

**No. 45213\***

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**Switzerland  
and  
Poland**

**Framework Agreement between the Swiss Federal Council and the Government of the Republic of Poland concerning the implementation of the Swiss-Polish co-operation programme to reduce economic and social disparities within the enlarged European Union (with annexes). Bern, 20 December 2007**

**Entry into force:** *11 April 2008 by notification, in accordance with article 11*

**Authentic texts:** *English*

**Registration with the Secretariat of the United Nations:** *Switzerland, 5 September 2008*

*\*The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. The relevant Treaty Series volume will be published in due course.*

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**Suisse  
et  
Pologne**

**Accord-cadre entre le Conseil fédéral suisse et le Gouvernement de la République de Pologne concernant la mise en oeuvre du programme de coopération helvético-polonais visant à réduire les disparités économiques et sociales au sein de l'Union européenne élargie (avec annexes). Berne, 20 décembre 2007**

**Entrée en vigueur :** *11 avril 2008 par notification, conformément à l'article 11*

**Textes authentiques :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Suisse, 5 septembre 2008*

*\*Les textes reproduit ci-dessous sont les textes authentiques de l'accord tel que soumises pour l'enregistrement. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Le volume correspondant du Recueil des Traités sera disponible en temps utile.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

# **FRAMEWORK AGREEMENT**

**BETWEEN**

**THE SWISS FEDERAL COUNCIL**

**AND**

**THE GOVERNMENT OF THE REPUBLIC OF  
POLAND**

**CONCERNING**

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

THE SWISS FEDERAL COUNCIL (hereinafter referred to as "Switzerland")

AND

THE GOVERNMENT OF THE REPUBLIC OF POLAND (hereinafter referred to as "The Republic of Poland")

hereinafter collectively referred to as "the Parties",

- AWARE of the importance of the enlargement of the European Union (EU) for the stability and prosperity in Europe;
- NOTING the solidarity of Switzerland 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 the Republic of Poland;
- IN VIEW of the fact that the Swiss Federal Council has expressed, in a Memorandum of Understanding with the European Community of 27 February 2006, the intention that Switzerland shall contribute up to 1'000'000'000 Swiss francs (one billion CHF) to reduce economic and social disparities within the enlarged EU (hereinafter referred to as "Memorandum of Understanding");

have agreed as follows:

### **Article 1 – Definitions**

For the purpose of this Agreement:

- "Contribution" means the non-reimbursable financial contribution granted by Switzerland under this Agreement;
- "Project" means a specific project or programme or other joint activities in the framework of this Agreement. A programme consists of component projects linked by a common theme or shared objectives;
- "Commitment" means the allocation of a certain amount of the Contribution to a Project 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;
- "National Coordination Unit" (NCU) means the Polish unit in charge of the coordination of the Swiss-Polish 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;
- "Paying Authority" means the institution established in the Ministry of Finance ensuring appropriate financial control within the Swiss-Polish Cooperation Programme;
- "Audit Institution" means the institution established at the level of the Ministry of Finance responsible for the control of the use of financial resources under the Swiss-Polish Cooperation Programme;
- "Executing Agency" means any public authority, any public or private corporation as well as any organization recognized by the Parties and mandated to implement a specific Project financed under this Agreement;
- "Implementation Agreement" means an agreement between the NCU and/or the Intermediate Body and the Executing Agency for the implementation of the Project;
- "Block Grant" means a fund set up for a clearly defined purpose, providing assistance to organizations or institutions, facilitating a cost-effective administration mainly in programmes with many small projects;
- "Project Preparation Facility" means the Facility providing financial support for the preparation of the Final Project Proposals;
- "Technical Assistance Fund" means the Fund for the financing of tasks performed by the Polish authorities additionally and exclusively for the implementation of the Contribution;
- "Scholarship Fund" means the Fund for the financing of scholarships for Polish students and researchers admitted at higher education and research institutions in Switzerland.

## **Article 2 – Objectives**

1. The Parties shall promote the reduction of economic and social disparities within the enlarged EU through Projects mutually agreed upon between the Parties and in line with the Memorandum of Understanding and the Conceptual Framework for the Swiss-Polish Cooperation Programme as outlined in Annex 1 of this Agreement.
2. The objective of this 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. Switzerland agrees to grant a non-reimbursable Contribution towards the reduction of economic and social disparities within the enlarged EU of up to CHF 489,020 million (four hundred eighty nine million and twenty thousand Swiss francs) to the Republic of Poland for a Commitment period of five years and a disbursement period of ten years, starting from the approval date of the Contribution by the Swiss Parliament, which is 14 June 2007.
2. Switzerland shall accept submissions of Final Project Proposals according to Annex 2, Chapter 2 for Commitment of funds until two months before the end of the Commitment period.
3. Funds not committed during the Commitment period shall not be available anymore for the Swiss-Polish Cooperation Programme.

### **Article 4 – Scope**

The dispositions of this Agreement shall apply to national and international Projects financed by Switzerland or co-financed by Switzerland with multilateral institutions and other donors, executed by an Executing Agency, mutually agreed upon by the Parties.

### **Article 5 – Utilization of the Contribution**

1. The Contribution shall be used for the financing of Projects and can take any of the following forms:
  - a) Financial assistance including grants, credit lines, guarantee schemes, equity and debt participation, loans and technical assistance
  - b) Block Grants
  - c) Project Preparation Facility
  - d) Technical Assistance Fund
  - e) Scholarships.
2. The Contribution shall be used in line with the objectives, principles, strategies, geographic and thematic focus as outlined in the Conceptual Framework in Annex 1.
3. 5% of the Contribution shall be used by Switzerland for its administration of this Agreement. This includes, inter alia, expenses for staff and consultants, administrative infrastructure, missions, monitoring and evaluation.
4. The Contribution, in the form of grants, may not exceed 60% of the total eligible costs of the Project, except in the case of Projects receiving additional financing in the form of budget allocations from national, regional or local authorities, in which case the Contribution may not exceed 85% of the total eligible costs. Institution-building and technical assistance Projects, Projects implemented by non-governmental organisations as well as financial assistance benefiting the private sector (credit lines, guarantees, equity and debt participation) may be fully financed by the Contribution.