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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2015/904

of 17 December 2014

on the signing and provisional application, on behalf of the European Union, of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 212 in conjunction with Article 218(5) and (7) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 18 June 2007, the Council authorised the Commission to negotiate a Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part ⁽¹⁾, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes ('the Protocol').
- (2) The negotiations have been concluded.
- (3) The objective of the Protocol is to lay down the financial and technical rules enabling the People's Democratic Republic of Algeria to participate in certain Union programmes. The horizontal framework established by the Protocol constitutes an economic, financial and technical cooperation measure which allows for access to assistance, in particular financial assistance, to be provided by the Union pursuant to the Union programmes. This framework applies only to those Union programmes for which the relevant constitutive legal acts provide for the possibility of the participation of the People's Democratic Republic of Algeria. The signing and provisional application of the Protocol therefore does not entail the exercise of powers, under the various sectoral policies pursued by the programmes, which are exercised when establishing the programmes.
- (4) The Protocol should be signed on behalf of the Union and applied on a provisional basis, subject to the completion of the procedures necessary for its conclusion,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union, of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes is hereby authorised, subject to its conclusion.

⁽¹⁾ OJ L 265, 10.10.2005, p. 2.

The text of the Protocol is attached to this Decision.

Article 2

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

Article 3

The Protocol shall be applied on a provisional basis from the date of its signature ⁽¹⁾, pending the completion of the procedures necessary for its conclusion.

Article 4

The Commission is authorised to determine, on behalf of the Union, the specific terms and conditions applicable to the participation of the People's Democratic Republic of Algeria in any given Union programme, including the financial contribution payable. The Commission will keep the relevant Council working party informed.

Article 5

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

Done at Brussels, 17 December 2014.

For the Council
The President
G. L. GALLETTI

⁽¹⁾ The date of signing the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

PROTOCOL

to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes

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

of the one part, and

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

of the other part,

hereinafter jointly referred to as 'the Parties',

Whereas:

- (1) Algeria has concluded a Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and Algeria, of the other part (hereinafter referred to as 'the Agreement'), which entered into force on 1 September 2005.
- (2) The Brussels European Council of 17 and 18 June 2004 welcomed the European Commission's proposals for a European Neighbourhood Policy (ENP) and endorsed the Council conclusions of 14 June 2004.
- (3) The Council has since adopted conclusions in favour of this policy on numerous occasions.
- (4) On 5 March 2007, the Council expressed support for the general and comprehensive approach outlined in the Commission's communication of 4 December 2006 to enable European Neighbourhood Policy partner countries to participate in Community agencies and Community programmes on their merits and where authorised by the legal bases.
- (5) Algeria has expressed its wish to participate in a number of Union programmes.
- (6) The specific terms and conditions, including the financial contribution and reporting and evaluation procedures, applicable to Algeria's participation in each particular Union programme should be determined in an agreement between the European Commission and the competent Algerian authorities,

HAVE AGREED AS FOLLOWS:

Article 1

Algeria shall be allowed to participate in all current and future programmes of the Union opened to the participation of Algeria in accordance with the relevant provisions adopting those programmes.

Article 2

Algeria shall contribute financially to the general budget of the European Union corresponding to the specific Union programmes in which Algeria participates.

Article 3

Algeria's representatives shall be allowed to take part, as observers and for those items which concern Algeria, in the management committees responsible for monitoring the Union programmes to which Algeria contributes financially.

Article 4

Projects and initiatives submitted by participants from Algeria shall, as far as possible, be subject to the same conditions, rules and procedures pertaining to the Union programmes concerned as applied to Member States.

Article 5

1. The specific terms and conditions regarding the participation of Algeria in each particular Union programme, in particular the financial contribution payable and reporting and evaluation procedures, shall be determined in an agreement between the European Commission and the competent Algerian authorities on the basis of the criteria established in the programmes concerned.

2. If Algeria applies for Union external assistance to participate in a given Union programme on the basis of Article 3 of Regulation (EU) No 232/2014 of the European Parliament and of the Council ⁽¹⁾ or pursuant to any similar regulation providing for Union external assistance to Algeria that may be adopted in the future, the conditions governing the use by Algeria of the Union assistance shall be determined in a financing agreement.

Article 6

1. Each agreement concluded pursuant to Article 5 of this Protocol shall stipulate, in accordance with Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council ⁽²⁾, that financial control or audits or other verifications, including administrative investigations, will be carried out by, or under the authority of, the Commission, the European Anti-Fraud Office and the European Court of Auditors.

2. Detailed provisions shall be adopted for financial controls and audits, administrative measures, penalties and recoveries that accord the European Commission, the European Anti-Fraud Office and the European Court of Auditors powers equivalent to their powers with regard to beneficiaries or contractors established in the Union.

Article 7

1. This Protocol shall apply for the period during which the Agreement is in force.

2. This Protocol shall be signed and approved by the Parties in accordance with their respective procedures.

3. Either Party may denounce this Protocol by written notification to the other Contracting Party. This Protocol shall cease to apply six months after the date of such notification.

4. The termination of this Protocol following denunciation by either of the Parties shall not affect the checks and controls to be carried out where necessary under Articles 5 and 6.

Article 8

No later than three years after the date of entry into force of this Protocol, and at three-year intervals thereafter, both Parties may review the implementation of this Protocol on the basis of the actual participation of Algeria in Union programmes.

Article 9

This Protocol shall apply to the territories governed by the Treaty on the Functioning of the European Union under the conditions laid down in that Treaty, on the one hand, and to the territory of Algeria, on the other.

⁽¹⁾ 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).

⁽²⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of 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).

Article 10

1. Pending its entry into force, the Parties agree to provisionally apply this Protocol from the date of its signing, subject to completion of the procedures necessary for that purpose.
2. This Protocol shall enter into force definitively on the first day of the month following the date on which the Parties notify each other through diplomatic channels of the completion of the procedures necessary for its entry into force.

Article 11

This Protocol shall form an integral part of the Agreement.

Article 12

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

Съставено в Брюксел на четвърти юни две хиляди и петнадесета година.

Hecho en Bruselas, el cuatro de junio de dos mil quince.

V Bruselu dne čtvrtého června dva tisíce patnáct.

Udfærdiget i Bruxelles den fjerde juni to tusind og femten.

Geschehen zu Brüssel am vierten Juni zweitausendfünfzehn.

Kahe tuhande viieteistkümnenda aasta juunikuu neljandal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις τέσσερις Ιουνίου δύο χιλιάδες δεκαπέντε.

Done at Brussels on the fourth day of June in the year two thousand and fifteen.

Fait à Bruxelles, le quatre juin deux mille quinze.

Sastavljeno u Bruxellesu četvrtog lipnja dvije tisuće petnaeste.

Fatto a Bruxelles, addì quattro giugno duemilaquindici.

Briselē, divi tūkstoši piecpadsmitā gada ceturtajā jūnijā.

Priimta du tūkstančiai penkioliktų metų birželio ketvirtą dieną Briuselyje.

Kelt Brüsszelben, a kétezertizenötödik év június havának negyedik napján.

Magħmul fi Brussell, fir-raba' jum ta' Ġunju tas-sena elfejn u ħmistax.

Gedaan te Brussel, de vierde juni tweeduizend vijftien.

Sporządzono w Brukseli dnia czwartego czerwca roku dwa tysiące piętnastego.

Feito em Bruxelas, em quatro de junho de dois mil e quinze.

Întocmit la Bruxelles la patru iunie două mii cincisprezece.

V Bruseli štvrtého júna dvetisícpätnásť.

V Bruslju, dne četrtega junija leta dva tisoč petnajst.

Tehty Brysselissä neljäntenä päivänä kesäkuuta vuonna kaksituhattaviisitoista.

Som skedde i Bryssel den fjärde juni tjugohundrafemton.

حرر ببروكسل، بتاريخ 4 يونيو سنة 2015.

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



عن الاتحاد الأوروبي

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



عن الجمهورية الجزائرية الديمقراطية الشعبية

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2015/905

of 10 June 2015

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Pecorino Toscano (PDO)]

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Italy's application for the approval of amendments to the specification for the protected designation of origin 'Pecorino Toscano', registered under Commission Regulation (EC) No 1263/96 ⁽²⁾ as amended by Regulation (EU) No 306/2010 ⁽³⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 50(2)(a) of that Regulation.
- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Pecorino Toscano' (PDO) are hereby approved.

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*.

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 1263/96 of 1 July 1996 supplementing the Annex to Regulation (EC) No 1107/96 on the registration of geographical indications and designations of origin under the procedure laid down in Article 17 of Regulation (EEC) No 2081/92 (OJ L 163, 2.7.1996, p. 19).

⁽³⁾ Commission Regulation (EU) No 306/2010 of 14 April 2010 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Pecorino Toscano (PDO)) (OJ L 94, 15.4.2010, p. 19).

⁽⁴⁾ OJ C 18, 21.1.2015, p. 12.

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

Done at Brussels, 10 June 2015.

*For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission*

COMMISSION IMPLEMENTING REGULATION (EU) 2015/906**of 10 June 2015****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications (Ciliegia di Vignola (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined Italy's application for the approval of amendments to the specification for the protected geographical indication 'Ciliegia di Vignola', registered under Commission Implementing Regulation (EU) No 1032/2012 ⁽²⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽³⁾ as required by Article 50(2)(a) of that Regulation.
- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Ciliegia di Vignola' (PGI) are hereby approved.*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, 10 June 2015.

For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) No 1032/2012 of 26 October 2012 entering a name in the register of protected designations of origin and protected geographical indications (Ciliegia di Vignola (PGI)) (OJ L 308, 8.11.2012, p. 5).

⁽³⁾ OJ C 33, 31.1.2015, p. 6.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/907**of 10 June 2015****approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Welsh Beef (PGI)]**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs ⁽¹⁾, and in particular Article 52(2) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 53(1) of Regulation (EU) No 1151/2012, the Commission has examined the United Kingdom's application for the approval of amendments to the specification for the protected geographical indication 'Welsh Beef', registered under Commission Regulation (EC) No 2066/2002 ⁽²⁾ as amended by Commission Regulation (EU) No 97/2011 ⁽³⁾.
- (2) Since the amendments in question are not minor within the meaning of Article 53(2) of Regulation (EU) No 1151/2012, the Commission published the amendment application in the *Official Journal of the European Union* ⁽⁴⁾ as required by Article 50(2)(a) of that Regulation.
- (3) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the amendments to the specification should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The amendments to the specification published in the *Official Journal of the European Union* regarding the name 'Welsh Beef' (PGI) are hereby approved.

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, 10 June 2015.

For the Commission,
On behalf of the President,
Phil HOGAN
Member of the Commission

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Commission Regulation (EC) No 2066/2002 of 21 November 2002 supplementing the Annex to Regulation (EC) No 2400/96 on the entry of certain names in the Register of protected designations of origin and protected geographical indications provided for in Council Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (Carne de Bovino Cruzado dos Lameiros do Barroso, Pruneaux d'Agen — Pruneaux d'Agen mi-cuits, Carciofo romanesco del Lazio, Aktinidio Pierias, Milo Kastorias, Welsh Beef) (OJ L 318, 22.11.2002, p. 4).

⁽³⁾ Commission Regulation (EU) No 97/2011 of 3 February 2011 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications [Welsh Beef (PGI)] (OJ L 30, 4.2.2011, p. 27).

⁽⁴⁾ OJ C 29, 29.1.2015, p. 13.

COMMISSION IMPLEMENTING REGULATION (EU) 2015/908**of 11 June 2015****amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Canada in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽¹⁾ and in particular the introductory phrase of Article 8, the first subparagraph of point 1 of Article 8, point 4 of Article 8 and Article 9(4)(c) thereof,

Having regard to Council Directive 2009/158/EC of 30 November 2009 on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs ⁽²⁾, and in particular Articles 23(1), 24(2) and 25(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 798/2008 ⁽³⁾ lays down veterinary certification requirements for imports into and transit, including storage during transit, through the Union of poultry and poultry products ('the commodities'). It provides that the commodities may only be imported into and transit through the Union from the third countries, territories, zones or compartments listed in columns 1 and 3 of the table in Part 1 of Annex I thereto.
- (2) Regulation (EC) No 798/2008 also lays down the conditions for a third country, territory, zone or compartment to be considered as free from highly pathogenic avian influenza (HPAI).
- (3) Canada is listed in Part 1 of Annex I to Regulation (EC) No 798/2008 as a third country from which imports into and transit through the Union of the commodities covered by that Regulation are authorised from certain parts of its territory depending on the presence of HPAI outbreaks. That regionalisation was recognised by Regulation (EC) No 798/2008, as amended by Commission Implementing Regulation (EU) 2015/198 ⁽⁴⁾ following outbreaks of HPAI in the Province of British Columbia.
- (4) An Agreement between the Union and Canada ⁽⁵⁾ provides for a swift mutual recognition of regionalisation measures in the event of outbreaks of a disease in the Union or in Canada ('the Agreement').
- (5) On 8 April 2015, Canada confirmed an outbreak of HPAI of subtype H5N2 in poultry in the Province of Ontario. The veterinary authorities of Canada immediately suspended issuing veterinary certificates for consignments of commodities intended for export to the Union from its whole territory. Canada has also implemented a stamping-out policy in order to control HPAI and limit its spread.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ OJ L 343, 22.12.2009, p. 74.

⁽³⁾ Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements (OJ L 226, 23.8.2008, p. 1).

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/198 of 6 February 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Canada in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza (OJ L 33, 10.2.2015, p. 9).

⁽⁵⁾ Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products as approved on behalf of the Community by Council Decision 1999/201/EC (OJ L 71, 18.3.1999, p. 3).

- (6) Following that outbreak in the Province of Ontario, Canada submitted updated information on the epidemiological situation on its territory and the measures it has taken to prevent the further spread of HPAI which has now been evaluated by the Commission. On the basis of that evaluation, as well as the commitments laid down in the Agreement and the guarantees provided by Canada, it is appropriate to conclude that limiting the restrictions on the introduction into the Union of the commodities to the area affected by HPAI, which the veterinary authorities of Canada have placed under restrictions due to the HPAI outbreaks in the Provinces of British Columbia and Ontario, should be sufficient to cover the risks associated with the introduction into the Union of the commodities.
- (7) Canada has further reported the completion of cleaning and disinfection measures following stamping-out on holdings where outbreaks had been detected between December 2014 and February 2015 in the Province of British Columbia. It is therefore appropriate to indicate the dates when these parts of the territory that were placed under veterinary restrictions in relation to these outbreaks may again be considered HPAI free and imports into the Union of certain poultry commodities originating from these areas should be re-authorised.
- (8) The entry for Canada in the list in Part 1 of Annex I to Regulation (EC) No 798/2008 should therefore be amended to take account of the current epidemiological situation in that third country.
- (9) Annex I to Regulation (EC) No 798/2008 should therefore be amended accordingly.
- (10) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

Part 1 of Annex I to Regulation (EC) No 798/2008 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the third 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, 11 June 2015.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

In Part 1 of Annex I to Regulation (EC) No 798/2008, the entry for Canada is replaced by the following:

ISO code and name of third country or territory	Code of third country, territory, zone or compartment	Description of third country, territory, zone or compartment	Veterinary certificate		Specific conditions	Specific conditions		Avian influenza surveillance status	Avian influenza vaccination status	Salmonella control status
			Model(s)	Additional guarantees		Closing date ⁽¹⁾	Opening date ⁽²⁾			
1	2	3	4	5	6	6A	6B	7	8	9
'CA — Canada	CA-0	Whole country	SPF							
			EP, E							S4
	CA-1	The whole country of Canada excluding area CA-2	BPR, BPP, DOC, DOR, HEP, HER, SRA, SRP		N			A		S1, ST1'
			WGM	VIII						
			POU, RAT		N					
	CA-2	Territory of Canada corresponding to:								
	CA-2.1	"Primary Control Zone" delimited by the following boundaries: — on the west, the Pacific Ocean, — on the south, the border to the United States of America, — on the north, Highway 16, — on the east, the border between the Provinces of British Columbia and Alberta.	WGM	VIII	P2	4.12.2014	9.6.2015			
			POU, RAT		N, P2					

1	2	3	4	5	6	6A	6B	7	8	9
		Area in the Province of Ontario delimited by the following boundaries:	WGM	VIII	P2					
		— from County Road 119 where it meets County Road 64 and 25th Line,								
		— North on 25th Line to where it meets Road 68, travelling east on Road 68 to where it again meets 25th Line and continuing north on 25th Line to 74 Road,								
		— East on 74 Road from 25th line to 31st line,								
		— North on 31st Line from 74 Road to 78 Road,								
		— East on 78 Road from 31st Line to 33rd Line,								
		— 33rd Line north from 78 Road to 84 Road,								
		— East on 84 Road from 33rd Line to Highway 59,								
		— South on Highway 59 from 84 Road to Road 78,								
		— East on Road 78 from Highway 59 to 13th Line,								
	CA-2.2	— South on 13 Line from 78 Road to Oxford Road 17,								
		— East on Oxford road 17 from 13 line to Oxford Road 4,								
		— South on Oxford Road 4 from Oxford Road 17 to County Road 15,								
		— East on County Road 15, crossing Highway 401, from Oxford Road 4 to Middletown Line,								
		— Middletown Line south, crossing highway 403, from County Road 15 to Old Stage Road,								
		— Old Stage Road West from Middletown Line to County Road 59,								
		— South on County Road 59 from Old Stage Road to Curries Road,								
		— West on Curries Road from County Road 59 to Cedar Line,								
			POU, RAT		N, P2	8.4.2015				

1	2	3	4	5	6	6A	6B	7	8	9
		— East on Bethel Road from Puddicombe road to Queen Street, — South on Queen Street from Bethel Road to Bridge street, — East on Bridge Street from Queen Street to Trussler Road, — Trussler Road south from Bridge Street to Oxford Road 8, — Oxford Road 8 east from Trussler Road to Northumberland Street, — South on Northumberland St from Oxford Road 8, continuing as Swan Street/Ayr Road to Brant Waterloo Road, — West on Brant Waterloo Road from Swan St/Ayr Road to Trussler Road, — South on Trussler Road from Brant Waterloo Road to Township Road 5, — West on Township Road 5 from Trussler Road to Blenheim Road, — South on Blenheim Road from Township Road 5 to Township Road 3, — West on Township Road 3 from Blenheim Road to Oxford Road 22, — North on Oxford Road 22 from Township Road 3 to Township Road 4, — West on Township Road 4 from Oxford Road 22 to Highway 401.								

COMMISSION IMPLEMENTING REGULATION (EU) 2015/909**of 12 June 2015****on the modalities for the calculation of the cost that is directly incurred as a result of operating the train service****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) A need for accelerated renewal or maintenance resulting from a more intense use of the network may be taken into account for the purposes of calculation of direct costs, provided it is ensured that only costs directly incurred as a result of operating the train service are included.
- (2) Infrastructure managers are under the obligation to operate networks whilst they face restrictions hampering efficient management and cost control. Consequently, Member States should have the opportunity to set direct costs at the level of costs of efficient service provision.
- (3) Setting the track access charge at the costs directly incurred by the train service should not set out to cause that the infrastructure manager to experience either a net financial loss or a net financial gain as a result of operation of the train service.
- (4) Historical asset values should be based on the amounts paid for acquisition of assets by the infrastructure manager provided that the infrastructure manager remains liable for such amounts.
- (5) The infrastructure manager should not be allowed to recover the cost of investment in an asset where it is not obliged to repay that cost.
- (6) Since the modalities for the calculation of the cost that is directly incurred as a result of operating the train service should be applicable throughout the Union, they should be compatible with the existing infrastructure cost accounting systems and cost data applied by the infrastructure managers.
- (7) The use of forecast costs and performance levels should not give rise, under usual business circumstances, to higher levels of direct costs, track access charges and eventually an ineffective use of the network. Therefore historic asset values should be applied and only if such values are not available, or where current values are lower, could current values be considered. Alternatively, estimated values or replacement values, forecast costs and forecast performance levels could be used provided the infrastructure manager substantiates to the regulatory body how it established them and that it established them objectively.
- (8) The infrastructure manager should be allowed to include in the calculation of its direct costs only costs that it can objectively and robustly demonstrate that they are triggered directly by the operation of the train service. For example, wear and tear of track-side signals and signal boxes does not vary with traffic and therefore should not be subject to a direct cost-based charge ⁽²⁾. Conversely, parts, such as point infrastructure, will be exposed to wear and tear by operating the train service and thus should partially be subject to a direct cost charge. As sensors become more widely deployed on trains and infrastructure, these could provide additional information on the actual wear and tear caused by the train service.
- (9) The Court of Justice delivered a judgment on the calculation of direct costs incurred by operating the train service ⁽³⁾. This Regulation takes that judgement into account.

⁽¹⁾ OJ L 343, 14.12.2012, p. 32.

⁽²⁾ The CATRIN study provides a synoptic view of different studies as regards the infrastructure characteristics used in econometric rail cost studies of seven EU infrastructure managers. Six of the seven infrastructure managers did not consider traffic management or signalling as a relevant characteristic for their econometric cost studies (see table 13, Deliverable 1 of the CATRIN study, p. 40).

⁽³⁾ Judgement of the Court in *Commission v Poland*, C-512/10, ECLI:EU:C:2013:338, paragraphs 82, 83 and 84.

- (10) Electric supply equipment such as cables or transformers are generally not subject to wear and tear by the operation of the train service. These are neither exposed to friction nor to other impacts caused by the operation of the train service. Therefore these costs of electric supply equipment should not be included in the calculation of costs directly incurred by an operation of the train service. However, trains, when they use electric traction, wear down the contact medium (overhead wire or the electrified third rail) due to friction and the electric arcs they cause. Consequently, a part of the maintenance and renewal costs of these contact mediums could be considered as directly incurred by operation of the train service. Maintenance and renewal costs of other components of overhead line equipment can also degrade as a direct result of traffic movements which cause electrical and mechanical stress.
- (11) The use of vehicles or railway lines with certain design features results in different levels of direct costs incurred by the train service. Member States may allow their infrastructure managers to modulate average direct costs in accordance with, inter alia, best international practice to reflect such differences.
- (12) It is a well-established economic principle that user charges based on marginal costs ensure the optimum effective use of available infrastructure capacity. Hence, the infrastructure manager may decide to use the proxy of marginal costs for calculating its cost directly incurred as a result of operating the train service.
- (13) Furthermore, international best practice ⁽¹⁾ has established methods and models such as econometric or engineering modelling, to calculate the marginal costs of infrastructure use. At the same time, international best practice will continue to develop as further independent analysis and research — verified independently of the infrastructure manager, such as by the Regulatory Body — is undertaken, including analysis and research which may be specific to an individual Member State because of particular infrastructure characteristics. Consequently, the infrastructure manager should be allowed to use such models to identify the direct costs incurred by the operation of the train service.
- (14) Different forms of econometric or engineering modelling might offer a higher degree of precision in calculating direct costs or marginal costs of the use of infrastructure. However, cost modelling requires a higher level of data quality and expertise than methods based on deducting from the full costs certain non-eligible cost categories. Moreover, regulatory bodies may not yet be able to verify the compliance of a concrete calculation with the provisions of Directive 2012/34/EU. Consequently, where these higher requirements are met, the infrastructure manager should be given the right to calculate direct costs on the basis of econometric or engineering modelling or a combination of both.
- (15) Regulatory bodies should be able to check whether the different charging principles are applied consistently with the information the infrastructure manager provided to them. Therefore, Annex IV of Directive 2012/34/EU requires the infrastructure manager to detail in the network statement the methodology, rules and, where applicable, scales as regards both costs and charges.
- (16) International studies ⁽²⁾ calculated values of direct unit costs in close collaboration with infrastructure managers. Although these studies analysed various methods used in Member States for different fleet compositions and different destinations, many values of direct costs per train kilometres were found to be below EUR 2 (at 2005 prices and exchange rates, using an appropriate price index) per train km of a 1 000 t train. To curb administrative effort for regulatory bodies, the same degree of detail should not be required of the calculation of direct costs when their value remains below this level.
- (17) For different reasons, such as productivity gains, the spread of new technologies or a better understanding of cost causation, the calculation of direct costs should be updated or reviewed regularly in accordance with, inter alia, best international practice.
- (18) Given that railway undertakings need predictable charging systems and have reasonable expectations for the development of infrastructure charges, the infrastructure manager should provide a phasing-in plan for railway undertakings operating the train services that may see their charges significantly increase following a review of the implementation of the existing calculation modalities, if such a phase-in plan is required by the regulatory body.
- (19) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 62(1) of Directive 2012/34/EU,

⁽¹⁾ Deliverable D1 of the CATRIN study, coordinated by VTI, March 2008, p. 37-54 and p. 82-84.

⁽²⁾ GRACE project coordinated by the University of Leeds, Deliverable D7 'Generalisation of marginal social cost estimates', page 22, 23.

HAS ADOPTED THIS REGULATION:

Article 1

Subject matter and scope

1. This Regulation sets out the modalities for the calculation of the costs directly incurred as a result of operating the train service for the purpose of setting the charges for the minimum access package and access to infrastructure connecting service facilities referred to in Article 31(3) of Directive 2012/34/EU.
2. This Regulation shall apply without prejudice to the provisions regarding the financing of infrastructure or the equilibrium of income and expenditure of the infrastructure manager set out in Article 8 of Directive 2012/34/EU.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (1) 'direct cost' means the cost which is directly incurred as a result of operating the train service;
- (2) 'direct unit cost' means the direct cost per train kilometre, vehicle kilometre, gross tonne kilometre of a train, or a combination of those;
- (3) 'cost centre' means a business unit within the infrastructure manager's accounting system to which costs are allocated for the sake of apportioning those costs directly or indirectly to a marketable service.

Article 3

Direct costs on a network-wide basis

1. Direct costs on a network-wide basis shall be calculated as the difference between, on the one hand, the costs for providing the services of the minimum access package and for the access to the infrastructure connecting service facilities and, on the other hand, the non-eligible costs referred to in Article 4.
2. The Member State may decide that the infrastructure manager applies the costs of efficient service provision for the purposes of calculation of direct costs on a network-wide basis referred to in paragraph 1.
3. Asset values used for the purpose of calculating direct costs on a network-wide basis shall be based on historic values or, where such values are not available or where current values are lower, on current values. Historic values of the assets shall be based on the amounts paid and documented by the infrastructure manager at the time of acquisition of these assets. In case of a debt relief, whereby all or part of the infrastructure manager's debts have been assumed by another entity, the infrastructure manager shall attribute a relevant part of the debt relief to reduce its asset values and the corresponding direct costs on a network-wide basis. By derogation from the first sentence, the infrastructure manager may apply values including estimated values or current values or replacement values if they can be transparently, robustly and objectively measured and duly justified to the regulatory body.
4. Without prejudice to Article 4 and if the infrastructure manager can transparently, robustly, and objectively measure and demonstrate on the basis of, inter alia, best international practice that costs are directly incurred by the operation of the train service, the infrastructure manager may include in the calculation of its direct costs on a network-wide basis in particular the following costs:
 - (a) costs of staff needed for keeping open a particular stretch of line if an applicant requests to run a specific train service scheduled outside the regular opening hours of this line;
 - (b) the part of the costs of points infrastructure, including switches and crossings, that is exposed to wear and tear by the train service;

- (c) the part of the costs of renewing and maintaining the overhead wire or the electrified third rail or both and the supporting overhead line equipment directly incurred as a result of operating the train service;
- (d) the costs of staff needed for preparing the allocation of train paths and the timetable to the extent that they are directly incurred as a result of operating the train service.

5. Costs used for calculation under this Article shall be based on payments effected or forecast by the infrastructure manager. Costs calculated under this Article shall be measured or forecast consistently on the basis of data from the same time period.

Article 4

Non-eligible costs

1. The infrastructure manager shall not include in the calculation of direct costs on a network-wide basis in particular the following costs:

- (a) fixed costs relating to the provision of a stretch of line which the infrastructure manager must bear even in the absence of train movements;
- (b) costs that do not relate to payments made by the infrastructure manager. Costs or cost centres that are not directly linked to the provision of the minimum access package or to access to infrastructure connecting service facilities;
- (c) costs of acquisition, selling, dismantling, decontamination, recultivation or renting of land or other fixed assets;
- (d) network-wide overhead costs, including overhead salaries and pensions;
- (e) financing costs;
- (f) costs related to technological progress or obsolescence;
- (g) costs of intangible assets;
- (h) costs of track-side sensors, track-side communication equipment and signalling equipment if not directly incurred by operation of the train service;
- (i) costs of information, non-track side located communication equipment or telecommunication equipment;
- (j) costs related to individual incidences of force majeure, accidents and service disruptions without prejudice to Article 35 of Directive 2012/34/EU;
- (k) costs of electric supply equipment for traction current if not directly incurred by operation of the train service. Direct costs of operation of the train services that do not use electric supply equipment shall not include costs of using the electric supply equipment;
- (l) costs related to the provision of information mentioned under item 1(f) of Annex II to Directive 2012/34/EU, unless incurred by operation of the train service;
- (m) administrative costs incurred by schemes of differentiated charges referred to in Articles 31(5) and 32(4) of Directive 2012/34/EU;
- (n) depreciation which is not determined on the basis of real wear and tear of infrastructure due to the train service operation;
- (o) the part of the costs of maintenance and renewal of civil infrastructure that is not directly incurred by operation of the train service.

2. If the infrastructure manager received funding to finance specific infrastructure investments, which it is not obliged to repay and where such investments are taken into account in the calculation of direct costs, the costs of such investments shall not increase the level of charges without prejudice to Article 32 of Directive 2012/34/EU.

3. Costs excluded from calculation by virtue of this Article shall be measured or forecast on the basis of the time period referred to in Article 3(5).

*Article 5***Calculation and modulation of direct unit costs**

1. The infrastructure manager shall calculate average direct unit costs for the entire network by dividing the direct costs on a network-wide basis by the total number of vehicle kilometres, train kilometres or gross tonne kilometres forecasted for or actually operated.

Alternatively, if the infrastructure manager demonstrates to the regulatory body referred to in Article 55 of Directive 2012/34/EU that the values or parameters mentioned in paragraph 2 are significantly different for different parts of its network, and after splitting its network into such parts, the infrastructure manager shall calculate average direct unit costs for the parts of its network by dividing the direct costs for these parts by the total number of vehicle kilometres, train kilometres or gross tonne kilometres forecast for or actually operated. The period of the forecast may cover several years.

In order to calculate the average direct unit costs, the infrastructure manager may use a combination of vehicle kilometres, train kilometres or gross tonne kilometres provided this method of calculation does not alter the direct causation link with the operation of the train service. Without prejudice to Article 3(3), the infrastructure manager may apply outturn or forecast costs.

2. Member States may allow the infrastructure manager to modulate the average direct unit costs to take into account the different levels of wear and tear caused to the infrastructure according to one or more of the following parameters:

- (a) train length and/or number of vehicles in the train;
- (b) train mass;
- (c) type of vehicle, in particular its unsprung mass;
- (d) train speed;
- (e) traction power of the motorised unit;
- (f) axle weight and/or axle numbers;
- (g) recorded number of wheel flats or the effective use of equipment to protect against wheel slips;
- (h) longitudinal stiffness of vehicles and horizontal forces impacting on the track;
- (i) consumed and measured electric power or the dynamics of pantographs or contact shoes as a parameter to charge for the wear and tear of the overhead wire or the electric rail;
- (j) track parameters, in particular radii;
- (k) any other cost related parameters where the infrastructure manager can demonstrate to the regulatory body that values for each such parameter, including variation to each such parameter where relevant, are objectively measured and recorded.

3. A modulation of the direct unit costs shall not result in an increase of the direct costs on a network-wide basis as referred to in Article 3(1).

4. Additional costs incurred by the diversion, scheduled or otherwise, of trains at the instigation of the infrastructure manager shall not be included in the direct costs incurred by the operation of these train services. The first sentence shall not apply if the railway undertaking is reimbursed for those additional costs by the infrastructure manager or the diversion resulted from a coordination procedure in accordance with Article 46 of Directive 2012/34/EU.

5. The total number of vehicle kilometres, train kilometres, gross tonne kilometres or a combination of those used for the purposes of the calculations made under this Article shall be measured or forecast on the basis of the reference period referred to in Article 3(5).

*Article 6***Cost modelling**

By derogation to Article 3(1) and the first sentence of Article 5(1), the infrastructure manager may calculate direct unit costs by means of robustly evidenced econometric or engineering cost modelling, provided it can demonstrate to the regulatory body that the direct unit costs include only direct costs incurred by the operation of the train service and, in

particular, do not include any of the costs referred to in Article 4. The regulatory body may request the infrastructure manager to calculate for comparison direct unit costs in accordance with Article 3(1) and Article 5(1) or by means of cost modelling in accordance with the first sentence.

Article 7

Simplified control

1. If direct costs on a network-wide basis referred to in Article 3(1) or direct costs calculated on the basis of modelling referred to in Article 6 multiplied by the number of train kilometres, vehicle kilometres and/or gross tonne kilometre, operated in the reference period are equivalent to either less than 15 % of the full costs of maintenance and renewal or less than the sum of 10 % of maintenance costs and 20 % of renewal costs, the regulatory body may carry out the control referred to in Article 56(2) of Directive 2012/34/EU over the calculation of direct costs on a network-wide basis in a simplified manner. Member States may decide to increase the percentages mentioned in this paragraph to not more than twice the indicated values.
2. The regulatory body may accept the calculation of the average direct unit costs referred to in Article 5(1) and the modulated average direct unit costs referred to in Article 5(2) and/or cost modelling referred to in article 6 subject to the simplified control referred to in paragraph 1 of this Article if the average direct costs per train kilometre of a 1 000 tonne train amounts to not more than EUR 2 (at 2005 prices and exchange rates, using an appropriate price index).
3. Simplified controls as referred to in paragraphs 1 and 2 shall be applied independently from one another. Simplified controls shall be without prejudice to Articles 31 or 56 of Directive 2012/34/EU.
4. The regulatory body shall determine the details of the simplified control.

Article 8

Review of the calculation

The infrastructure manager shall regularly update the method of calculation of its direct costs taking into account, inter alia, the best international practice.

Article 9

Transitional provisions

The infrastructure manager shall submit its method of calculation of direct costs and, if applicable, a phasing-in plan to the regulatory body no later than 3 July 2017.

Article 10

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 August 2015.

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

Done at Brussels, 12 June 2015.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2015/910**of 12 June 2015****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 Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽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, 12 June 2015.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General for Agriculture and Rural Development*

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽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	121,2
	MK	79,0
	TR	74,2
	ZZ	91,5
0707 00 05	MK	39,4
	TR	126,8
	ZZ	83,1
0709 93 10	TR	121,8
	ZZ	121,8
0805 50 10	AR	125,0
	BO	147,7
	BR	107,1
	TR	111,0
	ZA	156,3
	ZZ	129,4
	ZZ	129,4
0808 10 80	AR	159,7
	BR	111,0
	CL	127,6
	NZ	150,0
	US	145,8
	ZA	135,2
	ZZ	138,2
	ZZ	138,2
0809 10 00	TR	257,9
	ZZ	257,9
0809 29 00	TR	351,7
	ZZ	351,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2015/911

of 11 June 2015

amending Annex II to Decision 2007/777/EC as regards the entry for Canada in the list of third countries or parts thereof from which the introduction of meat products and treated stomachs, bladders and intestines into the Union is authorised in relation to highly pathogenic avian influenza

(notified under document C(2015) 3790)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2002/99/EC of 16 December 2002 laying down the animal health rules governing the production, processing, distribution and introduction of products of animal origin for human consumption ⁽¹⁾ and in particular the introductory phrase of Article 8, the first subparagraph of point 1 of Article 8, point 4 of Article 8 and Article 9(4)(c) thereof,

Whereas:

- (1) Commission Decision 2007/777/EC ⁽²⁾ lays down animal and public health rules for imports into the Union and the transit and storage in the Union of consignments of meat products and treated stomachs, bladders and intestines ('the commodities').
- (2) Part 1 of Annex II to Decision 2007/777/EC describes the areas of third countries for which the introduction into the Union of the commodities is restricted for animal health reasons and for which regionalisation is applied. Part 2 of that Annex sets out a list of third countries or parts thereof from which the introduction into the Union of the commodities is authorised, provided that the commodities have undergone the relevant treatment, as set out in Part 4 of that Annex.
- (3) Canada is listed in Part 2 of Annex II to Decision 2007/777/EC as a third country from which imports into and transit through the Union of commodities obtained from poultry, farmed feathered game and wild game birds are authorised from the whole territory or certain parts of its territory. The regionalisation of Canada was recognised by Decision 2007/777/EC as amended by Commission Implementing Decision (EU) 2015/204 ⁽³⁾ following outbreaks of HPAI in poultry in the Province of British Columbia in Canada. Decision 2007/777/EC provides that commodities from the affected area may be authorised for introduction into the Union after being subjected to treatment 'D' as set out in Part 4 of Annex II to Decision 2007/777/EC ('treatment D').
- (4) Canada confirmed a new outbreak of HPAI in poultry in the Province of Ontario during April 2015. The veterinary authorities of Canada immediately suspended issuing veterinary certificates for consignments of the concerned commodities intended for introduction to the Union from the entire territory of Canada due to this new outbreak. Canada has also implemented a stamping-out policy in order to control HPAI and limit its spread.

⁽¹⁾ OJ L 18, 23.1.2003, p. 11.

⁽²⁾ Commission Decision 2007/777/EC of 29 November 2007 laying down the animal and public health conditions and model certificates for imports of certain meat products and treated stomachs, bladders and intestines for human consumption from third countries and repealing Decision 2005/432/EC (OJ L 312, 30.11.2007, p. 49).

⁽³⁾ Commission Implementing Decision (EU) 2015/204 of 6 February 2015 amending Annex II to Decision 2007/777/EC as regards the entry for Canada in the list of third countries or parts thereof from which the introduction of meat products and treated stomachs, bladders and intestines into the Union is authorised in relation to highly pathogenic avian influenza (OJ L 33, 10.2.2015, p. 45).

- (5) An Agreement between the Union and Canada ⁽¹⁾ provides for a swift mutual recognition of regionalisation measures in the event of outbreaks of disease in the Union or in Canada ('the Agreement').
- (6) Based on the new outbreak of HPAI in Canada in the Province of Ontario, commodities obtained from poultry, farmed feathered game and wild game birds from those parts of that Province that the veterinary authorities of Canada have placed under restrictions should undergo at least 'treatment D' in order to prevent the introduction of the HPAI virus into the Union.
- (7) In relation to HPAI outbreaks in British Columbia regionalisation of the Canadian territory was also recognised by Commission Regulation (EC) No 798/2008 ⁽²⁾, as amended by Commission Implementing Regulations (EU) 2015/198 ⁽³⁾ and (EU) 2015/908 ⁽⁴⁾ for imports of certain poultry commodities falling within the scope of that Regulation.
- (8) For reasons of consistency, the description of the territories in Part 1 of Annex II to Decision 2007/777/EC should refer to the regionalisation as described in column 3 of the table in Part 1 of Annex I to Regulation (EC) No 798/2008 subject to the dates referred to in columns 6A and 6B of that table.
- (9) Part 1 of Annex II to Decision 2007/777/EC should therefore be amended.
- (10) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision 2007/777/EC is amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 June 2015.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ Agreement between the European Community and the Government of Canada on sanitary measures to protect public and animal health in respect of trade in live animals and animal products as approved on behalf of the Community by Council Decision 1999/201/EC (OJ L 71, 18.3.1999, p. 3).

⁽²⁾ Commission Regulation (EC) No 798/2008 of 8 August 2008 laying down a list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Community and the veterinary certification requirements (OJ L 226, 23.8.2008, p. 1).

⁽³⁾ Commission Implementing Regulation (EU) 2015/198 of 6 February 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Canada in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza (OJ L 33, 10.2.2015, p. 9).

⁽⁴⁾ Commission Implementing Regulation (EU) 2015/908 of 11 June 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for Canada in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza (see page 11 of this Official Journal).

ANNEX

In Part 1 of Annex II to Decision 2007/777/EC the entry for Canada is replaced by the following:

'Canada	CA	01/2015	Whole country
	CA-1	01/2015	Whole country of Canada, excluding the area CA-2
	CA-2	01/2015	The territories of Canada described under CA-2 in column 3 of the table in Part 1 of Annex I to Commission Regulation (EC) No 798/2008, subject to the dates referred to in columns 6A and 6B of that table.'

COMMISSION IMPLEMENTING DECISION (EU) 2015/912**of 12 June 2015****determining the date from which the Visa Information System (VIS) is to start operations in the 21st, 22nd and 23rd regions**

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 21st region where the collection and transmission of data to the Visa Information System (VIS) for all applications should start comprises Andorra, the Holy See, Monaco, and San Marino, the 22nd region where the collection and transmission of data to the VIS for all applications should start comprises Ireland and the United Kingdom, and the 23rd region where the collection and transmission of data to the VIS for all applications should start comprises Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland.
- (2) 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 the 21st, 22nd and 23rd regions.
- (4) Given that Regulation (EC) No 767/2008 builds upon the Schengen *acquis*, Denmark, 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, decided to implement Regulation (EC) No 767/2008 in its national law. Denmark is therefore bound under international law to implement this Decision.
- (5) 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 this Decision or subject to its application.
- (6) 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 this Decision or subject to its application.
- (7) 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* ⁽⁵⁾, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC ⁽⁶⁾.

⁽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).

⁽⁵⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁶⁾ 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).

- (8) 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* ⁽¹⁾, 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 ⁽²⁾.
- (9) 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* ⁽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 2011/350/EU ⁽⁴⁾.
- (10) As regards Cyprus, this Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within, respectively, the meaning of Article 3(2) of the 2003 Act of Accession, of Article 4(2) of the 2005 Act of Accession and of Article 4(2) of the 2011 Act of Accession.
- (11) In view of the need to set the date for the start of the VIS in the 21st, 22nd and 23rd region 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*,

HAS ADOPTED THIS DECISION:

Article 1

The Visa Information System shall start operations in the 21st, 22nd and 23rd regions determined by Implementing Decision 2013/493/EU on 20 November 2015.

Article 2

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

Article 3

This Decision shall apply in accordance with the Treaties.

Done at Brussels, 12 June 2015.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ OJ L 53, 27.2.2008, p. 52.

⁽²⁾ 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).

⁽³⁾ OJ L 160, 18.6.2011, p. 21.

⁽⁴⁾ 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).

COMMISSION IMPLEMENTING DECISION (EU) 2015/913**of 12 June 2015****determining the date from which the Visa Information System (VIS) is to start operations in the twentieth region**

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 twentieth region where the collection and transmission of data to the Visa Information System (VIS) for all applications should start comprises Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, and Sri-Lanka.
- (2) 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 this region, 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 the twentieth region.
- (4) Given that Regulation (EC) No 767/2008 builds upon the Schengen *acquis*, Denmark, 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, decided to implement Regulation (EC) No 767/2008 in its national law. Denmark is therefore bound under international law to implement this Decision.
- (5) 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 this Decision or subject to its application.
- (6) 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 this Decision or subject to its application.
- (7) 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* ⁽⁵⁾, which fall within the area referred to in Article 1, point B of Council Decision 1999/437/EC ⁽⁶⁾.

⁽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).

⁽⁵⁾ OJ L 176, 10.7.1999, p. 36.

⁽⁶⁾ 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).

- (8) 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* ⁽¹⁾, 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 ⁽²⁾.
- (9) 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* ⁽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 2011/350/EU ⁽⁴⁾.
- (10) This Decision constitutes an act building upon, or otherwise related to, the Schengen *acquis* within respectively, the meaning of Article 3(2) of the 2003 Act of Accession, of Article 4(2) of the 2005 Act of Accession and of Article 4(2) of the 2011 Act of Accession.
- (11) In view of the need to set the date for the start of the VIS in the twentieth region 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*,

HAS ADOPTED THIS DECISION:

Article 1

The Visa Information System shall start operations in the twentieth region determined by Implementing Decision 2013/493/EU on 2 November 2015.

Article 2

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

Article 3

This Decision shall apply in accordance with the Treaties.

Done at Brussels, 12 June 2015.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ OJ L 53, 27.2.2008, p. 52.

⁽²⁾ 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).

⁽³⁾ OJ L 160, 18.6.2011, p. 21.

⁽⁴⁾ 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).

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2015/914

of 8 June 2015

on a European resettlement scheme

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union and in particular Article 292 fourth sentence thereof,

Whereas:

- (1) The European Council meeting in extraordinary session on 23 April 2015 recalled the seriousness of the situation in the Mediterranean and expressed its determination that the Union should mobilise all efforts at its disposal to prevent further loss of life at sea and to tackle the root causes of the humanitarian emergency. The European Council further committed to set up a first voluntary pilot project on resettlement across the Union, offering places to persons qualifying for protection ⁽¹⁾.
- (2) In its resolution of 29 April 2015, the European Parliament called upon the Member States to make greater contributions to existing resettlement programmes and stressed the need to ensure safe and legal access to the Union asylum system ⁽²⁾.
- (3) There is currently a significant imbalance between Member States as regards the commitment to resettle persons. Only 15 Member States and three Associated States have a resettlement programme (with one further Member State announcing the start of a resettlement programme), three Member States and one Associated State have carried out resettlement on an ad hoc basis, while the others do not engage in resettlement at all.
- (4) In 2014, the number of asylum applicants in the Union reached a peak of 626 000, while 6 380 third-country nationals in need of international protection were resettled in the Union ⁽³⁾. The number of refugees, asylum-seekers and internally displaced people worldwide in 2013 exceeded 50 million people, for the first time since World War II ⁽⁴⁾.
- (5) The Justice and Home Affairs Council Conclusions of 10 October 2014 acknowledged that '[...] while taking into account the efforts carried out by Member States affected by migratory flows, all Member States should give their contribution to [resettlement] in a fair and balanced manner' ⁽⁵⁾.
- (6) On 13 May 2015, the Commission presented a comprehensive European Agenda on Migration ⁽⁶⁾ that, inter alia, defines a set of immediate measures tailored to respond to the human tragedy in the whole of the Mediterranean.
- (7) To avoid displaced persons in need of protection having to resort to the criminal networks of smugglers and traffickers, the Agenda calls the European Union to step up its resettlement efforts. Accordingly, the Commission is making this Recommendation proposing for an EU-wide resettlement scheme to offer 20 000 places on the basis of a distribution key.
- (8) In case Associated States decide to participate, the distribution key and allocations per each Member State and participating Associated State would be adapted accordingly.

⁽¹⁾ Point 3(q), European Council Statement, 23 April 2015, EUCO 18/15.

⁽²⁾ Points 8 and 10, European Parliament Resolution, 29 April 2015, 2015/2660(RSP).

⁽³⁾ Source: Eurostat.

⁽⁴⁾ Source: Global Trend 2013 Report, UNHCR.

⁽⁵⁾ Council conclusions on 'Taking action to better manage migratory flows', Justice and Home Affairs Council meeting, 10 October 2014.

⁽⁶⁾ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European Agenda on Migration, 13 May 2015, COM(2015) 240 final.

- (9) In the light of previous discussions during a dedicated meeting of the Resettlement and Relocation Forum on 25 November 2014, the distribution key should be based on (a) the size of the population (40 % weighting), (b) the total GDP (40 % weighting), (c) the average number of spontaneous asylum applications and the number of resettled refugees per million inhabitants over the period 2010-2014 (10 % weighting), and (d) the unemployment rate (10 % weighting).
- (10) A total of 20 000 persons should be admitted to the Union during a 2-year period of implementation of this scheme by the Member States. The responsibility for hosting such persons should lie solely with the participating States, in line with the relevant Union and international rules. This corresponds to the call by the United Nations High Commissioner for Refugees (UNHCR) who urged European countries to make larger commitments to receive refugees through sustainable resettlement programmes, endorsing the campaign led by the International Organisation for Migration and five non-governmental organisations.
- (11) In identifying the priority regions, the situation in the neighbourhood and the current migratory flows should be taken into account, in particular the link with the Regional Development and Protection Programmes in the Middle East, North Africa and the Horn of Africa.
- (12) The experience and expertise of the UNHCR and other relevant bodies, including the European Asylum Support Office, should be called upon to assist in the implementation of the resettlement scheme.
- (13) Measures should be taken in order to avoid secondary movements of resettled persons from the State of resettlement to other Member States and participating Associated States.
- (14) The Commission envisages contributing to the scheme by making available an extra EUR 50 million in the years 2015 and 2016 under the Union Resettlement Programme, set out in Article 17 of Regulation (EU) No 516/2014 of the European Parliament and of the Council⁽¹⁾. In order to optimise the use of the financial incentives, the Commission will adjust the lump sums and resettlement priorities provided for in that programme through a delegated act, in accordance with Article 17(4) and (10) of Regulation (EU) No 516/2014. In case the Associated States decide to participate in the resettlement scheme, they could not benefit from lump sums under Regulation (EU) No 516/2014 in compensation for their pledges,

HAS ADOPTED THIS RECOMMENDATION:

EUROPEAN RESETTLEMENT SCHEME

1. The Commission recommends that Member State resettle 20 000 people in need of international protection on the basis of the conditions and the distribution key laid down in this Recommendation.

DEFINITION AND SCOPE OF THE RESETTLEMENT SCHEME

2. 'Resettlement' means the transfer of individual displaced persons in clear need of international protection, on request of the United Nations High Commissioner for Refugees, from a third country to a Member State, in agreement with the latter, with the objective of protecting against refoulement and admitting and granting the right to stay and any other rights similar to those granted to a beneficiary of international protection.
3. The European resettlement scheme should cover all Member States.

CONTENT OF THE RESETTLEMENT SCHEME

4. The scheme should consist of a single European pledge of 20 000 resettlement places for persons to be resettled. The duration of the scheme should be 2 years from the date of the adoption of the Recommendation.
5. The overall pledged resettlement places should be allocated to Member States in accordance with the distribution key in the Annex. In case Associated States decide to participate in the scheme, the distribution key would be adapted accordingly.

⁽¹⁾ Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168).

6. The priority regions for resettlement should include North Africa, the Middle East, and the Horn of Africa, focusing in particular on the countries where the Regional Development and Protection Programmes are implemented.
7. Member States and the participating Associated States should remain responsible for individual admission decisions, following adequate medical and security checks, while the United Nations High Commissioner for Refugees should be responsible for the assessment of candidates for resettlement in the priority regions and submitting proposals for resettlement to the Member States and the participating Associated States.
8. When a resettled person is admitted to the territory of a Member State or a participating Associated State, that State should conduct a formal procedure for international protection, including the taking of fingerprints, in a swift manner and in accordance with the applicable legislation, in particular Regulation (EU) No 603/2013 of the European Parliament and of the Council ⁽¹⁾, Directive 2011/95/EU of the European Parliament and of the Council ⁽²⁾, Council Directive 2005/85/EC ⁽³⁾, Council Directive 2003/9/EC ⁽⁴⁾, and, as from 20 July 2015 Directives 2013/32/EU ⁽⁵⁾ and 2013/33/EU of the European Parliament and of the Council ⁽⁶⁾.
9. After this process, where international protection or national protection status is granted by a Member State to a resettled person, that person should enjoy, in the resettling Member State, the rights guaranteed to beneficiaries of international protection by Directive 2011/95/EU or similar rights guaranteed by national law. In that context, free movement within the Union should be submitted to the same conditions and restrictions applicable to other third-country nationals legally resident in the Member States. In the case of participating Associated States, equivalent national legislation should apply.
10. Candidates for resettlement should be informed of their rights and obligations, under the resettlement scheme as well as under relevant Union and national asylum legislation, prior to their admission to the territory of the Member States or of participating Associated States, in particular of the consequences of onward movement within the Union and/or participating Associated States and of the fact that they are only entitled to the rights attached to international protection or national protection status in the State of resettlement.
11. Resettled persons who enter into the territory of a Member State or of a participating Associated State other than the State of resettlement without authorisation, either pending the completion of the formal international protection procedure or after granting of international protection, should be sent back to the State of resettlement, pursuant to the rules laid down in Regulation (EU) No 604/2013 of the European Parliament and of the Council ⁽⁷⁾ and Directive 2008/115/EC of the European Parliament and of the Council ⁽⁸⁾.
12. Practical involvement of the European Asylum Support Office in the implementation of the scheme should be ensured, in particular, to provide special support to Member States and to participating Associated States, especially those which have no prior experience with resettlement. The European Asylum Support Office should monitor the implementation of the scheme and report regularly on the implementation.

⁽¹⁾ Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (OJ L 180, 29.6.2013, p. 1).

⁽²⁾ Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9).

⁽³⁾ Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (OJ L 326, 13.12.2005, p. 13).

⁽⁴⁾ Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers (OJ L 31, 6.2.2003, p. 18).

⁽⁵⁾ Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60).

⁽⁶⁾ Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96).

⁽⁷⁾ Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (OJ L 180, 29.6.2013, p. 31).

⁽⁸⁾ Article 6(2) of Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals (OJ L 348, 24.12.2008, p. 98).

13. Member States should be entitled to receive a financial allocation in proportion of the number of persons resettled in their territory in accordance with the lump sums set out in Article 17 of Regulation (EU) No 516/2014, as adjusted by Commission Delegated Regulation (EU) No xxx/2015 ⁽¹⁾.

ADDRESSEES

14. This Recommendation is addressed to the Member States.

Done at Brussels, 8 June 2015.

For the Commission
Dimitris AVRAMOPOULOS
Member of the Commission

⁽¹⁾ Still to be tabled.

ANNEX

Member States	Key (%)	Allocation
Austria	2,22	444
Belgium	2,45	490
Bulgaria	1,08	216
Croatia	1,58	315
Cyprus	0,34	69
Czech Republic	2,63	525
Denmark	1,73	345
Estonia	1,63	326
Finland	1,46	293
France	11,87	2 375
Germany	15,43	3 086
Greece	1,61	323
Hungary	1,53	307
Ireland	1,36	272
Italy	9,94	1 989
Latvia	1,10	220
Lithuania	1,03	207
Luxembourg	0,74	147
Malta	0,60	121
Netherlands	3,66	732
Poland	4,81	962
Portugal	3,52	704
Romania	3,29	657
Slovakia	1,60	319
Slovenia	1,03	207
Spain	7,75	1 549
Sweden	2,46	491
United Kingdom	11,54	2 309

The key is based on the following criteria ⁽¹⁾ ⁽²⁾:

- (a) The size of the population (2014 figures, 40 % weighting). This criterion reflects the capacity of a Member State to absorb a certain number of refugees;
 - (b) Total GDP (2013 figures, 40 % weighting). This criterion reflects the absolute wealth of country and is indicative for the capacity of an economy to absorb and integrate refugees;
 - (c) Average number of spontaneous asylum applications and the number of resettled refugees per million inhabitants over the period 2010-2014 (10 % weighting). This criterion reflects the efforts made by Member States in the recent past;
 - (d) Unemployment rate (2014 figures, 10 % weighting). This criterion reflects the capacity to integrate refugees.
-

⁽¹⁾ Calculations are based on statistical information provided by Eurostat (consulted on 8 April 2015).

⁽²⁾ The percentage calculations were made to five decimal places and rounded up or down to two decimal places for presentation in the table; allocations of persons were made on the basis of the full figures to five decimal places.

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2015 OF THE JOINT COMMITTEE ESTABLISHED UNDER ARTICLE 14 OF THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND ITS MEMBER STATES, OF THE ONE PART, AND THE SWISS CONFEDERATION, OF THE OTHER, ON THE FREE MOVEMENT OF PERSONS

of 8 June 2015

**amending Annex III (Mutual recognition of professional qualifications) to that Agreement
[2015/915]**

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons ⁽¹⁾ ('the Agreement'), and in particular Articles 14 and 18 thereof,

Whereas:

- (1) The Agreement was signed on 21 June 1999 and entered into force on 1 June 2002.
- (2) Annex III (Mutual recognition of professional qualifications) to the Agreement was replaced by Decision No 2/2011 of the EU-Swiss Joint Committee ⁽²⁾ and should be updated to take into account new legal acts of the European Union and Switzerland since that date,

HAS ADOPTED THIS DECISION:

Article 1

Annex III (Mutual recognition of professional qualifications) to the Agreement is amended as set out in the Annex to this Decision.

Article 2

This Decision is drawn up in Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages, the texts in each of these languages being equally authentic.

Article 3

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

Done at Brussels, 8 June 2015.

For the Joint Committee
The Chairperson
Gianluca GRIPPA

⁽¹⁾ OJ L 114, 30.4.2002, p. 6.

⁽²⁾ OJ L 277, 22.10.2011, p. 20.

ANNEX

Annex III (Mutual recognition of professional qualifications) to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons is hereby amended as follows:

1. under 'SECTION A: ACTS REFERRED TO' the following indents are added to point 1a:

- Commission Regulation (EU) No 623/2012 of 11 July 2012 amending Annex II to Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications (OJ L 180, 12.7.2012, p. 9),
- Communication from the Commission — Notification of the professional associations or organisations fulfilling the conditions of Article 3(2) listed under Annex I to Directive 2005/36/EC (OJ C 182, 23.6.2011, p. 1),
- Communication from the Commission — Notification of evidence of formal qualifications — Directive 2005/36/EC on recognition of professional qualifications (Annex V) (OJ C 183, 24.6.2011, p. 1),
- Communication from the Commission — Notification of evidence of formal qualifications — Directive 2005/36/EC on recognition of professional qualifications (Annex V) (OJ C 367, 16.12.2011, p. 5),
- Communication from the Commission — Notification of evidence of formal qualifications — Directive 2005/36/EC on recognition of professional qualifications (Annex V) (OJ C 244, 14.8.2012, p. 1),
- Communication from the Commission — Notification of evidence of formal qualifications — Directive 2005/36/EC on recognition of professional qualifications (Annex V) (OJ C 396, 21.12.2012, p. 1),
- Communication from the Commission — Notification of evidence of formal qualifications — Directive 2005/36/EC on recognition of professional qualifications (Annex V) (OJ C 183, 28.6.2013, p. 4),
- Communication from the Commission — Notification of evidence of formal qualifications — Directive 2005/36/EC on recognition of professional qualifications (Annex V) (OJ C 301, 17.10.2013, p. 1).;

2. in point 1g, the following entries are added:

'Country	Title
Medical oncology Minimum period of training: 5 years	
Switzerland	Medizinische Onkologie Oncologie médicale Oncologia medica
Country	Title
Medical genetics Minimum period of training: 4 years	
Switzerland	Medizinische Genetik Génétique médicale Genetica medica'

3. in point 1g, the entry concerning the heading 'General (internal) medicine' is replaced by the following:

'Country	Title
General (internal) medicine Minimum period of training: 5 years	
Switzerland	Allgemeine Innere Medizin Médecine interne générale Medicina interna generale'

4. in point 1i, the following entry is added:

'Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Professional title	Reference date
Switzerland	3. Diplomierte Pflegefachfrau HF, diplomierter Pflegefachmann HF Infirmière diplômée ES, infirmier diplômé ES Infermiera diplomata SSS, infermiere diplomato SSS	Höhere Fachschulen, die staatlich anerkannte Bildungsgänge durchführen Écoles supérieures qui proposent des filières de formation reconnues par l'État Scuole specializzate superiori che propongono dei cicli di formazione riconosciuti dallo Stato	Pflegefachfrau, Pflegefachmann Infirmière, infirmier Infermiera, infermiere	1 June 2002'

5. in point 1m, the table is replaced by the following:

'Country	Evidence of formal qualifications	Body awarding the evidence of qualifications	Professional title	Reference date
Switzerland	1. Diplomierte Hebamme Sage-femme diplômée Levatrice diplomata	Schulen, die staatlich anerkannte Bildungsgänge durchführen Écoles qui proposent des filières de formation reconnues par l'État Scuole che propongono dei cicli di formazione riconosciuti dallo Stato	Hebamme Sage-femme Levatrice	1 June 2002
	2. [Bachelor of Science [Name of the UAS] in Midwifery] "Bachelor of Science HES-SO de Sage-femme" (Bachelor of Science HES-SO in Midwifery) "Bachelor of Science BFH Hebamme" (Bachelor of Science BFH in Midwifery) "Bachelor of Science ZFH Hebamme" (Bachelor of Science ZHAW in Midwifery)	Schulen, die staatlich anerkannte Bildungsgänge durchführen Écoles qui proposent des filières de formation reconnues par l'État Scuole che propongono dei cicli di formazione riconosciuti dallo Stato	Hebamme Sage-femme Levatrice	1 June 2002'

