republic of San Marino and the European Union, following the decisions adopted by the European Commission on 18 November 2013 and by the EU Council on 16 December 2013 concerning the relations with the Principality of Andorra, the Principality of Monaco and the Republic of San Marino, with regard to the objective of negotiating one or more Association Agreements, taking into account the need to ensure the homogeneity and good functioning of the internal market and, at the same time, the specificities of these countries and the importance of developing a coherent approach for the three countries;

taking account of the outcome of the meeting held between a Government delegation, composed of the Minister of Foreign Affairs and the Minister of Finance, and the President of the European Commission, Jose Manuel Barroso, in Brussels on 30 January;

taking note of the guidance provided by the Delegation of the Community Services on the occasion of the visit to San Marino of last 7 March, during which the Delegation, meeting with Government members and the Directors of Public Administration's Departments, defined the steps to be taken in the forthcoming months and expressed their willingness to accelerate the start and progress of the negotiations;

also taking note of the need to respond, as soon as possible and in the most appropriate way, to the needs and commitments that, at this stage, prior to the start of the negotiations, were outlined in the decision approved by the Great and General Council on 24 January 2014, requiring the involvement of the Directors of Public Administration's Departments, as well as of representatives of economic categories, self-employed workers and trade unions;

decides the following:

- to designate as Chief Negotiator Ambassador Antonella Benedettini, Head of the Mission of the Republic of San Marino to the European Union, who will be the focal point for the negotiations;



CONGRESS OF STATE

Sitting of 29 April 2014 Decision no. 12 File no. 0782

- to strengthen the Department of Foreign Affairs, the Directorate for European Affairs and the Mission to the European Union, according to the organisation chart placed on records, to be implemented with specific administrative acts, in order to ensure ongoing coordination with the work conducted by various Departments of the Public Administration (Technical Group), as well as essential diplomatic activities, also envisaging the enhancement of the Interpreters' Office according to appropriate terms;
- to establish the Technical Group composed of:
 - Ms. Marina Marfori and Ms. Alessandra Guidi - Department of Institutional Affairs and Justice: they will, in particular, deal with the aspects relating to general institutional issues highlighted in point 4 of the “Conclusions of the Council of the European Union on the relations with the Principality of Andorra, the Republic of San Marino and the Principality of Monaco” of 16 December 2013;
 - Ms. Chiara Maria Consorti - Department of Finance and Budget;
 - Ms. Laura Ferretti - Department of Economy;
 - Mr. Emanuele Guidi - Department of Territory and Environment;
 - Mr. Remo Massari - Department of Education;
 - Ms. Rita Canarezza - Department of Culture and Tourism;
 - Ms. Milena Gasperoni - Labour sector;
 - Mr. Andrea Gualtieri and Ms. Arianna Bianchini – Health sector.

The Technical Group is entrusted to follow, on a priority basis and for the entire duration of the relations and of the possible implementation of the agreement to be signed, the issues pertaining to the activity of the sectors fallen under the competence of the respective Departments in relation to Community legislation and to represent them in the course of the negotiations. The composition of the Technical Group may change depending on the operational requirements of the various departments;

- to establish a “Development Committee” during the preparatory period for the negotiations and the negotiation period, serving as the institutional forum in which representatives of political movements, trade unions, economic associations and self-employed workers will exchange their views. Moreover, a special website will be created by which, with the entry into force of the Agreement, economic operators, in particular, will be able to follow the evolution of the *acquis* and the progressive adaptation of San Marino law to Community legislation.

In addition, a communication plan will be defined, accompanying the crucial stages of the negotiations and addressed to citizens for adequate and constant information, through tools and media to be identified;



CONGRESS OF STATE

Sitting of 29 April 2014 Decision no. 12 File no. 0782

- to designate Professor Roberto Baratta, whose curriculum vitae is placed on the records of this sitting, as a consultant in Community law, with a view to assisting the Republic of San Marino in the negotiations and in the drafting of the Association Agreement.

Furthermore, other consultants might be identified based on the needs arising in different sectors, both during the preparatory work and in the course of the negotiations;

- the persons appointed following this decision, who might be integrated by other officials and experts where appropriate, in addition to the representatives of the Department of Foreign Affairs and of the Mission to the EU, will participate in the negotiations based on the issues addressed.

The Congress of State also specifies that by June the Technical Group, assisted by the Directorate for European Affairs and by the Consultants, shall carry out a fundamental preliminary work, which will be essential to start the negotiations. This work will consist of the following:

- verifying consistency between EU legislation and San Marino legislation with regard to matters of interest, in order to assess the level of compliance of the country with the Community *acquis* and to define the characteristics and specificities which must be taken into consideration in the course of the negotiations - given that, as evidenced by the report of the European Commission, the alignment of the small-sized countries with the EU *acquis* and adequate implementation and enforcement capacities are essential for their participation in the European internal market;
- considering the link between the Association Agreement and the existing agreements with the European Union and Italy, in order to define the necessary negotiating positions;
- identifying any programs that might be of interest for different sectors of the country;
- considering the extension of the Association Agreement to horizontal issues concerning other areas of interest beyond the European market.

The Government will inform about and review any development based on such indications, also in relation to the needs for additional interventions which will be required throughout the works.

In particular, special training initiatives must be identified through the University for the preparation of new and appropriate resources.



CONGRESS OF STATE

Sitting of 29 April 2014 Decision no. 12 File no. 0782

In this sense, by 31 July 2014 administrative acts shall be issued aimed at allocating, in a stable manner, new skilled human resources to the Public Administration, through recruitment announcements or scholarships/competitions in order to adequately support the negotiations on the Agreement and its implementation.

In view of the total costs of the work to be carried out before the opening of the negotiations with the EU and for the implementation of such negotiations, including the establishment of collaborations with consultants and experts, as well as during the subsequent phases of the negotiations, including travel expenses, given that Brussels will be the venue of the negotiations, as already indicated by the Community Services,

THE CONGRESS OF STATE

Under Article 73 of Law no. 168 of 21 December 2009

Under Article 25 of Law no. 174 of 20 December 2013;

having heard the favourable opinion of the Minister of Finance and Budget; having regard to the letter of the Department of Foreign Affairs of 28 April 2014, Ref. 47145; having regard to the note of the Directorate of Public Finance on 28 April 2014 Ref. 47343;

under Article 24 of Law no. 30/1998, Article 8 of Decree no. 53/2003 and Article 12 of Law no. 200/2011;

mandates

the Minister of Foreign Affairs to sign the Consulting Agreement with Professor Roberto Baratta, placed on the records of this sitting;

authorises

to pay to Professor Roberto Baratta 140,000 Euro as compensation for the consulting services and up to 10,000.00 Euro for reimbursement of documented expenses for any journeys required to fulfil his tasks.

The total expenditure of 150,000.00 Euro will be provided for in the budget chapter 1-1-1810 "Costs for the development of the relations with the European Union and the European Economic Area" by transferring the amount of 95,000.00 Euro from chapter 1-3-2470 "Reserve Fund for unforeseen expenditure" of the current financial year;



CONGRESS OF STATE

Sitting of 29 April 2014 Decision no. 12 File no. 0782

mandates

the Directorate of Public Finance to freeze 35,000.00 Euro on Chapter 1-1-1842 "Remuneration of the International Relations' staff and of diplomatic agents";

reserves the
right

to authorise, with subsequent decisions, further expenditure relating to the negotiations with the European Union;

establishes

that, while adjusting the State budget for the current financial year, the resources allocated to the relevant expenditure chapters will be adjusted accordingly.

This Decision shall be sent to the Directorate of Public Finance - Central Control Service - for the purposes of legitimacy.

The Minister

Abstract from the minutes for use by: Their Excellencies the Captains Regent, the Ministers, the Directorate of Public Finance, the State's Accounting Office, the Department of Foreign Affairs, the Department of Finance and Budget