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Legislation

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EN

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2017/2209

of 25 September 2017

on the signing, on behalf of the Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria setting out the terms and conditions for the participation of the People's Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽¹⁾ provides for the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') jointly undertaken by several Member States.
- (2) PRIMA aims to implement a joint programme to build research and innovation capacities and to develop knowledge and common innovative solutions for agro-food systems, to make them sustainable, and for integrated water provision and management in the Mediterranean area, to make those systems and that provision and management more climate resilient, efficient, cost-effective and environmentally and socially sustainable, and to contribute to solving water scarcity, food security, nutrition, health, well-being and migration problems upstream.
- (3) PRIMA will be jointly undertaken by a number of Member States and third countries ('Participating States') with a high level of commitment to scientific, management and financial integration and under the same terms and conditions.
- (4) The People's Democratic Republic of Algeria ('Algeria') expressed its wish to join PRIMA as a Participating State and on an equal footing with the Member States and third countries associated to Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) participating in PRIMA.
- (5) In accordance with Article 1(2) of Decision (EU) 2017/1324 Algeria is to become a Participating State in PRIMA subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions for the participation of Algeria in PRIMA.
- (6) On 30 May 2017, the Council authorised the Commission to open negotiations, on behalf of the Union, with Algeria, on an Agreement for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria setting out the terms and conditions for the participation of the People's Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) ('the Agreement'), subject to the adoption of Decision (EU) 2017/1324. The negotiations were successfully completed by the initialling of the Agreement.

⁽¹⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJ L 185, 18.7.2017, p. 1).

- (7) The Agreement should be signed.
- (8) In order to allow for the participation of Algeria in PRIMA from its start, the Agreement should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria setting out the terms and conditions for the participation of the People's Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

The Agreement shall be applied on a provisional basis, as from the signature thereof, pending the completion of the procedures necessary for its entry into force.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 September 2017.

For the Council
The President
M. MAASIKAS

AGREEMENT**for scientific and technological cooperation between the European Union and the People's Democratic Republic of Algeria setting out the terms and conditions for the participation of the People's Democratic Republic of Algeria in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)**

THE EUROPEAN UNION, hereinafter referred to as 'the Union',

of the one part,

and

THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA, hereinafter referred to as 'Algeria',

of the other part,

hereinafter referred to as 'the Parties',

WHEREAS the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part ⁽¹⁾ ('the Euro-Mediterranean Agreement'), which entered into force on 1 September 2005, provides for scientific, technical and technological cooperation;

WHEREAS the Agreement between the European Union and the People's Democratic Republic of Algeria on scientific and technological cooperation ⁽²⁾, which entered into force on 11 June 2013, establishes a formal framework for cooperation of the Parties in scientific and technological research;

WHEREAS Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽³⁾ regulates the terms and conditions for the participation of the Member States of the Union and third countries associated to Horizon 2020 — the Framework Programme for Research and Innovation 2014-2020 ('Horizon 2020') which are Participating States of the initiative, in particular their financial obligations and participation in the governing structures of the initiative;

WHEREAS in accordance with Decision (EU) 2017/1324 Algeria is to become a Participating State in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions for the participation of Algeria in PRIMA;

WHEREAS Algeria expressed its wish to join PRIMA as a Participating State and on an equal footing with the Member States of the Union and third countries associated to Horizon 2020 participating in PRIMA;

WHEREAS an international agreement between the Union and Algeria is needed to regulate the rights and obligations of Algeria as a Participating State in PRIMA,

HAVE AGREED AS FOLLOWS:

*Article 1***Object and purpose**

The purpose of this Agreement is to set out the terms and conditions for the participation of Algeria in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA').

⁽¹⁾ OJEU L 265, 10.10.2005, p. 2.

⁽²⁾ OJEU L 99, 5.4.2012, p. 2.

⁽³⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJEU L 185, 18.7.2017, p. 1).

*Article 2***Terms and conditions for the participation of Algeria in PRIMA**

The terms and conditions for the participation of Algeria in PRIMA shall be those set out in Decision (EU) 2017/1324. The Parties shall comply with the obligations established by Decision (EU) 2017/1324 and take appropriate measures, in particular by providing all necessary assistance in order to ensure the application of Article 10(2) and Article 11(3) and (4) of that Decision. The detailed arrangements for assistance shall be agreed between the Parties, such arrangements being essential to their cooperation under this Agreement.

*Article 3***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty on the European Union and the Treaty on the Functioning of the European Union are applied and, on the other, to the territory of Algeria.

*Article 4***Signature and provisional application**

This Agreement shall be applied on a provisional basis from the date of its signature.

*Article 5***Entry into force and duration**

1. This Agreement shall be approved by the Parties in accordance with their own procedures.
2. This Agreement shall enter into force on the date on which both Parties have notified each other through diplomatic channels that the procedures referred to in paragraph 1 have been completed.
3. This Agreement shall remain in force for as long as Decision (EU) 2017/1324 is in force, unless terminated by either Party in accordance with Article 6.

*Article 6***Termination**

1. Either Party may terminate this Agreement at any time by a written notice informing the other Party of the intent to terminate it.

The termination shall take effect six months after the date on which the written notice reaches its addressee.

2. Projects and activities in progress at the time of termination of this Agreement shall continue until their completion under the conditions laid down in this Agreement.
3. Parties shall settle by common consent any other consequences of termination.

*Article 7***Dispute settlement**

The dispute settlement procedure provided for in Article 100 of the Euro-Mediterranean Agreement shall apply to all disputes related to the application or interpretation of this Agreement.

This Agreement shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Arabic languages, each text being equally authentic.

Съставено в Брюксел на двадесет и шести октомври през две хиляди и седемнадесета година.
 Hecho en Bruselas, el veintiseis de octubre de dos mil diecisiete.
 V Bruselu dne dvacátého šestého října dva tisíce sedmnáct.
 Udfærdiget i Bruxelles den seksogtyvende oktober to tusind og sytten.
 Geschehen zu Brüssel am sechszwanzigsten Oktober zweitausendsiebzehn.
 Kahe tuhande seitsmeteistkümnenda aasta oktoobrikuu kahekümne kuuendal päeval Brüsselis.
 Έγινε στις Βρυξέλλες, στις είκοσι έξι Οκτωβρίου δύο χιλιάδες δεκαεπτά.
 Done at Brussels on the twenty sixth day of October in the year two thousand and seventeen.
 Fait à Bruxelles, le vingt six octobre deux mille dix-sept.
 Sastavljeno u Bruxellesu dvadeset šestog listopada godine dvije tisuće sedamnaeste.
 Fatto a Bruxelles, addì ventisei ottobre duemiladiciassette.
 Briselē, divi tūkstoši septiņpadsmitā gada divdesmit sestajā oktobrī.
 Priimta du tūkstančiai septynioliktų metų spalio dvidešimt šeštą dieną Briuselyje.
 Kelt Brüsszelben, a kétezer-tizenhetedik év október havának huszonhatodik napján.
 Magħmul fi Brussell, fis-sitta u għoxrin jum ta' Ottubru fis-sena elfejn u sbatax.
 Gedaan te Brussel, zesentwintig oktober tweeduizend zeventien.
 Sporządzono w Brukseli dnia dwudziestego szóstego października roku dwa tysiące siedemnastego.
 Feito em Bruxelas, em vinte e seis de outubro de dois mil e dezassete.
 Întocmit la Bruxelles la douăzeci și șase octombrie două mii șaptesprezece.
 V Bruseli dvadsiateho šiesteho oktobra dvetisíc sedemnásť.
 V Bruslju, dne šestindvajsetega oktobra leta dva tisoč sedemnajst.
 Tehty Brysselissä kahdentenäkymmenentenäkuudentena päivänä lokakuuta vuonna kaksituhattaseitsemäntoista.
 Som skedde i Bryssel den tjugosjätte oktober år tjugohundrasjutton.

حرر ببروكسل في 26 أكتوبر سنة 2017

Za Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europejską uniję
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Għall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

عن الاتحاد الأوروبي

За Алжирската демократична народна република
Por la República Argelina Democrática y Popular
Za Alžírskou demokratickou a lidovou republiku
For Den Demokratiske Folkerepublik Algeriet
Für die Demokratische Volksrepublik Algerien
Alžeeria Demokraatliku Rahvavabariigi nimel
Για τη Λαϊκή Δημοκρατία της Αλγερίας
For the People's Democratic Republic of Algeria
Pour la République Algérienne Démocratique et Populaire
Za Alžírsku Narodnu Demokratsu Republiku
Per la Repubblica algerina democratica e popolare
Alžīrijas Tautas Demokrātiskās Republikas vārdā –
Alžyro Liaudies Demokratinės Respublikos vardu
Az Algériai Demokratikus és Népi Köztársaság részéről
Għar-Repubblika Demokratika Popolari tal-Alġerija
Voor de Democratische Volksrepubliek Algerije
W imieniu Algierskiej Republiki Ludowo-Demokratycznej
Pela República Argelina Democrática e Popular
Pentru Republica Algeriană Democratică și Populară
Za Alžírsku demokratickú ľudovú republiku
Za Ljudsko demokratično republiko Alžirijo
Algerian demokraattisen kansantasavallan puolesta
För Demokratiska folkrepubliken Algeriet

عن الجمهورية الجزائرية الديمقراطية الشعبية

COUNCIL DECISION (EU) 2017/2210**of 25 September 2017**

on the signing, on behalf of the Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for the participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽¹⁾ provides for the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') jointly undertaken by several Member States.
- (2) PRIMA aims to implement a joint programme to build research and innovation capacities and to develop knowledge and common innovative solutions for agro-food systems, to make them sustainable, and for integrated water provision and management in the Mediterranean area, to make those systems and that provision and management more climate resilient, efficient, cost-effective and environmentally and socially sustainable, and to contribute to solving water scarcity, food security, nutrition, health, well-being and migration problems upstream.
- (3) PRIMA will be jointly undertaken by a number of Member States and third countries ('Participating States') with a high level of commitment to scientific, management and financial integration and under the same terms and conditions.
- (4) The Arab Republic of Egypt ('Egypt') expressed its wish to join PRIMA as a Participating State and on an equal footing with the Member States and third countries associated to Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) participating in PRIMA.
- (5) In accordance with Article 1(2) of Decision (EU) 2017/1324 Egypt is to become a Participating State in PRIMA subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions for the participation of Egypt in PRIMA.
- (6) On 30 May 2017, the Council authorised the Commission to open negotiations, on behalf of the Union, with Egypt, on an Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for the participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) ('the Agreement'), subject to the adoption of Decision (EU) 2017/1324. The negotiations were successfully completed by the initialling of the Agreement.
- (7) The Agreement should be signed.
- (8) In order to allow for the participation of Egypt in PRIMA from its start, the Agreement should be applied on a provisional basis, pending the completion of the procedures necessary for its entry into force,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for the participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) is hereby authorised, subject to the conclusion of the said Agreement.

⁽¹⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJ L 185, 18.7.2017, p. 1).

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

The Agreement shall be applied on a provisional basis, as from the date on which the Union receives the notification concerning the completion by Egypt of its own procedures for the approval of the Agreement, pending the completion of the procedures necessary for its entry into force.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 September 2017.

For the Council

The President

M. MAASIKAS

AGREEMENT**for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for the participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)**

THE EUROPEAN UNION, hereinafter referred to as 'the Union',

of the one part,

and

THE ARAB REPUBLIC OF EGYPT, hereinafter referred to as 'Egypt',

of the other part,

hereinafter referred to as 'the Parties',

WHEREAS the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part ⁽¹⁾ ('the Euro-Mediterranean Agreement'), which entered into force on 1 June 2004, provides for scientific and technological cooperation;

WHEREAS the Agreement for scientific and technological cooperation between the European Community and the Arab Republic of Egypt ⁽²⁾, which entered into force on 27 February 2008, establishes a formal framework for cooperation of the Parties in scientific and technological research;

WHEREAS Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽³⁾ regulates the terms and conditions for the participation of the Member States of the Union and third countries associated to Horizon 2020 - the Framework Programme for Research and Innovation 2014-2020 ('Horizon 2020') which are Participating States of the initiative, in particular their financial obligations and participation in the governing structures of the initiative;

WHEREAS in accordance with Decision (EU) 2017/1324 Egypt is to become a Participating State in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions for the participation of Egypt in PRIMA;

WHEREAS Egypt expressed its wish to join PRIMA as a Participating State and on an equal footing with the Member States of the Union and third countries associated to Horizon 2020 participating in PRIMA;

WHEREAS an international agreement between the Union and Egypt is needed to regulate the rights and obligations of Egypt as a Participating State in PRIMA;

WHEREAS full cooperation and coordination between competent authorities of both Parties is essential for implementation of this Agreement,

HAVE AGREED AS FOLLOWS:

*Article 1***The purpose**

The purpose of this Agreement is to set out the terms and conditions for the participation of Egypt in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA').

⁽¹⁾ OJ L 304, 30.9.2004, p. 39.

⁽²⁾ OJ L 182, 13.7.2005, p. 12.

⁽³⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJ L 185, 18.7.2017, p. 1).

*Article 2***Terms and conditions for the participation of Egypt in PRIMA**

The terms and conditions for the participation of Egypt in PRIMA shall be those set out in Decision (EU) 2017/1324. The Parties shall comply with the obligations established by Decision (EU) 2017/1324 and take appropriate measures, in particular by providing all necessary assistance in order to ensure the application of Article 10(2) and Article 11(3) and (4) of that Decision. The detailed arrangements for assistance shall be agreed between the Parties, such arrangements being essential to their cooperation under this Agreement.

*Article 3***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty on the European Union and the Treaty on the Functioning of the European Union are applied and, on the other, to the territory of Egypt.

*Article 4***Provisional application, entry into force and duration**

1. This Agreement shall be approved by the Parties in accordance with their own procedures.
2. This Agreement shall enter into force on the date on which both Parties have notified each other through diplomatic channels that the procedures referred to in paragraph 1 have been completed. Following its signature and pending its entry into force, the Parties shall apply this Agreement on a provisional basis as from the date on which the Union receives the notification concerning the completion by Egypt of the procedures referred to in paragraph 1.
3. This Agreement shall remain in force for as long as Decision (EU) 2017/1324 is in force, unless terminated by either Party in accordance with Article 5.

*Article 5***Termination**

1. Either Party may terminate this Agreement at any time by a written notice informing the other Party of the intent to terminate it.

The termination shall take effect six months after the date on which the written notice reaches its addressee.

2. Projects and activities in progress at the time of termination of this Agreement shall continue until their completion under the conditions laid down in this Agreement.
3. Parties shall settle by common consent any other consequences of termination.

*Article 6***Dispute settlement**

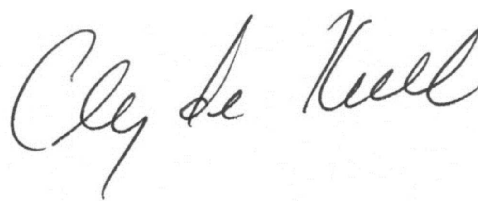
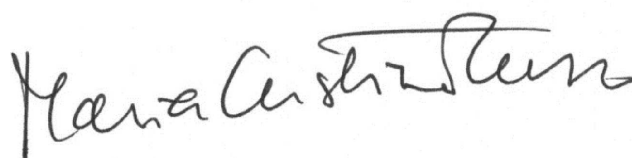
The dispute settlement procedure provided for in Article 82 of the Euro-Mediterranean Agreement shall apply to all disputes related to the application or interpretation of this Agreement.

This Agreement shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Arabic languages, each text being equally authentic.

Съставено в Брюксел на двадесет и седми октомври през две хиляди и седемнадесета година.
 Hecho en Bruselas, el veintisiete de octubre de dos mil diecisiete.
 V Bruselu dne dvacátého sedmého října dva tisíce sedmnáct.
 Udfærdiget i Bruxelles den syvogtyvende oktober to tusind og sytten.
 Geschehen zu Brüssel am siebenundzwanzigsten Oktober zweitausendsiebzehn.
 Kahe tuhande seitsmeteistkümnenda aasta oktoobrikuu kahekümne seitsmendal päeval Brüsselis.
 Έγινε στις Βρυξέλλες, στις είκοσι επτά Οκτωβρίου δύο χιλιάδες δεκαεπτά.
 Done at Brussels on the twenty seventh day of October in the year two thousand and seventeen.
 Fait à Bruxelles, le vingt sept octobre deux mille dix-sept.
 Sastavljeno u Bruxellesu dvadeset sedmog listopada godine dvije tisuće sedamnaeste.
 Fatto a Bruxelles, addì ventisette ottobre duemiladiciassette.
 Briselē, divi tūkstoši septiņpadsmītā gada divdesmit septītajā oktobrī.
 Priimta du tūkstančiai septynioliktų metų spalio dvidešimt septintą dieną Briuselyje.
 Kelt Brüsszelben, a kétezer-tizenhetedik év október havának huszonhetedik napján.
 Magħmul fi Brussell, fis-sebgha u għoxrin jum ta' Ottubru fis-sena elfejn u sbatax.
 Gedaan te Brussel, zevenentwintig oktober tweeduizend zeventien.
 Sporządzono w Brukseli dnia dwudziestego siódmego października roku dwa tysiące siedemnastego.
 Feito em Bruxelas, em vinte e sete de outubro de dois mil e dezassete.
 Întocmit la Bruxelles la douăzeci și șapte octombrie două mii șaptesprezece.
 V Bruseli dvadsiateho siedmeho oktobra dvetisícisedemnást.
 V Bruslju, dne sedemindvajsetega oktobra leta dva tisoč sedemnajst.
 Tehty Brysselissä kahdentenäkymmenentenäseitsemäntenä päivänä lokakuuta vuonna kaksituhattaseitsemäntoista.
 Som skedde i Bryssel den tjugosjunde oktober år tjugohundrasjutton.

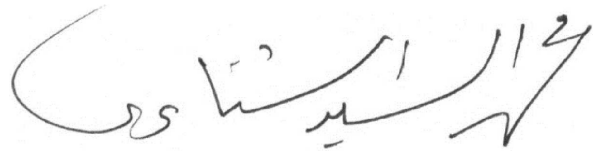
حرر ببروكسل في 27 أكتوبر سنة 2017

Za Европейския съюз
 Por la Unión Europea
 Za Evropskou unii
 For Den Europæiske Union
 Für die Europäische Union
 Euroopa Liidu nimel
 Για την Ευρωπαϊκή Ένωση
 For the European Union
 Pour l'Union européenne
 Za Europejsku uniju
 Per l'Unione europea
 Eiropas Savienības vārdā –
 Europos Sąjungos vardu
 Az Európai Unió részéről
 Ghall-Unjoni Ewropea
 Voor de Europese Unie
 W imieniu Unii Europejskiej
 Pela União Europeia
 Pentru Uniunea Europeană
 Za Európsku úniu
 Za Evropsko unijo
 Euroopan unionin puolesta
 För Europeiska unionen

عن الجماعة الأوروبية

Za Arabska republika Egípet
Por la República Árabe de Egipto
Za Egyptskou arabskou republiku
For Den Arabiske Republik Egypten
Für die Arabische Republik Ägypten
Egiptuse Araabia Vabariigi nimel
Για την Αραβική Δημοκρατία της Αιγύπτου
For the Arab Republic of Egypt
Pour la République arabe d'Égypte
Za Arapsku Republiku Egípat
Per la Repubblica araba d'Egitto
Ēģiptes Arābu Republikas vārdā –
Egipto Arabų Respublikos vardu
Az Egyiptomi Arab Köztársaság részéről
Għar-Repubblika Għarbija tal-Eġittu
Voor de Arabische Republiek Egypte
W imieniu Arabskiej Republiki Egiptu
Pela República Árabe do Egipto
Pentru Republica Arabă Egipt
Za Egyptskú arabskú republiku
Za Arabsko republiko Egipt
Egyptin arabitasavallan puolesta
För Arabrepubliken Egypten



عن جمهورية مصر العربية

COUNCIL DECISION (EU) 2017/2211**of 25 September 2017**

on the signing, on behalf of the Union, of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for the participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 186, in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Decision (EU) 2017/1324 of the European Parliament and of the Council ⁽¹⁾ provides for the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area ('PRIMA') jointly undertaken by several Member States.
- (2) PRIMA aims to implement a joint programme to build research and innovation capacities and to develop knowledge and common innovative solutions for agro-food systems, to make them sustainable, and for integrated water provision and management in the Mediterranean area, to make those systems and that provision and management more climate resilient, efficient, cost-effective and environmentally and socially sustainable, and to contribute to solving water scarcity, food security, nutrition, health, well-being and migration problems upstream.
- (3) PRIMA will be jointly undertaken by a number of Member States and third countries ('Participating States') with a high level of commitment to scientific, management and financial integration and under the same terms and conditions.
- (4) The Hashemite Kingdom of Jordan ('Jordan') expressed its wish to join PRIMA as a Participating State and on an equal footing with the Member States and third countries associated to Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) participating in PRIMA.
- (5) In accordance with Article 1(2) of Decision (EU) 2017/1324 Jordan is to become a Participating State in PRIMA subject to the conclusion of an international agreement for scientific and technological cooperation with the Union setting out the terms and conditions for the participation of Jordan in PRIMA.
- (6) On 30 May 2017, the Council authorised the Commission to open negotiations, on behalf of the Union, with Jordan, on an Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for the participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) ('the Agreement'), subject to the adoption of Decision (EU) 2017/1324. The negotiations were successfully completed by the initialling of the Agreement.
- (7) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for the participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) is hereby authorised, subject to the conclusion of the said Agreement ⁽²⁾.

⁽¹⁾ Decision (EU) 2017/1324 of the European Parliament and of the Council of 4 July 2017 on the participation of the Union in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) jointly undertaken by several Member States (OJ L 185, 18.7.2017, p. 1).

⁽²⁾ The text of the Agreement will be published together with the decision on its conclusion.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 25 September 2017.

For the Council
The President
M. MAASIKAS

REGULATIONS

COUNCIL REGULATION (EU) 2017/2212

of 30 November 2017

amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2017/2214 of 30 November 2017 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine ⁽¹⁾,

Having regard to the joint proposal of the High Representative of the Union for Foreign Affairs and Security Policy and of the European Commission,

Whereas:

- (1) On 31 July 2014, the Council adopted Regulation (EU) No 833/2014 ⁽²⁾.
- (2) On 30 November 2017, the Council adopted Decision (CFSP) 2017/2214 in order to permit certain operations concerning hydrazine (CAS 302-01-2) in concentrations of 70 % or more, which is included in the Common Military List of the European Union, necessary for the flight of the ExoMars carrier module and tests and flight of the ExoMars descent module in the framework of the ExoMars 2020 mission.
- (3) The amendments fall within the scope of the Treaty and, therefore, in particular with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (4) Regulation (EU) No 833/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EU) No 833/2014 is amended as follows:

- (1) The following paragraph is inserted:

‘2aa. The prohibitions in points (a) and (b) of paragraph 1 shall not apply to the provision, directly or indirectly, of technical assistance, financing or financial assistance related to the sale, supply, transfer or export and the import, purchase or transport of hydrazine (CAS 302-01-2) in concentrations of 70 % or more, provided that that technical assistance, financing or financial assistance refers to hydrazine destined for:

- (a) the tests and flight of the ExoMars descent module in the framework of the ExoMars 2020 mission, in an amount calculated in accordance with the needs of each phase of that mission, which does not exceed a total of 5 000 kg for the entire duration of the mission; or
- (b) the flight of the ExoMars carrier module in the framework of the ExoMars 2020 mission, in an amount calculated in accordance with the needs of the flight, which does not exceed a total of 300 kg.’.

⁽¹⁾ See page 20 of this Official Journal.

⁽²⁾ Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1).

(2) Paragraph 2b is replaced by the following:

‘2b. The provision, directly or indirectly, of technical assistance, financing or financial assistance, related to the operations referred to in paragraphs 2a and 2aa shall be subject to prior authorisation by the competent authorities.

Applicants for authorisation shall supply the competent authorities with all relevant information required.

The competent authorities shall inform the Commission of all the authorisations granted.’.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 30 November 2017.

For the Council
The President
K. SIMSON

COMMISSION IMPLEMENTING REGULATION (EU) 2017/2213**of 30 November 2017****amending Commission Implementing Regulation (EU) 2017/271 extending the definitive anti-dumping duty imposed by Council Regulation (EC) No 925/2009 on imports of certain aluminium foil originating in the People's Republic of China to imports of slightly modified certain aluminium foil**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ and in particular Article 13 thereof,

Whereas:

- (1) With Regulation (EC) No 925/2009 ⁽²⁾, the Council imposed a definitive anti-dumping duty on aluminium foil originating in Armenia, Brazil and China. With Implementing Regulation (EU) 2015/2384 ⁽³⁾ the Commission extended the measures on 17 December 2015 for another 5 years for exports from China only and terminated the measures for Brazil.
- (2) With Commission Implementing Regulation (EU) 2017/271 ⁽⁴⁾ (the 'Regulation'), the definitive anti-dumping duty imposed on imports of certain aluminium foil originating in the People's Republic of China was extended to imports of slightly modified certain aluminium foil.
- (3) Article 1(1) of the Regulation refers to Regulation (EC) No 925/2009 when extending the applicable anti-dumping duties to the slightly modified certain aluminium foil. However, as the measures are not in force any more for Armenia and Brazil, the correct reference should have been the legal basis for the measures in force for China only, namely Commission Implementing Regulation (EU) 2015/2384. Therefore, it is appropriate to amend Article 1(1) of the Regulation retro-actively by a reference to Commission Implementing Regulation (EU) 2015/2384 instead of Council Regulation (EC) No 925/2009.
- (4) In order to limit the risk of circumvention, Article 1(3) of the Regulation states that the application of exemptions granted to the companies specifically mentioned in paragraph 2 of the same Article shall be conditional upon presentation to the customs authorities of the Member States of a valid commercial invoice. This commercial invoice must conform to the requirements set out in Article 1(3) of the Regulation.
- (5) Since the entering into force of the Regulation this commercial invoice generated difficulties with national customs services as it can only be issued by the manufacturer. However, the underlying investigation revealed that, normally, those exporting producers listed in Article 1(2) of the Regulation export via unrelated traders. Thus, they cannot meet this requirement without significant disruption to their business practices. Indeed, if these economic operators were required to meet the requirements of Article 1(3) of the Regulation, they would be forced to change their sales channels and start selling their products directly to the Union, because maintaining their current sales channels, i.e. selling via unrelated traders may result in them being subjected to the anti-dumping duty rate imposed by Article 1(2) of Commission Implementing Regulation (EU) 2015/2384.
- (6) The exporting producers listed in Article 1(2) of the Regulation are producers of aluminium converter foil. Aluminium converter foil has different technical characteristics, different distribution channels, and end-use than the product concerned by the Regulation. It is not in competition with the product concerned, nor was it intended to be part of the product scope, but could not be excluded from the product definition for reasons explained in recitals 60 to 72 in the Regulation. Furthermore, these exporting producers had been verified on

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ Council Regulation (EC) No 925/2009 of 24 September 2009 imposing a definitive anti-dumping duty and collecting definitively the duty imposed on imports of certain aluminium foils originating in Armenia, Brazil and the People's Republic of China (OJ L 262, 6.10.2009, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2015/2384 of 17 December 2015 imposing a definitive anti-dumping duty on imports of certain aluminium foils originating in the People's Republic of China and terminating the proceeding for imports of certain aluminium foils originating in Brazil following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009 (OJ L 332, 18.12.2015, p. 63).

⁽⁴⁾ Commission Implementing Regulation (EU) 2017/271 of 16 February 2017 extending the definitive anti-dumping duty imposed by Council Regulation (EC) No 925/2009 on imports of certain aluminium foil originating in the People's Republic of China to imports of slightly modified certain aluminium foil (OJ L 40, 17.2.2017, p. 51).

spot as explained in recital 80 of the Regulation, and it was established that they had not in the past produced the product concerned by the Regulation. Therefore the Commission considers that there is a limited risk that these exporting producers would try to circumvent the measures in the future.

- (7) The Commission came to the conclusion that it would be unduly burdensome to request the exempted companies listed in Article 1(2) of the Regulation to change their usual business operation and start selling directly to the Union. Against this background, it is appropriate to remove this requirement from the Regulation. Thus, exporting producers listed in Article 1(2) of the Regulation will not be obliged to issue such a commercial invoice.
- (8) In any case, the removal of this requirement should not prevent customs authorities from performing additional checks concerning the shipment in question, in line with the risk profile associated with the import concerned, until they can satisfy themselves that the manufacturer declared on the documents is correct.
- (9) In order to provide legal certainty to economic operators, it is furthermore appropriate that these amendments apply with retroactive effect as from the date of entry into force of the Regulation. This is in line with the existing case law of the European Courts, given that the amendment has been made in a reasonable period of time, so that no legitimate expectations were created for the economic operators concerned. In any case, economic operators exporting to the Union will not have their businesses unduly affected, as the deletion of this requirement creates legal certainty for the purposes of importing into the Union for both exporting producers from China as well as importers in the Union ⁽¹⁾.
- (10) On 7 August 2017, the Commission disclosed to all interested parties the essential facts and considerations on the basis of which it deemed the present amendment necessary, and invited them to comment.
- (11) The applicant who lodged the request for the extension of the duties objected the Commission's proposal to remove the requirement to present a commercial invoice issued by the manufacturer. It argued in particular that by removing this requirement, the Commission would be creating a risk of additional circumvention, and therefore, additional uncertainties for the Union aluminium foil industry.
- (12) As explained in recital 8, the removal of this requirement would not prevent customs authorities from performing additional checks to verify whether the manufacturer declared on the documents was correct. If anything it would encourage the customs authorities to carry out additional checks in case of doubts that the consignments in question really comes from an exempted companies. Furthermore these exempted exporting producers were not involved in circumvention practice in the past, they do not produce the product concerned, and the customers of the aluminium converter foil are different from the customer of the product concerned. The Commission therefore concluded that the removal of the requirement to produce such a commercial invoice did not create additional risk of circumvention and rejected the claim.
- (13) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of the basic Regulation (EU) 2016/1036.
- (14) In view of the above and pursuant to Article 13 of Regulation (EU) 2016/1036, Article 1 of Implementing Regulation (EU) 2017/271 should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Implementing Regulation (EU) 2017/271 is amended as follows:

- (1) Article 1(1) is replaced by the following:

'Article 1

1. The definitive anti-dumping duty applicable to "all other companies" imposed by Article 1(2) of Commission Implementing Regulation (EU) 2015/2384 on imports of certain aluminium foil originating in the People's Republic of China is hereby extended to imports into the Union of:

- aluminium foil of a thickness of not less than 0,007 mm and less than 0,008 mm, regardless of the width of the rolls, whether or not annealed, currently falling within CN code ex 7607 11 19 (TARIC code 7607 11 19 30), or

⁽¹⁾ Joined Cases C-7/56 and C-3/57 to C-7/57, *Algera and Others v Assemblée commune*, ECLI:EU:C:1957:7, page 39.

- aluminium foil of a thickness of not less than 0,008 mm and not more than 0,018 mm and in rolls of a width exceeding 650 mm, whether or not annealed, currently falling within CN code ex 7607 11 19 (TARIC code 7607 11 19 40), or
- aluminium foil of a thickness of more than 0,018 mm and less than 0,021 mm, regardless of the width of the rolls, whether or not annealed, currently falling within CN code ex 7607 11 19 (TARIC code 7607 11 19 50), or
- aluminium foil of a thickness of not less than 0,021 mm and not more than 0,045 mm, when presented with at least two layers, regardless of the width of the rolls, whether or not annealed, currently falling within CN code ex 7607 11 90 (TARIC codes 7607 11 90 45 and 7607 11 90 80).’;

(2) Article 1(3) is deleted.

Article 2

This Regulation shall enter into force with retroactive effect as from 18 February 2017.

Done at Brussels, 30 November 2017.

For the Commission

The President

Jean-Claude JUNCKER

DECISIONS

COUNCIL DECISION (CFSP) 2017/2214

of 30 November 2017

amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 31 July 2014, the Council adopted Decision 2014/512/CFSP ⁽¹⁾.
- (2) The Council considers that the restrictive measures set out in Decision 2014/512/CFSP should not affect the European space industry.
- (3) On 1 October 2015, the Council adopted Decision (CFSP) 2015/1764 ⁽²⁾. That Decision introduced derogations for certain operations concerning specific pyrotechnics referred to in the Common Military List of the European Union ⁽³⁾, necessary for the use of launchers operated by launch service providers of Member States or established in a Member State, necessary for the use of launches of space programmes of the Union, of its Member States or of the European Space Agency, or necessary for the fuelling of satellites by satellite manufacturers established in a Member State.
- (4) The Council considers that certain operations concerning hydrazine referred to in the Common Military List of the European Union necessary for the ExoMars carrier module as well as ExoMars descent module in the framework of ExoMars 2020 mission should be permitted.
- (5) Decision 2014/512/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 2014/512/CFSP is hereby amended as follows:

- (1) The following paragraph is inserted:

‘5a. The prohibitions in paragraphs 1 and 3 shall not apply to the sale, supply, transfer or export and to the import, purchase or transport of hydrazine (CAS 302-01-2) in concentrations of 70 % or more for the tests and flight of ExoMars descent module and for the flight of ExoMars carrier module in the framework of the ExoMars 2020 mission, under the following conditions:

- (a) the amount of hydrazine destined for the tests and flight of the ExoMars descent module in the framework of the ExoMars 2020 mission, calculated in accordance with the needs of each phase of that mission, is not to exceed a total of 5 000 kg for the entire duration of the mission;
- (b) the amount of hydrazine destined for the flight of the ExoMars carrier module in the framework of the ExoMars 2020 mission is not to exceed a total of 300 kg.’

⁽¹⁾ Council Decision 2014/512/CFSP of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 13).

⁽²⁾ Council Decision (CFSP) 2015/1764 of 1 October 2015 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 257, 2.10.2015, p. 42).

⁽³⁾ Common Military List of the European Union adopted by the Council on 9 February 2015 (OJ C 129, 21.4.2015, p. 1).

(2) Paragraph 6 is replaced as follows:

‘6. The prohibitions in paragraph 2 shall not apply to the provision of technical assistance, brokering services or other services, and to the provision of financing or financial assistance, related to the operations referred to in paragraphs 5 and 5a.’

(3) Paragraph 7 is replaced as follows:

‘7. The operations referred to paragraphs 5, 5a and 6 shall be subject to prior authorisation by the competent authorities of the Member States. Member States shall duly inform the Council in all cases where they grant an authorisation. The information shall include the details of the amounts transferred and of the end-use.’

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 30 November 2017.

For the Council

The President

K. SIMSON

