



GREAT AND GENERAL COUNCIL

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SITTING OF 23 January 2015

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**SUBJECT: Final Decision resulting from the debate on the mandate for the conclusion of one or more Association Agreements with the European Union**

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THE GREAT AND GENERAL COUNCIL  
in its sitting of 23 January 2015

**approves by majority, by open ballot**

the following Decision:

*“The Great and General Council,*

*taking note*

*of the Mandate given on 16 December 2014 by the Council of the European Union to the European Commission for the conclusion of one or more Association Agreements between the European Union and San Marino, Andorra and Monaco, and of future negotiations;*

*in the light of*

*the report by the Minister of Foreign Affairs about the themes and relevant issues that will be the subject of negotiations and of the subsequent debate;*

*welcomes*

*the indication provided by the European Union for the definition of one or more Association Agreements between the European Union and the three small-sized States, whose contents may be adopted in order to balance the interests of the Contracting Parties in such a way as to provide a renewed and strengthened legal basis to increase relations between the European Union and the aforementioned countries;*

*considers that*

*a progressively increased integration in the Single Market may constitute a condition for San Marino economy to benefit from a potential market of 500 million people, thus increasing benefits for businesses, economic operators and the citizens of the Republic of San Marino;*



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*also considers*

*that negotiations shall enable to identify those EU provisions that are relevant for the purposes of the future Agreement and that will be subject to constant revision and updating under the institutional framework to be identified;*

*expresses*

*its appreciation for the diplomatic activity so far carried out at a bilateral and multilateral level and for the technical activities performed; the studies conducted have made it possible to identify, through an analysis and comparison between San Marino and EU legislation, the main problems and the perimeter within which future negotiations can be conducted; moreover, such studies shall be made available to all citizens to achieve a higher level of sharing in the adoption of decisions;*

*therefore indicates*

*that future negotiations, which will take as a reference the four fundamental freedoms and the relevant acquis, considering the territorial and demographic characteristics of the Republic of San Marino, should preserve its State peculiarities, so that Community rules may be transposed according to weighted application methods and the necessary assessments in terms of social impact and public order, as well as of protection of State specificities; the negotiations shall enable to find the most profitable balance between the interests of the Parties involved, by adapting the specific needs of the European Union and of San Marino, through an extremely flexible Agreement ensuring long-lasting development of relations between the Parties;*

*also recommends*

*that all possible solutions be explored to identify an institutional framework that, without prejudice to the necessary safeguards for San Marino State specificities, on the one hand ensures an efficient extension of the law of the Internal Market and, on the other hand, contains appropriate clauses for adaptation, development and evolution of the Agreement, as well as the possibility to envisage mechanisms of simplified revision and provisional application of certain sectors of the Agreement, which are jointly considered as falling within the exclusive competence of the European Union;*



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*that control and supervisory functions, aimed at verifying the proper application of the Agreement and legal certainty, safeguard the sovereignty of the Republic of San Marino;*

*that a joint Committee, entrusted with broad and appropriate functions, ensures a balanced management of the Agreement, in order to achieve a common and fruitful settlement of any disputes between the Parties: in view of this, San Marino Authorities are willing to consider the possibility of entrusting the Court of Justice with certain jurisdictional functions;*

*hopes*

*that due consideration will be given, during negotiations, both to the essential transposition of standards on financial transparency and international tax cooperation, while respecting State specificities, and to the good level of cooperation on foreign policy with EU bodies, to which the Republic of San Marino has always provided its support;*

*considers*

*it essential to explore all possible solutions to ensure that the future Agreement enters into force and rapidly exerts its first effects, thus eliminating, or limiting as much as possible, the burdensome national ratification procedures, as it has already happened at the time of the entry into force of the Cooperation and Customs Union Agreement, identifying to do this end the most pragmatic solution;*

*recommends*

*that, as regards the so-called “horizontal policies”, the possibility is explored to resort to evolutionary clauses, in view of the occurrence of situations that the Republic of San Marino may highlight during negotiations and its subsequent adaptation to the acquis;*

*invites*

*the Ministry of Foreign Affairs and the Government:*

- *to strengthen the activity of the Department of Foreign Affairs and of the Permanent Mission in Brussels also through the recruitment of San Marino human resources with adequate skills;*



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- *to implement measures to improve professionalism of managers of the Public Administration sectors involved, including through possible recruitment of new resources, it being understood that these recruitments will have to take place in the manner and form required by law;*

*also invites*

*the Ministry of Foreign Affairs to explore, together with the Ministry of Education, the possibility to create, in collaboration with the University, a Permanent Study Centre - to be established in connection with special Centres or Institutes of other countries and in cooperation with the Legal Affairs Directorate and the Foreign Affairs Department - aimed at studying the acquis of the European Union and the problems arising from it, also in relation to the implementation of the Agreement;*

*finally underlines*

*the need for a high-level involvement of political forces and social, administrative, economic and professional contexts in the country, as well as the need for timely information to the population, including through interactive digital tools, about the various stages of negotiations, considering the general interest of the Republic and the implications for the country's future that will arise from this Agreement.*