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⁽¹⁾ Text with EEA relevance

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

**Information concerning the entry into force of the Protocol on the concerns of the Irish people
on the Treaty of Lisbon**

The Protocol on the concerns of the Irish people on the Treaty of Lisbon, signed in Brussels on 13 June 2012 ⁽¹⁾, has, in accordance with Article 4, third paragraph, thereof, entered into force on 1 December 2014.

⁽¹⁾ OJ L 60, 2.3.2013, p. 131-139.

COUNCIL DECISION (EU) 2016/1892**of 10 October 2016****on the signing, on behalf of the European Union, and provisional application of the International Agreement on Olive Oil and Table Olives, 2015**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 19 November 2013, the Council authorised the Commission to open negotiations on behalf of the Union in order to conclude a new international agreement on olive oil and table olives.
- (2) The new International Agreement on Olive Oil and Table Olives ('the Agreement') was adopted on 9 October 2015 by the representatives of 24 Member States of the United Nations Conference on Trade and Development (Unctad) and two intergovernmental organisations during the United Nations Conference for the Negotiation of a Successor Agreement to the International Agreement on Olive Oil and Table Olives, 2005.
- (3) The 2005 International Agreement on Olive Oil and Table Olives ⁽¹⁾, which was due to expire on 31 December 2014, was extended until 31 December 2015 and will remain in force, in accordance with Article 47(3) thereof, until the Agreement enters into force, provided that the period of such extension does not exceed 12 months. The Agreement will be open for signature at the United Nations Headquarters in New York until 31 December 2016 inclusive.
- (4) Article 31(1) of the Agreement lays down the requirements for its entry into force on 1 January 2017. Article 31(2) and (3) thereof provide for the provisional application of the Agreement, under certain conditions, if the requirements laid down in Article 31(1) are not met.
- (5) In accordance with Article 31(2) of the Agreement, and in order to avoid any interruption in the application of the rules laid down in the 2005 International Agreement on Olive Oil and Table Olives, provision should be made for the Union to provisionally apply the Agreement if the procedure for its conclusion by the Union has not been completed before 1 January 2017.
- (6) It should also be provided that the Union may provisionally apply the Agreement, in accordance with Article 31(3), if the requirements for its final or provisional entry into force under Article 31(1) and (2) have not been met by 31 December 2016.
- (7) Consequently, the Agreement should be signed on behalf of the Union, subject to its conclusion at a later date, and its provisional application in accordance with the requirements laid down in Article 31(2) and (3) thereof should be notified,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the International Agreement on Olive Oil and Table Olives, 2015, is hereby authorised, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

⁽¹⁾ OJ L 302, 19.11.2005, p. 47.

Article 2

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

Article 3

The Union shall apply the Agreement provisionally as from 1 January 2017 if the procedure for its conclusion by the Union has not been completed and the conditions laid down in Article 31(2) and (3) of the Agreement have been met.

The provisional application of the Agreement, under the conditions set out in the first paragraph of this Article, shall be notified, in accordance with Article 31(2) and (3) of the Agreement, by the person(s) authorised to sign the Agreement under Article 2 of this Decision.

Article 4

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

Done at Luxembourg, 10 October 2016.

For the Council
The President
G. MATEČNÁ

**UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT
INTERNATIONAL AGREEMENT ON OLIVE OIL AND TABLE OLIVES, 2015**



**UNITED NATIONS
GENEVA, 5–9 OCTOBER 2015**

RESOLUTION ADOPTED BY THE UNITED NATIONS CONFERENCE FOR THE NEGOTIATION OF A SUCCESSOR
AGREEMENT TO THE INTERNATIONAL AGREEMENT ON OLIVE OIL AND TABLE OLIVES, 2005

The United Nations Conference for the Negotiation of a Successor Agreement to the International Agreement on Olive Oil and Table Olives, 2005,

Having met in Geneva from 5 to 9 October 2015,

Expressing its gratitude for the facilities and services provided by the Secretary-General of UNCTAD,

Recording its appreciation of the contribution made by the President of the Conference and by its officers, as well as by the secretariat,

Having established the authentic texts of the International Agreement on Olive Oil and Table Olives, 2015, in the Arabic, English, French and Spanish languages,

1. *Requests the Secretary-General of the United Nations to forward copies of the text of the Agreement to all Governments and intergovernmental organizations invited to the Conference for their consideration;*
2. *Requests the Secretary-General of the United Nations to arrange for the Agreement to be open for signature at United Nations Headquarters in New York (United States of America) from 1 January 2016 until and including 31 December 2016.*

*Second plenary meeting
9 October 2015*

LIST OF STATES AND ORGANIZATIONS REPRESENTED AT THE UNITED NATIONS CONFERENCE FOR THE NEGOTIATION OF A SUCCESSOR AGREEMENT TO THE INTERNATIONAL AGREEMENT ON OLIVE OIL AND TABLE OLIVES, 2005 (*)

1. Representatives from the following States members of UNCTAD attended the session:

Algeria	Jordan
Argentina	Latvia
Belgium	Libya
Côte d'Ivoire	Luxembourg
Cyprus	Netherlands
Czech Republic	Spain
Egypt	Syrian Arab Republic
France	Tunisia
Germany	Turkey
Greece	Ukraine
Iran (Islamic Republic of)	Uruguay
Italy	Venezuela (Bolivarian Republic of)

2. The following intergovernmental organizations were represented at the session:

European Union

International Olive Council

CHAPTER I

General objectives

Article 1

Objectives of the Agreement

1. WITH RESPECT TO STANDARDIZATION AND RESEARCH

- To seek to achieve uniformity in national and international legislation relating to the physico-chemical and organoleptic characteristics of olive oils, olive pomace oils and table olives in order to prevent any obstacle to trade;
- To conduct activities in the area of physico-chemical and organoleptic testing in order to add to the knowledge of the composition and quality characteristics of olive products, with a view to consolidating international standards and so enabling:
 - Product quality control;
 - International trade and its development;
 - Protection of consumer rights;
 - Prevention of fraudulent and misleading practices and adulteration;
- To strengthen the role of the International Olive Council as a forum of excellence for the international scientific community in the area of olives and olive oil;
- To coordinate studies and research on the nutritional qualities and other intrinsic properties of olive oil and table olives;
- To facilitate the exchange of information on international trade flows.

(*) For the list of participants, see TD/OLIVE OIL.11/INF.1.

2. WITH RESPECT TO OLIVE GROWING, OLIVE OIL TECHNOLOGY AND TECHNICAL COOPERATION

- To promote technical cooperation and research and development in the olive sector by encouraging the cooperation of public or private bodies and/or entities, whether national or international;
- To conduct activities for the identification, preservation and utilization of the gene sources of olive trees;
- To study the interaction between olive growing and the environment, particularly with a view to promoting environmental conservation and sustainable production, and to ensure the integrated and sustainable development of the sector;
- To foster the transfer of technology through training activities in the fields connected with the olive sector by organizing international, regional and national activities;
- To promote the protection of geographical indications of olive products in compliance with the corresponding international agreements to which a member may be a party;
- To encourage the exchange of information and experience in the phytosanitary field on olive growing.

3. WITH RESPECT TO THE PROMOTION OF OLIVE PRODUCTS, DISSEMINATION OF INFORMATION AND THE OLIVE ECONOMY

- To enhance the role of the International Olive Council as a world documentation and information centre about the olive tree and its products and as a meeting point for all the operators in the sector;
- To promote the consumption of olive products, the expansion of international trade of olive oil and table olives and information in relation to the trade standards of the International Olive Council;
- To support international and regional activities encouraging the dissemination of generic scientific information on the nutritional, health and other properties of olive oil and table olives with a view to improving consumer information;
- To examine the world balances for olive oil, olive pomace oils and table olives, undertake studies and propose appropriate measures;
- To disseminate economic data and analyses on olive oil and table olives and provide members with the indicators necessary to contribute to the smooth functioning of the olive products markets;
- To disseminate and use the results of research and development programmes linked to olive growing and study their applicability in increasing production efficiency.

CHAPTER II

Definitions

Article 2

Definitions for the purposes of this Agreement

1. 'International Olive Council' means the international organization referred to in article 3, paragraph 1, established for the purpose of applying the provisions of this Agreement.
2. 'Council of Members' means the decision-making organ of the International Olive Council.
3. 'Contracting Party' means a State, a Permanent Observer in the General Assembly of the United Nations, the European Union or an intergovernmental organization as provided for in article 4, paragraph 3, which has consented to be bound by this Agreement.
4. 'Member' means a Contracting Party as defined above.
5. 'Olive oil' means the oil obtained solely from the fruit of the olive tree (*Olea europaea* L.), to the exclusion of oil obtained by solvent or re-esterification processes and of any mixture with oils of other kinds. It shall encompass the following designations: extra virgin olive oil, virgin olive oil, ordinary virgin olive oil, lampante virgin olive oil, refined olive oil and olive oil composed of refined olive oil and virgin olive oils.

6. 'Olive pomace oil' means the oil obtained by treating olive pomace with solvents or other physical treatments, to the exclusion of oils obtained by re-esterification processes and of any mixture with oils of other kinds. It shall encompass the following designations: crude olive pomace oil, refined olive pomace oil and olive pomace oil composed of refined olive pomace oil and virgin olive oils.
7. 'Table olives' means the product prepared from the sound fruits of varieties of the cultivated olive tree which are chosen for their production of olives particularly suited to curing, and which are suitably treated or processed and offered for trade and for final consumption.
8. 'Olive products' means all edible olive products, in particular olive oils, olive pomace oils and table olives.
9. 'Olive by-products' means, in particular, the products derived from olive pruning and the olive products industry and the products resulting from alternative uses of the products of the sector.
10. 'Olive crop year' means the period from 1 September of year n to 31 August of year $n+1$ for table olives and the period from 1 October of year n to 30 September of year $n+1$ for olive oil. For the southern hemisphere this period corresponds to the calendar year n for table olives and olive oil.
11. 'Trade standards' means the standards adopted by the International Olive Council acting through its Council of Members which apply to olive oils, olive pomace oils and table olives.

CHAPTER III

Institutional provisions

Section 1

Establishment, organs, functions, privileges and immunities

Article 3

Structure and headquarters of the International Olive Council

1. The International Olive Council shall carry out its functions through the following organs:
 - The Council of Members;
 - The Chair and Vice-Chair;
 - The Administrative and Financial Affairs Committee, and any other committees and subcommittees;
 - The executive secretariat.
2. The headquarters of the International Olive Council shall be established in Madrid, Spain, for the duration of this Agreement unless the Council of Members decides otherwise.

Article 4

Members in the International Olive Council

1. Each Contracting Party which accedes shall be a member of the International Olive Council in that it has accepted to be bound by this Agreement.
2. Each member contributes to the objectives referred to in article 1 of this Agreement.
3. In this Agreement, the term 'Government' shall be construed as including the representative of any State, a Permanent Observer in the General Assembly of the United Nations, the European Union and any intergovernmental organization having comparable responsibilities in respect of the negotiation, signature, conclusion, ratification and implementation of international agreements, in particular commodity agreements.

*Article 5***Privileges and immunities**

1. The International Olive Council shall have legal personality. It shall, in particular, have the capacity to contract, to acquire and to dispose of movable and immovable property and to institute legal proceedings. It shall not have the power to borrow money.
2. The status, privileges and immunities of the International Olive Council as well as of its Executive Director, senior officials and staff, and of the experts and delegates of the members who are in the territory of the host Government for the performance of their functions shall be governed by the headquarters agreement concluded between the host Government and the International Olive Council.
3. The Government of the State in which the headquarters of the International Olive Council is situated shall, in so far as the legislation of that State allows, exempt the remuneration paid by the International Olive Council to its employees and the assets, income and other property of the International Olive Council from taxation.
4. The International Olive Council may conclude agreements with one or more members relating to such privileges and immunities as may be necessary for the proper application of this Agreement.

*Article 6***Composition of the International Olive Council**

1. The International Olive Council shall be composed of all the members of the International Olive Council.
2. Each member shall designate its representative in the International Olive Council.

*Article 7***Powers and functions of the organs**

1. The Council of Members
 - (a) The Council of Members shall be composed of one delegate per member. Furthermore, each member may appoint one or more alternates and one or more advisers to its delegate.

The Council of Members is the highest authority and decision-making organ of the International Olive Council and shall exercise all such powers and functions as are necessary to achieve the objectives of this Agreement.

- (b) The Council of Members shall be responsible for applying the provisions of this Agreement. To do so, it shall take decisions and adopt recommendations provided the powers or functions concerned are not explicitly vested in the Executive Director.

Any decision or recommendation adopted in accordance with the International Agreement that preceded this Agreement and that is still in force at the time of the entry into force of this Agreement shall continue to apply unless it is contrary to this Agreement or it is repealed by the Council of Members.

- (c) In order to implement this Agreement, the Council of Members shall, in accordance with the provisions of this Agreement, adopt:
 - i) Rules of Procedure;
 - ii) A financial regulation;
 - iii) Staff regulations having regard to those applying to officials of similar intergovernmental organizations;
 - iv) An organization chart and job descriptions;
 - v) Other procedures required for the functioning of the International Olive Council.

- (d) The Council of Members shall adopt and make public an annual report on its activities and on the operation of this Agreement as well as such reports, studies and other documents as it deems useful and necessary.

2. Chair and Vice-Chair

- (a) The Council of Members shall nominate a Chair and a Vice-Chair for one year from among the delegations of the members. In the event of the Chair or the Vice-Chair being the Head of Delegation when presiding at meetings, his/her right of participation in decisions of the Council of Members shall be exercised by another member of his/her delegation.
- (b) Without prejudice to the powers or functions vested in the Executive Director in, or in accordance with, this Agreement, the Chair shall preside over the sessions of the Council of Members, direct discussions with a view to facilitating the decision-making process and exercise any other related responsibilities and functions set out in this Agreement and/or further specified in the Rules of Procedure.
- (c) The Chair shall be accountable to the Council of Members in the exercise of his/her functions.
- (d) The Vice-Chair shall replace the Chair in the event of his/her absence, in which case he/she shall have the same powers and duties as the Chair when designated to take the place of the latter.
- (e) The Chair and Vice-Chair shall not receive any remuneration. In the event of the temporary absence of both the Chair and Vice-Chair or of the permanent absence of one or both, the Council of Members shall nominate new officers, temporary or permanent as appropriate, from among the delegations of the members.

3. Administrative and Financial Affairs Committee, other committees and subcommittees

To facilitate the work of the Council of Members, powers shall be given to the Council to establish, in addition to the Administrative and Financial Affairs Committee referred to in article 13 of this Agreement, any other committees and subcommittees as it deems useful for assisting it in the exercise of its functions under this Agreement.

4. Executive secretariat

- (a) The International Olive Council shall have an executive secretariat comprising an Executive Director, senior officials and such staff as are required to perform the tasks arising from this Agreement. The functions of the Executive Director and of the senior officials shall be governed by the Rules of Procedure which shall lay down, in particular, the tasks assigned to them.
- (b) The paramount consideration in the employment of the staff of the executive secretariat shall be the necessity of securing the highest standards of efficiency, competence and integrity. The staff of the executive secretariat, in particular the Executive Director, senior officials and middle management, shall be appointed on the basis of the principle of proportionate alternation among the members and of geographical equilibrium.
- (c) The Council of Members shall appoint the Executive Director and senior officials for a period of four years. The Council of Members may, in accordance with the provisions of article 10, paragraph 4(b), decide to renew or extend any appointment for not more than one period of a maximum of four years.

The Council of Members shall fix their terms of appointment in the light of those applying to corresponding officials of similar intergovernmental organizations.

- (d) The Executive Director shall appoint the staff in accordance with the provisions laid down in this Agreement and the staff regulations. The Executive Director shall ensure that all appointments respect the principles enshrined in paragraph 4(b) of this article and shall report thereon to the Administrative and Financial Affairs Committee.
- (e) The Executive Director shall be the chief administrative officer of the International Olive Council and shall be responsible to the Council of Members for the performance of any duties devolving upon him/her in the administration and operation of the Agreement. The Executive Director shall exercise his/her duties and take management decisions on a collegiate basis with the senior officials according to the provisions of the Rules of Procedure.

- (f) The Executive Director, senior officials and the other members of staff shall not carry out any gainful activity in any of the various sectors of the olive growing and olive products industry.
- (g) The Executive Director, senior officials and staff shall not seek or receive instructions regarding their duties under this Agreement from any member or from any authority external to the International Olive Council. They shall refrain from any action which might reflect on their position as international officials responsible only to the Council of Members. Members shall respect the exclusively international character of the responsibilities of the Executive Director, senior officials and staff and shall avoid influencing them in the discharge of their responsibilities.

Section 2

Functioning of the Council of Members

Article 8

Sessions of the Council of Members

1. The Council of Members shall meet at the headquarters of the International Olive Council unless it decides otherwise. If, on the invitation of any member, the Council of Members decides to meet elsewhere, that member shall bear the extra expenditure this entails for the budget of the International Olive Council over and above that incurred in holding a session at the headquarters.
2. The Council of Members shall hold two regular sessions a year.
3. The Council of Members shall meet in extraordinary session at any time at the request of:
 - (a) The Chair;
 - (b) At least three members.
4. Notice of a session shall be given at least 60 days before the date of the first meeting in the case of regular sessions, and preferably 30 days but not less than 21 days before the date of the first meeting in the case of extraordinary sessions. The expenses of delegations to the Council of Members shall be met by the members concerned.
5. Any member may, by written notification addressed to the executive secretariat before or during any regular or extraordinary session, authorize another member to represent its interests and exercise its right to participate in the decisions at that session of the Council of Members. A member may not represent more than one other member at any session of the Council of Members.
6. Any third party or entity with an intention to accede to this Agreement and/or with a direct interest in the activities of the International Olive Council may, upon its own initiative or upon the invitation of the Council of Members and with the prior consent of the latter, attend as an observer at all or parts of a given session or sessions of the Council of Members.
7. Observers shall not hold the status of members and shall have neither decision-making powers nor voting rights.

Article 9

Quorum for sessions

1. The quorum required for the sitting of a regular or an extraordinary session of the Council of Members shall be verified once on the opening day of the session. It shall be the presence or representation, pursuant to article 8, paragraph 5, of at least three quarters of all the members.
2. If the quorum mentioned in the paragraph above is not met on the opening of the plenary session, the Chair shall postpone the session for 24 hours. The quorum required to open the session at the new time set by the Chair shall be the presence or representation of at least two thirds of all the members.
3. The effective number of members necessary for the quorum shall be the whole number without decimal portions resulting from the application of the proportions mentioned above to the total number of members.

*Article 10***Decisions of the Council of Members**

1. The decisions of the Council of Members shall be taken by consensus. All decisions under the present article shall be taken by the members present or represented and entitled to vote in line with article 16, paragraph 6. Members undertake to make utmost efforts to resolve any outstanding issues by consensus.

2. For any decision of the Council of Members to be adopted, the presence or representation of at least the majority of all the members entitled to vote in accordance with article 16, paragraph 6, shall be required.

3. Consensus shall apply to all decisions taken in respect of:

- (a) The exclusion of members pursuant to article 34;
- (b) Article 16, paragraphs 6 and 10;
- (c) Amendments to, or termination of this Agreement pursuant to article 32 and article 36;
- (d) Cooperation with other organizations in line with article 12, paragraph 2.

4. For other decisions, if consensus is not reached within a time limit laid down by the Chair, the procedure specified below shall apply:

- (a) **Decision-making concerning the trade standards and the implementing rules referred to in article 7, paragraph 1(c) of this Agreement:**

As a general rule, only decisions for which consensus has been reached at the appropriate level as established by the International Olive Council in its Rules of Procedure shall be submitted to the Council of Members for adoption.

Should consensus not be reached following the procedure applicable at the appropriate level, the decision shall be referred to the Council of Members, together with the report outlining the difficulties encountered in this process and any appropriate recommendation.

The Council of Members shall endeavour to take the decision in question by consensus of members present or represented and entitled to vote in line with article 16, paragraph 6.

If consensus cannot be reached, the decision shall be postponed until the following session, whether regular or extraordinary.

If consensus is again not obtained at that session, the decision shall, if possible, be postponed for at least 24 hours.

Should consensus not be reached within this time period, the decision shall be considered adopted unless it is rejected by at least one quarter of the members or by a member or members with at least a total of 100 participation shares.

- (b) **Any other decision not referred to in this article, paragraph 4(a), above:**

If consensus is not reached within a time limit laid down by the Chair, the members shall take a vote according to the provisions below:

Any decision shall be considered to be adopted when at least the majority of the members representing at least 86 per cent of the participation shares of the members in accordance with paragraph 1 of this article are in favour thereof.

5. The voting and representation procedures referred to in this article shall not apply to those members that do not fulfil the conditions set forth in article 16 of this Agreement, unless the Council decides otherwise in accordance with the same article.

6. The Council of Members may take decisions by an exchange of correspondence between the Chair and the members without holding a session, provided that no member, excluding those members in arrears, objects to this procedure. The rules for the application of this consultation procedure shall be laid down by the Council of Members in its Rules of Procedure. Any decision so taken shall be communicated to all the members by the executive secretariat as quickly as possible and shall be entered in the final report of the following session of the Council of Members.

*Article 11***Participation shares**

1. The members shall together hold 1 000 participation shares. These shares shall be equal to the financial contributions and voting rights of the members.
2. The participation shares shall be divided among the members in proportion to the source data of each member, calculated according to the following formula:

$$q = 1/3 (p1 + p2) + 1/3 (e1 + e2) + 1/3 (i1 + i2)$$

The parameters in this formula are averages expressed in thousands of metric tons, any fraction of 1 000 tons above a whole number being disregarded. There may be no fractions of participation shares.

q: Source data used for proportionately calculating the participation shares

p1: Average olive oil production of the last six olive crop years

p2: Average table olive production of the last six olive crop years converted into its olive oil equivalent by the application of a conversion coefficient of 16 per cent

e1: Average (customs) olive oil exports of the last six calendar years corresponding to the end years of the olive crop years considered for calculating p1

e2: Average (customs) table olive exports of the last six calendar years corresponding to the end years of the olive crop years considered for calculating p2, and converted into their olive oil equivalent by the application of a conversion coefficient of 16 per cent

i1: Average (customs) olive oil imports of the last six calendar years corresponding to the end years of the olive crop years considered for calculating p1

i2: Average (customs) table olive imports of the last six calendar years corresponding to the end years of the olive crop years considered for calculating p2, and converted into their olive oil equivalent by the application of a conversion coefficient of 16 per cent

3. The initial participation shares will be contained in annex A to this Agreement. They are determined in the light of the average of the data for the last six olive crop years and calendar years for which final data are available.
4. No member shall hold less than five participation shares. If the calculation should give a result of less than five participation shares for an individual member, that member's share shall be increased to five and the participation shares of the other members shall be decreased proportionately.
5. The Council of Members shall, at its second regular session of each calendar year, adopt the participation shares calculated under this article. Without prejudice to paragraph 6 of this article, such distribution shall be in force for the following year.
6. Whenever any Government as referred to in article 4, paragraph 3, becomes, or ceases to be, a Party to this Agreement, or a member changes its status within the meaning of article 16, paragraph 8, the Council of Members shall, for the following year, redistribute the participation shares in proportion to the number of participation shares held by each member, subject to the conditions set out in this article. In the event of accessions to or withdrawals from this Agreement which are effectuated during the ongoing year, the redistribution shall be performed solely for voting purposes.

*Article 12***Cooperation with other organizations**

1. The International Olive Council may make arrangements for consultation and cooperation with the United Nations and its specialized agencies, in particular the United Nations Conference on Trade and Development, other appropriate intergovernmental organizations and relevant international and regional organizations. Such arrangements may include collaborative agreements with institutions of a financial nature that can contribute to the objectives referred to in article 1 of this Agreement.

2. Any collaborative agreement established between the International Olive Council and the aforementioned international organizations and/or institutions which entails significant obligations for the International Olive Council shall receive the prior approval of the Council of Members in accordance with article 10, paragraph 3.
3. The application of this article shall be governed by the Rules of Procedure of the International Olive Council.

CHAPTER IV

Administrative and Financial Affairs Committee

Article 13

Administrative and Financial Affairs Committee

1. The Council of Members shall establish an Administrative and Financial Affairs Committee composed of at least one delegate of each member. The Administrative and Financial Affairs Committee shall meet at least twice a year, prior to each session of the Council of Members.
2. The Administrative and Financial Affairs Committee shall be responsible for the functions described in this Agreement and in the Rules of Procedure. It shall be responsible, in particular, for:
 - Examining the annual work programme of the executive secretariat for the functioning of the Institution, notably as regards the budget, financial rules and internal and statutory rules, before presenting it to the Council of Members for adoption at its second regular session of the calendar year;
 - Supervising the implementation of the internal control standards set forth in the Rules of Procedure of the International Olive Council and the control of the application of the financial provisions referred to in this Agreement;
 - Examining the draft annual budget of the International Olive Council proposed by the Executive Director. Only the draft budget proposed by the Administrative and Financial Affairs Committee shall be submitted to the Council of Members for adoption;
 - Examining and submitting each year the accounts for the preceding financial year to the Council of Members for adoption at its first regular session of the calendar year together with any other measure dealing with financial and administrative matters;
 - Providing advice and recommendations on matters related to the implementation of this Agreement;
 - Examining and reporting to the Council of Members with regard to applications for accession by new members or with regard to the withdrawal of a member of the International Olive Council;
 - Reviewing compliance with the principles enshrined in article 7 on the appointments of the staff in the executive secretariat and other issues related to the administrative and organizational matters.
3. The Administrative and Financial Affairs Committee shall exercise, in addition to those functions listed in this article, any other function that is delegated to it by the Council in its Rules of Procedure and/or in the financial regulation.
4. The Council of Members shall draw up and adopt detailed rules in its Rules of Procedure for the application of these provisions.

CHAPTER V

Financial provisions

Article 14

Budget

1. The financial year shall coincide with the calendar year.
2. There shall be one single budget comprising two sections:
 - Section I: Administrative
 - Section II: Operational, including in particular standardization, technical cooperation and promotion

The Council of Members shall decide on any additional appropriate subsections by taking into account the objectives of the International Olive Council.

3. The budget shall be financed by:
 - (a) The amount of the contribution of each member, which shall be established in proportion to its participation shares as set in compliance with article 11 of this Agreement;
 - (b) Subsidies and voluntary contributions from members, which shall be governed by the provisions embodied in an agreement established between the International Olive Council and the donor member;
 - (c) Donations from Governments and/or other sources;
 - (d) Other forms of supplementary contributions, including services, scientific and technical equipment and/or staff that may meet the requirements of approved programmes;
 - (e) Any other revenue.
4. The International Olive Council shall, as part of the development of international cooperation, endeavour to procure such essential financial and/or technical assistance as may be available from the competent international, regional or national organizations, whether financial or of some other kind.

The above amounts shall be assigned by the Council of Members to its budget.

5. The amounts of the budget that are not committed during one calendar year may be carried forward to the following calendar years as advance funding of the budget as specified in the financial regulation.

Article 15

Other funds

In addition to the budget referred to in article 14, the International Olive Council may be provided with other funds, the purpose, operation and justification for which shall be governed by the Rules of Procedure.

The Council of Members may also authorize the executive secretariat to manage third-party funds. The conditions and scope of such authorization and the liabilities stemming from the management of such funds shall be laid down in the financial regulation.

Article 16

Payment of contributions

1. At its second session of the calendar year, the Council of Members shall determine the aggregate amount of the budget referred to in article 14 of this Agreement and the contribution to be paid by each member for the following calendar year. Such contribution shall be calculated on the basis of the participation shares of each member as established in article 11 of this Agreement.
2. The Council of Members shall assess the initial contribution of any member which becomes a Party to this Agreement after the entry into force of the latter. Such contribution shall be calculated on the basis of the participation shares assigned to the member concerned under article 11 of this Agreement as applied to the unexpired portion of the year in question. The amount of the contribution to be paid by the other members for that calendar year shall not be altered.
3. Contributions shall be payable in euros and shall fall due from the first day of the financial year, that is on 1 January of each year.

The contributions of members for the financial year during which they become members of the International Olive Council shall fall due on the date on which they become members.

4. If, four months after the date on which contributions fall due, a member has not settled its contribution in full, the executive secretariat shall write to the member concerned within seven days in order to request that member to make payment.
5. If, upon the expiry of a period of two months from the date of the request made by the executive secretariat, the member in question has not yet settled its contribution, the voting rights of that member in the Council of Members shall be suspended until such time as it has made full payment of its contribution.

The representatives of the member concerned shall likewise be suspended from holding elective office in the Council of Members as well as in committees and subcommittees and from participating in activities financed by the International Olive Council in the following year.

6. At its first regular session of the calendar year or the extraordinary session which follows the deadline for contributions, the Council of Members shall be informed if a member has not settled its contribution. The Council of Members, with the exception of the member in arrears, may, after hearing the latter and taking into account its specific situation such as conflicts, natural disasters or difficulties in accessing international financial services, take any other decision by consensus. The Council of Members may adapt the work programme of the executive secretariat in the light of the contributions effectively paid by the members.

7. The provisions of paragraphs 5 and 6 of this article shall apply until the contributions are paid in full by the member in question.

8. After two consecutive years of unpaid contributions, the Council of Members may, upon hearing the member in arrears, decide that the latter shall cease to enjoy the rights of membership but may participate in sessions as an observer within the meaning of article 8, paragraph 7.

9. Any member that withdraws from the Agreement shall remain liable to pay any of its financial obligations under this Agreement and shall not be entitled to any reimbursement of any financial contributions it has already settled.

10. In no case may the Council of Members relieve a member of its financial obligations under this Agreement. The Council of Members may agree by consensus the rescheduling of the financial obligations of present and previous members.

Article 17

Control

1. The financial control of the International Olive Council shall be carried out by the Administrative and Financial Affairs Committee.

2. The financial statements of the International Olive Council for the previous calendar year, certified by an independent auditor, shall be presented to the Administrative and Financial Affairs Committee. After analysing the accounts, the Committee shall, at its first regular session of the calendar year, submit an opinion to the Council of Members for approval and publication.

When performing the above-mentioned audit work, the independent auditors shall verify compliance with the financial regulation in force as well as the functioning and efficiency of the existing internal control mechanisms and shall record the work performed and incidents detected in an annual report, which shall be presented to the Administrative and Financial Affairs Committee.

This audit report shall be presented to the Council of Members at its first regular session.

The Council of Members shall designate the independent auditor who shall be responsible for analysing the annual accounts of the International Olive Council and for drawing up the report mentioned above, both according to the provisions of the financial regulation and its implementing procedures.

3. Furthermore, the Council of Members shall, at its first regular session of the calendar year, examine and adopt the financial report for the previous calendar year relating to:

- The verification of the management of the funds, assets and cash of the International Olive Council;
- The regularity of financial operations and their conformity with the rules and regulations and budgetary provisions in force.

4. The ex-post controls of operations are assured by external auditors in accordance with the dispositions of the financial regulation.

5. Based on a risk analysis, a minimum of three members may request the Council for authorization to carry out controls on the activities of the International Olive Council to ensure compliance with the rules in force and the principles of sound financial management and transparency.

The controls will be conducted in close collaboration with the members of the executive secretariat of the International Olive Council in conformity with the rules and procedures defined in the Rules of Procedure and the financial regulation of the International Olive Council.

The relevant report shall be presented to the Council of Members at the first plenary session following the finalization of the report.

Article 18

Liquidation

1. The Council of Members shall, if dissolved, first take the steps stipulated in article 35, paragraph 1.
2. On the expiry of this Agreement, the assets of the International Olive Council and any uncommitted sums proceeding from the funds referred to in article 14 shall be repaid to members in proportion to the total of their participation shares in force at the time.

The voluntary contributions and the donations referred to in article 14 as well as any uncommitted sums referred to in article 15 shall be repaid to the member, donor or third party concerned.

CHAPTER VI

Standardization provisions

Article 19

Designations and definitions of olive oils, olive pomace oils and table olives

1. The designations and definitions of olive oils, olive pomace oils and table olives are described in annexes B and C to this Agreement.
2. The Council of Members may make all such amendments as it deems necessary or appropriate to the designations and definitions of olive oils, olive pomace oils and table olives provided for in annexes B and C to this Agreement.

Article 20

Undertakings by members

1. The members of the International Olive Council undertake to apply the designations prescribed in annexes B and C in their international trade and shall encourage their application in their internal trade.
2. The members undertake to suppress in their internal and international trade any use of the designation 'olive oil', alone or in combination with other words, which is not in conformity with this Agreement. In no case shall the designation 'olive oil' be used alone to refer to olive pomace oil.
3. The Council of Members shall determine quality and purity criteria standards applicable to the international trade of the members.
4. Members shall ensure protection in their territory for geographical indications within the meaning of article 22, paragraph 1 of the Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS Agreement) relating to the products covered by the present Agreement, in accordance with the applicable international rules, procedures and undertakings, in particular article 1 of the TRIPS Agreement.

5. Members shall, upon request, exchange information on the geographical indications that are afforded protection in their territory, with a view, in particular, to strengthening their legal protection from any practice likely to affect their authenticity or mar their reputation.

6. Members shall be empowered to adopt initiatives designed to inform consumers on the specific characteristics of the protected geographical indications in their territory and to add value to such indications, in accordance with the applicable legal provisions.

Article 21

International guarantee label of the International Olive Council

The Council of Members may make provision for the application of the international quality guarantee label ensuring compliance with the international standards of the International Olive Council. The application of this article and the control provisions shall be specified in the Rules of Procedure.

CHAPTER VII

General provisions

Article 22

General obligations

The members shall not adopt any measures that conflict with their obligations under this Agreement or with the general objectives set forth in article 1.

Article 23

Financial liability of members

The financial liability of each member to the International Olive Council and to the other members is limited to the extent of its obligations under article 16 concerning the contributions to the budget referred to in the same article.

Article 24

Environmental and ecological aspects

Members shall give due consideration to the improvement of practices at all stages of olive and olive oil production in order to guarantee the development of sustainable olive growing and undertake to implement such action as may be deemed necessary by the Council of Members to improve or solve any problems encountered in this sphere.

Article 25

Information

The members undertake to make available and furnish to the International Olive Council all the statistics, data and documentation which it needs to discharge its functions under this Agreement, and in particular any information it requires in order to establish the balances for olive oils, olive pomace oils and table olives and to acquire a knowledge of members' national policies for olive products.

*Article 26***Disputes and complaints**

1. Any dispute which concerns the interpretation or application of this Agreement and which is not settled by negotiation shall, at the request of any member or members which are a party to the dispute, be referred to the Council of Members, which shall take a decision in the absence of the member or members concerned after seeking an opinion, where appropriate, from an advisory panel. The composition and operational details of this panel shall be laid down in the Rules of Procedure.
2. A substantiated opinion by the advisory panel shall be submitted to the Council of Members, which shall in all circumstances settle the dispute after considering all the relevant facts.
3. Any complaint that a member, the Chair, or the Vice-Chair when acting as the Chair, have failed to fulfil their obligations under this Agreement shall, at the request of the member making the complaint, be referred to the Council of Members. The Council shall take a decision in the absence of the party or parties involved after consulting the parties concerned and after seeking an opinion, where appropriate, from the advisory panel referred to in paragraph 1 of this article. The application of this paragraph shall be further specified in the Rules of Procedure.
4. If the Council of Members finds that a member has committed a breach of this Agreement, it may either impose on that member sanctions, ranging from a simple warning to the suspension of the member's right to participate in decisions of the Council of Members until it has met its obligations, or, in accordance with the procedure laid down in article 34, exclude the member from participation in the Agreement. The member in question shall have the right of recourse in the final instance to the International Court of Justice.
5. If the Council of Members considers that the Chair, or the Vice-Chair when acting as the Chair, has failed to perform his/her tasks in line with this Agreement or the Rules of Procedure, it may, upon the request of at least 50 per cent of the members present, decide either for one session or for a longer duration to temporarily suspend the powers and functions given to the Chair or the Vice-Chair in this Agreement or the Rules of Procedure and to appoint a replacement among the members of the Council. The application of this paragraph shall be further specified in the Rules of Procedure.
6. As regards any dispute relating to transactions in olive oils, olive pomace oils and table olives, the International Olive Council may make appropriate recommendations to the members concerning the constitution and functioning of an international conciliation and arbitration office to deal with any such disputes.

*Article 27***Depositary**

The Secretary-General of the United Nations is hereby designated as the depositary of this Agreement.

*Article 28***Signature, ratification, acceptance and approval**

1. This Agreement shall be open for signature at United Nations Headquarters from 1 January 2016 until and including 31 December 2016 by parties to the International Agreement on Olive Oil and Table Olives, 2005, and Governments invited to the United Nations Conference for the Negotiation of a Successor Agreement to the International Agreement on Olive Oil and Table Olives, 2005.
2. This Agreement shall be subject to ratification, acceptance or approval by the signatory Governments in accordance with their respective constitutional procedures.

3. Any Government referred to in article 4, paragraph 3 may:
 - (a) At the time of signing this Agreement, declare in writing that by such signature it expresses its consent to be bound by this Agreement (definitive signature); or
 - (b) After signing this Agreement, ratify, accept or approve it by the deposit of an instrument to that effect with the depositary.
4. Instruments of ratification, acceptance or approval shall be deposited with the depositary.

Article 29

Accession

1. This Agreement shall be open to accession by any Government as defined in article 4, paragraph 3 which may accede to this Agreement upon the conditions to be established by the Council of Members, which shall have in particular the number of participation shares and a time limit for the deposit of the instruments of accession. These conditions shall be transmitted by the Council of Members to the depositary. The procedure for the initiation of accession, accession negotiations and related provisions shall be laid down by the Council of Members in the Rules of Procedure.
2. When the accession negotiations specified in the Rules of Procedure have been completed, the Council of Members shall take a decision on the accession in accordance with the procedure provided for in article 10.
3. Upon accession, a Contracting Party shall be listed in annex A to this Agreement, together with its participation shares as laid down in the conditions of accession.
4. Accession shall be effected by the deposit of an instrument of accession with the depositary. Instruments of accession shall state that the Government accepts all the conditions established by the International Olive Council.

Article 30

Notification of provisional application

1. A signatory Government which intends to ratify, accept or approve this Agreement, or any Government for which the Council of Members has established conditions for accession but which has not yet been able to deposit its instrument may, at any time, notify the depositary that it will apply this Agreement provisionally when it enters into force in accordance with article 31, or, if it is already in force, at a specified date.
2. A Government which has submitted a notification of provisional application under paragraph 1 of this article will apply this Agreement when it enters into force, or, if it is already in force, at a specified date and shall, from that time, be a Contracting Party. It shall remain a Contracting Party until the date of the deposit of its instrument of ratification, acceptance, approval or accession.

Article 31

Entry into force

1. This Agreement shall enter into force definitively on 1 January 2017, provided that at least five of the Contracting Parties among those mentioned in annex A to this Agreement and accounting for at least 80 per cent of the participation shares out of the total 1 000 participation shares have signed this Agreement definitively or have ratified, accepted or approved it, or acceded thereto.
2. If, on 1 January 2017, this Agreement has not entered into force in accordance with paragraph 1 of this article, it shall enter into force provisionally if by that date Contracting Parties satisfying the percentage requirements of paragraph 1 of this article have signed this Agreement definitively or have ratified, accepted or approved it, or have notified the depositary that they will apply this Agreement provisionally.
3. If, on 31 December 2016, the requirements for entry into force under paragraph 1 or paragraph 2 of this article have not been met, the depositary shall invite those Contracting Parties which have signed this Agreement definitively or have ratified, accepted or approved it, or have notified that they will apply this Agreement provisionally, to decide whether to bring this Agreement into force definitively or provisionally among themselves, in whole or in part, on such date as they may determine.

4. For any Contracting Party which deposits an instrument of ratification, acceptance, approval or accession after the entry into force of this Agreement, this Agreement shall enter into force on the date of such deposit.

Article 32

Amendments

1. The International Olive Council may, acting through the Council of Members, amend this Agreement by consensus.
2. The Council of Members shall fix the date by which members shall notify the depositary of their acceptance of the amendment in question.
3. The amendment shall enter into force 90 days after the depositary has received notification of its acceptance from all the members. If this requirement is not met by the date fixed by the Council of Members in accordance with paragraph 2 of this article, the amendment shall be considered withdrawn.
4. Updates to Annex A pursuant to article 11, paragraph 5 shall not, for the purposes of this article, be considered amendments.

Article 33

Withdrawal

1. Any member may withdraw from this Agreement at any time after the entry into force of this Agreement by giving written notice of withdrawal to the depositary. The member shall simultaneously inform the International Olive Council in writing of the action it has taken.
2. Withdrawal under this article shall become effective 90 days after the notice is received by the depositary.

Article 34

Exclusion

Without prejudice to article 26, if the Council of Members decides that any member is in breach of its obligations under this Agreement and decides further that such breach significantly impairs the operation of this Agreement, it may, by reasoned decision of the other members taken by consensus and in the absence of the member concerned, exclude that member from this Agreement. The International Olive Council shall immediately notify the depositary of its decision. The member in question shall cease to be a Party to this Agreement 30 days after the date of the decision of the Council of Members. No new financial obligations shall ensue after the date of the decision to exclude the member.

Article 35

Settlement of accounts

1. The Council of Members shall determine any settlement of accounts which it finds equitable, taking into account all the commitments entailing legal consequences for the International Olive Council and which would have repercussions on the contribution of a member which has withdrawn from this Agreement or which has been excluded from the International Olive Council or has otherwise ceased to be a Party to this Agreement, as well as the time needed to ensure an adequate transition, in particular when such commitments have to be terminated.

Notwithstanding the provisions of the subparagraph above, such member shall be bound to pay any amounts due from it to the International Olive Council in respect of the period during which it was a member.

2. Upon termination of this Agreement, no member referred to in paragraph 1 of this article shall be entitled to any share of the proceeds of the liquidation or the other assets of the International Olive Council; nor shall it be burdened with any part of the deficit, if any, of the International Olive Council.

*Article 36***Duration, extension and termination**

1. This Agreement shall remain in force until 31 December 2026.
2. The Council of Members may extend this Agreement. The Council of Members shall notify the depositary of any such extension. Any member which does not accept any such extension of this Agreement shall inform the International Olive Council and shall cease to be a Contracting Party to this Agreement from the beginning of the period of extension.
3. If before 31 December 2026, or before the expiry of the extension as decided by the Council of Members, a new agreement has been negotiated by the Council of Members but has not yet entered into force either definitively or provisionally, this Agreement shall remain in force beyond its expiry date until the new agreement enters into force for a maximum duration of 12 months.
4. The Council of Members may decide on the termination of this Agreement by consensus. The obligations of the members shall continue until the date of termination as determined by the Council of Members.
5. Notwithstanding the expiry or termination of this Agreement, the International Olive Council shall continue in being for as long as may be necessary for the purpose of carrying out the liquidation of the International Olive Council, including the settlement of accounts, and shall have during that period such powers and functions as may be necessary for these purposes.
6. The Council of Members shall notify the depositary of any decision taken under this article.

*Article 37***Reservations**

No reservations may be made with respect to any of the provisions of this Agreement.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have affixed their signature under this Agreement on the dates indicated.

DONE at Geneva on 9 October 2015, the texts of this Agreement in the Arabic, English, French, and Spanish languages being equally authentic.

ANNEX A

**PARTICIPATION SHARES IN THE BUDGET OF THE ORGANIZATION AS ESTABLISHED IN ACCORDANCE
WITH ARTICLE 11**

Albania	5
Algeria	19
Argentina	18
Egypt	23
European Union	717
Iran (Islamic Republic of)	5
Iraq	5
Israel	5
Jordan	8
Lebanon	6
Libya	5
Montenegro	5
Morocco	41
Tunisia	67
Turkey	66
Uruguay	5
Total:	1 000

ANNEX B

DESIGNATIONS AND DEFINITIONS OF OLIVE OILS AND OLIVE POMACE OILS

The designations of olive oils and olive pomace oils are given below with the definition corresponding to each designation:

I. Olive oils

- A. Virgin olive oils: Oils which are obtained from the fruit of the olive tree (*Olea europaea* L.) solely by mechanical or other physical means under conditions, particularly thermal conditions, that do not lead to deterioration of the oil, and which have not undergone any treatment other than washing, decantation, centrifugation and filtration. Virgin olive oils shall be classified and designated as follows:
- (a) Virgin olive oils fit for consumption as they are:
 - (i) Extra virgin olive oil: Virgin olive oil, the physico-chemical and organoleptic characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council;
 - (ii) Virgin olive oil: Virgin olive oil, the physico-chemical and organoleptic characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council;
 - (iii) Ordinary virgin olive oil: Virgin olive oil, the physico-chemical and organoleptic characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council ⁽¹⁾;
 - (b) Virgin olive oils that must undergo processing prior to consumption:
 - (i) Lampante virgin olive oil: Virgin olive oil, the physico-chemical and organoleptic characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council. It is intended for refining for use for human consumption, or it is intended for technical use.
- B. Refined olive oil: Olive oil obtained by refining virgin olive oils, the physico-chemical characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council ⁽²⁾.
- C. Olive oil composed of refined olive oil and virgin olive oils: Oil consisting of a blend of refined olive oil and virgin olive oils fit for consumption as they are, the physico-chemical characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council.

II. Olive pomace oil ⁽³⁾

is the oil obtained by treating olive pomace oil with solvents or other physical treatments, to the exclusion of oils obtained by re-esterification processes and of any mixture with oils of other kinds. It is classified as follows:

- A. Crude olive pomace oil: Olive pomace oil, the physico-chemical characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council. It is intended for refining for use for human consumption, or it is intended for technical use.
- B. Refined olive pomace oil: Oil obtained by refining crude olive pomace oil, the physico-chemical characteristics of which correspond to those laid down for this category in the trade standard of the International Olive Council ⁽⁴⁾.
- C. Olive pomace oil composed of refined olive pomace oil and virgin olive oils: Oil consisting of a blend of refined olive pomace oil and virgin olive oils fit for consumption as they are, the physico-chemical characteristics of which correspond to those laid down for this category in the trade standards of the International Olive Council. In no case may this blend be called 'olive oil'.

⁽¹⁾ This product may only be sold direct to the consumer if permitted in the country of retail sale. If not permitted, the designation of this product shall comply with the legal provisions of the country concerned.

⁽²⁾ This product may only be sold direct to the consumer if permitted in the country of retail sale.

⁽³⁾ Olive pomace oil cannot be sold with the designation or definition 'olive oil'.

⁽⁴⁾ This product may only be sold direct to the consumer if permitted in the country of retail sale.

ANNEX C

DESIGNATIONS AND DEFINITIONS OF THE TYPES OF TABLE OLIVES

Table olives shall be classified in one of the following types:

- (i) Green olives: Fruits harvested during the ripening period, prior to colouring and when they have reached normal size. They may vary in colour from green to straw yellow.
- (ii) Olives turning colour: Fruits harvested before the stage of complete ripeness is attained, at colour change. They may vary in colour from rose to wine rose or brown.
- (iii) Black olives: Fruits harvested when fully ripe or slightly before full ripeness is reached. They may vary in colour from reddish black to violet black, deep violet, greenish black or deep chestnut.

Trade preparations of table olives, including in particular types of processing, shall be governed by the applicable trade standards of the International Olive Council.

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2016/1893

of 27 October 2016

implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 36/2012 of 18 January 2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 ⁽¹⁾, and in particular Article 32(1) thereof,

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

Whereas:

- (1) On 18 January 2012, the Council adopted Regulation (EU) No 36/2012.
- (2) In view of the gravity of the situation in Syria, 10 persons should be added to the list of natural and legal persons, entities or bodies subject to restrictive measures in Annex II to Regulation (EU) No 36/2012.
- (3) Annex II to Regulation (EU) No 36/2012 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EU) No 36/2012 is amended as 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*.

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

Done at Brussels, 27 October 2016.

For the Council

The President

M. LAJČÁK

⁽¹⁾ OJ L 16, 19.1.2012, p. 1.

ANNEX

The following persons are added to the list of natural and legal persons, entities or bodies set out in Annex II to Regulation (EU) No 36/2012:

List of natural and legal persons, entities or bodies referred to in Articles 14 and 15(1)(a) and 15(1a)

A. Persons

	Name	Identifying information	Reasons	Date of listing
207.	Adib Salameh (a.k.a. Adib Salamah; Adib Salama; Adib Salame; Mohammed Adib Salameh; Adib Nimr Salameh) (أديب نمر سلامة)	Position: Major General, Deputy Director of Air Force Intelligence Directorate in Damascus	Member of the Syrian security and intelligence services in post after May 2011; Deputy Director of Air Force Intelligence Directorate in Damascus; previously Head of Air Force Intelligence in Aleppo. Member of the Syrian Armed Forces of the rank of "colonel" and the equivalent or higher in post after May 2011; holds the rank of Major General. Responsible for the violent repression against the civilian population in Syria, through the planning of and involvement in military assaults in Aleppo and authority over the arrest and detention of civilians.	28.10.2016
208.	Adnan Aboud Hilweh (a.k.a. Adnan Aboud Helweh; Adnan Aboud) (عدنان عبود حلوة)	Position: Brigadier General	Holds the rank of Brigadier General of 155 Brigade and 157 Brigade in the Syrian Army in post after May 2011. As the Brigadier General of 155 and 157 Brigade, he is responsible for the violent repression against the civilian population in Syria, including through his responsibility for the deployment and use of missile and chemical weapons in civilian areas in 2013 and involvement in the large scale detentions.	28.10.2016
209.	Jawdat Salbi Mawas (a.k.a. Jawdat Salibi Mawwas; Jawdat Salibi Mawwaz) (جودت صليبي مواس)	Position: Major General	Holds the rank of Major General, a senior officer in the Syrian Artillery and Missile Directorate of the Syrian Armed Forces, in post after May 2011. As a senior ranking officer of the Syrian Artillery and Missile Directorate, he is responsible for violent repression against the civilian population, including the use of missiles and chemical weapons by Brigades under his command in highly populated civilian areas in 2013 in Ghouta.	28.10.2016
210.	Tahir Hamid Khalil (a.k.a. Tahir Hamid Khali; Khalil Tahir Hamid) (حامد خليل طاهر)	Position: Major General	Holds the ranks of Major General, Head of the Syrian Artillery and Missiles Directorate of the Syrian Armed Forces, in post after May 2011. As a senior ranking officer of the Syrian Artillery and Missile Directorate, he is responsible for the violent repression of the civilian population, including the deployment of missiles and chemical weapons by Brigades under his command in highly populated civilian areas in Ghouta in 2013.	28.10.2016

	Name	Identifying information	Reasons	Date of listing
211.	Hilal Hilal (a.k.a. Hilal al-Hilal) (هلال هلال)	Date of birth: 1966	Member of the regime affiliated militias known as “Kataeb al-Baath” (The Baath Party militia). Supports the regime through his role in the recruitment and organisation of the Baath Party militia.	28.10.2016
212.	Ammar Al-Sharif (a.k.a Amar Al-Sharif; Amar Al-Charif; Ammar Sharif; Ammar Charif; Ammar al Shareef; Ammar Sherif; Ammar Medhat Sherif) (عمار الشر يف)		Leading Syrian businessman operating in Syria, active in the banking, insurance, and hospitality sectors. Founding partner of By-blos Bank Syria, major shareholder in Unlimited Hospitality Ltd, and board member of the Solidarity Alliance Insurance Company and the Al-Aqueelah Takaful Insurance Company.	28.10.2016
213.	Bishr al-Sabban (a.k.a Mohammed Bishr Al-Sabban; Bishr Mazin Al-Sabban) (بشر الصبان)		Governor of Damascus, who is appointed by, and associated with, Bashar al-Assad. Supports the regime and is responsible for the violent repression against the civilian population in Syria, including engaging in discriminatory practices against Sunni communities within the capital.	28.10.2016
214.	Ahmad Sheik Abdul-Qader (a.k.a Ahmad Sheikh Abdul Qadir; Ahmad al-Sheik Abdulquader) (أحمد الشيخ عبد القادر)		Governor of Quneitra, associated with and appointed by Bashar al-Assad. Previously Governor of Latakia. Supports and benefits from the regime, including by public support for the Syrian Armed Forces and pro-regime militia.	28.10.2016
215.	Dr Ghassan Omar Khalaf (غسان عمر خلف)		Governor of Hama, who was appointed by, and is associated with, Bashar al-Assad. He also supports and benefits from the regime. Ghassan Omar Khalaf is closely associated with members of a regime-affiliated militia in Hama known as the Hama Brigade.	28.10.2016
216.	Khayr al-Din al-Sayyed (a.k.a Khayr al-Din Abdul-Sattar al-Sayyed; Mohamed Khair al-Sayyed; Kheredden al-Sayyed; Khairuddin as-Sayyed; Khairuddin al-Sayyed; Kheir Eddin al-Sayyed; Kheir Eddib Asayed) (خير الدين، السيد)		Governor of Idlib, associated with and appointed by Bashar al-Assad. Benefits from and supports the regime, including by providing support for Syrian Armed Forces and pro-regime militia. Associated with the regime's Minister of Awqaf, Dr Mohammad Abdul-Sattar al-Sayyed, who is his brother.	28.10.2016'

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1894**of 26 October 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 therefore 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*.

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

Done at Brussels, 26 October 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 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).

ANNEX

‘ANNEX I

CN code	Description of goods	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	108,4	0	AR
0207 12 90	Fowls of the species <i>Gallus domesticus</i> , not cut in pieces, presented as ‘65 % chickens’, frozen	119,8	0	AR
		169,7	0	BR
0207 14 10	Fowls of the species <i>Gallus domesticus</i> , boneless cuts, frozen	271,7	9	AR
		177,2	41	BR
		273,5	8	CL
		226,4	22	TH
0207 27 10	Turkeys, boneless cuts, frozen	353,7	0	BR
		345,9	0	CL
0408 91 80	Eggs, not in shell, dried	350,0	0	AR
1602 32 11	Preparations of fowls of the species <i>Gallus domesticus</i> , uncooked	197,9	27	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). The code ‘ZZ’ represents ‘other origins’.

COMMISSION IMPLEMENTING REGULATION (EU) 2016/1895**of 27 October 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, 27 October 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	MA	112,8
	ZZ	112,8
0707 00 05	TR	156,4
	ZZ	156,4
0709 93 10	TR	153,4
	ZZ	153,4
0805 50 10	AR	55,1
	CL	67,0
	IL	44,6
	TR	76,1
	UY	84,6
	ZA	65,7
	ZZ	65,5
	BR	290,7
	PE	322,9
	TR	145,0
0806 10 10	ZA	228,5
	ZZ	246,8
0808 10 80	AR	260,6
	AU	218,6
	BR	119,9
	CL	139,2
	NZ	134,9
	ZA	121,3
	ZZ	165,8
0808 30 90	CN	58,1
	TR	167,5
	ZA	164,5
	ZZ	130,0

⁽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) 2016/1896**of 27 October 2016****on the issue of licences for importing rice under the tariff quotas opened for the October 2016 subperiod by Implementing Regulation (EU) No 1273/2011**

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 188 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 1273/2011 ⁽²⁾ opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several subperiods in accordance with Annex I to that Regulation.
- (2) October is the only subperiod for the quota with order number 09.4138 provided for under Article 1(1)(a) of Implementing Regulation (EU) No 1273/2011. This quota comprises the balance of the unused quantities from the quotas with order numbers 09.4127, 09.4128, 09.4129 and 09.4130 in the previous subperiod. October is the last subperiod for the quotas provided for under Article 1(1)(b) and (e) of Implementing Regulation (EU) No 1273/2011, which comprise the balance of the unused quantities from the previous subperiod.
- (3) The notifications sent in accordance with point (a) of Article 8 of Implementing Regulation (EU) No 1273/2011 show that, for the quota with order number 09.4138, the applications lodged in the first 10 working days of October 2016 under Article 4(1) of that Implementing Regulation cover a quantity greater than that available. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested under the quota concerned, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (4) The notifications also show that, for the quota with order number 09.4148, the applications lodged in the first 10 working days of October 2016 under Article 4(1) of Implementing Regulation (EU) No 1273/2011 cover a quantity less than that available.
- (5) The final percentage take-up for 2016 of each quota provided for by Implementing Regulation (EU) No 1273/2011 should also be made known.
- (6) In order to ensure sound management of the procedure of issuing import licences, this Regulation should enter into force immediately after its publication,

HAS ADOPTED THIS REGULATION:

Article 1

1. For import licence applications for rice under the quota with order number 09.4138 referred to in Implementing Regulation (EU) No 1273/2011 lodged in the first 10 working days of October 2016, licences shall be issued for the quantity requested, multiplied by the allocation coefficient set out in the Annex to this Regulation.

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Implementing Regulation (EU) No 1273/2011 of 7 December 2011 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice (OJ L 325, 8.12.2011, p. 6).

⁽³⁾ Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

2. The final percentage take-up for 2016 of each quota provided for by Implementing Regulation (EU) No 1273/2011 is given 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, 27 October 2016.

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

Director-General for Agriculture and Rural Development

ANNEX

**Quantities to be allocated for the October 2016 subperiod under Implementing Regulation (EU)
No 1273/2011 and final percentage take-up for 2016**

- (a) Quota of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(a) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Allocation coefficient for October 2016 subperiod	Final percentage take-up of the quota for 2016
United States	09.4127		94,85 %
Thailand	09.4128		99,27 %
Australia	09.4129		99,21 %
Other origins	09.4130		100,00 %
All countries	09.4138	0,990060 %	100,00 %

- (b) Quota of husked rice covered by CN code 1006 20 as provided for in Article 1(1)(b) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Allocation coefficient for October 2016 subperiod	Final percentage take-up of the quota for 2016
All countries	09.4148	— ⁽¹⁾	64,63 %

⁽¹⁾ No allocation coefficient applied for this subperiod: no licence applications were notified to the Commission.

- (c) Quota of broken rice covered by CN code 1006 40 00 as provided for in Article 1(1)(c) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Final percentage take-up of the quota for 2016
Thailand	09.4149	7,55 %
Australia	09.4150	0,00 %
Guyana	09.4152	0,00 %
United States	09.4153	17,96 %
Other origins	09.4154	100,00 %

- (d) Quota of wholly milled or semi-milled rice covered by CN code 1006 30 as provided for in Article 1(1)(d) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Final percentage take-up of the quota for 2016
Thailand	09.4112	100,00 %
United States	09.4116	100,00 %
India	09.4117	100,00 %

Origin	Order number	Final percentage take-up of the quota for 2016
Pakistan	09.4118	100,00 %
Other origins	09.4119	100,00 %
All countries	09.4166	100,00 %

- (e) Quota of broken rice covered by CN code 1006 40 00 as provided for in Article 1(1)(e) of Implementing Regulation (EU) No 1273/2011:

Origin	Order number	Allocation coefficient for October 2016 subperiod	Final percentage take-up of the quota for 2016
All countries	09.4168	— ⁽¹⁾	100 %

⁽¹⁾ No quantity available for this subperiod.

DECISIONS

COUNCIL IMPLEMENTING DECISION (CFSP) 2016/1897

of 27 October 2016

implementing Decision 2013/255/CFSP concerning restrictive measures against Syria

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2013/255/CFSP of 31 May 2013 concerning restrictive measures against Syria ⁽¹⁾ and in particular Article 30(1) thereof,

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

Whereas:

- (1) On 31 May 2013, the Council adopted Decision 2013/255/CFSP.
- (2) In view of the gravity of the situation in Syria, 10 persons should be added to the list of natural and legal persons, entities or bodies subject to restrictive measures in Annex I to Decision 2013/255/CFSP.
- (3) Decision 2013/255/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision 2013/255/CFSP is amended as set out in the Annex to this Decision.

Article 2

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

Done at Brussels, 27 October 2016.

For the Council
The President
M. LAJČÁK

⁽¹⁾ OJ L 147, 1.6.2013, p. 14.

ANNEX

The following persons are added to the list of natural and legal persons, entities or bodies set out in Annex I to Decision 2013/255/CFSP:

List of natural and legal persons, entities or bodies referred to in Articles 27 and 28

A. Persons

	Name	Identifying information	Reasons	Date of listing
207.	Adib Salameh (a.k.a. Adib Salamah; Adib Salama; Adib Salame; Mohammed Adib Salameh; Adib Nimr Salameh) (أديب نمر سلامة)	Position: Major General, Deputy Director of Air Force Intelligence Directorate in Damascus	Member of the Syrian security and intelligence services in post after May 2011; Deputy Director of Air Force Intelligence Directorate in Damascus; previously Head of Air Force Intelligence in Aleppo. Member of the Syrian Armed Forces of the rank of 'colonel' and the equivalent or higher in post after May 2011; holds the rank of Major General. Responsible for the violent repression against the civilian population in Syria, through the planning of and involvement in military assaults in Aleppo and authority over the arrest and detention of civilians.	28.10.2016
208.	Adnan Aboud Hilweh (a.k.a. Adnan Aboud Helweh; Adnan Aboud) (عدنان عبود حلوة)	Position: Brigadier General	Holds the rank of Brigadier General of 155 Brigade and 157 Brigade in the Syrian Army in post after May 2011. As the Brigadier General of 155 and 157 Brigade, he is responsible for the violent repression against the civilian population in Syria, including through his responsibility for the deployment and use of missile and chemical weapons in civilian areas in 2013 and involvement in the large scale detentions.	28.10.2016
209.	Jawdat Salbi Mawas (a.k.a. Jawdat Salibi Mawwas; Jawdat Salibi Mawwaz) (جودت صليبي مواس)	Position: Major General	Holds the rank of Major General, a senior officer in the Syrian Artillery and Missile Directorate of the Syrian Armed Forces, in post after May 2011. As a senior ranking officer of the Syrian Artillery and Missile Directorate, he is responsible for violent repression against the civilian population, including the use of missiles and chemical weapons by Brigades under his command in highly populated civilian areas in 2013 in Ghouta.	28.10.2016
210.	Tahir Hamid Khalil (a.k.a. Tahir Hamid Khali; Khalil Tahir Hamid) (حامد خليل طاهر)	Position: Major General	Holds the ranks of Major General, Head of the Syrian Artillery and Missiles Directorate of the Syrian Armed Forces, in post after May 2011. As a senior ranking officer of the Syrian Artillery and Missile Directorate, he is responsible for the violent repression of the civilian population, including the deployment of missiles and chemical weapons by Brigades under his command in highly populated civilian areas in Ghouta in 2013.	28.10.2016

	Name	Identifying information	Reasons	Date of listing
211.	Hilal Hilal (a.k.a. Hilal al-Hilal) (هلال هلال)	Date of birth: 1966	Member of the regime-affiliated militias known as 'Kataeb al-Baath' (The Baath Party militia). Supports the regime through his role in the recruitment and organisation of the Baath Party militia.	28.10.2016
212.	Ammar Al-Sharif (a.k.a. Amar Al-Sharif; Amar Al-Charif; Ammar Sharif; Ammar Charif; Ammar al Shareef; Ammar Sherif; Ammar Medhat Sherif) (عمار الشر يف)		Leading Syrian businessman operating in Syria, active in the banking, insurance, and hospitality sectors. Founding partner of Byblos Bank Syria, major shareholder in Unlimited Hospitality Ltd, and board member of the Solidarity Alliance Insurance Company and the Al-Aqueelah Takaful Insurance Company.	28.10.2016
213.	Bishr al-Sabban (a.k.a. Mohammed Bishr Al-Sabban; Bishr Mazin Al-Sabban) (بشر الصبان)		Governor of Damascus, who is appointed by, and associated with, Bashar al-Assad. Supports the regime and is responsible for the violent repression against the civilian population in Syria, including engaging in discriminatory practices against Sunni communities within the capital.	28.10.2016
214.	Ahmad Sheik Abdul-Qader (a.k.a. Ahmad Sheikh Abdul Qadir; Ahmad al-Sheik Abdulquader) (أحمد الشيخ عبد القادر)		Governor of Quneitra, associated with and appointed by Bashar al-Assad. Previously Governor of Latakia. Supports and benefits from the regime, including by public support for the Syrian Armed Forces and pro-regime militia.	28.10.2016
215.	Dr Ghassan Omar Khalaf (غسان عمر خلف)		Governor of Hama, who was appointed by, and is associated with, Bashar al-Assad. He also supports and benefits from the regime. Ghassan Omar Khalaf is closely associated with members of a regime-affiliated militia in Hama known as the Hama Brigade.	28.10.2016
216.	Khayr al-Din al-Sayyed (a.k.a. Khayr al-Din Abdul-Sattar al-Sayyed; Mohamed Khair al-Sayyed; Kheredden al-Sayyed; Khairuddin as-Sayyed; Khairuddin al-Sayyed; Kheir Eddin al-Sayyed; Kheir Eddib Asayed) (خير الدين، السيد)		Governor of Idlib, associated with and appointed by Bashar al-Assad. Benefits from and supports the regime, including by providing support for Syrian Armed Forces and pro-regime militia. Associated with the regime's Minister of Awqaf, Dr Mohammad Abdul-Sattar al-Sayyed, who is his brother.	28.10.2016'

COMMISSION IMPLEMENTING DECISION (EU) 2016/1898**of 26 October 2016****amending Implementing Decision 2013/764/EU concerning animal health control measures relating to classical swine fever in certain Member States***(notified under document C(2016) 6710)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Commission Implementing Decision 2013/764/EU ⁽³⁾ lays down animal health control measures in relation to classical swine fever in the Member States or areas thereof listed in the Annex thereto. Those measures include prohibitions on the dispatch of live pigs, porcine semen, ova and embryo, pigmeat as well as meat preparations and meat products consisting of or containing pigmeat from certain areas of the Member States concerned.
- (2) The evolution of the current epidemiological situation in the Union as regards classical swine fever should be considered in the assessment of the risk represented by the animal health situation as regards that disease. It is appropriate to provide for certain derogations for the dispatch of live pigs, fresh pigmeat and of certain meat preparations and meat products from areas listed in the Annex to Implementing Decision 2013/764/EU. The additional animal health requirements applicable, in case such derogations are granted, should also be described in that Implementing Decision.
- (3) Council Directive 64/432/EEC ⁽⁴⁾ provides that health certificates are to accompany the movements of live animals. Where derogations from the prohibition on the dispatch of live pigs from the areas listed in the Annex to Implementing Decision 2013/764/EU are applied to live pigs intended for intra-Union trade, those health certificates should include a reference to that Implementing Decision so as to ensure that adequate and accurate health information is provided in the relevant certificates.
- (4) Article 6 of Council Directive 2001/89/EC ⁽⁵⁾ recognises the existence of holdings consisting of different production units and allows the application of derogations related to different levels of risks that can be recognised by the competent authority. This should be reflected in the derogations provided for in Article 4 (a) of Implementing Decision 2013/764/EU.
- (5) The Annex to Commission Decision 2002/106/EC ⁽⁶⁾ details the serological monitoring and sampling procedures and provides details on the prescribed tests. Where derogations to the requirements of Implementing Decision 2013/764/EU are to be made in that implementing Decision, such measures should make reference to the relevant parts of the Annex to Decision 2002/106/EC.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ Commission Implementing Decision 2013/764/EU of 13 December 2013 concerning animal health control measures relating to classical swine fever in certain Member States (OJ L 338, 17.12.2013, p. 102).

⁽⁴⁾ Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ L 121, 29.7.1964, p. 1977/64).

⁽⁵⁾ Council Directive 2001/89/EC of 23 October 2001 on Community measures for the control of classical swine fever (OJ L 316, 1.12.2001, p. 5).

⁽⁶⁾ Commission Decision 2002/106/EC of 1 February 2002 approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever (OJ L 39, 9.2.2002, p. 71).

- (6) Implementing Decision 2013/764/EU should therefore be amended accordingly.
- (7) 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

Implementing Decision 2013/764/EU is amended as follows:

- (1) the following Article 2a is inserted:

'Article 2a

Derogation for the dispatch of live pigs to other Member States in certain cases

1. By way of derogation from Article 2(1), the Member States concerned may authorise the dispatch of live pigs from holdings located within the areas listed in the Annex to other Member States, provided that the overall classical swine fever situation in the areas listed in the Annex is favourable and the pigs in question were kept in holdings where:

- no evidence of classical swine fever has been recorded in the previous 12 months in the holding in question and the holding is located outside a protection zone or a surveillance zone established in accordance with Directive 2001/89/EC;
- the pigs have been resident for at least 90 days or since birth on the holding and no live pigs have been introduced into the holding during the 30-day period immediately prior to the date of dispatch;
- the holding implements a bio-security plan approved by the competent authority;
- the holding has been subjected regularly and at least every four months to inspections by the competent authority, which must:
 - (i) follow the guidelines set out in Chapter III of the Annex to Commission Decision 2002/106/EC (*);
 - (ii) include a clinical examination in accordance with the checking and sampling procedures set out in Part A of Chapter IV of the Annex to Decision 2002/106/EC;
 - (iii) check the effective application of the measures provided for in the second indent and in the fourth to seventh indents of Article 15(2)(b) of Directive 2001/89/EC; and
- the holding is subject to a classical swine fever surveillance plan implemented by the competent authority in accordance with the sampling procedures laid down in point F.2 of Chapter IV of the Annex to Decision 2002/106/EC and laboratory testing with negative results within one month prior to movement.

2. For live pigs that comply with the requirements of paragraph 1, the following additional wording shall be added to the corresponding health certificate for swine referred to in Article 5(1) of Council Directive 64/432/EEC (**):

“Pigs in compliance with Article 2a of Commission Implementing Decision 2013/764/EU”.

(*) Commission Decision 2002/106/EC of 1 February 2002 approving a Diagnostic Manual establishing diagnostic procedures, sampling methods and criteria for evaluation of the laboratory tests for the confirmation of classical swine fever (OJ L 39, 9.2.2002, p. 71).

(**) Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine (OJ 121, 29.7.1964, p. 1977/64);

(2) Article 4 is amended as follows:

(a) in point (a), the second indent is replaced by the following:

‘— the pigs have been resident for at least 90 days or since birth on the holding and no live pigs have been introduced into the holding, or separate production unit, during the 30-day period immediately prior to the date of dispatch to the slaughterhouse; this shall apply only to separate production units for which the official veterinarian has confirmed that the structure, size and distance between the production units and the operations carried out there are such that the production units provide completely separate facilities for housing, keeping and feeding, so that the virus cannot spread from one production unit to another;’;

(b) in point (a), point (iii) of the fourth indent is replaced by the following:

‘(iii) meet at least one of the following conditions:

1. check the effective application of the measures provided for in the second indent and in the fourth to seventh indents of Article 15(2)(b) of Directive 2001/89/EC; or
2. in a 40 km radius surrounding the holding, surveillance in feral pigs is carried out regularly, and at least every four months, with negative results according to Part H of Chapter IV of the Annex to Decision 2002/106/EC and all slaughtered pigs of the consignment have been tested with negative results for classical swine fever in accordance with the diagnostic procedures set out in Part C of Chapter VI of the Annex to Decision 2002/106/EC;’;

(c) in point (a), the following seventh indent is added:

‘— the pigmeat, meat preparations and meat products coming from pig holdings complying with this point are accompanied by the appropriate intra-Union trade health certificate as laid down by Commission Regulation (EC) No 599/2004 (*) of which Part II of the certificate shall be completed by the following sentence:

“Product in accordance with Commission Implementing Decision 2013/764/EU of 13 December 2013 concerning animal health control measures relating to classical swine fever in certain Member States.”

(*) Commission Regulation (EC) No 599/2004 of 30 March 2004 concerning the adoption of a harmonised model certificate and inspection report linked to intra-Community trade in animals and products of animal origin (OJ L 94, 31.3.2004, p. 44).’;

(d) in point (b), the third indent is replaced by the following:

‘— are accompanied by the appropriate intra-Union trade health certificate as laid down by Regulation (EC) No 599/2004 of which Part II of the certificate shall be completed by the following sentence:

“Product in accordance with Commission Implementing Decision 2013/764/EU of 13 December 2013 concerning animal health control measures relating to classical swine fever in certain Member States.”;’;

(3) in Article 10, the date ‘31 December 2017’ is replaced by the date ‘31 December 2019’.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 October 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2016/1899**of 26 October 2016****amending Decisions 92/260/EEC, 93/197/EEC and 2004/211/EC as regards temporary admission and imports of registered horses from certain parts of Egypt***(notified under document C(2016) 6791)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 2009/156/EC of 30 November 2009 on animal health conditions governing the movement and importation from third countries of equidae ⁽¹⁾, and in particular Article 12(1) and (4), point (a) of Article 15 and the introductory phrase and points (a) and (b) of Article 19 thereof,

Whereas:

- (1) Directive 2009/156/EC lays down animal health conditions for the importation into the Union of live equidae. It empowers the Commission to lay down, amongst others, the special conditions for the temporary admission and imports into the Union of registered equidae.
- (2) Commission Decision 92/260/EEC ⁽²⁾ provides that Member States are to authorise the temporary admission into the Union of registered horses coming from the third countries listed in Annex I thereto. That Annex sets out lists of third countries where official regionalisation is applied and assigns those third countries to specific sanitary groups depending on their health situation.
- (3) Commission Decision 93/197/EEC ⁽³⁾ provides that Member States are to authorise imports into the Union of registered equidae and equidae for breeding and production coming from the third countries listed in Annex I thereto. That Annex sets out lists of third countries where official regionalisation is applied and assigns those third countries to specific sanitary groups depending on their health situation.
- (4) Commission Decision 2004/211/EC ⁽⁴⁾ establishes a list of third countries, or parts thereof where regionalisation applies, from which Member States are to authorise the importation of equidae and semen, ova and embryos thereof. Annex I to that Decision sets out that list and also assigns the third countries, or parts thereof, to specific sanitary groups.
- (5) Decisions 92/260/EEC, 93/197/EEC and 2004/211/EC previously assigned Egypt to sanitary group E. However, following a veterinary inspection carried out in Egypt in June 2010, it was decided that the situation in that third country could constitute a serious animal health risk for the equine population in the Union. As a result, Commission Decision 2010/463/EU ⁽⁵⁾ was adopted in order to delete the entry for Egypt in sanitary group E as listed in Annex I to Decisions 92/260/EEC, 93/195/EEC and 93/197/EEC and also to amend the entry for Egypt in Annex I to Decision 2004/211/EC.

⁽¹⁾ OJ L 192, 23.7.2010, p. 1.

⁽²⁾ Commission Decision 92/260/EEC of 10 April 1992 on animal health conditions and veterinary certification for temporary admission of registered horses (OJ L 130, 15.5.1992, p. 67).

⁽³⁾ Commission Decision 93/197/EEC of 5 February 1993 on animal health conditions and veterinary certification for imports of registered equidae and equidae for breeding and production (OJ L 86, 6.4.1993, p. 16).

⁽⁴⁾ Commission Decision 2004/211/EC of 6 January 2004 establishing the list of third countries and parts of territory thereof from which Member States authorise imports of live equidae and semen, ova and embryos of the equine species, and amending Decisions 93/195/EEC and 94/63/EC (OJ L 73, 11.3.2004, p. 1).

⁽⁵⁾ Commission Decision 2010/463/EU of 20 August 2010 amending Decisions 92/260/EEC, 93/195/EEC, 93/197/EEC and 2004/211/EC as regards the temporary admission, the re-entry after temporary export and imports of registered horses and imports of semen of the equine species from certain parts of Egypt (OJ L 220, 21.8.2010, p. 74).

- (6) The concept of an 'Equine Disease Free Zone' (EDFZ) developed by the World Organisation for Animal Health (OIE) ⁽¹⁾ mirrors the principles of regionalisation provided for in Directive 2009/156/EC. An EDFZ is therefore a part of the territory of a country under specific veterinary supervision which is free of multiple specified equine diseases and usually established where the control and eradication of all equine diseases in the entire territory of a country is not feasible or achievable. The separation of the equidae inside the EDFZ from other equidae is achieved by the implementation of sound biosecurity management, certification standards and procedures, contingency planning and the identification of all horses situated in the EDFZ and the capacity to trace their movement.
- (7) In June 2016, Egypt requested that the Commission reconsider the export status of that third country and it submitted documentation on the establishment of an EDFZ around the Egyptian Armed Forces Veterinary Hospital situated in the eastern outskirts of Cairo. The EDFZ is connected through a highway with Cairo International Airport which is less than 10 km away.
- (8) It appears from the documentation submitted by Egypt that the guarantees offered by Egypt are sufficient to re-assign Egypt to sanitary group E and to authorise temporary admission and imports of registered horses from the EDFZ of Egypt.
- (9) Decisions 92/260/EEC, 93/197/EEC and 2004/211/EC should therefore be amended accordingly.
- (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 I to Decision 92/260/EEC is amended in accordance with Annex I to this Decision.

Article 2

Annex I to Decision 93/197/EEC is amended in accordance with Annex II to this Decision.

Article 3

Annex I to Decision 2004/211/EC is amended in accordance with Annex III to this Decision.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 26 October 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

⁽¹⁾ <http://www.oie.int/en/our-scientific-expertise/specific-information-and-recommendations/international-competition-horse-movement/equine-disease-free-zones/>

ANNEX I

In Annex I to Decision 92/260/EEC, the list of third countries in Sanitary Group E is replaced by the following:

'United Arab Emirates (AE), Bahrain (BH), Algeria (DZ), Egypt ⁽³⁾ (EG), Israel ⁽⁴⁾ (IL), Jordan (JO), Kuwait (KW), Lebanon (LB), Morocco (MA), Oman (OM), Qatar (QA), Saudi Arabia ⁽³⁾ (SA), Tunisia (TN), Turkey ⁽³⁾ (TR)'.

ANNEX II

In Annex I to Decision 93/197/EEC, the list of third countries in Sanitary Group E is replaced by the following:

'United Arab Emirates ⁽³⁾ (AE), Bahrain ⁽³⁾ (BH), Algeria (DZ), Egypt ⁽²⁾ ⁽³⁾ (EG), Israel ⁽⁵⁾ (IL), Jordan ⁽³⁾ (JO), Kuwait ⁽³⁾ (KW), Lebanon ⁽³⁾ (LB), Morocco (MA), Mauritius ⁽³⁾ (MU), Oman ⁽³⁾ (OM), Qatar ⁽³⁾ (QA), Saudi Arabia ⁽²⁾ ⁽³⁾ (SA), Tunisia (TN), Turkey ⁽²⁾ ⁽³⁾ (TR)'.

COMMISSION IMPLEMENTING DECISION (EU) 2016/1900**of 26 October 2016****amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States, as regards the entries for Estonia, Latvia and Poland***(notified under document C(2016) 6793)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market ⁽¹⁾, and in particular Article 9(4) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽²⁾, and in particular Article 10(4) thereof,

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 ⁽³⁾, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Implementing Decision 2014/709/EU ⁽⁴⁾ lays down animal health control measures in relation to African swine fever in certain Member States. The Annex to that Implementing Decision demarcates and lists certain areas of those Member States in Parts I, II, III and IV thereof differentiated by the level of risk based on the epidemiological situation. That list includes certain areas of Estonia, Latvia and Poland.
- (2) In August 2016, a single outbreak of African swine fever in domestic pigs occurred in the powiat moniecki in Poland in an area currently listed in Part I of the Annex to Implementing Decision 2014/709/EU; in September 2016 another single case of African swine fever in wild boar occurred in that same area. In September 2016, a small number of outbreaks of African swine fever in domestic pigs occurred in powiat łosicki and in powiat siemiatycki in Poland in an area currently listed in Part III of the Annex to Implementing Decision 2014/709/EU, in close proximity to the areas listed in Parts I and II of that Annex. The occurrence of this disease in these areas, together with the recent change in the epidemiological situation constitutes an increase in the level of risk that needs to be taken into account. Accordingly, certain areas of Poland listed in Part I of the Annex to Implementing Decision 2014/709/EU should now be listed in Part III of that Annex.
- (3) Since October 2015, there have been no outbreaks of African swine fever in domestic pigs notified in those areas of Estonia that are listed in Part III of the Annex to Implementing Decision 2014/709/EU located south to road number 92. In addition, supervision of biosecurity measures, based on the national programme for biosecurity aimed at the prevention of the spread of African swine fever, has been implemented in those areas. These facts indicate an improvement in the epidemiological situation. Accordingly, those areas of that Member State should now be listed in Part II, instead of Part III, of the Annex to Implementing Decision 2014/709/EU.
- (4) In September 2016, a single outbreak of African swine fever in domestic pigs occurred in the novads of Gulbenes in Latvia in an area currently listed in Part II of the Annex to Implementing Decision 2014/709/EU. The occurrence of this outbreak, together with the recent change in the epidemiological situation constitutes an increase in the level of risk that needs to be taken into account. Accordingly, certain areas of Latvia should now be listed in Part III, instead of Part II, of that Annex.

⁽¹⁾ OJ L 395, 30.12.1989, p. 13.

⁽²⁾ OJ L 224, 18.8.1990, p. 29.

⁽³⁾ OJ L 18, 23.1.2003, p. 11.

⁽⁴⁾ Commission Implementing Decision 2014/709/EU of 9 October 2014 concerning animal health control measures relating to African swine fever in certain Member States and repealing Implementing Decision 2014/178/EU (OJ L 295, 11.10.2014, p. 63).

- (5) The evolution of the current epidemiological situation of African swine fever in the affected domestic and feral pig populations in the Union should be taken into account in the assessment of the animal health risk posed by to that situation as regards that disease in Estonia, Latvia and Poland. In order to focus the animal health control measures provided for in Implementing Decision 2014/709/EU and to prevent the further spread of African swine fever, while preventing any unnecessary disturbance to trade within the Union and avoiding unjustified barriers to trade by third countries, the Union list of areas subject to the animal health control measures set out in the Annex to that Implementing Decision should be amended to take into account the changes in the current epidemiological situation as regards that disease in Estonia, Latvia and Poland.
- (6) The Annex to Implementing Decision 2014/709/EU should therefore be amended accordingly.
- (7) 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

The Annex to Implementing Decision 2014/709/EU is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 October 2016.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

The Annex to Implementing Decision 2014/709/EU is replaced by the following:

‘ANNEX

PART I

1. Estonia

The following areas in Estonia:

- the maakond of Hiiumaa.

2. Latvia

The following areas in Latvia:

- in the novads of Bauskas, the pagasti of Īslīces, Gailīšu, Brunavas and Ceraukstes,
- in the novads of Dobeles, the pagasti of Bikstu, Zebrenes, Annenieku, Naudītes, Penkules, Auru and Krimūnu, Dobeles, Berzes, the part of the pagasts of Jaunbērzes located to the West of road P98, and the pilsēta of Dobeļe,
- in the novads of Jelgavas, the pagasti of Glūdas, Svētes, Platones, Vircavas, Jaunsvirlaukas, Zaļenieku, Vilces, Lielplatones, Elejas and Sesavas,
- in the novads of Kandavas, the pagasti of Vānes and Matkules,
- in the novads of Talsu, the pagasti of Lubes, Īves, Valdgales, Ģibuļu, Libagu, Laidzes, Ārlavas, Abavas, the pilsētas of Sabile, Talsi, Stende and Valdemārpils,
- the novads of Brocēnu,
- the novads of Dundagas,
- the novads of Jaunpils,
- the novads of Rojas,
- the novads of Rundāles,
- the novads of Stopiņu,
- the novads of Tērvetes,
- the pilsēta of Bauska,
- the republikas pilsēta of Jelgava,
- the republikas pilsēta of Jūrmala.

3. Lithuania

The following areas in Lithuania:

- in the rajono savivaldybė of Jurbarkas, the seniūnijos of Raudonės, Veliuonos, Seredžiaus and Juodaičių,
- in the rajono savivaldybė of Pakruojis, the seniūnijos of Klovainių, Rozalimo and Pakruojo,
- in the rajono savivaldybė of Panevėžys, the part of the Krekenavos seniūnija located to the west of the river Nevėžis,
- in the rajono savivaldybė of Raseiniai, the seniūnijos of Ariogalos, Ariogalos miestas, Betygalos, Pajūjū and Šiluvos,
- in the rajono savivaldybė of Šakiai, the seniūnijos of Plokščių, Kriūkų, Lekėčių, Lukšių, Griškabūdžio, Barzdų, Žvirgždaičių, Sintautų, Kudirkos Naumiesčio, Slavikų, Šakių,
- the rajono savivaldybė of Pasvalys,
- the rajono savivaldybė of Vilkaviškis,

- the rajono savivaldybė of Radviliškis,
- the savivaldybė of Kalvarija,
- the savivaldybė of Kazlų Rūda,
- the savivaldybė of Marijampolė.

4. Poland

The following areas in Poland:

In the województwo warmińsko-mazurskie:

- the gminy of Kalinowo and Prostki in the powiat ełcki,
- the gmina of Biała Piska in powiat piski.

In the województwo podlaskie:

- the powiat augustowski,
- the gminy of Brańsk with the city of Brańsk, Boćki, Rudka, Wyszki, the part of the gmina of Bielsk Podlaski located to the West of the line created by road number 19 (going northwards from the city of Bielsk Podlaski) and prolonged by the eastern border of the city of Bielsk Podlaski and road number 66 (going southwards from the city of Bielsk Podlaski), the city of Bielsk Podlaski, the part of the gmina of Orla located to the West of road number 66, in the powiat bielski,
- the gminy of Choroszcz, Juchnowiec Kościelny, Suraz, Turośń Kościelna, Łapy and Poświętne in the powiat białostocki,
- the gminy of Drohiczyn, Dziadkowice, Grodzisk and Perlejewo in the powiat siemiatycki,
- the gminy of Rutka-Tartak, Szypliszki, Suwałki, Raczek in the powiat suwalski,
- the gminy of Grabowo and Stawiski in the powiat kolneński,
- the powiat łomżyński,
- the powiat M. Białystok,
- the powiat M. Łomża,
- the powiat M. Suwałki,
- the powiat sejneński,
- the powiat wysokomazowiecki,
- the powiat zambrowski.

In the województwo mazowieckie:

- the gminy of Czerwonka, Jabłonna Lacka, Sterdyń and Repki in the powiat sokołowski,
- the gminy of Korczew, Przesmyki, Paprotnia, Suchożebry, Mordy, Siedlce and Zbuczyn in the powiat siedlecki,
- the powiat M. Siedlce,
- the gminy of Rzekuń, Troszyn, Czerwin and Goworowo in the powiat ostrołęcki,
- the gminy of Olszanka, Łosice and Platerów in the powiat łosicki,
- the powiat ostrowski.

In the województwo lubelskie:

- the gmina of Hanna in the powiat włodawski,
- the gminy of Miedzyrzec Podlaski with the city of Miedzyrzec Podlaski, Drelów, Łomazy, Rossosz, Piszczac, Kodeń, Tucznia, Sławatycze, Wisznice and Sosnówka in the powiat bialski,
- the gmina of Kąkolewnica Wschodnia and Komarówka Podlaska in the powiat radzyński.

PART II

1. Estonia

The following areas in Estonia:

- the linn of Elva,
- the linn of Võhma,
- the linn of Kuressaare,
- the linn of Rakvere,
- the linn of Tartu,
- the linn of Viljandi,
- the maakond of Harjumaa (excluding the part of the vald of Kuusalu located to the South of road 1 (E20), the vald of Aegviidu and the vald of Anija),
- the maakond of IDA-Virumaa,
- the maakond of Läänemaa,
- the maakond of Pärnumaa,
- the maakond of Põlvamaa,
- the maakond of Võrumaa,
- the maakond of Valgamaa,
- the maakond of Raplamaa,
- the vald of Suure-Jaani,
- the part of the vald of Tamsalu located to the North-East of the Tallinn-Tartu railway,
- the vald of Tartu,
- the vald of Abja,
- the vald of Alatskivi,
- the vald of Haaslava,
- the vald of Haljala,
- the vald of Tarvastu,
- the vald of Nõo,
- the vald of Ülenurme,
- the vald of Tähtvere,
- the vald of Rõngu,
- the vald of Rannu,
- the vald of Konguta,
- the vald of Puhja,
- the vald of Halliste,
- the vald of Kambja,
- the vald of Karksi,
- the vald of Kihelkonna,
- the vald of Kõpu,
- the vald of Lääne-Saare,
- the vald of Laekvere,
- the vald of Leisi,
- the vald of Luunja,

- the vald of Mäksa,
- the vald of Meeksi,
- the vald of Muhu,
- the vald of Mustjala,
- the vald of Orissaare,
- the vald of Peipsiääre,
- the vald of Piirissaare,
- the vald of Pöide,
- the vald of Rägavere,
- the vald of Rakvere,
- the vald of Ruhnu,
- the vald of Salme,
- the vald of Sõmeru,
- the vald of Torgu,
- the vald of Vara,
- the vald of Vihula,
- the vald of Viljandi,
- the vald of Vinni,
- the vald of Viru-Nigula,
- the vald of Võnnu.

2. Latvia

The following areas in Latvia:

- in the novads of Balvu, the pagsti of Vīksnas, Bērzkalnes, Vectilžas, Lazdulejas, Briežuciema, Tilžas, Bērzpils and Krišjāņu,
- in the novads of Bauskas, the pagasti of Mežotnes, Codes, Dāviņu and Vecsaules,
- in the novads of Dobele, the part of the pagasts of Jaunbērzes located to the East of road P98,
- in the novads of Gulbenes the pagasts of Līgo,
- in the novads of Jelgavas the pagasti of Kalnciema, Līvberzes and Valgundes,
- in the novads of Kandavas, the pagasti of Cēres, Kandavas, Zemītes and Zantes, the pilsēta of Kandava,
- in the novads of Limbažu, the pagasti of Skultes, Vidrižu, Limbažu and Umurgas,
- in the novads of Rugāju the pagsts of Lazdukalna,
- in the novads of Salacgrīvas, the pagasts of Liepupes,
- in the novads of Talsu, the pagasti of Ķūļciema, Balgales, Vandzenes, Laucienes, Virbu and Strazdes,
- the novads of Ādažu,
- the novads of Aizkraukles,
- the novads of Aknīstes,
- the novads of Alūksnes,
- the novads of Amatas,
- in the novads of Apes, the pagasti of Trapenes, Gaujienas and Apes and the pilsēta of Ape,
- the novads of Babītes,
- the novads of Baldones,

- the novads of Baltinavas,
- the novads of Carnikavas,
- the novads of Cēsu,
- the novads of Cesvaines,
- the novads of Engures,
- the novads of Ērgļu,
- the novads of Garkalnes,
- the novads of Iecavas,
- the novads of Ikšķiles,
- the novads of Ilūkstes,
- the novads of Inčukalna,
- the novads of Jaunjelgavas,
- the novads of Jēkabpils,
- the novads of Ķeguma,
- the novads of Ķekavas,
- the novads of Kocēnu,
- the novads of Kokneses,
- the novads of Krimuldas,
- the novads of Krustpils,
- the novads of Lielvārdes,
- the novads of Līgatnes,
- the novads of Līvānu,
- the novads of Lubānas,
- the novads of Madonas,
- the novads of Mālpils,
- the novads of Mārupes,
- the novads of Mērsraga,
- the novads of Neretas,
- the novads of Ogres,
- the novads of Olaines,
- the novads of Ozolnieki,
- the novads of Pārgaujas,
- the novads of Pļaviņu,
- the novads of Priekuļu,
- in the novads of Raunas, the pagasts of Raunas,
- the novads of Ropažu,
- the novads of Salas,
- the novads of Salaspils,
- the novads of Saulkrastu,
- the novads of Sējas,
- the novads of Siguldas,
- the novads of Skrīveru,

- in the novads of Smiltenes, the pagasti of Brantu, Blomes, Smiltenes, Bilskas and Grundzāles, the pilsēta of Smiltene,
- the novads of Tukuma,
- the novads of Varakļānu,
- the novads of Vecpiebalgas,
- the novads of Vecumnieku,
- the novads of Viesītes,
- the novads of Viļakas,
- the pilsēta of Limbaži,
- the republikas pilsēta of Jēkabpils,
- the republikas pilsēta of Valmiera.

3. Lithuania

The following areas in Lithuania:

- in the rajono savivaldybė of Anykščiai, the seniūnijos of Kavarskas, Kurkliai and the part of Anykščiai located south west to the road No 121 and No 119,
- in the rajono savivaldybė of Jonava, the seniūnijos of Šilų, Bukonių and, in the Žeimių seniūnija, the villages of Biliušiai, Drobiškiai, Normainiai II, Normainėliai, Juškonys, Pauliukai, Mitėniškiai, Zofijauka, Naujokai,
- in the rajono savivaldybė of Kaunas, the seniūnijos of Akademijos, Alšėnų, Babtų, Batniavos, Čekiškės, Domeikavos, Ežerėlio, Garliavos, Garliavos apylinkių, Kačerginės, Kulautuvos, Linksmakalnio, Raudondvario, Ringaudų, Rokų, Samylų, Taurakiemio, Užliedžių, Vilkijos, Vilkijos apylinkių and Zapyškio,
- in the rajono savivaldybė of Kėdainiai, the seniūnijos of Josvainių and Pernaravos,
- in the rajono savivaldybė of Panevėžys the seniūnijos of Karsakiškio, Naujamiesčio, Paįstrio, Panevėžio, Ramygalos, Smilgių, Upytės, Vadoklių, Velžio and the part of Krekenavos seniūnija located to the east of the river Nevėžis,
- in the rajono savivaldybė of Prienai the seniūnijos of Veiverių, Šilavoto, Naujosios Ūtos, Balbieriškio, Ašmintos, Išlaužo, Pakuonių,
- in the rajono savivaldybė of Šalčininkai, the seniūnijos of Jašiūnų, Turgelių, Akmenynės, Šalčininkų, Gerviškų, Butrimonių, Eišiškų, Poškonių, Dieveniškų,
- in the rajono savivaldybė of Varėna, the seniūnijos of Kaniavos, Marcinkonių, Merkinės,
- in the rajono savivaldybė of Vilnius the parts of the seniūnija of Sudervė and Dūkštai located to the North-East from the road No 171, the seniūnijos of Maišiagala, Zujūnų, Avižienių, Riešės, Paberžės, Nemenčinės, Nemenčinės miesto, Sužionių, Buivydžių, Bezdonių, Lavoriškių, Mickūnų, Šatrininkų, Kalvelių, Nemėžių, Rudaminos, Rūkainių, Medininkų, Marijampolio, Pagirių and Juodšilių,
- the miesto savivaldybė of Alytus,
- in the rajono savivaldybė of Utena the seniūnijos of Sudeikių, Utenos, Utenos miesto, Kuktiškų, Daugailių, Tauragnų, Saldutiškio,
- in the miesto savivaldybė of Alytus the seniūnijos of Pivašiūnų, Punios, Daugų, Alovės, Nemunaičio, Raitininkų, Miroslavo, Krokialaukio, Simno, Alytaus,
- the miesto savivaldybė of Kaunas,
- the miesto savivaldybė of Panevėžys,
- the miesto savivaldybė of Prienai,
- the miesto savivaldybė of Vilnius,
- the rajono savivaldybė of Biržai,
- the savivaldybė of Druskininkai,
- the rajono savivaldybė of Ignalina,

- the rajono savivaldybė of Lazdijai,
- the rajono savivaldybė of Molėtai,
- the rajono savivaldybė of Rokiškis,
- the rajono savivaldybė of Širvintos,
- the rajono savivaldybė of Švenčionys,
- the rajono savivaldybė of Ukmergė,
- the rajono savivaldybė of Zarasai,
- the savivaldybė of Birštonas,
- the savivaldybė of Visaginas.

4. Poland

The following areas in Poland:

In the województwo podlaskie:

- the gminy of Czarna Białostocka, Dobrzyniewo Duże, Gródek, Michałowo, Supraśl, Tykocin, Wasilków, Zabłudów and Zawady in the powiat białostocki,
- the powiat sokólski,
- the gmina of Dubicze Cerkiewne, the parts of the gminy of Kleszczele and Czeremcha located to the East of road number 66, in the powiat hajnowski,
- the part of the gmina of Bielsk Podlaski located to the East of the line created by road number 19 (going northwards from the city of Bielsk Podlaski) and prolonged by the eastern border of the city of Bielsk Podlaski and road number 66 (going southwards from the city of Bielsk Podlaski), the part of the gmina of Orla located to the East of road number 66, in the powiat bielski.

PART III

1. Estonia

The following areas in Estonia:

- the maakond of Jõgevamaa,
- the maakond of Järvamaa,
- the part of the vald of Kuusalu located to the South of road 1 (E20),
- the part of the vald of Tamsalu located to the South-West of the Tallinn-Tartu railway,
- the vald of Aegviidu,
- the vald of Anija,
- the vald of Kadrina,
- the vald of Kolga-Jaani,
- the vald of Kõo,
- the vald of Laeva,
- the vald of Laimjala,
- the vald of Pihitla,
- the vald of Rakke,
- the vald of Tapa,
- the vald of Väike-Maarja,
- the vald of Valjala.

2. Latvia

The following areas in Latvia:

- in the novads of Balvu, the pagasti of Kubuļu, Balvu and the pilsēta of Balvi,
- in the novads of Gulbenes, the pagasti of Beļavas, Galgauskas, Jaungulbenes, Daukstu, Stradu, Litenes, Stāmerienas, Tirzas, Druvienas, Rankas, Lizuma and Lejasciema and the pilsēta of Gulbene,
- the novads of Jaunpiebalgas,
- in the novads of Raunas, the pagasts of Drustu,
- in the novads of Smiltenes, the pagasti of Launkalnes, Variņu and Palsmanes,
- in the novads of Apes, the pagasts of Virešu,
- in the novads of Limbažu, the pagasti of Viļķenes, Pāles and Katvaru,
- in the novads of Rugāju the pagasts of Rugāju,
- in the novads of Salacgrīvas, the pagasti of Ainažu and Salacgrīvas,
- the novads of Aglonas,
- the novads of Alojas,
- the novads of Beverīnas,
- the novads of Burtnieku,
- the novads of Ciblas,
- the novads of Dagdas,
- the novads of Daugavpils,
- the novads of Kārsavas,
- the novads of Krāslavas,
- the novads of Ludzas,
- the novads of Mazsalacas,
- the novads of Naukšēnu,
- the novads of Preiļu,
- the novads of Rēzeknes,
- the novads of Riebiņu,
- the novads of Rūjienas,
- the novads of Strenču,
- the novads of Valkas,
- the novads of Vārkavas,
- the novads of Viļānu,
- the novads of Zilupes,
- the pilsēta of Ainaži,
- the pilsēta of Salacgrīva,
- the republikas pilsēta of Daugavpils,
- the republikas pilsēta of Rēzekne.

3. Lithuania

The following areas in Lithuania:

- in the rajono savivaldybė of Anykščiai, the seniūnijos of Debeikių, Skiemonių, Viešintų, Andrioniškio, Svėdasų, Troškūnų, Traupio and the part of the seniūnija of Anykščių located north east to the road No 121 and No 119,
- in the rajono savivaldybė of Alytus, the seniūnija of Butrimonių,
- in the rajono savivaldybė of Jonava the seniūnijos of Upninkų, Ruklos, Dumsių, Užusalių, Kulvos and, in the seniūnija of Žeimiai, the villages Akliai, Akmeniai, Barsukinė, Blauzdžiai, Gireliai, Jagėlava, Juljanava, Kuigaliai, Liepkalniai, Martynišķiai, Milašiškiai, Mimaliai, Naujasodis, Normainiai I, Paduobiai, Palankesiai, Pamelnytelė, Pėdžiai, Skrynės, Svalkeniai, Terespolis, Varpėnai, Žeimių gst., Žievelišķiai and Žeimių miestelis,
- the rajono savivaldybė of Kaišiadorys,
- in the rajono savivaldybė of Kaunas, the seniūnijos of Vandžiogalos, Lapių, Karmėlavos and Neveronių,
- in the rajono savivaldybė of Kėdainiai, the seniūnija of Pelėdnagių, Krakių, Dotnuvos, Gudžiūnų, Surviliškio, Vilainių, Truskavos, Šėtos, Kėdainių miesto,
- in the rajono savivaldybė of Prienai, the seniūnijos of Jiezno and Staklišķių,
- in the rajono savivaldybė of Panevėžys, the seniūnijos of Miežiškų and Raguvos,
- in the rajono savivaldybė of Šalčininkai, the seniūnijos of Baltosios Vokės, Pabarės, Dainavos and Kalesninkų,
- in the rajono savivaldybė of Varėna, the seniūnijos of Valkininkų, Jakėnų,, Matuizų, Varėnos and Vydenių,
- in the rajono savivaldybė of Vilnius the parts of the seniūnija of Sudervė and Dūkštai located to the South-West from the road No 171,
- in the rajono savivaldybė of Utena, the seniūnijos of Užpalių, Vyžuonų and Leliūnų,
- the savivaldybė of Elektrėnai,
- the miesto savivaldybė of Jonava,
- the miesto savivaldybė of Kaišiadorys,
- the rajono savivaldybė of Kupiškis,
- the rajono savivaldybė of Trakai.

4. Poland

The following areas in Poland:

In the województwo podlaskie:

- the powiat grajewski,
- the powiat moniecki,
- the gminy of Czyże, Białowieża, Hajnówka with the city of Hajnówka, Narew, Narewka and the parts of the gminy of Czeremcha and Kleszczel located to the West of road number 66 in the powiat hajnowski,
- the gminy of Mielnik, Milejczyce, Nurzec-Stacja, Siemiatycze with the city of Siemiatycze in the powiat siemiatycki.

In the województwo mazowieckie:

- the gminy of Sarnaki, Stara Kornica and Huszlew in powiat łosicki.

In the województwo lubelskie:

- the gminy of Konstantynów, Janów Podlaski, Leśna Podlaska, Rokitno, Biała Podlaska, Zalesie and Terespol with the city of Terespol in the powiat bialski,
- the powiat M. Biała Podlaska.

PART IV

Italy

The following areas in Italy:

- all areas of Sardinia.

ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2016 OF THE EU-FORMER YUGOSLAV REPUBLIC OF MACEDONIA STABILISATION AND ASSOCIATION COUNCIL

of 20 January 2016

replacing Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2016/1901]

THE EU-FORMER YUGOSLAV REPUBLIC OF MACEDONIA STABILISATION AND ASSOCIATION COUNCIL,

Having regard to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ⁽¹⁾, and in particular Article 40 thereof,

Having regard to Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation,

Whereas:

- (1) Article 40 of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part ('the Agreement') refers to Protocol 4 to the Agreement ('Protocol 4') which lays down the rules of origin and provides for cumulation of origin between the European Union, the former Yugoslav Republic of Macedonia, Turkey and any country or territory participating in the Union's Stabilisation and Association Process.
- (2) Article 39 of Protocol 4 provides that the Stabilisation and Association Council provided for in Article 108 of the Agreement may decide to amend the provisions of Protocol 4.
- (3) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽²⁾ ('the Convention') aims to replace the protocols on rules of origin currently in force among the countries of the pan-Euro-Mediterranean area with a single legal act. The former Yugoslav Republic of Macedonia and other participants to the Stabilisation and Association Process from the Western Balkans were invited to join the system of pan-European diagonal cumulation of origin in the Thessaloniki agenda, endorsed by the European Council of June 2003. They were invited to join the Convention by a decision of the Euro-Mediterranean Ministerial Conference of October 2007.
- (4) The Union and the former Yugoslav Republic of Macedonia signed the Convention on 15 June 2011.
- (5) The Union and the former Yugoslav Republic of Macedonia deposited their instruments of acceptance with the depositary of the Convention on 26 March 2012 and 14 June 2012, respectively. Consequently, in application of Article 10(3) of the Convention, the Convention entered into force in relation to the Union and the former Yugoslav Republic of Macedonia on 1 May 2012 and on 1 August 2012, respectively.
- (6) Protocol 4 should therefore be replaced by a new protocol making reference to the Convention,

⁽¹⁾ OJ L 84, 20.3.2004, p. 13.

⁽²⁾ OJ L 54, 26.2.2013, p. 4.

HAS ADOPTED THIS DECISION:

Article 1

Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation shall be replaced by the text set out in the Annex to this Decision.

Article 2

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

It shall apply from 1 May 2015.

Done at Brussels, 20 January 2016.

*For the Stabilisation and Association Council
The President*



Council of the European Union
General Secretariat

H.E. Andrej LEPAVCOV,
Ambassador,
Head of the Mission of the former Yugoslav Republic of Macedonia
to the European Union

Brussels, 5 February 2016

Your Excellency,

I have the honour to propose that, if it is acceptable to your Government, this letter and your confirmation thereof shall together constitute the signature of Decision No. 1/2016 of the EU-former Yugoslav Republic of Macedonia Stabilisation and Association Council replacing Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, adopted by written procedure on 20/01/2016. In so doing, the requirements under the terms set out in Article 10 of the Rules of Procedure of the Stabilisation and Association Council are thereby fulfilled.

A copy of the Decision is herewith attached.

Please accept, Sir, the assurance of my highest consideration.

For the European Union

Ida JACOBSEN
Head of the Agreements Office

Enclosure

175 Rue de la Loi,
1048 Brussels, Belgium



*Mission of the Republic of Macedonia
to the European Union
Ambassador and Head of Mission*

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Tel: (+32) 2 235.03.50

Fax: (+32) 2 280.09.49

E-mail: mission.eu@mfa.gov.mk

Brussels, 5 February 2016

Dear Ms. Jacobsen,

I have the honour to acknowledge the receipt of your letter dated 5th of February 2016 regarding the Decision No. 1/2016 of the Republic of Macedonia – European Union Stabilisation and Association Council replacing Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, adopted by written procedure on 20.01.2016.

Hereby, I confirm the acceptance of the Government of the Republic of Macedonia that your letter, together with this letter in reply, shall together constitute the signature of the abovementioned Decision, and that in doing so, the requirements under the terms set out in Article 10 of the Rules of Procedure of the Stabilisation and Association Council are thereby fulfilled.

However, I declare that the Republic of Macedonia does not accept the denomination used for my country in the Decision, having in view that the constitutional name of my country is the Republic of Macedonia.

Please accept, Madame, the assurances of my highest consideration.

Encl.

Ida JACOBSEN
Head of Agreements Office
General Secretariat of the Council of the European Union

BRUSSELS

Dr. Andrej Lepavcov



Council of the European Union
General Secretariat

H.E. Andrej LEPAVCOV,
Ambassador,
Head of the Mission of the former Yugoslav Republic of Macedonia
to the European Union

Brussels, 5 February 2016

Your Excellency,

I have the honour to acknowledge receipt of your letter of today's date.

The European Union notes that the Exchange of Letters between the European Union and the former Yugoslav Republic of Macedonia, which constitutes the signature of Decision No. 1/2016 of the EU-former Yugoslav Republic of Macedonia Stabilisation and Association Council of 20/01/2016 replacing Protocol 4 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the former Yugoslav Republic of Macedonia, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, has been accomplished and that this cannot be interpreted as acceptance or recognition by the European Union in whatever form or content of a denomination other than the "former Yugoslav Republic of Macedonia".

Please accept, Sir, the assurance of my highest consideration.

For the European Union

Ida JACOBSEN
Head of the Agreements Office

ANNEX

Protocol 4
concerning the definition of the concept of 'originating products' and methods of administrative cooperation

*Article 1***Applicable rules of origin**

1. For the purpose of implementing this Agreement, Appendix I and the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin ⁽¹⁾ ('the Convention') shall apply.
2. All references to the 'relevant agreement' in Appendix I and in the relevant provisions of Appendix II to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin shall be construed so as to mean this Agreement.

*Article 2***Dispute settlement**

1. Where disputes arise in relation to the verification procedures of Article 32 of Appendix I to the Convention that cannot be settled between the customs authorities requesting the verification and the customs authorities responsible for carrying out that verification, they shall be submitted to the Stabilisation and Association Council.
2. In all cases the settlement of disputes between the importer and the customs authorities of the importing country shall take place under the legislation of that country.

*Article 3***Amendments to the Protocol**

The Stabilisation and Association Council may decide to amend the provisions of this Protocol.

*Article 4***Withdrawal from the Convention**

1. Should either the European Union or the former Yugoslav Republic of Macedonia give notice in writing to the depositary of the Convention of their intention to withdraw from the Convention according to Article 9 thereof, the European Union and the former Yugoslav Republic of Macedonia shall immediately enter into negotiations on rules of origin for the purpose of implementing this Agreement.
2. Until the entry into force of such newly negotiated rules of origin, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention, applicable at the moment of withdrawal, shall continue to apply to this Agreement. However, as of the moment of withdrawal, the rules of origin contained in Appendix I and, where appropriate, the relevant provisions of Appendix II to the Convention shall be construed so as to allow bilateral cumulation between the European Union and the former Yugoslav Republic of Macedonia only.

⁽¹⁾ OJ L 54, 26.2.2013, p. 4.

*Article 5***Transitional provisions — cumulation**

Notwithstanding Articles 16(5) and 21(3) of Appendix I to the Convention, where cumulation involves only EFTA States, the Faroe Islands, the European Union, Turkey and the participants in the Stabilisation and Association Process, the proof of origin may be a movement certificate EUR.1 or an origin declaration.

