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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2016/828

of 21 April 2016

on the conclusion, on behalf of the Union, of the Amending Protocol to the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 115 in conjunction with Article 218(6)(b) and the second subparagraph of Article 218(8),

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Whereas:

- (1) In accordance with Council Decision (EU) 2015/2469 ⁽²⁾, the Amending Protocol to the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments (the 'Amending Protocol') was signed on 8 December 2015, subject to its conclusion at a later date.
- (2) The text of the Amending Protocol, which is the result of negotiations, duly reflects the negotiating directive issued by the Council as it aligns the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments ⁽³⁾ (the 'Agreement') with the latest developments at international level concerning automatic exchange of information, namely, with the Global Standard for automatic exchange of financial account information in tax matters developed by the Organisation for Economic Cooperation and Development (OECD). The Union, the Member States and the Republic of San Marino have actively participated in the work of the Global Forum of the OECD for supporting the development and implementation of that Standard. The text of the Agreement, as amended by this Amending Protocol, is to be the legal basis for implementing the Global Standard in the relations between the Union and the Republic of San Marino.
- (3) The European Data Protection Supervisor was consulted in accordance with Article 28(2) of Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽⁴⁾.
- (4) The Amending Protocol should be approved,

⁽¹⁾ Opinion of 3 March 2016 (not yet published in the Official Journal).

⁽²⁾ Council Decision (EU) 2015/2469 of 8 December 2015 on the signing, on behalf of the Union, and provisional application of the Amending Protocol to the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments (OJ L 346, 31.12.2015, p. 1).

⁽³⁾ OJ L 381, 28.12.2004, p. 33.

⁽⁴⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The Amending Protocol to the Agreement between the European Community and the Republic of San Marino providing for measures equivalent to those laid down in Council Directive 2003/48/EC on taxation of savings income in the form of interest payments is hereby approved on behalf of the Union ⁽¹⁾.

Article 2

1. The President of the Council shall, on behalf of the Union, give the notification provided for in Article 2(1) of the Amending Protocol.
2. The Commission shall notify the Republic of San Marino and the Member States of the notifications received in accordance with Article 1(l)(d) of the Agreement as resulting from the Amending Protocol.

Article 3

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

Done at Luxembourg, 21 April 2016.

For the Council
The President
G.A. VAN DER STEUR

⁽¹⁾ The text of the Amending Protocol has been published in OJ L 346, 31.12.2015, p. 3, together with the decision on signature and provisional application.

COUNCIL DECISION (Euratom) 2016/829**of 12 May 2016**

approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from the European Commission,

Whereas:

- (1) In accordance with Article 6(2) of the 2011 Act of Accession, the accession of the Republic of Croatia to an agreement signed or concluded by the Member States and the Union with third countries or international organisations is to be agreed by means of a protocol to that agreement. In accordance with that Article, a simplified procedure is to apply to such accession, whereby a protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third country concerned.
- (2) On 14 September 2012, the Council authorised the Commission to open negotiations for the adaptation of agreements signed or concluded between the Union, or the Union and its Member States, and one or more third countries or international organisations, in view of the accession of the Republic of Croatia to the Union.
- (3) The negotiations were successfully concluded with the Republic of Tajikistan by the initialling of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part ⁽¹⁾, to take account of the accession of the Republic of Croatia to the Union ('the Protocol').
- (4) The signature and conclusion of the Protocol are subject to a separate procedure as regards matters falling within the competence of the Union and its Member States.
- (5) The conclusion, by the Commission, of the Protocol should be approved as regards matters falling within the competence of the European Atomic Energy Community,

HAS ADOPTED THIS DECISION:

Article 1

The conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union, is hereby approved ⁽²⁾.

⁽¹⁾ OJ L 350, 29.12.2009, p. 3.

⁽²⁾ The text of the Protocol is attached to the Decision on the conclusion, on behalf of the European Union and its Member States, of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union.

Article 2

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

Done at Brussels, 12 May 2016.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (EU) 2016/830**of 12 May 2016**

on the signing, on behalf of the European Union and its Member States, of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2) and Articles 207 and 209, in conjunction with Article 218(5), thereof,

Having regard to the 2011 Act of Accession of the Republic of Croatia, and in particular Article 6(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with Article 6(2) of the 2011 Act of Accession, the accession of the Republic of Croatia to an agreement signed or concluded by the Member States and the Union with third countries or international organisations is to be agreed by means of a protocol to that agreement. In accordance with that Article, a simplified procedure is to apply to such accession, whereby a protocol is to be concluded by the Council, acting unanimously on behalf of the Member States, and by the third country concerned.
- (2) On 14 September 2012, the Council authorised the Commission to open negotiations for the adaptation of agreements signed or concluded between the Union, or the Union and its Member States, and one or more third countries or international organisations, in view of the accession of the Republic of Croatia to the Union.
- (3) The negotiations were successfully concluded with the Republic of Tajikistan by the initialling of a Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part ⁽¹⁾, to take account of the accession of the Republic of Croatia to the Union ('the Protocol').
- (4) The Protocol should be signed on behalf of the Union and its Member States,

HAS ADOPTED THIS DECISION:

Article 1

The signing, on behalf of the Union and its Member States, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Tajikistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union is hereby authorised, subject to the conclusion of that Protocol ⁽²⁾.

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 and its Member States.

⁽¹⁾ OJ L 350, 29.12.2009, p. 3.

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

Article 3

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

Done at Brussels, 12 May 2016.

For the Council
The President
F. MOGHERINI

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2016/831

of 25 May 2016

amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin

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⁾, and in particular Article 183(b) thereof,

Having regard to Regulation (EU) No 510/2014 of the European Parliament and of the Council of 16 April 2014 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products and repealing Council Regulations (EC) No 1216/2009 and (EC) No 614/2009 ⁽²⁾, and in particular Article 5(6)(a) thereof,

Whereas:

- (1) Commission Regulation (EC) No 1484/95 ⁽³⁾ lays down detailed rules for implementing the system of additional import duties and fixes representative prices in the poultrymeat and egg sectors and for egg albumin.
- (2) Regular monitoring of the data used to determine representative prices for poultrymeat and egg products and for egg albumin shows that the representative import prices for certain products should be amended to take account of variations in price according to origin.
- (3) Regulation (EC) No 1484/95 should be amended accordingly.
- (4) Given the need to ensure that this measure applies as soon as possible after the updated data have been made available, this Regulation should enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1484/95 is replaced by the text set out 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*.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 150, 20.5.2014, p. 1.

⁽³⁾ Commission Regulation (EC) No 1484/95 of 28 June 1995 laying down detailed rules for implementing the system of additional import duties and fixing representative prices in the poultrymeat and egg sectors and for egg albumin, and repealing Regulation (EEC) No 163/67 (OJ L 145, 29.6.1995, p. 47).

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

Done at Brussels, 25 May 2016.

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

ANNEX

'ANNEX I

CN code	Description	Representative price (EUR/100 kg)	Security under Article 3 (EUR/100 kg)	Origin ⁽¹⁾
0207 12 10	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as '70 % chickens', frozen	130,1	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as '65 % chickens', frozen	131,7 161,9	0 0	AR BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	281,1 188,4 280,0 207,3	6 36 6 28	AR BR CL TH
0207 27 10	Turkeys, boneless cuts, frozen	334,8 197,0	0 30	BR CL
0408 91 80	Eggs, not in shell, dried	380,2	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	185,0	32	BR

⁽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'.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/832**of 26 May 2016****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, 26 May 2016.

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	IL	428,2
	MA	117,6
	TR	60,8
	ZZ	202,2
0707 00 05	TR	99,6
	ZZ	99,6
0709 93 10	TR	128,9
	ZZ	128,9
0805 10 20	EG	51,6
	IL	42,2
	MA	54,6
	TR	59,2
	ZA	84,5
	ZZ	58,4
0805 50 10	AR	78,6
	TR	143,1
	ZA	181,4
	ZZ	134,4
0808 10 80	AR	111,7
	BR	98,9
	CL	125,3
	CN	139,8
	NZ	157,0
	US	191,3
	ZA	108,9
	ZZ	133,3
0809 29 00	TR	601,9
	US	904,6
	ZZ	753,3

⁽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

COUNCIL DECISION (EU) 2016/833

of 17 May 2016

establishing the position to be adopted, on behalf of the European Union, at the 54th session of the Committee of Experts for the Carriage of Dangerous Goods set up by the Intergovernmental Organisation for International Carriage by Rail (OTIF) as regards certain amendments to Appendix C to the Convention concerning International Carriage by Rail

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Union acceded to the Convention concerning International Carriage by Rail of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999 ('COTIF Convention'), by virtue of Council Decision 2013/103/EU ⁽¹⁾.
- (2) All Member States, with the exception of Cyprus and Malta, are contracting parties to and apply the COTIF Convention.
- (3) Directive 2008/68/EC of the European Parliament and of the Council ⁽²⁾ lays down requirements for the transport of dangerous goods by road, by rail or by inland waterway within or between Member States. It does so, inter alia, by referring to the Regulations concerning the International Carriage of Dangerous Goods by Rail, which appear as Appendix C to the COTIF Convention ('RID'). In addition, Article 4 of Directive 2008/68/EC provides that the transport of dangerous goods between Member States and third countries is to be authorised in so far as it complies with the requirements of the RID, unless otherwise indicated in the Annexes.
- (4) At its 54th session, due to take place on 25 May 2016, the Committee of Experts for the Carriage of Dangerous Goods ('RID Expert Committee') set up in accordance with point (d) of Article 13§ 1 of the COTIF Convention is expected to decide upon certain amendments to the RID. The objective of those amendments, which concern technical standards or uniform technical prescriptions, is to ensure safe and efficient transport of dangerous goods whilst taking into account scientific and technical progress in the sector as well as the development of new substances and articles that pose a danger during the transport of those goods.
- (5) The committee on the transport of dangerous goods established by Directive 2008/68/EC has carried out preliminary discussions on the proposed amendments.
- (6) All of the proposed amendments are justified and beneficial, and should therefore be supported by the Union.
- (7) The position of the Union at the 54th session of the RID Expert Committee should therefore be based on the Annex to this Decision,

⁽¹⁾ Council Decision 2013/103/EU of 16 June 2011 on the signing and conclusion of the Agreement between the European Union and the Intergovernmental Organisation for International Carriage by Rail on the Accession of the European Union to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999 (OJ L 51, 23.2.2013, p. 1).

⁽²⁾ Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on behalf of the European Union at the 54th session of the RID Expert Committee in the framework of the COTIF Convention shall be in accordance with the Annex to this Decision.
2. Minor changes to the documents mentioned in the Annex to this Decision may be agreed upon by the representatives of the Union in the RID Expert Committee without further decision of the Council.

Article 2

The decisions of the RID Expert Committee, once adopted, shall be published in the *Official Journal of the European Union*, indicating the date of their entry into force.

Article 3

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

Done at Brussels, 17 May 2016.

For the Council
The President
M.H.P. VAN DAM

ANNEX

Proposal	Reference document	Issue	Comments	Union position
1	OTIF/RID/CE/GTP/2015/2 OTIF/RID/CE/GTP/INF.14 OTIF/RID/CE/GTP/INF.15	Inclusion of obligations for Entities in Charge of Maintenance (ECM) in RID	Technical consensus at the OTIF Standing Working Group to adopt a text as amended	Agree with the amendments as revised in the Standing Working Group
2	OTIF/RID/CE/GTP/2015/3	Amendment of special provision TU 16 in RID/ADR/ADN Chapter 4.3	Technical consensus at the OTIF Standing Working Group	Agree with the amendments as revised in the Standing Working Group
3	OTIF/RID/CE/GTP/2015/5	Carrier's duty to inform the train driver of the position of dangerous goods in the train	Technical consensus at the OTIF Standing Working Group	Agree with the amendments as revised in the Standing Working Group
4	OTIF/RID/CE/GTP/2015/6	Flexible bulk containers	Technical consensus at the OTIF Standing Working Group	Agree with the text for flexible bulk containers in OTIF/RID/CE/GTP/2015/12
5	OTIF/RID/CE/GTP/2015/7	Definitions of 'full load'/'wagon load'	Technical consensus at the OTIF Standing Working Group	Agree with the amendments
6	OTIF/RID/CE/GTP/2015/12 OTIF/RID/CE/GTP/2015/INF.2 OTIF/RID/CE/GTP/2015/INF.3	Various consolidated amendments agreed by the standing working group	Technical consensus at the OTIF Standing Working Group	Agree with the amendments
7	Idem	Amendments left for further examination by the Standing Working Group	—	—
8	Idem	Those calling for a common view from the UN-ECE — OTIF Joint Meeting	Efficient multimodal transport needs to be facilitated	Agree with the amendments as recommended by the Joint Meeting
9	OTIF/RID/CE/GTP/2015/14	Notifications of occurrences involving dangerous goods in accordance with RID 1.8.5; Hamburg-Billwerder, 3 July 2013	Technical consensus at the OTIF Standing Working Group	Agree with the amendments as revised in the Standing Working Group
10	OTIF/RID/CE/GTP/2015/INF.4	Protective distance for road vehicles	Technical consensus at the OTIF Standing Working Group	Agree with the amendments

COUNCIL DECISION (EU) 2016/834**of 20 May 2016**

on the position to be taken on behalf of the European Union within the Joint Committee set up under the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union, with regard to the adoption of the rules of procedure of the Joint Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular point (a) of Article 77(2) in conjunction with Article 218(9) thereof,

Having regard to Council Decision 2013/521/EU of 7 October 2013 on the conclusion of the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union ⁽¹⁾,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union ⁽²⁾ ('the Agreement') entered into force on 1 December 2014.
- (2) Article 10 of the Agreement provides that a Joint Committee of experts ('the Committee') is to be set up by the Parties.
- (3) Article 10(4) of the Agreement provides that the Committee is to establish its rules of procedure. The rules of procedure are necessary to organise the work of the Committee which has been assigned the task of managing the Agreement and of monitoring its implementation.
- (4) It is therefore appropriate to establish the position to be adopted on the Union's behalf within the Committee, with regard to the adoption of the rules of procedure of the Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be adopted on the Union's behalf within the Joint Committee set up under the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union, with regard to the adoption of the rules of procedure of the Joint Committee, shall be based on the draft decision of the Joint Committee attached to this Decision.

⁽¹⁾ OJ L 282, 24.10.2013, p. 1.

⁽²⁾ OJ L 282, 24.10.2013, p. 3.

2. Minor technical corrections to the draft decision may be agreed by the representatives of the Union in the Joint Committee without further decision of the Council.

Article 2

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

Done at Brussels, 20 May 2016.

For the Council

The President

K.H.D.M. DIJKHOFF

DRAFT

**DECISION No .../2016 OF THE JOINT COMMITTEE SET UP UNDER THE AGREEMENT
BETWEEN THE EUROPEAN UNION AND THE REPUBLIC OF CAPE VERDE ON FACILITATING
THE ISSUE OF SHORT-STAY VISAS TO CITIZENS OF THE REPUBLIC OF CAPE VERDE AND OF
THE EUROPEAN UNION**

of ...

with regard to the adoption of its rules of procedure

THE JOINT COMMITTEE,

Having regard to the Agreement between the European Union and the Republic of Cape Verde on facilitating the issue of short-stay visas to citizens of the Republic of Cape Verde and of the European Union ('the Agreement'), and in particular Article 10(4) thereof,

Whereas the Agreement entered into force on 1 December 2014,

HAS ADOPTED THIS DECISION:

Article 1

Chairmanship

The Joint Committee ('the Committee') shall be chaired jointly by a representative of the European Union and a representative of the Republic of Cape Verde.

Article 2

Tasks of the Committee

1. In accordance with Article 10(2) of the Agreement, the Committee shall, in particular, have the following tasks:
 - (a) monitoring the implementation of the Agreement;
 - (b) proposing amendments or additions to the Agreement;
 - (c) settling disputes arising from the interpretation or application of the provisions in the Agreement.
2. The Committee may agree on recommendations containing guidelines or 'best practices' to assist in the implementation of the Agreement.

Article 3

Meetings

1. The Committee shall meet whenever necessary at the request of the Parties and at least once per year.
2. The Parties shall take turns in hosting the meeting unless otherwise agreed.
3. Meetings of the Committee shall be convened by the Co-chairs.
4. The Co-chairs shall establish a date for the meeting and exchange such documents as necessary in time to ensure adequate preparation, if possible, 14 days prior to the meeting.
5. The Party hosting a meeting shall arrange logistical matters.

*Article 4***Delegations**

1. The Parties shall notify each other of the intended composition of their delegation at least seven days before each meeting.
2. The European Union shall be represented by the Commission, assisted by experts from the Member States.

*Article 5***Agenda for the meetings**

1. A provisional agenda for each meeting shall be drawn up by the Co-chairs no later than 14 days before the meeting. The provisional agenda shall include the items in respect of which a request for inclusion in the agenda has been received by either of the Co-chairs no later than 14 days before the meeting.
2. Either Party may add items to the provisional agenda at any time prior to the meeting if the other Party agrees. Requests to add items to the provisional agenda shall be sent in writing and shall be accommodated to the extent possible.
3. The final agenda shall be adopted by the Co-chairs at the beginning of each meeting. An item not appearing on the provisional agenda may be placed on the agenda if the Parties agree and shall be accommodated to the extent possible.

*Article 6***Minutes of the meeting**

1. A draft of the minutes shall be prepared as soon as possible by the Co-chair of the Party hosting the meeting.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
 - (a) the documentation submitted to the Committee;
 - (b) statements which a Party has requested to be entered; and
 - (c) decisions taken, recommendations made and conclusions adopted on a specific item.
3. The minutes shall also indicate the individuals of the respective delegations participating, with the ministry, agency or institution they represent.
4. The minutes shall be approved by the Committee at its following meeting.

*Article 7***Decisions and recommendations of the Committee**

1. The Committee shall take decisions by agreement of both Parties.
2. Decisions of the Committee shall be entitled 'Decisions' followed by a serial number and by a description of their subject matter. The date the decision takes effect shall also be indicated. Decisions shall be signed by representatives of the Committee who are authorised to act on behalf of the Parties. Decisions shall be drawn up in duplicate, each copy being equally authentic.
3. Paragraphs 1 and 2 shall apply *mutatis mutandis* to recommendations of the Committee.

*Article 8***Expenses**

1. Each Party shall be responsible for the expenses it incurs by reason of their participation in the meetings of the Committee, including staff, travel and subsistence expenditure and postal or telecommunications expenditure.
2. Other expenses arising from the organisation of the meetings shall generally be covered by the Party hosting the meeting.

*Article 9***Administrative procedures**

1. Unless the Committee decides otherwise, the meetings of the Committee shall not be open to the public.
2. Minutes and other documents of the Committee shall be treated confidentially.
3. Participants other than officials of the Parties and the Member States may be invited by agreement of both Co-Chairs and they shall be subject to the same confidentiality requirements.
4. The Parties may organise public briefings or otherwise inform interested members of the public of the results of the Committee meetings.

*Article 10***Entry into force**

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

Done at ...,

For the European Union

For The Republic of Cape Verde

JOINT DECLARATION ANNEXED TO THE RULES OF PROCEDURE

In order to ensure the continued, harmonized and correct implementation of the Agreement, the Republic of Cape Verde, the Member States and the European Commission shall undertake informal contacts between formal meetings of the Joint Committee, in order to deal with urgent issues. They shall report to the next meeting of the Joint Committee thereafter about those issues and informal contacts.

COMMISSION DECISION (EU) 2016/835**of 25 May 2016****on the renewal of the mandate of the European Group on Ethics in Science and New Technologies**

THE EUROPEAN COMMISSION,

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

Whereas:

- (1) Article 2 of the Treaty on European Union enshrines the values on which the Union is founded and Article 6 accords the Charter of Fundamental Rights the same legal value as the Treaties and establishes that fundamental rights shall constitute general principles of Union law.
- (2) On 20 November 1991, the European Commission decided to incorporate ethics into the decision-making process for Community research and technological development policies by setting up the Group of Advisers on the Ethical Implications of Biotechnology ('GAEIB').
- (3) The Commission decided on 16 December 1997 to replace the GAEIB by the European Group on Ethics in Science and New Technologies ('EGE') extending the Group's mandate to cover all areas of the application of science and technology. The EGE's mandate was subsequently renewed, most recently by the Commission Decision 2010/1/EU ⁽¹⁾. It is now appropriate to renew the mandate for a period of 5 years and subsequently to appoint the new members.
- (4) The EGE is tasked with providing ethical guidance to the European Commission either at the request of the Commission or on its own initiative and upon agreement with the Commission. The Commission may draw the EGE's attention to issues considered by the European Parliament and the Council to be of major ethical importance.
- (5) Rules on disclosure of information by members of the group should be laid down.
- (6) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽²⁾.
- (7) Decision 2010/1/EU should be repealed,

HAS ADOPTED THIS DECISION:

*Article 1***Mandate**

The mandate of the European Group on Ethics in Science and New Technologies, hereafter referred to as 'EGE', is renewed for a period of 5 years.

⁽¹⁾ Commission Decision 2010/1/EU of 23 December 2009 on the renewal of the mandate of the European Group on Ethics in Science and New Technologies (OJ L 1, 5.1.2010, p. 8).

⁽²⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

*Article 2***Task**

The task of the EGE shall be to advise the Commission on ethical questions relating to sciences and new technologies and the wider societal implications of advances in these fields, either at the request of the Commission or on request by its chair with the agreement of the Commission services. The Group therefore shall:

- (a) identify, define and examine ethical questions raised by developments in science and technologies;
- (b) provide guidance in the form of analyses and recommendations that shall be oriented towards the promotion of ethical EU policymaking, with due regard to the Charter of Fundamental Rights of the European Union.

*Article 3***Consultation**

The Commission may consult the group on any matter in the remit referred to in Article 2. In that context, the Commission may draw the Group's attention to issues considered by the Parliament and the Council to be of major ethical importance.

*Article 4***Membership — Appointment**

1. The EGE shall have up to 15 members. Members shall have competence in the remit referred to in Article 2.
2. Members shall serve in a personal capacity. They shall advise the Commission in the public interest and independently from any outside influence. Members shall inform the Commission in due time of any conflict of interest which might undermine their independence.
3. Members shall be appointed by the President of the Commission on the basis of a proposal from the Commissioner in charge of Research, Science and Innovation, following the submission of their candidacy to a call for expression of interest for membership of the EGE and a selection process overseen by an Identification Committee, based on the criteria set out in paragraphs 4 and 6 of this Article.
4. When proposing the composition of the EGE, the Identification Committee shall aim at ensuring, as far as possible, a high level of expertise and pluralism, a geographical balance, as well as a balanced representation of relevant know-how and areas of interest, taking into account the specific tasks of the EGE, the type of expertise required and the response to the call for expression of interest. The EGE shall be independent, pluralist and multidisciplinary.
5. Each member of the EGE shall be appointed for a term of 2½ years. At the end of a term, his or her appointment may be renewed. Membership of the EGE shall be limited to a maximum of three terms.
6. The following factors and criteria will be taken into account for the selection of candidates for membership of the Group:
 - (a) The composition of the group shall ensure that independent advice of the highest quality can be provided, combining wisdom and foresight. The credibility of the group shall be built on the balance of qualities amongst the women and men who make it up, and they shall collectively reflect the breadth of perspectives across Europe. Gender balance shall be strictly taken into account, and due consideration accorded to age balance and geographical distribution.
 - (b) The Members of the group shall be internationally recognised experts, with a track record of excellence and experience at the European and global level.

- (c) The Members shall reflect the broad cross-disciplinary scope of the group's mandate, embracing philosophy and ethics; natural and social sciences; and the law. However, they shall not perceive themselves as representatives of a particular discipline, worldview, or line of research; they shall have a broad vision which collectively reflects an understanding of important ongoing and emerging developments, including inter-, trans-, and multi-disciplinary perspectives, and the need for ethical advice at the European level.
 - (d) Beyond their proven reputation, the membership shall collectively bring experience in providing ethical advice to policymakers, acquired across a broad range of Member States, and at European and international levels.
 - (e) The group shall include members with experience in bodies such as advisory councils and committees, government advisors, national ethics councils, universities and research institutes. It may be valuable to the group to include members who have gained experience in more than one country and members from outside the European Union.
7. The selection of the EGE members will be made on the basis of an open call for expression of interest, specifying the modalities for submitting a complete application. The Commission shall publish the call on the Europa website. A link from the Register of Commission expert groups and other similar entities ('the register of expert groups') to the Europa website will also be ensured.
8. Nominations may be submitted, provided the nominee follows the modalities for submitting a complete application.
9. The list of EGE members shall be published by the Commission in the Register of expert groups.
10. Suitable candidates who are not appointed pursuant to paragraph 2 of this Article, shall be placed on a reserve list. The President of the Commission may appoint members from the reserve list.
11. Where a member is no longer capable of contributing effectively to the work of the EGE, or resigns or does not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union, the President of the Commission may appoint a replacement member from the reserve list, for the remaining duration of the original member's term of office.

Article 5

Operation

1. The Directorate-General for Research and Innovation, acting in close cooperation with the EGE's chairperson, shall be responsible for coordinating and organising the work of the EGE and for providing its Secretariat.
2. The EGE shall elect a chairperson and a deputy-chairperson from among its members for the duration of their term by a simple majority.
3. Members of the EGE, as well as invited experts, shall comply with the obligations of professional secrecy laid down by the Treaties and their implementing rules, as well as with the Commission's rules on security regarding the protection of EU classified information, laid down in Commission Decisions (EU, Euratom) 2015/443 ⁽¹⁾ and (EU, Euratom) 2015/444 ⁽²⁾. Should they fail to respect these obligations, the Commission may take all appropriate measures.
4. The EGE Work Programme, including such ethical analyses suggested on the own initiative of the EGE, shall be agreed by the Commission. Each request for an ethical analysis shall include the parameters of the requested analysis. The Commission shall, when seeking the advice of the EGE, set a time limit within which such advice shall be given.
5. EGE Opinions shall include a set of recommendations. They shall be based on an overview of the state of the art of the sciences and technologies concerned and a thorough analysis of the ethical issues at stake. Relevant services of the Commission shall be informed of the recommendations produced by the EGE.

⁽¹⁾ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁽²⁾ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

6. The EGE shall operate in a collegial way, seeking consensus among its members. The EGE shall adopt its Rules of Procedure on the basis of the standard Rules of Procedure for expert groups with the agreement of the Commission's representative. The working procedures shall seek to ensure that all members take an active role in the activities of the group.

7. The meetings of the EGE shall normally be held on Commission premises according to the modalities and the calendar fixed by the Commission. The EGE should meet at least six times during a 12-month period involving around 12 working days a year. Further meetings may be organised when necessary, in agreement with the Commission's representative.

For the purpose of the preparation of EGE analyses and within the limits of the available resources, the Commission's representative may:

- Invite experts and representatives of relevant NGOs or representative organisations when appropriate for an exchange of views on an ad hoc basis. The Commission may also enlist external experts to participate in the work of the EGE on an ad hoc and temporary basis should it be deemed necessary to cover the wide spectrum of ethical questions related to advances in science and new technologies.
- Initiate studies in order to collect all necessary scientific and technical information.
- Allow for working groups to be set up to consider specific issues.
- Establish close links with representatives of the various ethics bodies in the Member States and in third countries.

Moreover, the Commission shall organise a public round table in order to promote dialogue and improve transparency for each Opinion that the EGE produces. The EGE shall establish close links with Commission departments concerned by issues the Group is working on.

8. The Group shall endeavour to reach consensus. However, where an Opinion is not adopted unanimously, it shall include any dissenting point of view (as a 'minority opinion') together with the name(s) of the dissenting Member(s). The Opinion shall be transmitted to the President of the Commission or to a representative designated by the President. Each Opinion shall be forthwith published and transmitted to the European Parliament and to the Council of the European Union after its adoption.

9. If operational circumstances require that advice on a particular subject be given more quickly than the adoption of an Opinion would allow, short Statements or other forms of analyses can be produced, to be followed if necessary by a fuller analysis in the form of an Opinion, while ensuring that transparency is respected as for any other Opinion. Statements will be published and made available on the EGE website. As part of its Work Programme, in agreement with the Commission's representative, the EGE may update an Opinion if it deems it necessary.

10. The EGE's discussions shall be confidential. In agreement with the Commission's representative, the EGE may, by a simple majority of its members, decide to open its deliberations to the public.

11. All relevant documents related to the activities of the EGE (such as agendas, minutes, Opinions and participants' submissions) shall be made available either in the Register of expert groups or via a link from the Register to a dedicated website. Exceptions to publication are possible where disclosure of a document is deemed to undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001 of the European Parliament and of the Council ⁽¹⁾.

12. A report on the activities of the EGE shall be produced under the responsibility of the chairperson before the end of its mandate. The report shall be published and transmitted according to the modalities set out in paragraph 11.

Article 6

Meeting expenses

1. Participants in the activities of the EGE shall not be remunerated for the services they render.

⁽¹⁾ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

2. Travel and subsistence expenses for the meetings of the EGE shall be reimbursed by the Commission in accordance with the provisions in force.
3. Those expenses shall be reimbursed within the limits of the available appropriations allocated under the annual procedure for the allocation of resources.

Article 7

Final provisions

The present decision will be published in the *Official Journal of the European Union* and shall enter into force on the day following that of its publication in the *Official Journal of the European Union*. Decision 2010/1/EU is hereby repealed.

Done at Brussels, 25 May 2016.

For the Commission

The President

Jean-Claude JUNCKER

CORRIGENDA**Corrigendum to Commission Decision (EU) 2016/827 of 20 May 2016 on the renewal of the mandate of the European Group on Ethics in Science and New Technologies**

(Official Journal of the European Union L 137 of 26 May 2016)

The publication of Commission Decision (EU) 2016/827 is to be considered null and void.

