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Contents

I *Legislative acts*

DECISIONS

- ★ **Decision No 472/2014/EU of the European Parliament and of the Council of 16 April 2014 on the European Year for Development (2015)** 1

II *Non-legislative acts*

REGULATIONS

- ★ **Commission Delegated Regulation (EU) No 473/2014 of 17 January 2014 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards supplementing Annex III thereto with new indicative maps ⁽¹⁾** 10
- ★ **Commission Regulation (EU) No 474/2014 of 8 May 2014 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH') as regards 1,4-dichlorobenzene ⁽¹⁾** 19
- Commission Implementing Regulation (EU) No 475/2014 of 8 May 2014 establishing the standard import values for determining the entry price of certain fruit and vegetables 23

DECISIONS

2014/258/CFSP:

- ★ **Political and Security Committee Decision EUBAM Libya/3/2014 of 30 April 2014 extending the mandate of the Head of Mission of the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)** 25

⁽¹⁾ Text with EEA relevance

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

2014/259/CFSP:

- ★ **Political and Security Committee Decision EUCAP Sahel Niger/2/2014 of 6 May 2014 on the appointment of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger)** 26

2014/260/EU:

- ★ **Commission Implementing Decision of 29 April 2014 on the clearance of the accounts of the paying agencies of Member States concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2013 financial year (notified under document C(2014) 2792)** 27

2014/261/EU:

- ★ **Commission Implementing Decision of 5 May 2014 on setting up Euro-Argo Research Infrastructure as a European Research Infrastructure Consortium (Euro-Argo ERIC)** 35

2014/262/EU:

- ★ **Commission Implementing Decision of 7 May 2014 determining the date from which the Visa Information System (VIS) is to start operations in a twelfth, a thirteenth, a fourteenth and a fifteenth region** 51

I

(Legislative acts)

DECISIONS

DECISION No 472/2014/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 16 April 2014
on the European Year for Development (2015)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 209 and Article 210(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee of 10 December 2013 ⁽¹⁾,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

- (1) Development cooperation policy has as its primary objective the reduction and, in the long term, the eradication of poverty as laid down in Article 21 of the Treaty on European Union (TEU) and Article 208 of the Treaty on the Functioning of the European Union. Combating global poverty helps to build a more stable, peaceful, prosperous and equitable world, reflecting the interdependence of richer and poorer countries.
- (2) As stated in the European Parliament resolution of 23 October 2012 entitled 'An Agenda for Change: the future of EU development policy', development cooperation also consists of promoting human development and the fulfilment of human beings in all respects, including the cultural dimension.
- (3) The Union has been providing development cooperation assistance since 1957 and is now the largest donor of official development assistance in the world.
- (4) The Treaty of Lisbon has firmly anchored development policy within the Union's external action in support of the Union's interest in a stable and prosperous world. Development policy also helps to address other global challenges and contributes to the Europe 2020 Strategy, set out in the Commission Communication of 3 March 2010 entitled 'Europe 2020, a strategy for smart, sustainable and inclusive growth'.
- (5) The Union has been a leader in formulating and implementing the concept of policy coherence for development, which aims at strengthening synergies between non-aid policies and development objectives, in order to ensure that Union policies support developing countries' development needs, or at least do not contradict the aim of poverty eradication.

⁽¹⁾ Not yet published in the Official Journal.

⁽²⁾ Position of European Parliament of 2 April 2014 (not yet published in the Official Journal) and decision of the Council of 14 April 2014.

- (6) In 2000, the international community undertook to take concrete steps by 2015 to fight poverty, with the adoption of the Millennium Development Goals (MDGs), which were accepted by the Union and the Member States.
- (7) The joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy: 'The European Consensus' ⁽¹⁾, which remains the most comprehensive basis for Union development cooperation, calls upon the Union to help strengthen the role of new Member States as new donors.
- (8) The world has undergone enormous change over recent years, including major shifts in the global economic and political balance. New actors, including private and other non-governmental players, have emerged in the global arena. While developed and emerging economies account for most of global gross domestic product, the latter have now become the key drivers of global growth and already have a significant impact on the world economy.
- (9) Continued support for development cooperation is vital in a rapidly changing world. Around 1,3 billion people still live in extreme income poverty and the human development needs of many more are still not being met. Inequalities within countries have increased in most parts of the world. The natural environment is under increasing pressure and the developing countries are hit particularly hard by the effects of climate change. Those challenges are universal and inter-related and need to be addressed by all countries acting together.
- (10) Discussions on the post-2015 framework have started: building on the Commission communication of 13 October 2011 entitled 'Increasing the impact of EU Development Policy: an Agenda for Change' and the Council Conclusions of 14 May 2012 on the Agenda for Change, which have already resulted in a major reorientation of Union development policies, the Commission has set out its views in its communication of 27 February 2013 entitled 'A decent life for all, ending poverty and giving the world a sustainable future' and in its conclusions of 25 June 2013 the Council adopted 'The Overarching Post-2015 Agenda', with the aim of addressing the shortcomings of the current development framework and setting out a common approach to bringing together poverty eradication and sustainability concerns in an overarching international framework.
- (11) The year 2015 should be emblematic and pivotal, being the last year for achieving the collectively agreed MDGs and thus offering a unique opportunity to take stock of the international commitments. The year 2015 will also be the year in which major international decisions are to be taken on the development framework that is to replace the MDG framework over the coming decades.
- (12) The year 2015 is the appropriate year during which to present the results of Union development policy following implementation of the principles set out in the Commission communication on an Agenda for Change.
- (13) The year 2015 will also be the year during which important international events take place in Member States, such as the Universal Expo 'Feeding the Planet: Energy for Life' in Milan, which will provide a special opportunity to discuss global development policies and to carry out extensive public outreach activities on sustainable development and related issues.
- (14) In its resolution on an Agenda for Change, the European Parliament invited the Commission to make 2015 the European Year for Development, expressing its hope that this would raise the profile of development co-operation.
- (15) The year 2015 should therefore be designated a European Year for Development ('the European Year') in order to provide a timely opportunity to raise general public awareness of the current orientation of Union development policy. Information is needed on how an outward-looking Union can help to ensure global sustainability. This includes raising awareness of global interdependence and illustrating that development is more than just aid.

⁽¹⁾ OJ C 46, 24.2.2006, p. 1.

- (16) The key to the successful impact of Union action for development is the extent to which it enjoys broad popular and political support and provides evidence of effective and efficient use of public funds for achieving development results. The European Year should therefore act as a catalyst for raising awareness, including through public political debate and development education, building momentum and exchanging best practices between Member States, local and regional authorities, civil society, the private sector, social partners and international entities and organisations involved in development issues. It should help to focus political attention and mobilise everyone concerned in order to drive forward and promote further action and initiatives at Union and Member State level, in association with the beneficiaries of development assistance and their representatives.
- (17) The European Year should raise awareness of all forms of gender discrimination faced by women and girls in various regions, particularly in terms of access to education, jobs and health systems, as well as of forced marriage, sexual exploitation, genital mutilation and other malpractices.
- (18) The Special Eurobarometer 392 entitled 'Solidarity that spans the globe: Europeans and development aid', published in October 2012, showed that 85 % of Union citizens were in favour of helping people in partner countries. As stated in that report, in spite of the current economic climate, more than six out of ten citizens think that aid for people in partner countries should be increased. At the same time, that report showed clearly that there is a lack of knowledge on Union development cooperation, which calls for better communication.
- (19) Efficient coordination between all partners contributing at Union, national, regional and local levels is a fundamental prerequisite for an effective European Year. Local and regional partners have, in this case, a particular role to play in promoting Union development policy.
- (20) Differing national socioeconomic and cultural contexts and sensitivities call for some of the activities of the European Year to be decentralised to national level, in accordance with Article 58 of the Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council ⁽¹⁾. However, the setting of policy priorities at national level should be coordinated with the Commission with a view to guaranteeing consistency with the strategic objectives of the European Year. Close coordination between the Commission's and Member States' activities is of prime importance in order to create synergies and make the European Year a success.
- (21) In addition to Member States, participation in the activities to be financed within the European Year should be open to the candidate countries benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and in Association Council decisions. Coordination with national measures, in particular with national Development Education and Awareness Raising (DEAR) programmes, should be encouraged. The level and form of involvement in the European Year should remain at each Member State's discretion.
- (22) Consistency and complementarity with other Union legislation and actions should be ensured, in particular with the Development Cooperation Instrument established by Regulation (EU) No 233/2014 of the European Parliament and of the Council ⁽²⁾ including the DEAR programme, the European Development Fund, the European Neighbourhood Instrument established by Regulation (EU) No 232/2014 of the European Parliament and of the Council ⁽³⁾ and other Union instruments for financing external action, where relevant to development policy.
- (23) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, unduly paid or incorrectly used and, where appropriate, administrative and financial penalties in accordance with Regulation (EU, Euratom) No 966/2012.
- (24) In order to optimise the effectiveness and efficiency of the activities envisaged for the European Year, it is important that a set of preparatory actions be carried out in 2014.

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

⁽²⁾ Regulation (EU) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44).

⁽³⁾ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27).

- (25) The Commission has already taken various measures to promote development policies and inform Union citizens about its development cooperation. Those existing measures should be used as much as possible for the European Year.
- (26) The primary responsibility for raising citizens' awareness of development issues rests with Member States. Action at Union level complements and supplements actions taken at national, regional and local levels, as highlighted in the political declaration signed on 22 October 2008 by the European Parliament, the Council and the Commission entitled 'Communicating Europe in Partnership'.
- (27) Since the objectives of this Decision cannot be sufficiently achieved by the Member States, due to the need for multilateral partnerships, transnational exchange of information and Union-wide awareness-raising and dissemination of good practices, but can rather, by reason of the scale of the European Year, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary in order to achieve those objectives,

HAVE ADOPTED THIS DECISION:

Article 1

Subject matter

The year 2015 shall be designated the 'European Year for Development' ('the European Year').

The motto of the European Year shall be 'Our world, our dignity, our future'.

Article 2

Objectives

The objectives of the European Year shall be:

- (a) to inform Union citizens about the Union's and the Member States' development cooperation, highlighting the results that the Union, acting together with the Member States, has achieved as a global actor and that it will continue to do so in line with the latest discussions on the overarching post-2015 framework;
- (b) to foster direct involvement, critical thinking and active interest of Union citizens and stakeholders in development cooperation including in policy formulation and implementation; and
- (c) to raise awareness of the benefits of the Union's development cooperation not only for beneficiaries of the Union's development assistance but also for Union citizens and to achieve a broader understanding of policy coherence for development, as well as to foster among citizens in Europe and developing countries a sense of joint responsibility, solidarity and opportunity in a changing and increasingly interdependent world.

Article 3

Measures

1. The measures taken to achieve the objectives of the European Year shall include the following measures, which may be organised at Union, national, regional or local levels, as set out in the Annex, and in partner countries, in accordance with Article 6(5):

- (a) communication campaigns to disseminate key messages targeted at the general public and more specific audiences, in particular young people and other key target groups, including through social media;
- (b) the organisation of conferences, events and initiatives with all relevant stakeholders, to promote active participation and debate, and to raise awareness at all levels;

- (c) concrete measures in the Member States aimed at promoting the objectives of the European Year, in particular through development education, the exchange of information and sharing of experience and good practices among national, regional or local administrations and other organisations; and
 - (d) undertaking studies and surveys and disseminating their results.
2. The Commission may identify other measures as contributing to the objectives of the European Year and may allow references to the European Year and to the motto to be used in promoting those measures, insofar as they contribute to achieving those objectives.

Article 4

Coordination with Member States

1. The Commission shall invite the Member States to appoint each a national coordinator to be responsible for organising the involvement of that Member State in the European Year. The Member States shall inform the Commission of any such appointment.
2. The national coordinators shall, in close coordination with the Commission, consult and cooperate with a wide range of relevant stakeholders, including civil society and the private sector, national parliaments, social partners and, where appropriate, the national agencies, the federal State or sub-national government level, including regional and local authorities and, where applicable, associated Overseas Countries and Territories (OCTs) or contact points for the relevant Union programmes.
3. The Commission shall invite the Member States to transmit to it, by 1 September 2014, their work programme, which shall set out details of the national activities planned for the European Year, in accordance with the objectives of the European Year and the details of the measures set out in the Annex.
4. Before approving the work programmes, the Commission shall verify that those activities comply, in accordance with Regulation (EU, Euratom) No 966/2012 and Commission Delegated Regulation (EU) No 1268/2012 ⁽¹⁾, with the objectives of the European Year.

Article 5

Participation

Participation in the activities of the European Year to be financed by the Union shall be open to the Member States and candidate countries benefiting from a pre-accession strategy, in accordance with the general principles and general terms and conditions for the participation of those countries in Union programmes established in the respective framework agreements and in Association Council decisions.

Article 6

Coordination at Union level and implementation

1. The Commission shall implement this Decision at Union level, in particular by adopting the necessary financing decisions in accordance with the Regulations establishing the instruments for financing external action relevant to the actions concerned, namely the Development Cooperation Instrument, the European Instrument for Democracy and Human Rights, as established by Regulation (EU) No 235/2014 of the European Parliament and of the Council ⁽²⁾, the European Neighbourhood Instrument, the Instrument contributing to Stability and Peace, as established by Regulation (EU) No 230/2014 of the European Parliament and of the Council ⁽³⁾, the Instrument for Pre-accession Assistance, as established by Regulation (EU) No 231/2014 of the European Parliament and of the Council ⁽⁴⁾, and the Partnership Instrument for cooperation with third countries, as established by Regulation (EU) No 234/2014 of the European Parliament and of the Council ⁽⁵⁾ ('the instruments for financing external action').

⁽¹⁾ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (OJ L 362, 31.12.2012, p. 1).

⁽²⁾ Regulation (EU) No 235/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide (OJ L 77, 15.3.2014, p. 85).

⁽³⁾ Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (OJ L 77, 15.3.2014, p. 1).

⁽⁴⁾ Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) (OJ L 77, 15.3.2014, p. 11).

⁽⁵⁾ Regulation (EU) No 234/2014 of the European Parliament and of the Council of 11 March 2014 establishing a Partnership Instrument for cooperation with third countries (OJ L 77, 15.3.2014, p. 77).

2. The Commission, together with the European External Action Service (EEAS), shall cooperate closely with the European Parliament, the Council and the Member States, the European Economic and Social Committee, the Committee of the Regions and the bodies and associations active in development issues at Union level.
3. The Commission shall convene meetings of the national coordinators to coordinate the implementation of the European Year and to exchange information on implementation at Union and national levels. The Commission may invite representatives of civil society and regional and local authorities and members of the European Parliament to attend those meetings as observers.
4. The Commission shall convene meetings of all relevant stakeholders involved in Union development cooperation to assist it in implementing the European Year at Union level. The national coordinators shall be invited to those meetings.
5. The Commission shall make the European Year a priority in the communication activities of its Representations in the Member States and of EU Delegations in partner countries. With a view to their participation in activities related to the European Year, whether those activities take place in the Union or in third countries, development partners in third countries shall be supported through EU Delegations while OCTs shall be supported through appropriate institutional channels.
6. The EEAS and EU Delegations shall make the European Year an integral part of their ongoing information and communication activities.

Article 7

Consistency and complementarity

In accordance with the Regulations establishing the instruments for financing external action relevant to the actions concerned, the Commission shall ensure that the measures provided for in this Decision are consistent with any other Union, national and regional measures that help attain the objectives of the European Year, and fully complement the existing Union, national and regional measures.

Article 8

Specific provisions on financial and non-financial support

1. Measures which are Union-wide in nature and referred to in Part A of the Annex shall lead to a procurement procedure or the award of grants financed by the Union in accordance with Titles V and VI of Regulation (EU, Euratom) No 966/2012.
2. Measures which are Union-wide in nature and referred to in Part B of the Annex may be co-financed by the Union.
3. The Commission may award co-financing to each national coordinator in accordance with the procedure set out in Part C of the Annex.
4. Where appropriate, and without prejudice to their objectives and budget, existing programmes which contribute to the promotion of development may support the European Year. Furthermore, exceptional efforts by Member States in managing international development-related events or international development work streams may also be taken into consideration in national work programmes.
5. The Commission may grant non-financial support for activities that are undertaken by public and private organisations and that comply with Article 3(2).
6. In order for measures to be considered eligible for financing under this Decision they shall be required to make effective use of public spending, to bring added value and to be results-orientated.

*Article 9***Protection of the financial interests of the Union**

1. The Commission shall take appropriate measures ensuring that, when actions financed under this Decision are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and inspections and, if irregularities are detected, by the recovery of the amounts unduly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.
2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on-the-spot checks and inspections, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Decision.
3. The European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections, in accordance with the provisions and procedures laid down in Council Regulation (Euratom, EC) No 2185/96 ⁽¹⁾ and Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ⁽²⁾ with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract funded under this Decision.

*Article 10***Reporting and assessment**

By 31 December 2016, the Commission shall submit a report to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the implementation, results and overall assessment of the measures provided for in this Decision in order to consider appropriate follow-up.

*Article 11***Entry into force**

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

Done at Strasbourg, 16 April 2014.

For the European Parliament

The President

M. SCHULZ

For the Council

The President

D. KOURKOULAS

⁽¹⁾ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

⁽²⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

ANNEX

DETAILS OF THE MEASURES REFERRED TO IN ARTICLE 3

Implementation of the European Year shall focus on a broad Union-wide information and communication campaign complemented by actions taken by the Member States. Both Union and national actions can also involve civil society, youth organisations, social partners, the private sector, national parliaments, and, where appropriate, national agencies, the federal State or sub-national government level, including regional and local authorities and other stakeholders, with a view to creating a sense of ownership among key actors.

The Union shall grant financial support, as well as the authorisation to use a logo developed by the Commission, and other materials associated with the European Year, to measures carried out by public or private organisations, where those organisations provide assurances to the Commission that those measures are or will be carried out in 2015 and are likely to make a significant contribution to achieving the objectives of the European Year.

A. DIRECT UNION MEASURES

Financing shall take the form of the direct purchase of goods and services under existing framework contracts. It may also take the form of grants covering up to 80 % of the final cost of activities. Measures may include:

(a) information and promotional campaigns including:

- (i) production and dissemination of audiovisual and print material which reflect the objectives of the European Year;
- (ii) high-visibility events to raise awareness of the objectives of the European Year and fora for exchanging experience and good practices;
- (iii) measures to publicise the results and raise the profile of Union programmes, as well as measures contributing to the objectives of the European Year;
- (iv) establishment of an interactive information website on Europa (http://europa.eu/index_en.htm) dedicated to action taken in the context of the European Year and adequate use of social media;
- (v) a prize for innovative and successful communication concepts and campaigns which help, or which have helped, to raise awareness and foster reflection about development issues in unusual or original ways, in particular those designed to reach target audiences which previously have had little or no exposure to global development issues;

(b) other initiatives:

- (i) the provision of linguistic services (translation, interpretation, multilingual information);
- (ii) monitoring surveys and audits at Union level to assess and report on the preparation, effectiveness and impact of the European Year.

B. CO-FINANCING UNION MEASURES

High-visibility events on a Union scale that aim to raise awareness of the objectives of the European Year, that may be organised in cooperation with the Member States holding the Council Presidency in 2015, may receive a Union grant of up to 80 % of the final costs of the activities.

C. CO-FINANCING MEMBER STATES' MEASURES

Each national coordinator may submit an application for Union co-financing of measures or of a work programme to promote the European Year. The work programme shall describe the national specific activities to be funded. Within that framework, Member States may define their own priorities and initiatives in accordance with Article 2 and may include OCTs where applicable.

The application for co-financing shall be accompanied by a detailed budget setting out the total costs of the measures or work programme proposed, as well as the amount and sources of possible co-funding. The Union contribution may cover up to 80 % of the final costs of the activities. The Commission shall determine indicative amounts to be made available for co-financing to each national coordinator and the deadline for submission of the applications, based on criteria that take into account the population and the cost of living of the Member State concerned. A fixed amount per Member State shall guarantee a minimum level of activities.

When determining that fixed amount, the Commission shall take into account the relatively short experience in development cooperation of those Member States that have joined the Union since 1 January 2004. The Commission shall also take into account measures submitted jointly or shared by several Member States.

The Commission shall ensure a transparent, timely and efficient approval procedure based on the principles of equal treatment and sound financial management.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) No 473/2014**of 17 January 2014****amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards
supplementing Annex III thereto with new indicative maps****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU ⁽¹⁾, and in particular Article 49(6) thereof,

Whereas:

- (1) Regulation (EU) No 1315/2013 provides for the possibility to add indicative maps of the trans-European transport network extended to specific neighbouring countries based on high-level agreements on transport infrastructure networks between the Union and the neighbouring countries concerned.
- (2) A high-level agreement between the Union, Russia and Belarus has been reached in the framework of the Northern Dimension Partnership on Transport and Logistics (NDPTL) on 21 November 2012. A high level agreement between the Union and Belarus, Ukraine, Moldova, Georgia, Armenia and Azerbaijan has been reached in the framework of the Eastern Partnership on 9 October 2013.
- (3) Adding indicative maps of the transport networks, connected to the networks defined in Regulation (EU) No 1315/2013, would allow to better target the Union cooperation with the third countries in question.
- (4) The high-level agreements with the neighbouring countries concern the lines of the railway and road networks, as well as the ports, airports and rail-road terminals. The status of the railways and roads in terms of completion of the infrastructure was not part of the agreements. Therefore, the railways and roads were presented in the context of the high-level agreements as 'completed',

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EU) No 1315/2013 is amended in accordance with the Annex to this Delegated Regulation.

⁽¹⁾ OJ L 348, 20.12.2013, p. 1.

Article 2

This Regulation shall enter into force on the twentieth 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, 17 January 2014.

For the Commission

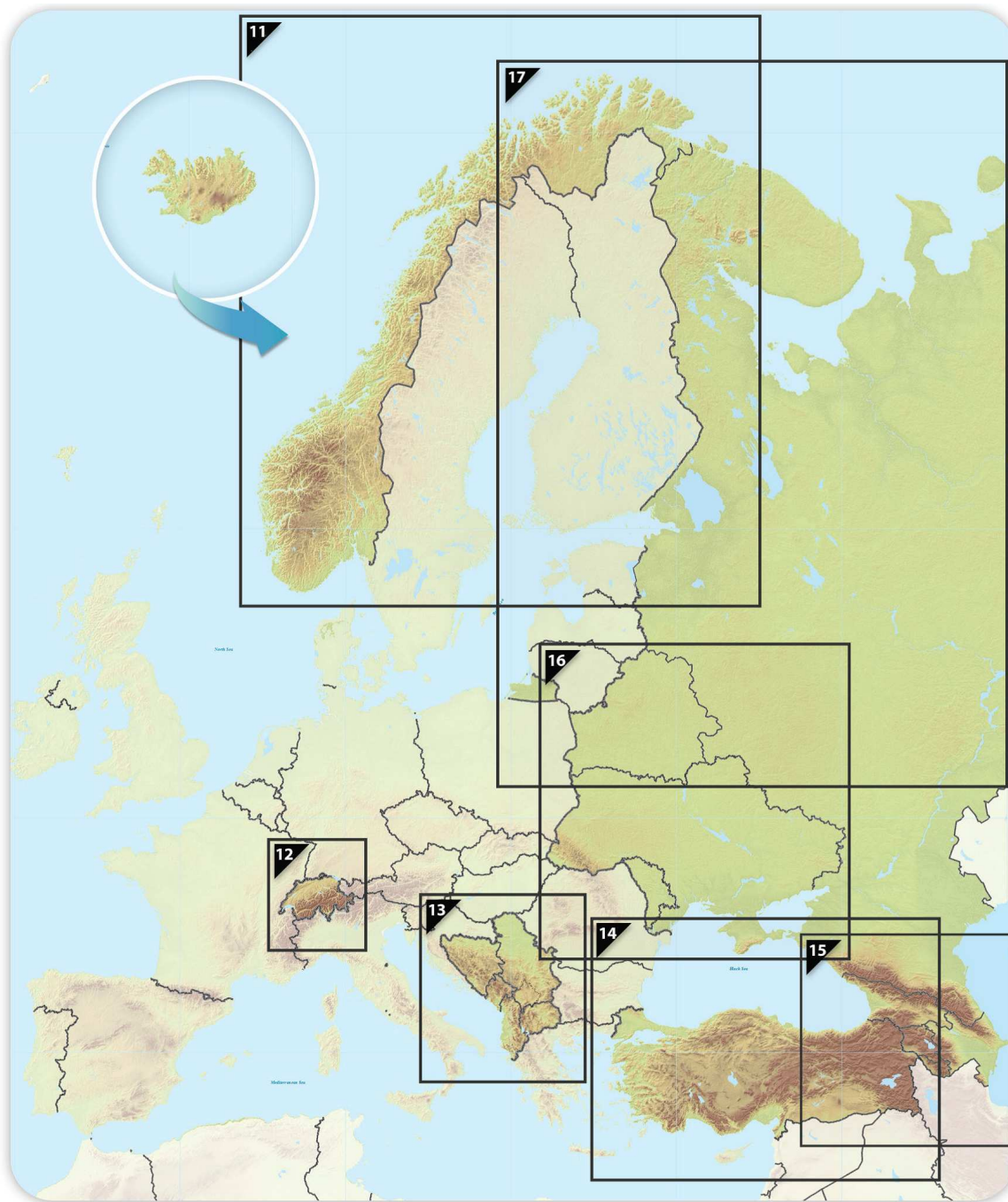
The President

José Manuel BARROSO

ANNEX

Annex III to Regulation (EU) No 1315/2013 is amended as follows:

- (1) The map under the heading 'Map Finder Chart for Neighbouring Countries' is replaced by the following:

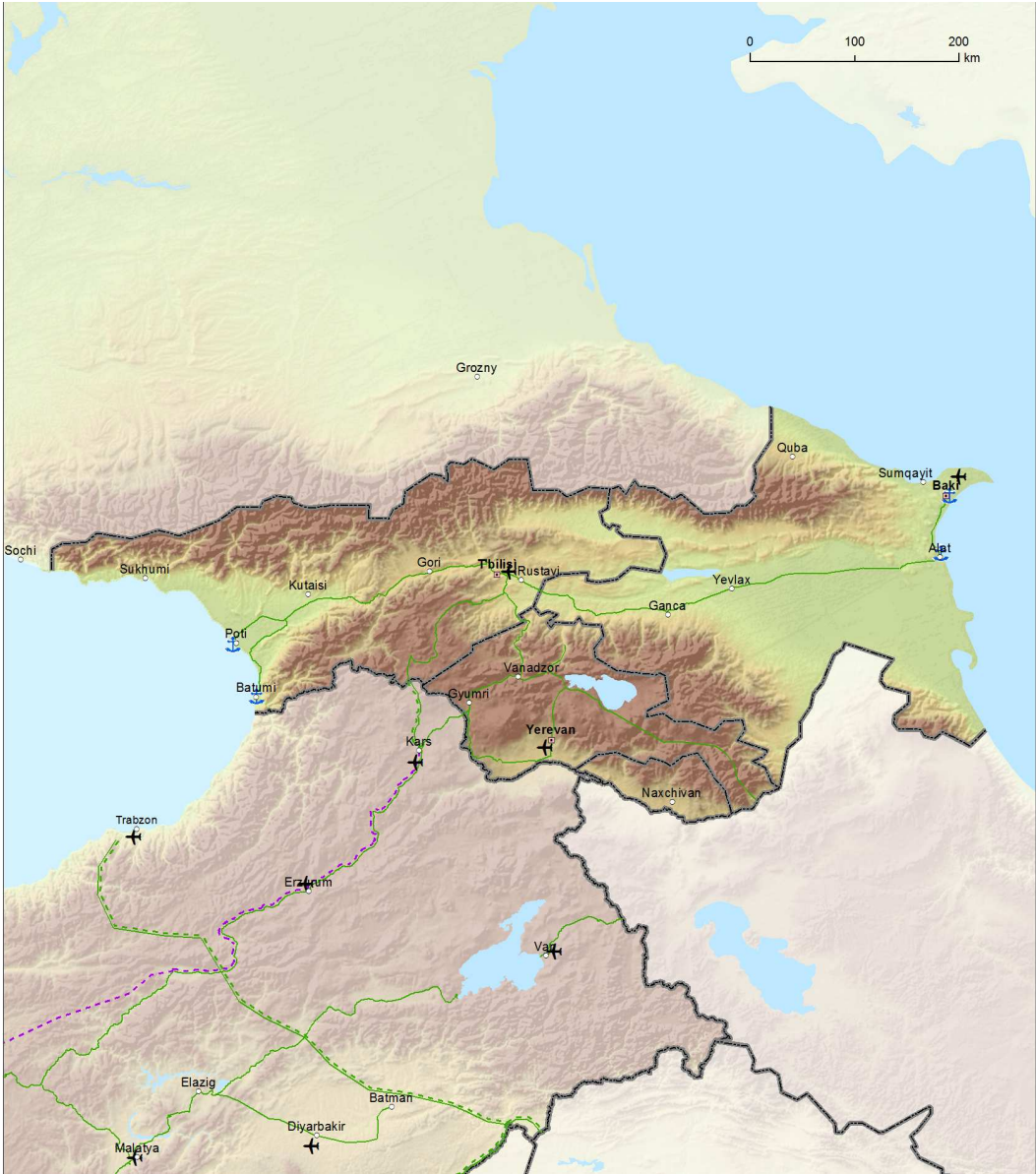


(2) The following maps 15.1 to 17.2 are added:



15.1. Indicative Extension to Neighbouring Countries
Comprehensive Network: Railways, ports, rail-road terminals and airports
Eastern Partnership Transport Network: Armenia, Azerbaijan, Georgia

15

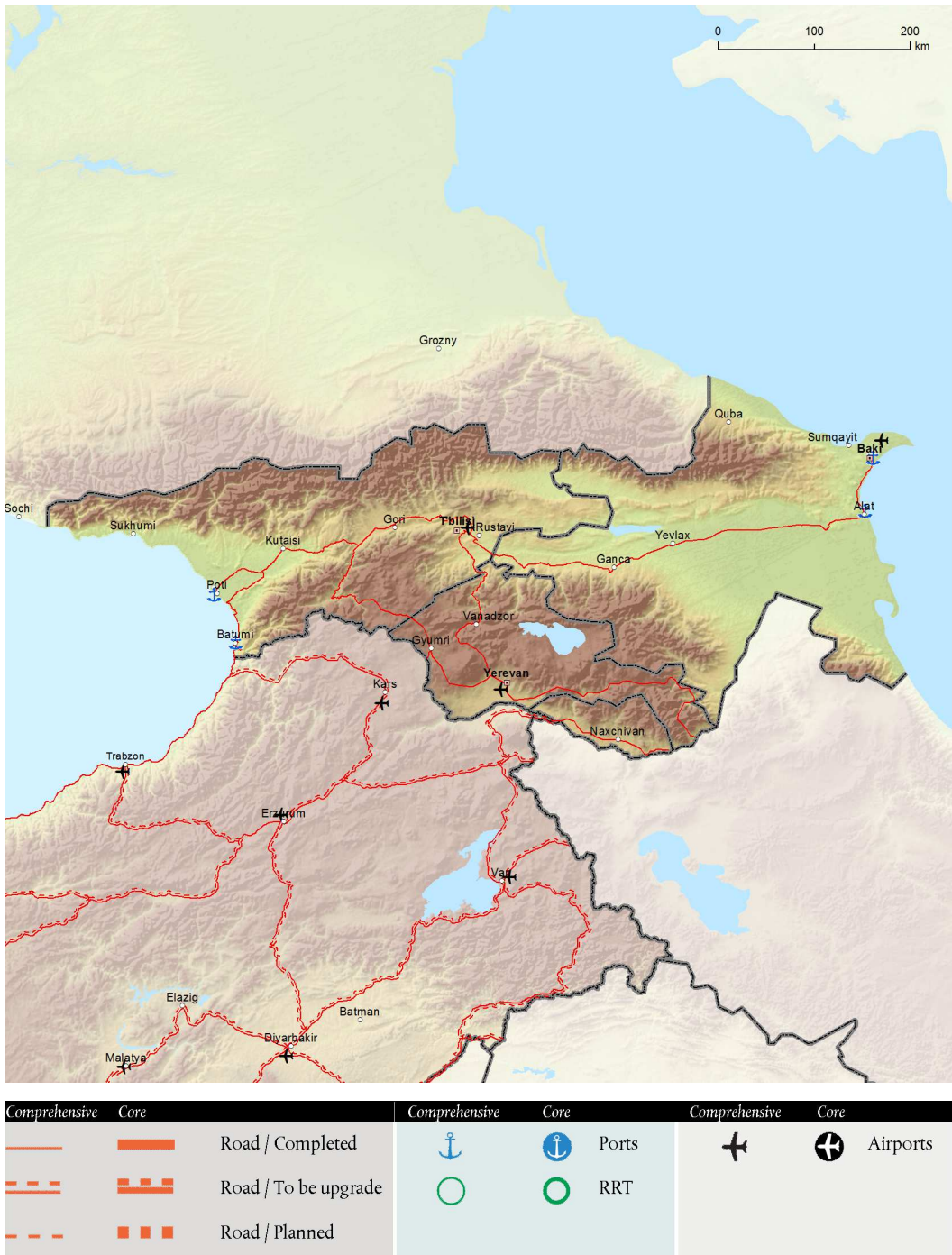


Comprehensive	Core	Comprehensive	Core	Comprehensive	Core
		Conventional rail / Completed			High speed rail / Completed
		Conventional rail / To be upgraded			To be upgraded to high speed rail
		Conventional rail / Planned			High speed rail / Planned
		Airports			Ports
		RRT			



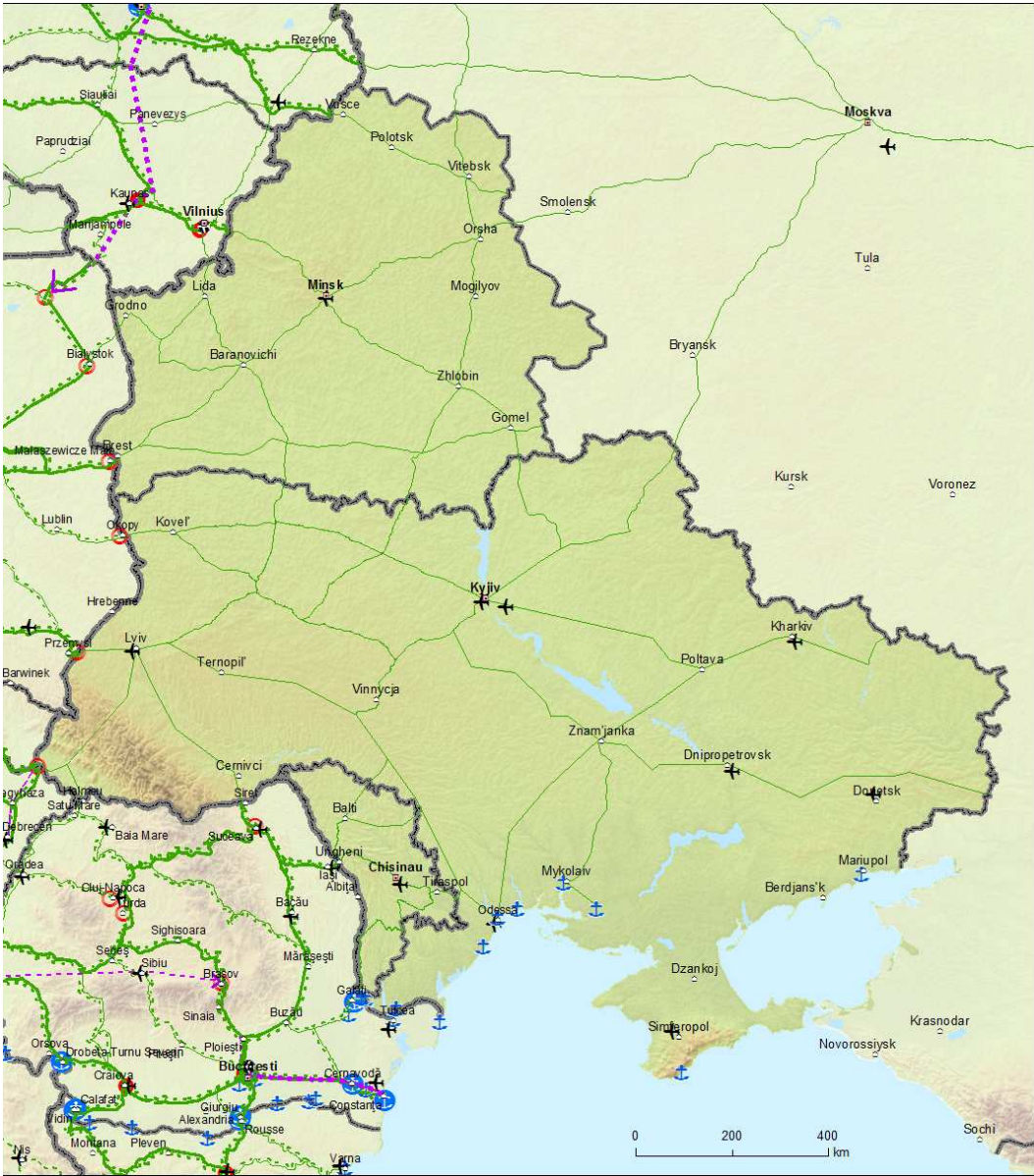
15.2. Indicative Extension to Neighbouring Countries
Comprehensive Network: Roads, ports, rail-road terminals and airports
Eastern Partnership Transport Network: Armenia, Azerbaijan, Georgia

15





16.1. Indicative Extension to Neighbouring Countries
Comprehensive Network: Railways, ports, rail-road terminals and airports
Eastern Partnership Transport Network: Belarus, Moldova, Ukraine



Comprehensive	Core		Comprehensive	Core		Comprehensive	Core
		Conventional rail / Completed			High speed rail / Completed		 Airports
		Conventional rail / To be upgraded			To be upgraded to high speed rail		 Ports
		Conventional rail / Planned			High speed rail / Planned		 RRT



16.2. Indicative Extension to Neighbouring Countries
Comprehensive Network: Roads, ports, rail-road terminals and airports
Eastern Partnership Transport Network: Belarus, Moldova, Ukraine



Comprehensive	Core		Comprehensive	Core			Comprehensive	Core	
		Road / Completed			Ports				Airports
		Road / To be upgraded			RRT				
		Road / Planned							



17.1. Indicative Extension to Neighbouring Countries
Comprehensive Network: Railways, ports, rail-road terminals and airports
Northern Dimension Partnership on Transport and Logistics: Belarus, Russian Federation



Comprehensive	Core	Comprehensive	Core	Comprehensive	Core	
		Conventional rail / Completed			High speed rail / Completed	Airports
		Conventional rail / To be upgraded			To be upgraded to high speed rail	Ports
		Conventional rail / Planned			High speed rail / Planned	RRT



17.2. Indicative Extension to Neighbouring Countries
Comprehensive Network: Roads, ports, rail-road terminals and airports
Northern Dimension Partnership on Transport and Logistics: Belarus, Russian Federation

17



Comprehensive	Core	Comprehensive	Core	Comprehensive	Core
	Road / Completed		Ports		Airports
	Road / To be upgraded		RRT		
	Road / Planned				

COMMISSION REGULATION (EU) No 474/2014**of 8 May 2014****amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals ('REACH') as regards 1,4-dichlorobenzene****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC ⁽¹⁾, and in particular Article 68(1) thereof,

Whereas:

- (1) A risk assessment on 1,4 dichlorobenzene (hereinafter 'DCB') was carried out by the French authorities in accordance with Council Regulation (EEC) No 793/93 ⁽²⁾ on the evaluation and control of the risks of the existing substances appearing in the European Inventory of Existing Commercial Substances. The final report was published in 2004 on the European Chemicals Bureau website (EC, 2004) ⁽³⁾.
- (2) In February 2008, the Commission communication ⁽⁴⁾ on the results of the risk evaluation and the risk reduction strategies for DCB was published in the *Official Journal of the European Union*. That communication recommended that, in order to limit the risk for consumers, marketing and use restrictions in Council Directive 76/769/EEC ⁽⁵⁾ should be considered for the use of DCB in air fresheners, moth repellents and toilet blocks. Restrictions on the use of DCB as a moth repellent, as recommended by that communication in 2008, are already covered by Commission Decision 2007/565/EC ⁽⁶⁾ (product type 19 — Repellents and attractants) and therefore restriction under Regulation (EC) No 1907/2006 is not necessary for that use.
- (3) In November 2011, in accordance with Article 69(1) of that Regulation, the Commission requested the European Chemicals Agency (hereinafter 'the Agency') to prepare a restriction dossier for DCB conforming to the requirements of Annex XV to that Regulation (hereinafter 'the Annex XV dossier').
- (4) In its request the Commission specifically asked the Agency to address the exposure of consumers at home and in public toilets, including the exposure of professionals attending or cleaning such toilets, taking into account the most recent and relevant information in scientific literature and the decline of the use of DCB in Europe. The report ⁽⁷⁾ commissioned by the Commission on the socioeconomic impacts of a restriction of DCB was also to be considered in this assessment.

⁽¹⁾ OJ L 396, 30.12.2006, p. 1.

⁽²⁾ Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances (OJ L 84, 5.4.1993, p. 1).

⁽³⁾ EU Risk Assessment Report on 1,4-dichlorobenzene. European Chemicals Bureau, Existing substances, Volume 48.

⁽⁴⁾ Commission communication on the results of the risk evaluation and the risk reduction strategies for the substances: Piperazine; Cyclohexane; Methylenediphenyl diisocyanate; But-2-yne-1,4-diol; Methyloxirane; Aniline; 2-Ethylhexylacrylate; 1,4-Dichlorobenzene; 3,5-dinitro-2,6-dimethyl-4-tert-butylacetophenone; Di-(2-ethylhexyl)phthalate; Phenol; 5-tert-butyl-2,4,6-trinitro-m-xylene (OJ C 34, 7.2.2008, p. 1).

⁽⁵⁾ Council Directive 76/769/EEC of 27 July 1976 on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations (OJ L 262, 27.9.1976, p. 201).

⁽⁶⁾ Commission Decision 2007/565/EC of 14 August 2007 concerning the non-inclusion in Annex I, IA or IB to Directive 98/8/EC of the European Parliament and of the Council concerning the placing of biocidal products on the market of certain substances to be examined under the 10-year work programme referred to in Article 16(2) thereof (OJ L 216, 21.8.2007, p. 17).

⁽⁷⁾ RPA — Risk & Policy Analysts Limited (2010) Socio-Economic Evaluation arising from a Proposal for Risk Reduction Measures related to Restrictions on 1,4-Dichlorobenzene, Final Report — June 2010.
http://ec.europa.eu/enterprise/sectors/chemicals/documents/reach/studies/index_en.htm

- (5) DCB is listed in part 3 of Annex VI to Regulation (EC) No 1272/2008 of the European Parliament and of the Council ⁽¹⁾ as a carcinogen in hazard category 2, as well as for its eye irritation properties and its high toxicity to aquatic organisms, with long lasting effects. It is estimated that approximately 800 tonnes per year of DCB are used in the Union, for the manufacturing of air fresheners and toilet deodoriser products, of which 10 % is destined for domestic uses and the rest for professional uses (essentially as deodorisers in public toilets).
- (6) On 19 April 2012, the Agency submitted to its Committee for Risk Assessment (hereinafter 'RAC') and to its Committee for Socio-Economic Analysis (hereinafter 'SEAC') the Annex XV dossier. In that dossier ⁽²⁾, it was demonstrated that the placing on the market and use of DCB-based air fresheners and toilet blocks should be restricted for both domestic and professional uses as risks associated with them are not adequately controlled and the benefits arising from the restriction outweigh the costs. The dossier further demonstrated that action on a Union-wide basis is necessary.
- (7) On 8 March 2013, RAC adopted by consensus its opinion on the restriction proposed in the Annex XV dossier. According to the RAC opinion, the restriction is the most appropriate Union-wide measure to address the identified risks posed by DCB used as an air freshener or deodoriser in toilets, homes, offices or other indoor public areas, both in terms of effectiveness and practicability. However, RAC proposed to modify the restriction for enforceability reasons, specifying a concentration limit of 1 % by weight for DCB in such products, thereby avoiding products containing DCB as an impurity being unduly affected. That concentration corresponds to the limit value which triggers classification of a mixture as a category 2 carcinogen under Regulation (EC) No 1272/2008.
- (8) As indicated in the background document to the RAC opinion, reliable analytical methods to determine contents of DCB are available on the Union market.
- (9) In its assessment, RAC considered that carcinogenicity (mitogen, threshold carcinogen) is the end-point of greatest relevance to the human health. Based on data on inhalation exposure to DCB vapours, RAC proposed to reduce the identified risk to consumers when they use air fresheners and toilet deodorisers, containing DCB, continuously at home. That scenario was considered to represent reasonable worst-case conditions of exposure. In addition, the RAC opinion stated that exposure of professional toilet attendants and cleaners needs to be reduced as risk has been identified where toilets are poorly ventilated.
- (10) In analysing the scope of the restriction RAC considered the exposure of consumers to air fresheners and toilet deodorisers in households and in public toilets as well as of professionals who work in public toilets, including toilet attendants and cleaners, but also other groups such as maintenance personnel. Consumers and professionals who visit and work in indoor areas (other than toilets) where air fresheners containing DCB are used were also considered. Other professional or industrial uses were not considered.
- (11) On 5 June 2013, SEAC adopted by consensus its opinion on the restriction proposed in the Annex XV dossier. According to the SEAC opinion, the restriction, as modified by RAC and SEAC, is the most appropriate Union-wide measure to address the identified risks in terms of the proportionality of its socioeconomic benefits to its socioeconomic costs. Based on the RAC conclusion that exposures to DCB need to be reduced for domestic and professional users and some evidence that use of toilet blocks and air fresheners containing DCB will persist in the absence of any intervention, SEAC agreed that a restriction is an appropriate and an effective measure. Concerning proportionality of a restriction on domestic use, SEAC concluded that the measure is proportionate. Concerning the proportionality of a joint restriction on domestic and professional use, SEAC, taking account of the inferred health benefits and the scale of costs involved, concluded that the measure may not be considered to be disproportionate.
- (12) The Forum for Exchange of Information on Enforcement was consulted during the restrictions process and their comments on the wording of the conditions of the restriction and on the transitional period were taken into consideration by RAC and SEAC.

⁽¹⁾ Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).

⁽²⁾ <http://echa.europa.eu/documents/10162/3f467af2-66e0-468d-8366-f650f63e27d7>

- (13) On 17 June 2013, the Agency submitted to the Commission the opinions of RAC and SEAC, based on which the Commission concludes that an unacceptable risk to human health arises from the placing on the market and use of DCB, as a substance or as a constituent of mixtures in a concentration equal to or greater than 1 % by weight, used as an air freshener or deodoriser in toilets, homes, offices or other indoor public areas. The Commission further considers that these risks need to be addressed on a Union-wide basis. The socioeconomic impacts of this restriction, including the availability of alternatives, have been taken into account.
- (14) It is appropriate to provide for a period of 12 months after the entry into force of this Regulation within which stakeholders should take measures to comply with it, including for air fresheners and deodorisers that are already in the supply chain or in stock.
- (15) Regulation (EC) No 1907/2006 should therefore be amended accordingly.
- (16) The measures provided for in this Regulation are in accordance with the opinion of the Committee established under Article 133 of Regulation (EC) No 1907/2006,

HAS ADOPTED THIS REGULATION:

Article 1

Annex XVII to Regulation (EC) No 1907/2006 is amended in accordance with the Annex to this Regulation.

Article 2

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

It shall apply from 1 June 2015.

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

Done at Brussels, 8 May 2014.

For the Commission
The President
José Manuel BARROSO

ANNEX

In Annex XVII to Regulation (EC) No 1907/2006, the following entry is added:

'64. 1,4-dichlorobenzene CAS No 106-46-7 EC No 203-400-5	Shall not be placed on the market or used, as a substance or as a constituent of mixtures in a concentration equal to or greater than 1 % by weight, where the substance or the mixture is placed on the market for use or used as an air freshener or deodoriser in toilets, homes, offices or other indoor public areas.'
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COMMISSION IMPLEMENTING REGULATION (EU) No 475/2014**of 8 May 2014****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day 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, 8 May 2014.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	48,0
	MK	125,4
	TN	49,2
	TR	99,8
	ZZ	80,6
0707 00 05	MK	59,9
	TR	124,2
	ZZ	92,1
0709 93 10	TR	111,3
	ZZ	111,3
0805 10 20	EG	42,9
	IL	74,6
	MA	43,2
	TN	68,6
	TR	51,4
	ZZ	56,1
	ZZ	56,1
0805 50 10	TR	91,3
	ZZ	91,3
0808 10 80	AR	96,6
	BR	86,5
	CL	97,3
	CN	126,4
	MK	27,7
	NZ	145,9
	US	202,1
	ZA	102,1
	ZZ	110,6
	ZZ	110,6

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

POLITICAL AND SECURITY COMMITTEE DECISION EUBAM LIBYA/3/2014

of 30 April 2014

extending the mandate of the Head of Mission of the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)

(2014/258/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Decision 2013/233/CFSP of 22 May 2013 on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya) ⁽¹⁾,

Whereas:

- (1) Pursuant to Article 9(1) of Decision 2013/233/CFSP, the Political and Security Committee (PSC) is authorised, in accordance with Article 38 of the Treaty, to take the relevant decisions for the purpose of exercising political control and strategic direction of the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya), including the decision to appoint a Head of Mission upon a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).
- (2) On 24 May 2013, the PSC adopted Decision EUBAM Libya/1/2013 ⁽²⁾ appointing Mr Antti Juhani Hartikainen as Head of Mission of EUBAM Libya for the period from 22 May 2013 until 21 May 2014.
- (3) On 14 April 2014, the HR proposed the extension of the mandate of Mr Antti Juhani Hartikainen as Head of Mission of EUBAM Libya until 21 May 2015,

HAS ADOPTED THIS DECISION:

Article 1

The mandate of Mr Antti Juhani Hartikainen as Head of Mission of EUBAM Libya is hereby extended until 21 May 2015.

Article 2

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

Done at Brussels, 30 April 2014.

For the Political and Security Committee

The Chairperson

W. STEVENS

⁽¹⁾ OJ L 138, 24.5.2013, p. 15.

⁽²⁾ Political and Security Committee Decision EUBAM LIBYA/1/2013 of 24 May 2013 on the appointment of the Head of Mission of the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya) (OJ L 147, 1.6.2013, p. 13).

POLITICAL AND SECURITY COMMITTEE DECISION EUCAP SAHEL NIGER/2/2014
of 6 May 2014
on the appointment of the Head of Mission of the European Union CSDP mission in Niger
(EUCAP Sahel Niger)

(2014/259/CFSP)

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular the third paragraph of Article 38 thereof,

Having regard to Council Decision 2012/392/CFSP of 16 July 2012 on the European Union CSDP mission in Niger, (EUCAP Sahel Niger) ⁽¹⁾, and in particular Article 9(1) thereof,

Whereas:

- (1) Pursuant to Decision 2012/392/CFSP, the Political and Security Committee is authorised, in accordance with Article 38 of the Treaty, to take the relevant decisions for the purpose of exercising the political control and strategic direction of the European Union CSDP mission in Niger (EUCAP Sahel Niger), including the decision to appoint a Head of Mission.
- (2) On 12 November 2013, the PSC adopted Decision EUCAP Sahel Niger/2/2013 ⁽²⁾, appointing Mr Filip DE CEUNINCK as Head of Mission of EUCAP Sahel Niger, ad interim, from 1 November to 31 December 2013. On 14 January 2014, his mandate was extended until the appointment of the new Head of Mission of EUCAP Sahel Niger ⁽³⁾.
- (3) The High Representative of the Union for Foreign Affairs and Security Policy has proposed the appointment of Mr Filip DE CEUNINCK as Head of Mission of EUCAP Sahel Niger, for the period until 15 July 2014,

HAS ADOPTED THIS DECISION:

Article 1

Mr Filip DE CEUNINCK is hereby appointed as Head of Mission of EUCAP Sahel Niger, for the period until 15 July 2014.

Article 2

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

Done at Brussels, 6 May 2014.

For the Political and Security Committee

The Chairperson

W. STEVENS

⁽¹⁾ OJ L 187, 17.7.2012, p. 48.

⁽²⁾ OJ L 305, 15.11.2013, p. 18.

⁽³⁾ Political and Security Committee Decision EUCAP Sahel Niger/1/2014 of 14 January 2014 extending the mandate of the Head of Mission of the European Union CSDP mission in Niger (EUCAP Sahel Niger) (OJ L 14, 18.1.2014, p. 16).

COMMISSION IMPLEMENTING DECISION**of 29 April 2014****on the clearance of the accounts of the paying agencies of Member States concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2013 financial year***(notified under document C(2014) 2792)**(2014/260/EU)*

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008 ⁽¹⁾, and in particular to Article 119(1) thereof,

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽²⁾, and in particular Article 30 thereof,

Having regard to Commission Regulation (EC) No 883/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the keeping of accounts by the paying agencies, declarations of expenditure and revenue and the conditions for reimbursing expenditure under the EAGF and the EAFRD ⁽³⁾, and in particular Article 9 thereof,

Having regard to Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD ⁽⁴⁾, and in particular Article 10 thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

- (1) Article 119(1) second subparagraph of Regulation (EU) No 1306/2013 as amended by Article 8 of Regulation (EU) No 1310/2013 of the European Parliament and of the Council of 17 December 2013 laying down certain transitional provisions on support for rural development by the European Agricultural Fund for Rural Development (EAFRD), amending Regulation (EU) No 1305/2013 of the European Parliament and of the Council as regards resources and their distribution in respect of the year 2014 and amending Council Regulation (EC) No 73/2009 and Regulations (EU) No 1307/2013, (EU) No 1306/2013 and (EU) No 1308/2013 of the European Parliament and of the Council as regards their application in the year 2014 ⁽⁵⁾, provides that Article 30 of Regulation (EC) No 1290/2005 applies for the financial clearance of the expenditure incurred and payments made for agricultural financial year 2013.
- (2) Pursuant to Article 30 of Regulation (EC) No 1290/2005, the Commission clears the accounts of the paying agencies referred to in Article 6 of the said Regulation, on the basis of the annual accounts submitted by the Member States, accompanied by the information required for the clearance of accounts and a certificate regarding the integrality, accuracy and veracity of the accounts and the reports established by the certification bodies.
- (3) Pursuant to the second subparagraph of Article 5(1) of Regulation (EC) No 883/2006, for the 2013 financial year, account is taken of expenditure incurred by the Member States between 16 October 2012 and 15 October 2013.

⁽¹⁾ OJ L 347, 20.12.2013, p. 549.

⁽²⁾ OJ L 209, 11.8.2005, p. 1.

⁽³⁾ OJ L 171, 23.6.2006, p. 1.

⁽⁴⁾ OJ L 171, 23.6.2006, p. 90.

⁽⁵⁾ OJ L 347, 20.12.2013, p. 865.

- (4) The first subparagraph of Article 10(2) of Regulation (EC) No 885/2006 lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph of article 10(1) of the said regulation, shall be determined by deducting the monthly payments in respect of the financial year in question, i.e. 2013, from expenditure recognised for that year in accordance with paragraph 1. The Commission shall deduct that amount from or add it to the monthly payment relating to the expenditure effected in the second month following that in which the accounts clearance decision is taken.
- (5) The Commission has checked the information submitted by the Member States and it has communicated to the Member States before 31 March 2014 the results of its verifications, along with the necessary amendments.
- (6) The annual accounts and the accompanying documents presented by certain paying agencies satisfy the Commission for it to decide on the completeness, accuracy and veracity of the annual accounts submitted. Annex I lists the amounts cleared and the amounts to be recovered from or paid to the Member States for which the accounts have been found to be complete, accurate and true.
- (7) The information submitted by certain other paying agencies requires additional inquiries and their accounts cannot be cleared in this decision. Annex II lists the paying agencies concerned.
- (8) Under Article 9(4) of Regulation (EC) No 883/2006, any overrun of deadlines during August, September and October is to be taken into account in the annual clearance of accounts decision. Some of the expenditure declared by certain Member States during these months in the year 2013 was effected after the applicable deadlines. This decision should accordingly fix the appropriate reductions to the amounts to clear.
- (9) The Commission, in accordance with Article 17 of Regulation (EC) No 1290/2005 and Article 9 of Regulation (EC) No 883/2006, has already reduced or suspended a number of monthly payments on entry into the accounts of expenditure for the 2013 financial year due to overshooting of ceilings or non-respect of payment deadlines. In taking the present decision, the Commission should take into account the amounts reduced or suspended in order to avoid all inappropriate or untimely payments, reimbursing amounts which could later be the object of financial correction. The amounts in question may be further examined, where appropriate, within the framework of the conformity clearance proceedings pursuant to Article 31 of Regulation (EC) No 1290/2005. To this effect, the present decision is without prejudice to the possible further conformity clearance decisions that the Commission may take pursuant to Article 31 of Regulation (EC) No 1290/2005.
- (10) Article 10(1) second and third subparagraph of Regulation (EC) No 885/2006 provide that the financial clearance decision should determine the amounts to be charged to the EU and to the Member State concerned pursuant to Articles 32 and 33 of Regulation (EC) No 1290/2005. In accordance with Article 119(1) second subparagraph of Regulation (EU) No 1306/2013, the procedure under Article 30 of Regulation (EC) No 1290/2005 continues to apply to expenditure incurred and payments made for agricultural FY 2013. During agricultural FY 2013 Articles 32 and 33 were in force, therefore the amounts resulting from their application should be taken into account in the financial clearance decision in relation to FY 2013.
- (11) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities should be borne by the Member State concerned if the recovery of the amounts concerned with such irregularities has not taken place within 4 years of the primary administrative or judicial finding, or within 8 years if the recovery is taken to the national courts. Article 32(3) of the said regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Regulation (EC) No 885/2006. Annex III to the said regulation provides the table that had to be provided in 2014 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than 4 or 8 years respectively. To this effect, the present decision is without prejudice to the possible further conformity clearance decisions that the Commission may take pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

- (12) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005 and by virtue of Article 10 of Regulation (EC) No 885/2006, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within 4 years of the primary administrative or judicial finding or within 8 years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the EU budget. The amounts for which the Member State decided not to pursue recovery and the grounds for it are provided by the summary reports submitted by the concerned Member States in accordance to Article 32(3) of Regulation (EC) No 1290/2005. The Commission should not charge such amounts to the effect of the present decision to the concerned Member States and the respective financial consequences should be consequently borne by the EU budget. To this effect, the present decision is without prejudice to the possible further conformity clearance decisions that the Commission may take pursuant to Article 32(8) of Regulation (EC) No 1290/2005.
- (13) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, the present decision is without prejudice to the possible further conformity clearance decisions that the Commission may take to exclude from European Union financing expenditure not effected in accordance with European Union rules,

HAS ADOPTED THIS DECISION:

Article 1

With the exception of the paying agencies referred to in Article 2, the accounts of the paying agencies of the Member States concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) in respect of the 2013 financial year, are hereby cleared.

The amounts which are recoverable from; or payable to; each Member State pursuant to this decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in Annex I.

Article 2

For the 2013 financial year, the accounts of the Member States' paying agencies in respect of expenditure financed by the EAGF, set out in Annex II, are disjoined from this decision and shall be the subject of a future clearance of accounts Decision.

Article 3

The present decision is without prejudice to the possible further conformity clearance decisions that the Commission may take pursuant to Article 31 of Regulation (EC) No 1290/2005 to exclude from European Union financing expenditure not effected in accordance with European Union rules.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 29 April 2014.

For the Commission
Dacian CIOLOŞ
Member of the Commission

ANNEX I

Clearance of the Paying Agencies' accounts

Financial year 2013

Amount to be recovered from or paid to the Member State

MS		2013 — Expenditure/Assigned Revenue for the Paying Agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation (EC) No 1290/2005 by virtue of Article 10 of Regulation (EC) No 885/2006	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined						
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations						
		a = A (col.i)	b = A (col.h)	c = a + b	d = C1 (col. e)	e = ART32	f = c + d + e	g	h = f – g
BE	EUR	624 341 919,71	11 319 476,12	635 661 395,83	– 346 540,21	– 35 296,55	635 279 559,07	635 401 707,01	– 122 147,94
BG	EUR	520 706 425,07	0,00	520 706 425,07	0,00	0,00	520 706 425,07	520 718 516,78	– 12 091,71
CZ	EUR	832 289 934,09	0,00	832 289 934,09	– 52 994,62	0,00	832 236 939,47	832 283 338,41	– 46 398,94
DK	DKK	0,00	0,00	0,00	0,00	– 602 013,75	– 602 013,75	0,00	– 602 013,75
DK	EUR	932 522 034,47	0,00	932 522 034,47	– 57 570,12	0,00	932 464 464,35	931 438 063,06	1 026 401,29
DE	EUR	5 325 975 685,14	0,00	5 325 975 685,14	0,00	– 221 111,26	5 325 754 573,88	5 325 926 033,61	–171 459,73
EE	EUR	95 207 738,39	0,00	95 207 738,39	0,00	– 938,45	95 206 799,94	95 207 334,70	– 534,76
IE	EUR	1 228 632 812,85	0,00	1 228 632 812,85	– 29 356,01	– 55 560,00	1 228 547 896,84	1 228 618 692,08	– 70 795,24
EL	EUR	0,00	2 341 140 772,14	2 341 140 772,14	0,00	0,00	2 341 140 772,14	2 341 140 772,14	0,00
ES	EUR	5 811 567 412,30	0,00	5 811 567 412,30	– 958 284,14	– 3 544 385,72	5 807 064 742,44	5 810 943 310,90	– 3 878 568,46
FR	EUR	8 578 532 362,85	0,00	8 578 532 362,85	396 882,37	– 1 371 083,99	8 577 558 161,23	8 577 517 764,73	40 396,50
HR	EUR	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
IT	EUR	4 541 302 573,75	0,00	4 541 302 573,75	– 1 726 750,06	– 8 219 427,12	4 531 356 396,57	4 530 939 670,86	416 725,71
CY	EUR	48 819 358,52	0,00	48 819 358,52	0,00	0,00	48 819 358,52	48 819 358,52	0,00
LV	EUR	147 614 049,52	0,00	147 614 049,52	0,00	0,00	147 614 049,52	147 614 049,52	0,00
LT	LTL	0,00	0,00	0,00	0,00	– 21,34	– 21,34	0,00	– 21,34
LT	EUR	352 722 805,82	0,00	352 722 805,82	0,00	0,00	352 722 805,82	346 930 504,98	5 792 300,84
LU	EUR	33 784 052,94	0,00	33 784 052,94	0,00	– 2 287,96	33 781 764,98	33 682 953,52	98 811,46
HU	HUF	0,00	0,00	0,00	0,00	– 14 562 539,00	– 14 562 539,00	0,00	– 14 562 539,00

MS		2013 — Expenditure/Assigned Revenue for the Paying Agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation (EC) No 1290/2005 by virtue of Article 10 of Regulation (EC) No 885/2006	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined						
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations						
		a = A (col.i)	b = A (col.h)	c = a + b	d = C1 (col. e)	e = ART32	f = c + d + e	g	h = f – g
HU	EUR	1 249 214 884,54	0,00	1 249 214 884,54	0,00	0,00	1 249 214 884,54	1 249 217 888,57	– 3 004,03
MT	EUR	5 558 718,60	0,00	5 558 718,60	0,00	0,00	5 558 718,60	5 558 505,37	213,23
NL	EUR	884 672 765,83	0,00	884 672 765,83	0,00	0,00	884 672 765,83	883 449 825,44	1 222 940,39
AT	EUR	691 591 241,19	0,00	691 591 241,19	0,00	0,00	691 591 241,19	691 591 241,19	0,00
PL	PLN	0,00	0,00	0,00	0,00	– 639 717,42	– 639 717,42	0,00	– 639 717,42
PL	EUR	3 147 739 014,75	0,00	3 147 739 014,75	0,00	0,00	3 147 739 014,75	3 147 935 629,19	– 196 614,44
PT	EUR	762 827 603,78	0,00	762 827 603,78	– 226 040,22	– 1 067 365,09	761 534 198,47	762 462 063,84	– 927 865,37
RO	RON	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00
RO	EUR	0,00	1 174 835 753,20	1 174 835 753,20	0,00	0,00	1 174 835 753,20	1 174 835 753,20	0,00
SI	EUR	133 999 797,83	0,00	133 999 797,83	0,00	– 468,80	133 999 329,03	134 000 855,36	– 1 526,33
SK	EUR	361 277 778,15	0,00	361 277 778,15	0,00	0,00	361 277 778,15	361 265 716,53	12 061,62
FI	EUR	535 729 245,61	0,00	535 729 245,61	– 2 563,40	– 3 262,59	535 723 419,62	535 738 480,77	– 15 061,15
SE	SEK	0,00	0,00	0,00	0,00	– 643 347,92	– 643 347,92	0,00	– 643 347,92
SE	EUR	676 877 998,55	0,00	676 877 998,55	0,00	0,00	676 877 998,55	676 905 013,98	– 27 015,43
UK	GBP	0,00	0,00	0,00	0,00	– 67 175,63	– 67 175,63	0,00	– 67 175,63
UK	EUR	3 104 971 517,71	0,00	3 104 971 517,71	– 1 285 694,03	0,00	3 103 685 823,68	3 102 951 204,38	734 619,30

MS	Expenditure (³)	Assigned revenue (³)	Article 32 (= e)	Total (= h)
	05 07 01 06	6701	6702	
	i	j	k	l = i + j + k
BE	0,00	– 86 851,39	– 35 296,55	– 122 147,94
BG	0,00	– 12 091,71	0,00	– 12 091,71
CZ	0,00	– 46 398,94	0,00	– 46 398,94
DK	0,00	0,00	– 602 013,75	– 602 013,75
DK	1 026 401,29	0,00	0,00	1 026 401,29
DE	49 651,53	0,00	– 221 111,26	– 171 459,73
EE	403,69	0,00	– 938,45	– 534,76
IE	77 921,30	– 93 156,54	– 55 560,00	– 70 795,24
EL	0,00	0,00	0,00	0,00
ES	0,00	– 334 182,74	– 3 544 385,72	– 3 878 568,46
FR	1 411 480,49	0,00	– 1 371 083,99	40 396,50
HR	0,00	0,00	0,00	0,00
IT	8 636 152,83	0,00	– 8 219 427,12	416 725,71
CY	0,00	0,00	0,00	0,00
LV	0,00	0,00	0,00	0,00
LT	0,00	0,00	– 21,34	– 21,34
LT	5 792 300,84	0,00	0,00	5 792 300,84
LU	101 099,42	0,00	– 2 287,96	98 811,46
HU	0,00	0,00	– 14 562 539,00	– 14 562 539,00

MS	Expenditure ⁽¹⁾	Assigned revenue ⁽²⁾	Article 32 (= e)	Total (= h)
	05 07 01 06	6701	6702	
	i	j	k	l = i + j + k
HU	0,00	– 3 004,03	0,00	– 3 004,03
MT	213,23	0,00	0,00	213,23
NL	1 222 940,39	0,00	0,00	1 222 940,39
AT	0,00	0,00	0,00	0,00
PL	0,00	0,00	– 639 717,42	– 639 717,42
PL	0,00	– 196 614,44	0,00	– 196 614,44
PT	139 499,72	0,00	– 1 067 365,09	– 927 865,37
RO	0,00	0,00	0,00	0,00
RO	0,00	0,00	0,00	0,00
SI	0,00	– 1 057,53	– 468,80	– 1 526,33
SK	12 061,62	0,00	0,00	12 061,62
FI	0,00	– 11 798,56	– 3 262,59	– 15 061,15
SE	0,00	0,00	– 643 347,92	– 643 347,92
SE	0,00	– 27 015,43	0,00	– 27 015,43
UK	0,00	0,00	– 67 175,63	– 67 175,63
UK	734 619,30	0,00	0,00	734 619,30

⁽¹⁾ The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2013 and corrections for milk levy.

⁽²⁾ For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (col.a) or, the total of the monthly declarations for the expenditure disjoined (col.b).

Applicable exchange rate: Article 7(2) of Regulation (EC) No 883/2006.

⁽³⁾ BL 05 07 01 06 shall be split between the negative corrections which become assigned revenue in BL 67 01 and the positive ones in favour of MS which shall now be included on the expenditure side 05 07 01 06 as per article 43 of Regulation (EU) No 1306/2013.

NB: Nomenclature 2014: 05 07 01 06, 6701, 6702

ANNEX II

Clearance of the Paying Agencies' accounts**Financial year 2013 — EAGF****List of the Paying Agencies for which the accounts are disjoined and are subject of a later clearance decision**

Member State	Paying Agency
Belgium	Bureau d'intervention et de restitution belge (BIRB)
Greece	Payment and Control Agency for Guidance and Guarantee Community Aids (O.P.E.K.E.P.E.)
Romania	Paying and Intervention Agency for Agriculture (PIAA)

COMMISSION IMPLEMENTING DECISION**of 5 May 2014****on setting up Euro-Argo Research Infrastructure as a European Research Infrastructure Consortium (Euro-Argo ERIC)**

(2014/261/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) ⁽¹⁾, and in particular point (a) of Article 6(1) thereof,

Whereas:

- (1) The Federal Republic of Germany, the Hellenic Republic, the French Republic, the Italian Republic, the Kingdom of the Netherlands, the Republic of Finland and the United Kingdom of Great Britain and Northern Ireland requested the Commission to set up Euro-Argo Research Infrastructure as a European Research Infrastructure Consortium (Euro-Argo ERIC). The Kingdom of Norway and the Republic of Poland have made known their decision to participate initially in Euro-Argo ERIC as an Observer.
- (2) The French Republic has been chosen by the Federal Republic of Germany, the Hellenic Republic, the Italian Republic, the Kingdom of the Netherlands, the Kingdom of Norway, the Republic of Poland, the Republic of Finland and the United Kingdom of Great Britain and Northern Ireland as the Host Member State of Euro-Argo ERIC.
- (3) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1. The Euro-Argo Research Infrastructure as a European Research Infrastructure Consortium (Euro-Argo ERIC) is hereby established.
2. The Statutes of Euro-Argo ERIC are set out in the Annex. The Statutes shall be kept up to date and made publicly available on the website of Euro-Argo ERIC and at its statutory seat.
3. The essential elements of the Statutes for which amendments shall require approval by the Commission in accordance with Article 11(1) of Regulation (EC) No 723/2009 are provided for in Articles 1, 3, 4, 13, 23-31.

Article 2

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

Done at Brussels, 5 May 2014.

*For the Commission**The President*

José Manuel BARROSO

⁽¹⁾ OJ L 206, 8.8.2009, p. 1.

ANNEX

STATUTES OF Euro-Argo ERIC

The Federal Republic of Germany

The Hellenic Republic

The French Republic

The Italian Republic

The Kingdom of the Netherlands

The Republic of Finland

The United Kingdom of Great Britain and Northern Ireland,

Hereinafter referred to individually as 'Founding Member' and collectively as 'Founding Members'

and

The Kingdom of Norway

The Republic of Poland

Hereinafter referred to individually as 'Founding Observer' and collectively as 'Founding Observers'

CONSIDERING THAT climate change is one of the most pressing issues of our century, understanding and predicting changes in both the atmosphere and the ocean are needed to guide international actions and to optimise governments' policies on climate change, this understanding requires global data sets of the highest quality;

CONSIDERING THAT the required *in situ* ocean observations, which must be sustained over long time periods, are beyond the reach of single research teams and countries, the International Argo global ocean observing system has been designed to meet that challenge and is the first-ever global, *in situ* ocean-observing network in the history of oceanography, providing an essential complement to satellite systems;

CONSIDERING THAT success in such a major undertaking could be achieved only through a very high degree of international cooperation, Euro-Argo will develop and consolidate the European component of the global network. Specific European interests also require increased sampling in some regional seas. Overall, the Euro-Argo infrastructure should comprise around 800 floats in operation at any given time. The maintenance of such an array requires Europe to deploy about 250 floats per year;

CONSIDERING THAT the Euro-Argo research infrastructure will strengthen European excellence and expertise in climate research and will establish a high level of cooperation between European partners in all implementation aspects: operation at sea, array monitoring and evolution, technological and scientific developments, improving data access for research and the GMES/Copernicus Marine Service, coordination of the European contribution to the international management of the Argo Programme;

DESIRING THAT the existing cooperative arrangements are transferred into a body with legal personality separate from its Members to enhance cooperation and collaboration, to enable Euro-Argo to enter into contracts on its own behalf including the purchase of floats and other property, goods or services and to complement and strengthen the governance established by the International Argo Programme;

REQUESTING the European Commission to establish the infrastructure Euro-Argo as a European Research Infrastructure Consortium (Euro-Argo ERIC),

HAVE THEREFORE AGREED ON THE FOLLOWING PROVISIONS:

CHAPTER 1

GENERAL PROVISIONS

Article 1

Name and seat

1. The name of the consortium shall be Euro-Argo ERIC, incorporated as a European Research Infrastructure Consortium, hereinafter 'Euro-Argo ERIC'.
2. The statutory seat of Euro-Argo ERIC shall be in Plouzané, France ('Statutory Seat').
3. The Council shall consider, at least once every five years, whether the Statutory Seat shall remain in France or be transferred to the territory of another Member.
4. The requirements and procedures for establishing and for transferring the Statutory Seat shall be set out in a separate document entitled 'Internal Working Procedures'.

Article 2

Description of the infrastructure

1. Euro-Argo is made up of a central infrastructure which is owned and controlled by Euro-Argo ERIC (the 'Central Infrastructure'). The Central Infrastructure shall coordinate Euro-Argo activities under arrangements with independent distributed national legal entities and facilities.
2. The Statutes shall solely apply to the Central Infrastructure.

Article 3

Objectives and tasks

1. The goal of Euro-Argo ERIC shall be to develop a long-term global ocean monitoring system to better understand and predict the ocean and its role in the climate system.
2. Euro-Argo ERIC shall coordinate and strengthen the European contribution to the international Argo Programme as endorsed by the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organisation (Unesco) and by the World Meteorological Organisation (WMO). The specific objectives of Euro-Argo ERIC shall be:
 - (a) to provide, deploy and operate an array of around 800 floats contributing to the global array (a European contribution of 1/4 of the global array);
 - (b) to provide additional coverage in the European regional seas;
 - (c) to develop further the infrastructure (e.g. improving float technology and adding new sensors, improving the data processing and distribution system); and,
 - (d) to provide quality controlled data and access to the data sets and data products to the research (climate and oceanography) and operational (e.g. Global Monitoring for Environment and Security (GMES)/Copernicus Marine Service) communities.

Article 4

Activities

1. Euro-Argo ERIC shall:
 - (a) supervise the operation of the infrastructure and ensure that it evolves in accordance with the requirements set forth by the research and operational communities;
 - (b) coordinate and supervise float deployments to ensure that International Argo and Euro-Argo objectives are fulfilled (e.g. contribution to the International Argo global array, filling gaps, improved regional coverage in the European regional and marginal seas, open data access);

- (c) supervise and organise data processing, quality control, and access to ensure easy and timely availability to all users;
 - (d) monitor the operation of the infrastructure (e.g. array performance monitoring);
 - (e) decide on the evolution of the Euro-Argo infrastructure (e.g. data system, products, technology and new sensors, number of floats deployed per year);
 - (f) share expertise on all scientific/technological developments and use of International Argo data;
 - (g) organise float procurement at the European level;
 - (h) carry out continuous research and development required for the evolution of the observing array (e.g. float technology) and of the data delivery system;
 - (i) maintain the links with the research and operational (including GMES/Copernicus Marine Service) user communities; and
 - (j) liaise with the International Argo infrastructure (Argo Project Office, international Argo Steering Team, Argo Information Centre). The European infrastructure will complement and strengthen the international one; it will consolidate and make more efficient the European contributions to International Argo and develop a leading European role in International Argo and its future evolution.
2. As part of its activities, Euro-Argo ERIC shall:
- (a) support access to Euro-Argo ERIC by the European and international scientific and operational communities;
 - (b) contribute to the development of scientific research; and,
 - (c) address scientific topics of relevance to International Argo.
3. Euro-Argo ERIC may carry out some limited economic activities as long as they are closely related to its tasks and activities listed in this Article and do not jeopardise their achievement.
4. Euro-Argo ERIC may delegate any of its activities to Members, Observers or third parties.
5. Euro-Argo ERIC activities shall be without prejudice to the activities and missions of its Members and Observers and its tasks and activities shall not preclude similar activities being conducted by a Member or Observer either independently or in bi-lateral or multi-lateral cooperation

CHAPTER 2

MEMBERS AND OBSERVERS

Article 5

Members and Observers

1. Euro-Argo ERIC shall be comprised of Members and Observers. They shall be bound by the Internal Working Procedures, approved by the Council. The founding Members and founding Observers of Euro-Argo ERIC as at the date of the entry into force of these Statutes are listed in the Annex.
2. The Annex shall be updated by the Euro-Argo ERIC Programme Manager after revocation or withdrawal of membership or observership or after admission of Members or Observers by the Council. No changes in the list of Members and Observers of Euro-Argo ERIC shall require formal amendment of the Statutes.

Article 6

Members

1. Members are States and intergovernmental organisations. They may be represented by one or more public entities, including regions or private entities with a public service mission, as regards the exercise of specified rights and the discharge of specified obligations as a Member of Euro-Argo ERIC. Each Member shall speak with a single voice.
2. A Member shall inform the Council of the appointment of any entity that represents it, as well as of the rights that the entity will have or the obligations it will assume. The Member shall immediately inform the Council of any change.

*Article 7***Observers**

1. Observers are States and intergovernmental organisations. They may be represented by one or more public entities, including regions or private entities with a public service mission, as regards the exercise of specified rights and the discharge of specified obligations as an Observer of Euro-Argo ERIC.
2. An Observer shall inform the Council of the appointment of any entity that represents it, as well as of the rights that the entity will have or the obligations it will assume. The Observer shall immediately inform the Council of any change.
3. Observers are entitled to attend all Euro-Argo ERIC meetings without a right to vote.
4. Observers are entitled to participate in and contribute to Euro-Argo ERIC. They shall have access to, and support from, the services and expertise of Euro-Argo ERIC.
5. Any Member State, associated country, third country and inter-governmental organisation wishing to be admitted as an Observer shall adhere to the Statutes by entering into a written adherence agreement.
6. The admission and expulsion of Observers shall be subject to a decision of the Council.
7. An Observer may withdraw at the end of each Financial Year, as defined in Article 20, from Euro-Argo ERIC by written notice sent to the Programme Manager at least one year in advance of the date of the proposed withdrawal. The Council shall record formally the withdrawal and its consequences for Euro-Argo ERIC.

*Article 8***Admission of a Member**

Members of Euro-Argo ERIC must be European Union Member States, non-European Union Member States (associated or third countries) or inter-governmental organisations, and at all times there shall be at least one European Union Member State and two other countries that are either Member States or associated countries as Members. Any Member State, associated country or third country or inter-governmental organisation wishing to be admitted as a Member shall adhere to the Statutes by entering into a written adherence agreement. The admission of new Members shall be subject to a decision by the Council.

*Article 9***Withdrawal of a Member**

1. After a period of four years from the date of the entry into force of the Statutes, any Member of Euro-Argo ERIC may submit a written notice to the Programme Manager indicating that Member's intention to withdraw from Euro-Argo ERIC. The withdrawal date must coincide with the end of a Financial Year as defined in Article 20 and the written notice must be received by the Programme Manager at least one year in advance of the proposed date of withdrawal.
2. The Council shall record formally the withdrawal and its consequences for Euro-Argo ERIC.
3. The Council shall determine if the Member is entitled to any sums upon withdrawal. If the Member is so entitled, the Council shall determine the value of the rights and obligations of such Member taking into account the assets and liabilities of Euro-Argo ERIC as they stand on the date on which such Member ceases to be part of Euro-Argo ERIC.
4. In no case shall the Member's entitlement upon withdrawal exceed the contribution made by the Member in the previous five years excluding subscription fees.
5. No withdrawing Member from Euro-Argo ERIC can claim any amount in respect of subscription fee and goodwill.

*Article 10***Expulsion of a Member**

1. Any Member of Euro-Argo ERIC may be expelled if it is in material breach of its obligations under the Statutes, or causes or threatens to cause a serious disruption in the operation of Euro-Argo ERIC as determined by the Council. A decision to expel a Member shall be taken by the Council, after the concerned Member has been given an opportunity to respond to the proposed decision and present its position to the Council.
2. The Council shall determine, in accordance with Article 9, the Member's entitlement until the date it ceases to be a Member of Euro-Argo ERIC.

CHAPTER 3

RIGHTS AND OBLIGATIONS OF THE MEMBERS*Article 11***Voting rights**

1. Without prejudice to paragraph 2, each Member shall have at least six votes. Each Member shall have one additional vote for each float procured and deployed by it or on its behalf over a period of three calendar years preceding the Financial Year during which the meeting is held, irrespective of membership of Euro-Argo ERIC. The number of floats shall be determined from official float notifications made through the IOC Argo Information Centre, and shall include the procurement and deployment of floats during the three financial years preceding the establishment of Euro-Argo ERIC. During the first three Financial Years of the operation of Euro-Argo ERIC, the period of three years preceding the Financial Year during which the meeting is held shall include calendar years prior to the establishment of Euro-Argo ERIC.

2. Member States or associated countries shall hold jointly the majority of the voting rights in the Council. The Council shall determine any modification of voting rights that is required to ensure that Euro-Argo ERIC complies with this requirement.

*Article 12***Contributions**

1. The resources necessary to achieve the objectives of Euro-Argo ERIC and to ensure the sustainability of Euro-Argo ERIC shall be borne by the Members and Observers in accordance with the provisions of these Statutes and as determined by the Council. The contributions for the first five years of Euro-Argo ERIC after the Statutes enter into force are set out in a Technical and Scientific Description of the Euro-Argo ERIC which shall be attached to these Statutes and not be integral part of them.

2. The Council shall decide annually on the minimum contribution required for Members and for Observers, with a two year advance notice (i.e. decisions taken in year n apply for year $n+2$). All contributions shall be made in euro.

3. The contributions of the Members and Observers related to the operating cost shall not be subject to VAT.

4. If the Council determines that there is a lasting and significant imbalance between the proportional use made of the facility by the scientific community of a Member and the contribution of that Member, the Council shall be entitled to limit that use, unless the Member agrees to an appropriate re-adjustment of the contribution rates as set out in the second paragraph of this Article.

*Article 13***Liability of the Members**

1. The Members' liability towards Euro-Argo ERIC's debts and liabilities, of whatever nature, shall be limited to each individual Member's annual contribution.

2. Euro-Argo ERIC shall take out and maintain appropriate insurance to cover the risks relating to the operation of Euro-Argo ERIC.

CHAPTER 4

GOVERNANCE AND MANAGEMENT OF Euro-Argo ERIC*Article 14***Governance**

The governance structure of Euro-Argo ERIC shall comprise the following bodies, having the powers as set out in points (a)-(d):

- (a) the Council as the body having ultimate decision-making authority;
- (b) the Management Board to supervise the operation of Euro-Argo ERIC and to ensure that it operates and evolves in accordance with the strategic direction set by the Council, and the requirements set forth by the research and operational communities;

- (c) the Programme Manager appointed by the Council, as the executive officer and legal representative of Euro-Argo ERIC; and
- (d) the Scientific and Technical Advisory Group (STAG) to give advice to the Council on scientific and technical matters.

Article 15

The Council

1. The Council shall be the only body of Euro-Argo ERIC that has the power to discontinue Euro-Argo ERIC.
2. The Council shall define the broad strategic direction for Euro-Argo ERIC, and its evolution. It shall consider and approve the annual work plan and proposals, from the Management Board, on the allocation of funds received from the European Union and from Members, Observers and third parties. It shall take all decisions concerning major investments such as buildings and large equipment at European level. It shall decide on the opening of staff positions, or on the designation of seconded personnel, for the Programme Office.
3. The Council shall decide on membership in Euro-Argo ERIC including the admission of Members and the withdrawal or the exclusion of Members.
4. The Council shall appoint the Programme Manager upon proposition by the Management Board.
5. The Council shall appoint the members of the Scientific and Technical Advisory Group (STAG), and establish the terms of reference for their work upon proposition by the Management Board.
6. Key stakeholders may be invited to the Council meetings by the Chair.
7. Each Member shall be represented by one delegate. Observers may attend Council meetings and shall be represented by one delegate. Each delegate may be accompanied by appropriate experts.
8. The Council shall elect its Chair for a duration of three years, renewable once for a further period of three years, from its Members by a qualified majority of the Members. The vice-Chair of the Council shall be elected by qualified majority to carry out the duties of the Chair in case of her/his absence.
9. The Council shall take decisions by simple majority, qualified majority or unanimity as follows:
 - (a) Decision by simple majority of those present:
 - (i) Approval of the annual accounts;
 - (ii) Approval of the Programme Manager annual report of activities;
 - (iii) Appointment of financial auditors;
 - (iv) Appointment of the Management Board;
 - (v) Appointment of the STAG; and
 - (vi) All other decisions which are not expressly required to be taken by qualified majority or by unanimity.
 - (b) Decision by two-thirds majority of those with voting rights present or represented, and representing two-thirds of the voting rights (qualified majority):
 - (i) Approval of the annual budget;
 - (ii) Proposal for amending the Statutes;
 - (iii) Election of the Chair of the Council;
 - (iv) Appointment of the Programme Manager;
 - (v) Determination of the adherence terms and procedure for new Members and Observers;
 - (vi) Admission of Members;
 - (vii) Admission of Observers;
 - (viii) Establishing, amending, and approving the Internal Working Procedures;
 - (ix) Deciding and amending the minimum contributions due by Members and Observers;

- (x) Determining the modification of voting rights required to ensure that Euro-Argo ERIC complies with the second paragraph of Article 11;
 - (xi) Establishing and amending the methods and licensing regarding the exploitation of intellectual property rights;
 - (xii) Transferring the official address and the Statutory Seat and registered office address of Euro-Argo ERIC to another Member State of the European Union or associated country;
 - (xiii) Winding-up of Euro-Argo ERIC; and
 - (xiv) Continuation or termination of Euro-Argo ERIC.
- (c) Decision by unanimity less the voice of the Member concerned concerning the expulsion of a Member.
10. The Members agree to be bound by the provisions of the Internal Working Procedures concerning vote by proxy, representation at meetings, and quorum requirements.
11. The Council shall ordinarily be convened once a year by the Chair at the place where Euro-Argo ERIC is registered, or at another place determined by the Chair.
12. The Council shall be held no more than two months after the annual accounts of the preceding Financial Year are sent to the Members.
13. The Chair may decide, if necessary, to convene extraordinary meetings at any other time, or if the Chair receives in writing such a request from the Programme Manager, or from at least one third of the Members.
14. The Members agree to be bound by the provisions of the Internal Working Procedures concerning notification and organisation of meetings, agenda, minutes and other dispositions therein.

Article 16

Management Board

1. The Management Board shall supervise the operation of Euro-Argo ERIC and ensure that it operates and evolves in accordance with the strategic direction set by the Council, and the requirements set forth by the research and operational communities.
2. The Management Board shall validate the annual work plan prepared by the Programme Manager and shall submit it to the Council for approval. It will prepare and submit to the Council proposals for the annual budget and on the allocation of funds received from the European Union and funds or subscriptions received from Members, Observers and third parties.
3. The Management Board shall validate all necessary actions taken by the Programme Manager relating to the implementation of the annual work plan, to the operation of Euro-Argo ERIC, in particular float procurement and deployment strategy, its relations with the International Argo Programme and relevant European institutions.
4. The Management Board shall be composed of delegates designated by the Members. Each Member shall be entitled to designate one delegate and one substitute.
5. The Programme Manager and the Chair of the STAG shall be entitled to attend in a consultative capacity the Management Board meetings.
6. Observers shall be entitled to attend or be represented on the Management Board, without voting rights.
7. Experts and other persons particularly qualified in matters which are to be discussed may be invited by the Chair, without voting rights.
8. The Management Board shall elect its Chair for a term of three years, renewable once for a further period of three years, from its Members by a qualified majority of the Members. The vice-Chair shall be elected by qualified majority of the Management Board to carry out the duties of the Chair in case of her/his absence.
9. Each Member shall have the voting rights as set out in Article 11.

10. The Members shall be bound by the provisions of the Internal Working Procedures concerning vote by proxy, representation at meeting, and quorum requirements.
11. The Management Board meetings shall ordinarily be convened once a year by the Chair at the place where Euro-Argo ERIC is registered, or at another place determined by the Chair.
12. The Chair may decide, if necessary, to convene extraordinary meetings at any other time; or on the request from the Programme Manager, or on the request from at least one third of the Members.
13. The Management Board shall be held within two months after the annual accounts of the preceding Financial Year are sent to the Members.
14. The Members shall be bound by the provisions of the Internal Working Procedures concerning notification and organisation of meetings, agenda, minutes and other dispositions therein.

Article 17

Programme Manager

1. The Programme Manager shall be responsible for the implementation of the decisions and Programmes validated by the Management Board and approved by the Council. The Programme Manager shall be appointed by and accountable to the Council.
2. The Programme Manager shall take all necessary actions for the execution of the annual work plan and the day-to-day administration and management of Euro-Argo ERIC. This includes, in particular:
 - (a) facilitation of access to Euro-Argo ERIC and its data by the research and operational communities;
 - (b) planning, coordination and supervision of float deployments;
 - (c) organisation of float procurement at European level;
 - (d) the day-to-day administration of Euro-Argo ERIC;
 - (e) the preparation of an annual activity report, and of an annual management report;
 - (f) overseeing all budget matters and approving expenses;
 - (g) preparing annual budget report and proposing budget plans;
 - (h) coordinating the activities of Euro-Argo ERIC staff and of persons seconded to Euro-Argo ERIC;
 - (i) over-seeing the Programme Office; and
 - (j) establishing and maintaining links with the research and operational (GMES/Copernicus) user communities.
3. The Programme Manager shall represent Euro-Argo ERIC in the International Argo governance structure (International Argo Steering Team) without precluding national representation from Members.
4. The Programme Manager shall be entitled to sign legally binding contracts and agreements on behalf of Euro-Argo ERIC with third parties.
5. The Programme Manager shall assist the Chair of the Management Board in the preparation of the meetings of the Management Board.
6. A Programme Office shall be set-up to assist the Programme Manager and support the day-to-day management of Euro-Argo ERIC including, without limitation, filing of mail and correspondence, archiving of documents, travel arrangements, organising meetings, preparing reports and financial documents.

*Article 18***Scientific and Technical Advisory Group (STAG)**

1. The STAG, acting as a consultative body composed of independent experts, shall be established to advise the Council on any scientific or technical matters, including data management and instrumentation, relevant to the operation, development, and evolution of Euro-Argo ERIC, and access to its data by research and operational users. The Management Board may request through the Council the STAG to consider, and make recommendations on issues that it needs to address. The terms of reference of the STAG, proposed by the Management Board and approved by the Council shall be set out in the Internal Working Procedures.
2. The STAG shall make recommendations to the Council on scientific and technical aspects and the direction of Euro-Argo ERIC, taking into account the European and international context.

CHAPTER 5

FINANCE*Article 19***Resources**

The resources of Euro-Argo ERIC shall be decided by the Council in accordance with Article 15(2) and may be comprised of:

- (a) Annual Member and Observer subscriptions;
- (b) Additional contributions from the Members or Observers;
- (c) Remuneration for services provided by Euro-Argo ERIC to third parties and by royalties or income derived from the exploitation by third parties of intellectual property rights owned and/or licensed by Euro-Argo ERIC;
- (d) Grants for specific Euro-Argo ERIC activities in accordance with Title VI of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽¹⁾;
- (e) Other Grants; and
- (f) Additional resources received either in kind or in cash within limits and under terms approved by the Council.

*Article 20***Budgetary principles, accounts and audit**

1. The financial year of Euro-Argo ERIC shall begin on 1 January and shall end on 31 December of each year ('Financial Year').
2. All items of revenue and expenditure of Euro-Argo ERIC shall be presented in estimated figures to be drawn up for each Financial Year and shown in the budget.
3. Euro-Argo ERIC shall record the costs and revenues of its limited economic activities separately and shall charge market prices for them, or, if these cannot be ascertained, full costs plus a reasonable margin.
4. The Council shall ensure that the contributions are used in accordance with the principles of sound financial management.
5. The budget shall be established and implemented and the accounts presented in compliance with the principle of transparency.
6. The accounts of Euro-Argo ERIC shall be accompanied by a report on budgetary and financial management of the preceding Financial Year.

⁽¹⁾ OJ L 298, 26.10.2012, p. 1.

7. Euro-Argo ERIC shall be subject to the requirements of the host national laws and regulations as regards preparation, filing, auditing and publication of accounts.

Article 21

Taxes

VAT exemption based on Articles 143(1)(g) and 151(1)(b) of Council Directive 2006/112/EC ⁽¹⁾ shall apply to purchases made by Euro-Argo ERIC for its non-economic activities, not for economic activities undertaken. The VAT exemption shall be applied for purchases made for the scientific, technical and administrative operations undertaken by Euro-Argo ERIC in line with its objectives. This shall include expenses for the housing of Euro-Argo ERIC for official use and expenses for conferences, workshops and meetings held by Euro-Argo ERIC and directly linked to its non-economic activities. However travel and accommodation expenses shall not be covered by the VAT exemption, and purchases below EUR 300 will not be considered for VAT exemption.

CHAPTER 6

RELATIONSHIP WITH THE EUROPEAN COMMISSION

Article 22

Reporting to the Commission

1. Euro-Argo ERIC shall prepare an annual activity report, containing in particular the scientific, operational and financial aspects of its activities. It shall be approved by the Council and transmitted to the European Commission and relevant public authorities within six months from the end of the corresponding Financial Year. This report shall be made publicly available.
2. Euro-Argo ERIC and the Member States concerned shall inform the European Commission of any circumstances which threaten to seriously jeopardise the achievement of the task of Euro-Argo ERIC or to hinder Euro-Argo ERIC from fulfilling the requirements laid down in the Regulation.
3. If at any time during its existence, Euro-Argo ERIC is unable to pay its debts, it shall immediately notify the European Commission.

Article 23

Amendments of the Statutes

1. Any proposals for amendments of the Statutes shall be decided by the Council.
2. In accordance with the procedure set out in Article 11 of the Regulation, the Council shall submit to the European Commission any proposed amendment to the Statutes.
3. The Statutes shall at all times comply with the Regulation and all other relevant acts of European Union law.

CHAPTER 7

POLICIES

Article 24

Intellectual Property Rights

1. All Intellectual Property Rights created, arisen, obtained or developed by Euro-Argo ERIC in the course of its activities shall be owned by Euro-Argo ERIC.
2. Subject to the terms of any contracts or sub-contracts between Euro-Argo ERIC and Members or Observers or representing entities of Members or Observers, all Intellectual Property Rights which are created, arisen, obtained or developed by a Member or Observer or representing entity shall be owned by that Member or Observer or representing entity.

⁽¹⁾ OJ L 347, 11.12.2006, p. 1.

3. Euro-Argo ERIC grants to the Members a perpetual, irrevocable, non-exclusive, royalty-free and fully paid-up world-wide right and licence to use, publish, develop, copy or adapt any Intellectual Property Rights owned by Euro-Argo ERIC for any purpose for the full duration of such rights, such right and licence to include the right to sub-licence or otherwise transfer any and all of the aforesaid rights to any third party.
4. Intellectual Property Rights owned by Euro-Argo ERIC shall be identified, protected, managed and maintained by the Programme Manager.
5. With respect to questions of Intellectual Property, the relations between the Members will be governed by the national legislation of the Members and by international agreements to which the Members are parties.

Article 25

Data and Access Policy for Users

1. In conformity with International Argo data policy, access to Euro-Argo ERIC data shall be free and open to any person or agency.
2. Agencies in Member States shall make reasonable efforts to host visiting scientists, engineers and technicians for collaborations with those directly involved in Euro-Argo ERIC activities in their laboratories.

Article 26

Scientific Evaluation Policy

1. Scientific evaluation of the annual activities shall be the responsibility of the STAG.
2. A review of the activities and operation of Euro-Argo ERIC shall be conducted every five years by the STAG, who may involve other independent experts in the review as necessary, reporting to the Council.

Article 27

Dissemination Policy

1. Dissemination of the data shall be undertaken either in the '*pull mode*', i.e. by downloading from the data centres web sites; or in the '*push mode*', whereby regular data files will be provided to the World Meteorological Organisation (WMO) Global Telecommunication System (GTS), to the International Argo Data Centres, to the European Marine Observation and Data Network (EMODnet), to the Copernicus Marine Service and to specific users upon request.
2. All users are encouraged to publish their results in peer-reviewed scientific literature, to present communications in scientific conferences, as well as in other media targeted at larger audiences including without limitation the general public, the press, citizen groups, education.
3. The Euro-Argo ERIC Programme Manager shall develop a communication plan to target appropriate audiences.
4. Use and collection of the Euro-Argo ERIC data is subject to European Union and national laws on data privacy.

Article 28

Employment Policy

Employment policy shall be governed by the laws of the State where Euro-Argo ERIC has its Statutory Seat. All employment and recruitment shall be on a strictly non-discriminatory basis.

*Article 29***Procurement Policy**

1. The Euro-Argo ERIC procurement policy shall be transparent, non-discriminatory and open to competition.
2. The procurement policy shall be defined in detail in the Internal Working Procedures, approved by the Council.

CHAPTER 8

DURATION, WINDING UP, DISPUTES*Article 30***Duration**

Euro-Argo ERIC shall be established for an initial period ending on 31 December 2020 and shall continue to exist after that date subject to decisions of the Council.

*Article 31***Winding up**

1. The Council may decide at any time to discontinue and wind up Euro-Argo ERIC, or to transfer its activities to another legal entity.
2. Without undue delay after the adoption of the decision by the Council to wind up and in any event within 10 days after such adoption, Euro-Argo ERIC shall notify the European Commission thereof. The European Commission shall publish an appropriate notice in the C series of the *Official Journal of the European Union*.
3. Without undue delay after the closure of the winding-up procedure, and in any event within 10 days after such closure, Euro-Argo ERIC shall notify the European Commission thereof. The European Commission shall publish an appropriate notice in the C series of the *Official Journal of the European Union*.
4. At any time, in the event that Euro-Argo ERIC is unable to pay its debts, it shall immediately notify the European Commission thereof. The European Commission shall publish an appropriate notice in the C series of the *Official Journal of the European Union*.
5. Any assets and liabilities remaining after payment of Euro-Argo ERIC's debts shall be apportioned among the Members in proportion to their voting rights at the time of dissolution.
6. The Members undertake to arrange the dismantling of Euro-Argo ERIC and to finance the relevant costs in proportion to their voting rights at the time of dissolution without prejudice to Article 13.
7. Euro-Argo ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the *Official Journal of the European Union*.

*Article 32***Language**

1. The working language of Euro-Argo ERIC shall be English.
2. Where required, an official language of the Euro-Argo ERIC host country will be used for the relationship with the host country's authorities.
3. These statutes shall be deemed authentic in English, French and in all other official languages of the European Union. No linguistic version shall prevail.

*Article 33***Applicable Law**

Euro-Argo ERIC shall be governed in order of precedence:

- (a) by European Union law, in particular the ERIC Regulation (EC) No 723/2009;
- (b) by the law of the Hosting State in case of matters not covered (or partly covered) by such European Union law;
- (c) by these Statutes, adopted in conformity with the abovementioned sources of law; and,
- (d) by the implementing rules complying with the Statutes.

*Article 34***Disputes**

1. Save as set out in any other Articles of the Statutes, in the event of a dispute or difference between the Members arising out of or in connection with the Statutes, including the operation or performance of Euro-Argo ERIC or the performance by the Members of their obligations under the Statutes, the Council shall meet as soon as reasonably practicable to consult in good faith and seek to settle the dispute.
2. The Court of Justice of the European Union shall have jurisdiction over litigation among the Members in relation to Euro-Argo ERIC, between the Members and Euro-Argo ERIC and over any litigation to which the Union is a party.
3. In cases not covered by European Union legislation, the law of the State where Euro-Argo ERIC has its statutory seat shall determine the competent jurisdiction for the resolution of such disputes.

*Article 35***Consolidated version of the Statutes**

The Statutes shall be kept up to date and made publicly available on the website of Euro-Argo ERIC and at its statutory seat. Any amendment to the Statutes shall be clearly indicated with a note specifying whether the amendment concerns an essential or non-essential element of the Statutes in accordance with Article 11 of Regulation (EC) No 723/2009 and the procedure followed for its adoption.

Annex — List of Members and Observers

Members and their representing entities are the following:

1. The Federal Republic of Germany is represented by the Federal Maritime and Hydrographic Agency hereinafter referred to as BSH whose registered office is at Bernhard-Nocht-Strasse 78, 20359 Hamburg, Germany;
2. The Hellenic Republic is represented by the Hellenic Centre for Marine Research whose registered office is at 46,7 km Athens-Sounio Ave. PO Box 712 Anavyssos, Attica GR-190 13, Greece;
3. The French Republic is represented by the Research Institute for Exploitation of the Sea — (Ifremer) — whose registered office is at 155 rue Jean Jacques Rousseau, 92138 Issy-les-Moulineaux, France;
4. The Italian Republic is represented by the National Institute of Oceanography and Experimental Geophysics (OGS) whose registered office is at Borgo Grotta Gigante, 42/c 34010 Sgonico (Trieste), Italy;
5. The Netherlands is represented by the Royal Netherlands Meteorological Institute (KNMI), whose registered office is at Wilhelminalaan 10, NL-3732 GK De Bilt, Netherlands;

6. The Republic of Finland is represented by the Ministry of Transport and Communications, whose registered office is at PO Box 31, FI-00023 Government, Finland;
7. The United Kingdom of Great Britain and Northern Ireland is represented by the Met Office, for and on behalf of the Secretary of State for the Department for Business, Innovation and Skills of the United Kingdom of Great Britain and Northern Ireland, having its principal place of business at Fitzroy Road, Exeter EX1 3PB;

Observers and their representing entities are the following:

1. The Kingdom of Norway is represented by the Institute of Marine Research (IMR) whose registered office is at Nordnesgaten 50, 5005 Bergen, Norway.
2. The Republic of Poland is represented by the Ministry of Science and Higher Education (MSHE), 20 Hoża Street 1/3 Wspólna Street 00-529 Warsaw, Poland.

GLOSSARY

Council	The Council is composed of the Members or one (1) duly appointed representing entity or delegate for each Member.
Qualified majority	a decision can be adopted only if 2/3 of those present are in favour and if they represent 2/3 of the voting rights.
EEA	European Environment Agency.
ERIC	European Research Infrastructure Consortium, as defined by the Regulation.
Euro-Argo ERIC	the legal entity, object of the ERIC statutes, set-up to coordinate the Euro-Argo Programme.
Euro-Argo Infrastructure	the European facilities contributing to the Euro-Argo Programme.
Euro-Argo Programme	the activities carried out by the Members and Observers pursuant to the objectives of Argo and the decisions and Programmes validated by the Management Board and approved by the Council of Euro-Argo ERIC.
GMES/Copernicus	Global Monitoring for Environment and Security, a Programme of the EU.
Intellectual Property Rights	all patents, rights to inventions, utility models, copyright and related rights, trademarks, service marks, trade, business and domain names, rights in trade dress or get-up, rights in goodwill or to sue for passing off, unfair competition rights, rights in designs, rights in computer software, database right, topography rights, moral rights, rights in confidential information (including know-how and trade secrets) and any other intellectual property rights, in each case whether registered or unregistered and including all applications for and renewals or extensions of such rights, and all similar or equivalent rights or forms of protection in any part of the world.
Internal Working Procedures	a document approved by the Council that sets out the internal working rules for Euro-Argo ERIC.
Management Board	The board appointed by the Council and responsible for supervising the operation of Euro-Argo ERIC.
Member States	Member States of the European Union.
Members	Members of Euro-Argo ERIC on the conditions set out in Article 6.

Observers	Observers of Euro-Argo ERIC on the conditions set out in Article 7.
Programme Manager	the Euro-Argo ERIC person appointed by the Council and responsible for the proper preparation and implementation of the decisions and Programmes validated by the Management Board and approved by the Council as set out in Article 15.
Programme Office	the office set-up to assist the Programme Manager and support the day to day management of Euro-Argo ERIC.
Regulation	The Council Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) (OJ L 206, 8.8.2009, p. 1).
Simple majority	a majority of those with voting rights present or represented.
STAG	The Scientific and Technical Advisory Group of Euro-Argo ERIC. It formulates recommendations on scientific and technical aspects and direction of Euro-Argo ERIC.

COMMISSION IMPLEMENTING DECISION**of 7 May 2014****determining the date from which the Visa Information System (VIS) is to start operations in a twelfth, a thirteenth, a fourteenth and a fifteenth region**

(2014/262/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) ⁽¹⁾, and in particular Article 48(3) thereof,

Whereas:

- (1) According to Commission Implementing Decision 2013/493/EU ⁽²⁾, the twelfth region where the collection and transmission of data to the Visa Information System (VIS) for all applications should start comprises Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama; the thirteenth region comprises Canada, Mexico and the United States; the fourteenth region comprises Antigua and Barbuda, the Bahamas, Barbados, Belize, Cuba, Dominica, the Dominican Republic, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname and Trinidad and Tobago; and the fifteenth region comprises Australia, Fiji, Kiribati, the Marshall Islands, Micronesia, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, the Solomon Islands, Timor-Leste, Tonga, Tuvalu and Vanuatu.
- (2) The Member States have notified the Commission that they have made the necessary technical and legal arrangements to collect and transmit the data referred to in Article 5(1) of Regulation (EC) No 767/2008 to the VIS for all applications in these regions, including arrangements for the collection and/or transmission of the data on behalf of another Member State.
- (3) The condition laid down by the first sentence of Article 48(3) of Regulation (EC) No 767/2008 thus being fulfilled, it is therefore necessary to determine the date from which the VIS is to start operations in a twelfth, a thirteenth, a fourteenth and a fifteenth region.
- (4) In view of the need to set the date for the start of the VIS in the very near future, this Decision should enter into force on the day of its publication in the *Official Journal of the European Union*.
- (5) Given that Regulation (EC) No 767/2008 builds upon the Schengen *acquis*, Denmark notified the implementation of the Regulation (EC) No 767/2008 in its national law in accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on European Union and to the Treaty establishing the European Community. Denmark is therefore bound under international law to implement this Decision.
- (6) This Decision constitutes a development of provisions of the Schengen *acquis* in which the United Kingdom does not take part, in accordance with Council Decision 2000/365/EC ⁽³⁾. The United Kingdom is therefore not bound by it or subject to its application.
- (7) This Decision constitutes a development of provisions of the Schengen *acquis* in which Ireland does not take part, in accordance with Council Decision 2002/192/EC ⁽⁴⁾. Ireland is therefore not bound by it or subject to its application.

⁽¹⁾ OJ L 218, 13.8.2008, p. 60.

⁽²⁾ Commission Implementing Decision 2013/493/EU of 30 September 2013 determining the third and last set of regions for the start of operations of the Visa Information System (VIS) (OJ L 268, 10.10.2013, p. 13).

⁽³⁾ Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen *acquis* (OJ L 131, 1.6.2000, p. 43).

⁽⁴⁾ Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* (OJ L 64, 7.3.2002, p. 20).

- (8) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen *acquis* ⁽¹⁾, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC ⁽²⁾.
- (9) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽³⁾, which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC ⁽⁴⁾.
- (10) As regards Liechtenstein, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* ⁽⁵⁾, which fall within the area referred to in Article 1, point B of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU ⁽⁶⁾.
- (11) As regards Cyprus, this Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning of Article 3(2) of the 2003 Act of Accession.
- (12) As regards Bulgaria and Romania, this Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning of Article 4(2) of the 2005 Act of Accession.
- (13) As regards Croatia, this Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within the meaning of Article 4(2) of the 2011 Act of Accession,

HAS ADOPTED THIS DECISION:

Article 1

The Visa Information System shall start operations in the twelfth, the thirteenth, the fourteenth and the fifteenth region determined by Implementing Decision 2013/493/EU on 15 May 2014.

Article 2

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

⁽¹⁾ OJ L 176, 10.7.1999, p. 36.

⁽²⁾ Council Decision 1999/437/EC of 17 May 1999 on certain arrangements for the application of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* (OJ L 176, 10.7.1999, p. 31).

⁽³⁾ OJ L 53, 27.2.2008, p. 52.

⁽⁴⁾ Council Decision 2008/146/EC of 28 January 2008 on the conclusion, on behalf of the European Community, of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis* (OJ L 53, 27.2.2008, p. 1).

⁽⁵⁾ OJ L 160, 18.6.2011, p. 21.

⁽⁶⁾ Council Decision 2011/350/EU of 7 March 2011 on the conclusion, on behalf of the European Union, of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen *acquis*, relating to the abolition of checks at internal borders and movement of persons (OJ L 160, 18.6.2011, p. 19).

Article 3

This Decision shall apply in accordance with the Treaties.

Done at Brussels, 7 May 2014.

For the Commission
The President
José Manuel BARROSO

