

# YOUTH AND EU NEGOTIATIONS

| Guide for the National Youth Congress Organizations

Youth / 3 / 2017



## **“Youth and EU Negotiations”**

Youth / 3 / 2017

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This Guide has been supported by Friedrich Ebert Foundation.



*The opinions, findings, conclusions and recommendations expressed in this working paper are those of the authors and do not necessarily reflect those of Friedrich Ebert Foundation.*

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# 1

## INTRODUCTION

The path of Albania from expressed commitment to EU values for the formal membership in the EU is a very complex process which encompasses all levels of public and private activities.

The EU integration process is divided into two stages: association and accession. Each of the two stages includes several sub-steps which should be fulfilled one by one in order to advance each of the processes. The processes are technical, both the final results of the process are of paramount importance for all the Albanian society, citizens and institutions.

This Guide is intended to be an educational tool for youth organizations in Albania, so that they can rely on a simple instrument during their daily work illustrating how the EU integration process works in Albania and what are the main EU and other programmes where they can apply for funding. The Guide has been developed in cooperation with National Youth Congress (NYC) and aims to explain in simple words the EU negotiations process, the potential contribution that youth organizations can provide especially in relation to two specific negotiations chapters, and finally to provide a short description of the EU funding Instruments available for them.

NYC started its activities in 2013 as a gathering of youth organizations, non-formal groups and political party youth wings with the idea of creating a network and building a structure with the aim of interconnecting these stakeholders among each other and also with the institutions, decision makers and donors. NYC created a democratic platform of functioning, where each of the member

organizations had two delegates in the assembly and these delegates voted each year for the priorities/working pillars and the core-group or leading board. Since 2016, NYC is a legally registered entity and has a genuine structure which counts 74 youth organizations and 6 political youth party wings. This structure is composed of general assembly, board, executive director and secretariat.

NYC has been working for four years on the main political youth issues such as:

- Youth in decision making processes,
- Opening of public youth centers,
- Orientation of education through labour market,
- Career consulting for primary/high school's youngsters,
- Regional youth cooperation, youth exchanges etc.

NYC has been supported in its establishment process from Friedrich Ebert Foundation and Olof Palme International Center. NYC has now expanded the field of cooperation with donors, institutions, embassies and international partners.

According to the official agreement between NYC and Ministry of Youth and Social Welfare, NYC is involved in the youth policy consultation and in the preparation cycle of the strategies or action plans in the field of youth.

This Guide serves to introduce NYC organizations with the basic information on the EU integration process, on two specific Chapters of negotiations of particular interest for the youth organizations, namely Chapter 19: Social policy and employment and Chapter 26: Education and Culture. The Guide also inquiries about the relevant Albanian involved institutions and the policy framework regulating both chapters. Finally, the Guide also provides information on the

main EU funded and other initiatives where youth organizations may apply as per their field of interest and activities.

## 2

### ASSOCIATION AND ACCESSION AT A GLANCE

#### Who can join the EU?

The Treaty on the European Union states that any European country may apply for membership if it respects the democratic values of the EU and is committed to promoting them.

#### What are the steps towards the EU membership?

The EU integration process is divided into two stages: **association** and **accession**. Each of the two stages includes several sub-steps which should be fulfilled one by one in order to advance each of the processes.

Association	Accession
<p><b>Stabilization and Association Process (SAP)</b></p> <ul style="list-style-type: none"> <li>• Preparatory stage for signing the SAP</li> <li>• Feasibility study</li> <li>• Negotiations for the conclusion of SAA, including Interim Trade Agreements</li> <li>• Negotiations for the conclusion of</li> </ul>	<p><b>Candidacy for membership</b></p> <ul style="list-style-type: none"> <li>• Submission of application for the EU membership</li> <li>• EC questionnaire on the preparedness of the candidate country to undertake membership obligations</li> <li>• The Avis of the EC</li> <li>• The decision of the European Council on granting the EU candidate status (and the beginning of the negotiations)</li> </ul> <p><b>Opening of accession negotiations</b></p>

<p>SAA, including Interim Trade Agreements</p> <ul style="list-style-type: none"> <li>• Signature and Preparation of SAA</li> </ul>	<ul style="list-style-type: none"> <li>• Accession negotiations</li> <li>• Closure and signing of the Accession Treaty</li> </ul> <p><b>Ratification of the Accession Treaty</b></p> <p><b>Entry into EU membership</b></p>
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#### What are the criteria for accession?

The first step is for the country to meet the key criteria for accession. These were mainly defined at the European Council in Copenhagen in 1993 and are hence referred to as 'Copenhagen criteria'. Countries wishing to join need to have:

- **Political criteria:** stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- **Economic criteria:** a functioning market economy and the capacity to cope with competition and market forces in the EU;
- **Legal criteria:** the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.

In the case of the countries of the Western Balkans additional conditions for membership, were set out in the so-called 'Stabilisation and Association process', mostly relating to regional cooperation and good neighbourly relations.

The duration of each individual stage of the accession criteria depends solely on the country's progress in implementing the reforms and on the success in fulfilment of obligations undertaken by the SAA signature.

### What are accession negotiations?

The conditions and timing of the candidate's adoption, implementation and enforcement of all current EU rules (the "acquis").

These rules are divided into 35 different policy fields (chapters), such as transport, energy, environment, etc., each of which is negotiated separately.

Negotiations under each chapter are based on the following elements:

#### 1. Screening

The Commission carries out a detailed examination, together with the candidate country, of each policy field (chapter), to determine how well the country is prepared. The findings by chapter are presented by the Commission to the Member States in the form of a screening report. The conclusion of this report is a recommendation of the Commission to either open negotiations directly or to require that certain conditions – **opening benchmarks** - should first be met.

#### 2. Negotiating positions

Before negotiations can start, the candidate country must submit its position and the EU must adopt a common position. For most chapters the EU will set closing benchmarks in this position which need to be met by the Candidate Country before negotiations in the policy field concerned can be closed.

#### 3. Conclusion of the Accession Treaty

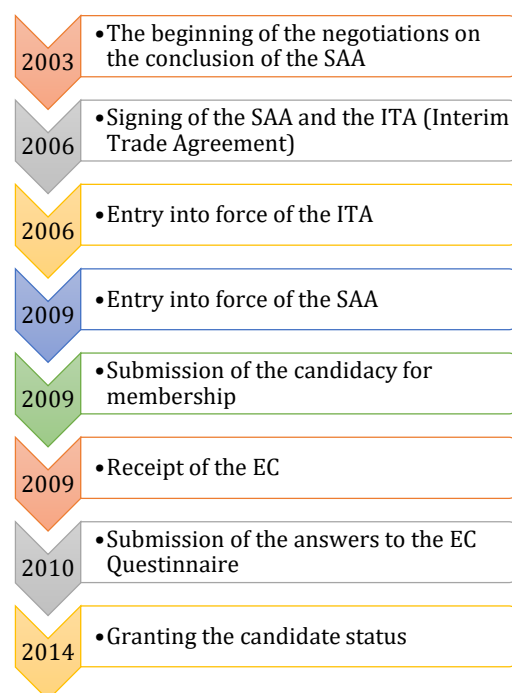
After negotiations on each individual chapter have ended, EC prepares a specific report containing the overview and assessment of the overall readiness of the candidate country to undertake the EU membership obligations

and proposing the conclusion of accession negotiations.

The Accession Treaty is a bilateral international treaty between the EU Member State and the candidate country on the other.

### The pace of Albania's progress towards the EU membership

Figure 1: Key dates of Albania in the EU integration process<sup>1</sup>



<sup>1</sup> EC Directorate-General for Neighbourhood and Enlargement Negotiations

### 3

#### **EU INTEGRATION PROCESS MANAGEMENT IN ALBANIA**

For the coordination of the EU accession process, the Albanian Government set up a series of coordinating and management bodies entrusted with the following tasks:

- develop EU accession plans;
- coordinate and implement these plans;
- monitor implementation of these plans and identify gaps;
- report to the European Commission on Albania's progress.

These bodies in charge of EU Integration process management include:

- Inter-ministerial Committee on European Integration (ICEI);
- Inter-institutional Coordination Committee on European Integration (ICCEI);
- Ministry of European Integration
- Inter-institutional Working Groups (IWGs).
- Integration Units in the line ministries.

The **National Plan for European Integration** is the main document in documenting and monitoring the progress of the Country in relation to the EU integration process. It includes medium and long term measures, extending to 2020, in order for

Albania to reach full legal approximation of the national legislation with the EU acquis and align all its sectors with standards set by the acquis chapters.

The NPEI is revised annually and takes stock of the progress achieved, not only in the approximation rate but also in the implementation of the approximated legislation.

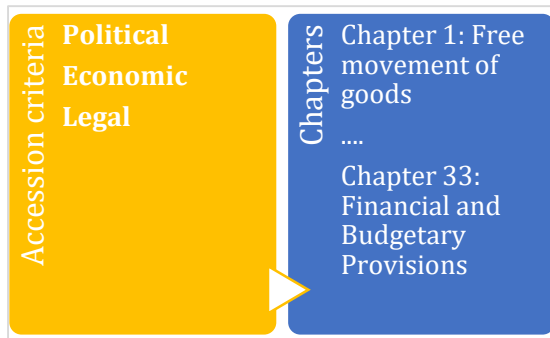
Preparation of the National Plan for European Integration 2016-2020 and its annual revisions are coordinated by the Ministry of European Integration in cooperation with IWGs. The NPEI is consulted with the civil society in Albania, before it is adopted. A calendar with consultative meetings per each chapter is established and an electronic consultation may also occur in parallel to the meetings.<sup>2</sup> According to the report on the public consultation for the NPEI 2017-2020, around 700 organizations have received an electronic notification about the consultation process).<sup>3</sup> This plan and its semestral or yearly monitoring reports provide information on the objectives and the registered progress for the three accession criteria as well as for each of the 33 chapters concerning Albania.

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<sup>2</sup> Consultative meetings for all chapters with reference to NPEI 2017-2020 have started in Nov. 25, 2016 and finished on Dec. 9, 2016 (More information is available at: <http://www.integrimi.gov.al/en/documents/strategic-documents> and here: <http://www.integrimi.gov.al/al/dokumente/raporte>

<sup>3</sup> [http://www.integrimi.gov.al/files/documents/files/17-02-17-02-43-47Raport\\_per\\_takimet\\_konsultative\\_te\\_PKIE\\_2017-2020.pdf](http://www.integrimi.gov.al/files/documents/files/17-02-17-02-43-47Raport_per_takimet_konsultative_te_PKIE_2017-2020.pdf)

Figure 2: NPEI content<sup>4</sup>



This document is shared with EC as one of the parts of the reporting package.

Moreover, another body has been established by the Albanian Parliament to monitor the European integration process. This is the **National Council for European Integration** (NCEI) which was established on 8 May 2015, as the highest national advisory body providing strategic directions and fostering all-inclusive cooperation between political parties, public institutions and civil society. NCEI serves as a consultation and debating forum, which adopts non-binding acts by consensus. It brings together 44 high ranking representatives<sup>5</sup>, including government, parliamentary political parties, independent institutions, president’s office, civil society sector and chambers of commerce, academia, media, and international organizations/ diplomatic corps.

<sup>4</sup> Source: National Plan for European Integration 2017-2020, Government of Albania, 2017

<sup>5</sup> “The Newborn: An Assessment of the National Council on European Integration”, by EU Policy HUB, 31 October 2016.

## 4

### YOUTH AND EU INTEGRATION PROCESS

According to INSTAT study “Youth in Albania: Challenges in changing times” of 2015, *“the general picture that emerges from available data is that Albanian youth experience – and notably bring about – societal change. In several areas, considerable improvement can be observed, although generally the living conditions of Albanian youth lag behind most of their European peers. Particularly worrisome is the position of youth on the labour market, which is also the basic factor in the large-scale emigration from and population decline in Albania”*.

In addition, according to the EC Progress Report for Albania of 2016 with reference to Chapter 26: Education and culture, *“Albania adopted the pre-university education strategy and started implementing the law on higher education. However, the quality of education needs to be evaluated and improved, especially since emigration by young, skilled people is high while job opportunities are lower”*.

The above picture of youth in Albania needs above all the youth involvement in the policy making cycle. Such involvement would be higher if the model of inclusion of CSOs in the negotiations structures is adopted<sup>6</sup>. However, if CSOs will not be included in the negotiations structures<sup>7</sup>, there will be always the possibility to involve professional organizations and experts in certain areas to be engaged in the work of individual negotiating groups in order to resolve certain

<sup>6</sup> Like in Montenegro

<sup>7</sup> Like in Serbia.



complex issues related to the Negotiation Team tasks.

According to the methodology proposed by SIGMA<sup>8</sup>, policy making and coordination mechanisms of a candidate country represents one of the six aspects of its evaluation on the country's administrative capacities. According to SIGMA, policy cycle should clearly comprise twelve different steps:

1. Defining the Government's Priorities;
2. Annual Policy and Legislative Planning;
3. Preparation of Policy Proposals, including Impact Assessment;
4. Preparation of Legal Drafts;
5. Inter-Ministerial Consultations;
6. Submission of Items into the Government Office;
7. Review by the Government Office;
8. Review by Ministerial Committees;
9. Decision by the Government;
10. Parliamentary Process and Passage;
11. Implementation;
12. Monitoring and Evaluation.

Consultations with civil society are assessed as part of Step 3 – Preparation of Policy Proposals, but also of Steps 11 and 12.

The Government of Albania adopted in May 2015 the National Youth Action Plan 2015-2020 which aims to develop and coordinate cross-sectorial youth policies in education, employment, health, culture and youth participation enhancement in social life and decision making processes. The Action Plan aims at six strategic objectives and relevant areas:

1. Promote youth participation in the democratic processes/decision-making
2. Promote youth employment through effective labor market policies

3. Health, sports and the environment
4. Youth Education
5. Social Protection
6. Culture and voluntarism

In additions to the National Youth Action Plan, another important tool to the youth organizations in the public policy cycle processes, is the **Law No. 146/2014 "For the public Notification and Consultation"**. This Law foresees in details the procedural rules that should be applied to guarantee transparency and inclusion of the public during policy and legislation development by the public institutions.

EU Negotiation process will be mainly done within the Candidate Country by defining negotiating positions in the existing social and economic context. That is why all social actors affected by the harmonization process should be directly or indirectly included in the process of preparations of EU accession negotiations. The Youngsters and their youth representative associations should be previously informed on the available policy framework allowing them to pursue their involvement in the policy cycle.

This Guide will analyse two particular chapters which more than others directly impact the youngsters:

- Chapter 19: Social policy and employment, and
- Chapter 26: Education and Culture.

## **Chapter 19**

This section will provide a summarized information on the legal areas of the Chapter, the Albanian involved institutions and the

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<sup>8</sup> OECD, *"The role of Ministries in the Policy System: Policy Development, Monitoring and Evaluation"*, available at:

[www.sigmaweb.org/publicationsdocuments/35935430.doc](http://www.sigmaweb.org/publicationsdocuments/35935430.doc)

relevant existing Albanian Policy Framework<sup>9</sup> regarding Chapter 19: Social policy and employment.

<b>Legal Areas</b>	<p>Labour Law Health and Safety at Work Social Dialogue Employment Policy and European Social Fund Social Inclusion Social Protection Anti-Discrimination and Equal Opportunities</p>
<b>Main Institutions</b>	<ul style="list-style-type: none"> <li>• Lead institution: <b>Ministry of Social Welfare and Youth.</b></li> <li>• Other institutions include:</li> <li>• Ministry of Education and Sports</li> <li>• Ministry of Health (Compulsory Health Insurance Fund - CHIF)</li> <li>• Ministry of Urban Development and Tourism</li> <li>• Ministry of Internal Affairs</li> <li>• Ministry of Justice</li> <li>• Ministry of Finance</li> <li>• Ministry of Economic Development, Trade and Entrepreneurship</li> <li>• Ministry of Energy and Industry</li> <li>• Ministry of Foreign Affairs</li> <li>• Ministry of Transport and Infrastructure</li> <li>• Ministry of Culture</li> <li>• Ministry of European Integration</li> <li>• Commissioner for Protection from Discrimination</li> <li>• Ombudsman</li> <li>• State Committee for Minorities</li> <li>• INSTAT</li> </ul>
<b>Existing Policy Framework</b>	<ul style="list-style-type: none"> <li>• DCM. 371/2016: Document of Policies for Health and Safety at the Workplace, 2016-2020 and its Operational Plan</li> <li>• National Employment and Skills Strategy</li> <li>• National Youth Action Plan 2015-2020</li> <li>• National Action Plan for Roma and Egyptians</li> </ul>

<b>Legal Areas</b>	<ul style="list-style-type: none"> <li>• National Action Plan for People with Disabilities (PWD)</li> <li>• Action Plan for Children 2012 – 2015</li> <li>• Social Protection Strategy 2015-2020</li> <li>• Pension Policy Document 2014 – 2030</li> <li>• Social Security Strategy 2015-2020</li> <li>• Increase of benefits of health care services towards universal coverage 2013-2017</li> <li>• National Strategy for Employment and Skills 2014-2020</li> <li>• National Strategy for Gender Equality, and the Operational Plan 2016-2020</li> <li>• National Action Plan for LGBT people in Albania 2016 - 2020</li> </ul>
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## Chapter 26

This section will provide a summarized information on the legal areas of the Chapter, the Albanian involved institutions and the relevant existing Albanian Policy Framework<sup>10</sup> regarding Chapter 26: Education and Culture.

<b>Legal Areas</b>	<p>Education Training Youth Sports Culture Access to Education EU programmes and instruments</p>
<b>Main Institutions</b>	<ul style="list-style-type: none"> <li>• Ministry for Education and Sport (MES)</li> <li>• National Exams Agency (NEA)</li> <li>• Education and Development Agency (EDA)</li> <li>• State Inspectorate of Education (SEI)</li> <li>• National Agency of Education, Professional Formation and Qualifications</li> <li>• Public Agency of Accreditation of Higher Education (PAAHE)</li> <li>• Institute of Education Development (IED)</li> <li>• The National Inspectorate of Pre-university education (NIPE)</li> <li>• The National Agency of Education, Professional Formation and Qualifications (NAEPQ);</li> <li>• Ministry of Culture</li> </ul>

<sup>9</sup> Existing Albanian Policy Framework refers to the same category of legislation the Governments report through the NPEI.

<sup>10</sup> Existing Albanian Policy Framework refers to the same category of legislation the Governments report through the NPEI.

	<ul style="list-style-type: none"> <li>• INSTAT</li> <li>• Ministry of Health</li> </ul>
Existing Policy Framework	<ul style="list-style-type: none"> <li>• National Strategy for Pre-University Education 2014-2020</li> <li>• National Strategy for Employment and Training 2014-2020</li> <li>• Programme of the Albanian Government. Section Public Services / Culture and Cultural Heritage</li> </ul>

programming of cultural and artistic work.

Albania Participates to two sub-programmes:

- Culture
- Media

The institution responsible for this programme is Ministry of Culture.

More information is available here:

[https://ec.europa.eu/programmes/creative-europe/node\\_en](https://ec.europa.eu/programmes/creative-europe/node_en)

## 5

### EU PROGRAMMES AND OTHER INITIATIVES WHERE YOUTH MAY BE INVOLVED

This section will provide information on a selection of EU programmes and other initiatives where Albanian beneficiaries, including youth organizations of NYC, are eligible to participate:

#### 1. CREATIVE EUROPE

Creative Europe is the European Commission’s framework programme for support to the culture and audio-visual sectors. It supports:

- European networks, to help the cultural and creative sectors to operate transnationally and to strengthen their competitiveness.
- Activities that recognise and celebrate the contribution refugees and migrants make to cultural diversity in Europe.
- Initiatives for the translation and promotion of literary works across EU markets, with the aim of increasing access to and readership of high quality European literature.
- Platforms for cultural operators promoting emerging artists and stimulating a truly European

#### 2. EUROPE FOR CITIZENS

Europe for Citizens programme supports the priority sector of “Education, employment and social Policies”. Programme will be focused on two thematic areas:

- European Remembrance; and
- Democratic engagement and civic participation

The institution responsible for this programme is Ministry of Youth and Social Welfare.

More information is available here:

[https://eacea.ec.europa.eu/europe-for-citizens\\_en](https://eacea.ec.europa.eu/europe-for-citizens_en)

#### 3. ERASMUS +

The new Erasmus+ programme aims to support actions in the areas of Education, Training, Youth and Sport for the period 2014-2020.

Erasmus+ aims at promoting, among others:

- The creation of possibilities to study, to be trained, to acquire working experience abroad;
- Completion of studies abroad in short periods or attendance of full cycles of study;

- Provision of loans for students from national banks or crediting agencies with payment time after graduation;
- Support of people with special needs from marginalized strata and those with few possibilities;
- Cooperation among higher education institutions of the EU and outside it in order to develop new teaching approaches harmonization of programmes, continuous qualification of staffs, etc.
- Cooperation among education stakeholders and those of the business world by bringing new possibilities for higher education institutions, students and their staffs in order to facilitate knowledge transfer, adaptation to labour market needs, etc.
- Development of digital education and use of Information and Communication Technologies.

Erasmus + had the following sub-programmes:

- KA1 - Mobility (LEARNING MOBILITY): Includes the exchange of students, lecturers and administrative staff. It represents approximately 63% of the total budget.
- KA2 - Cooperation for innovation and good experiences
- KA3 - Support of educational reforms
- The Jean Monnet programme supports projects dedicated to teaching and research on the European integration process. It supports these projects and the professors, through key activities such as courses, research, conferences, and publications in the field of EU studies.

Institution responsible for this programme in Albania is Erasmus+ Office Albania: <http://erasmusplus.al/>

More information is available here:

<http://ec.europa.eu/programmes/erasmus-plus/>

#### 4. Employment and Social Innovation (EaSI)

The Employment and Social Innovation (EaSI) programme is a financing instrument at EU level to promote a high level of quality and sustainable employment, guaranteeing adequate and decent social protection, combating social exclusion and poverty and improving working conditions.

The three axes of EaSI are:

- the modernisation of employment and social policies with the **PROGRESS** axis (Employment, Social inclusion and social protection, Working conditions, Anti-discrimination, Gender equality) - (61% of the total budget);
- job mobility with the **EURES** axis (the Microfinance and Social Entrepreneurship axis supports actions in two thematic sections: i) microcredit and microloans for vulnerable groups and micro-enterprises; ii) social entrepreneurship - (18% of the total budget);
- access to micro-finance and social entrepreneurship with the Microfinance and Social Entrepreneurship axis (21% of the total budget).

More information on: <http://ec.europa.eu/social/main.jsp?catId=1081&langId=en>

#### 5. IPA Crossborder Cooperation

Instrument for Pre-accession Assistance (IPA) supports cross-border co-operation between candidate countries, potential candidate countries and EU Member States. Albania participates in the following cross

border cooperation and transnational programmes<sup>11</sup>:

- IPA CBC Albania-Montenegro
- IPA CBC Greece-Albania
- IPA CBC Albania-Kosovo
- IPA CBC Albania-Macedonia
- INTERREG Italy-Albania-Montenegro
- INTERREG ADRION
- MED Programme
- Balkan-Mediterranean Programme

More information is available here: <http://www.integrimi.gov.al/al/dokumente/bashkepunimi-nderkufitar-dhe-transnacional>

## **6. CIVIL SOCIETY FACILITY**

The Civil Society Facility (CSF) was established in 2008 to support the development of civil society financially. The CSF consists of three strands:

- support for national and local civic initiatives and capacity-building to strengthen the role of civil society in the region
- support for activities carried out in partnership between civil society organisations (CSOs) from across the region and from EU Member States in order to develop networks and promote transfer of knowledge and experience
- a 'People-2-People' programme supporting visits to EU institutions and exchange of experience, know-how and good practice between local civil society, the EU and civil society in Member States

Other instruments where youth organizations are also eligible to participate are the following:

## **1. REGIONAL YOUTH COOPERATION OFFICE**

Regional Youth Cooperation Office (RYCO) is an independently functioning institutional mechanism, founded by the Western Balkans 6 participants (WB6): Albania, Bosnia and Herzegovina, Kosovo, Montenegro, Macedonia and Serbia, aiming to promote the spirit of reconciliation and cooperation between the youth in the region through youth exchange programs.

RYCO is expected to finance individual (1 week - 1 year) and group exchanges (3 months - 30 months) in the following areas:

- Participation and activism
- Education, Research and Science
- Culture
- Sports

Launching of the first Call for application for RYCO-projects is expected on April 17, 2017<sup>12</sup> (open until 15th May 2017).

More information is available here:

## **2. WESTERN BALKAN FUND**

Western Balkan Fund (WBF) is an international organization established by the governments of the Western Balkan countries with head office in Tirana.

The mission of the Fund is to promote:

- The development of closer cooperation between the Western Balkans Contracting Parties (WB6)
- The strengthening of ties between the Western Balkans Contracting Parties
- The integration of the Contracting Parties into the European Union

<sup>11</sup>

<http://www.integrimi.gov.al/al/dokumente/bashkepunimi-nderkufitar-dhe-transnacional>

<sup>12</sup> <http://www.roadtoryco.com/roadmap/>

- Common presentation of the WBF Contracting Parties to the third countries

The Fund aims to support common projects and to bring people to share mutual experiences and be aware of values, traditions and culture of their respective countries. WBF will finance small and medium projects with the main objective of increasing regional and cross-border cooperation, and strengthening regional cohesion in these key areas:

- education,
- environmental protection,
- human rights,
- culture,
- cross-border exchanges, and
- youth cooperation.

More information is available here:

<http://westernbalkansfund.org/web/>

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EC Directorate-General for Neighbourhood and Enlargement Negotiations

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<https://www.eu.me/en/>