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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2017/470

of 28 February 2017

on the signing, on behalf of the European Union, of an Agreement in the form of an Exchange of Letters between the European Union and the Swiss Confederation on the cumulation of origin between the European Union, Switzerland, Norway and Turkey in the framework of the Generalised System of Preferences of the European Union

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with point (b) of Article 41 of Commission Delegated Regulation (EU) 2015/2446 ⁽¹⁾, products obtained in Norway, Switzerland or Turkey incorporating materials which have not been wholly obtained there are to be considered as originating in a beneficiary country, provided that such materials have undergone sufficient working or processing within the meaning of Article 45 of that Delegated Regulation.
- (2) Pursuant to Article 54 of Delegated Regulation (EU) 2015/2446, the system of cumulation applies on condition that Switzerland grant, on a reciprocal basis, the same treatment to products originating in beneficiary countries which incorporate materials originating in the Union.
- (3) In so far as Switzerland is concerned, the system of cumulation was initially put in place through an Agreement in the form of an Exchange of Letters between the Union and Switzerland. That Exchange of Letters took place on 14 December 2000, after the Council had given its approval by means of Decision 2001/101/EC ⁽²⁾.
- (4) In order to ensure the application of a concept of origin corresponding to that set out in the rules of origin in the Generalised System of Preferences ('GSP') of the Union, Switzerland has modified its GSP rules of origin. Therefore, it is necessary to revise the Agreement in the form of an Exchange of Letters between the Union and Switzerland.
- (5) The system of mutual acceptance of replacement certificates of origin Form A by the Union, Norway and Switzerland should continue under the revised Exchange of Letters and be conditionally applied by Turkey, in order to facilitate trade between the Union, Norway, Switzerland and Turkey.
- (6) Moreover, the rules of origin in the GSP of the Union, as reformed in 2010, provide for the implementation of a new system for the establishment of proofs of origin by registered exporters, which is to be applied from 1 January 2017. Modifications to the Exchange of Letters also need to be made in this regard.

⁽¹⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

⁽²⁾ Council Decision 2001/101/EC of 5 December 2000 concerning the approval of an Agreement in the form of an Exchange of Letters between the Community and each of the EFTA countries that grants tariff preferences under the Generalised System of Preferences (Norway and Switzerland), providing that goods with content of Norwegian or Swiss origin shall be treated on their arrival on the customs territory of the Community as goods with content of Community origin (reciprocal agreement) (OJ L 38, 8.2.2001, p. 24).

- (7) In order to anticipate the application of that new system and the rules relating thereto, on 8 March 2012 the Council authorised the Commission to negotiate an agreement with Switzerland, in the form of an Exchange of Letters, on the mutual acceptance of replacement certificates of origin Form A or replacement statements of origin providing that products with content of Norwegian, Swiss or Turkish origin are to be treated on their arrival on the customs territory of the Union as products with content of Union origin. The negotiations were successfully concluded with the initialling of the Agreement in the form of an Exchange of Letters between the European Union and the Swiss Confederation on the cumulation of origin between the European Union, Switzerland, Norway and Turkey in the framework of the Generalised System of Preferences of the European Union ('the Agreement').
- (8) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement in the form of an Exchange of Letters between the European Union and the Swiss Confederation on the cumulation of origin between the European Union, Switzerland, Norway and Turkey in the framework of the Generalised System of Preferences of the European Union is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

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

Article 3

This Decision shall enter into force on 18 March 2017.

Done at Brussels, 28 February 2017.

For the Council
The President
J. HERRERA

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

COUNCIL DECISION (EU) 2017/471**of 28 February 2017**

on the signing, on behalf of the European Union, of an Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway on the cumulation of origin between the European Union, Switzerland, Norway and Turkey in the framework of the Generalised System of Preferences of the European Union

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with point (b) of Article 41 of Commission Delegated Regulation (EU) 2015/2446 ⁽¹⁾, products obtained in Norway, Switzerland or Turkey incorporating materials which have not been wholly obtained there are to be considered as originating in a beneficiary country, provided that such materials have undergone sufficient working or processing within the meaning of Article 45 of that Delegated Regulation.
- (2) Pursuant to Article 54 of Delegated Regulation (EU) 2015/2446, the system of cumulation applies on condition that Norway grant, on a reciprocal basis, the same treatment to products originating in beneficiary countries which incorporate materials originating in the Union.
- (3) In so far as Norway is concerned, the system of cumulation was initially put in place through an agreement in the form of an Exchange of Letters between the Union and Norway. That Exchange of Letters took place on 29 January 2001, after the Council had given its approval by means of Decision 2001/101/EC ⁽²⁾.
- (4) In order to ensure the application of a concept of origin corresponding to that set out in the rules of origin in the Generalised System of Preferences ("GSP") of the Union, Norway has modified its GSP rules of origin. Therefore, it is necessary to revise the agreement in the form of an Exchange of Letters between the Union and Norway.
- (5) The system of mutual acceptance of replacement certificates of origin Form A by the Union, Norway and Switzerland should continue under the revised Exchange of Letters and be conditionally applied by Turkey, in order to facilitate trade between the Union, Norway, Switzerland and Turkey.
- (6) Moreover, the rules of origin in the GSP of the Union, as reformed in 2010, provide for the implementation of a new system for the establishment of proofs of origin by registered exporters, which is to be applied from 1 January 2017. Modifications to the Exchange of Letters also need to be made in this regard.
- (7) In order to anticipate the application of that new system and the rules relating thereto, on 8 March 2012 the Council authorised the Commission to negotiate an agreement with Norway, in the form of an Exchange of Letters, on the mutual acceptance of replacement certificates of origin Form A or replacement statements of origin providing that products with content of Norwegian, Swiss or Turkish origin are to be treated on their

⁽¹⁾ Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015, p. 1).

⁽²⁾ Council Decision 2001/101/EC of 5 December 2000 concerning the approval of an Agreement in the form of an Exchange of Letters between the Community and each of the EFTA countries that grants tariff preferences under the Generalised System of Preferences (Norway and Switzerland), providing that goods with content of Norwegian or Swiss origin shall be treated on their arrival on the customs territory of the Community as goods with content of Community origin (reciprocal agreement) (OJ L 38, 8.2.2001, p. 24).

arrival on the customs territory of the Union as products with content of Union origin. The negotiations were successfully concluded with the initialling of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway on the cumulation of origin between the European Union, Switzerland, Norway and Turkey in the framework of the Generalised System of Preferences of the European Union ('the Agreement').

(8) The Agreement should be signed,

HAS ADOPTED THIS DECISION:

Article 1

The signing on behalf of the Union of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway on the cumulation of origin between the European Union, Switzerland, Norway and Turkey in the framework of the Generalised System of Preferences of the European Union is hereby authorised, subject to the conclusion of the said Agreement ⁽¹⁾.

Article 2

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

Article 3

This Decision shall enter into force on 18 March 2017.

Done at Brussels, 28 February 2017.

For the Council
The President
J. HERRERA

⁽¹⁾ The text of the Agreement will be published together with the decision on its conclusion.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2017/472

of 15 March 2017

amending Implementing Regulation (EU) 2016/2080 as regards the periods for the submission of tenders

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) 2016/1240 of 18 May 2016 laying down rules for the application of Regulation (EU) No 1308/2013 of the European Parliament and of the Council with regard to public intervention and aid for private storage ⁽²⁾, and in particular Article 28 thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) 2016/2080 ⁽³⁾ has opened the sale of skimmed milk powder by a tendering procedure. It provides for two partial invitations to tender per month, except for August and December.
- (2) Experience gained with the partial invitations to tender implemented so far has shown limited interest for the tender under the current market conditions. It is therefore appropriate to reduce the number of periods during which tenders may be submitted to one per month. On the basis of a cost-benefit analysis, it is no longer justified to provide for such a period in the month of August.
- (3) Implementing Regulation (EU) 2016/2080 should therefore be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Common Organisation of the Agricultural Markets,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2(2) of Implementing Regulation (EU) 2016/2080 is replaced by the following:

‘2. The periods during which tenders may be submitted in response to subsequent partial invitations shall begin on the first working day following the end of the preceding period. They shall end at 11.00 (Brussels time) on the third Tuesday of the month. However, the period which starts in July shall end at 11.00 (Brussels time) on the third Tuesday of September and no period shall start in August. In December the period shall end at 11.00 (Brussels time) on the second Tuesday. If Tuesday is a public holiday the time limit shall be 11.00 (Brussels time) on the previous working day.’

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 206, 30.7.2016, p. 71.

⁽³⁾ Commission Implementing Regulation (EU) 2016/2080 of 25 November 2016 opening the sale of skimmed milk powder by a tendering procedure (OJ L 321, 29.11.2016, p. 45).

Article 2

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

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

Done at Brussels, 15 March 2017.

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

COMMISSION IMPLEMENTING REGULATION (EU) 2017/473**of 17 March 2017****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, 17 March 2017.

*For the Commission,
On behalf of the President,
Jerzy PLEWA
Director-General
Directorate-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	EG	288,4
	MA	104,6
	SN	196,7
	TN	182,1
	TR	102,0
	ZZ	174,8
0707 00 05	EG	241,9
	TR	180,4
	ZZ	211,2
0709 93 10	MA	47,6
	TR	149,4
	ZZ	98,5
0805 10 22, 0805 10 24, 0805 10 28	EG	45,1
	IL	62,8
	MA	51,0
	TN	55,3
	TR	65,5
	ZZ	55,9
0805 50 10	TR	66,0
	ZZ	66,0
0808 10 80	CL	123,2
	CN	144,8
	US	105,5
	ZA	116,3
	ZZ	122,5
0808 30 90	AR	103,4
	CL	127,8
	CN	74,5
	TR	148,9
	ZA	114,5
	ZZ	113,8

⁽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) 2017/474
of 17 March 2017**

**establishing the allocation coefficient to be applied to the quantities covered by the applications
for import licences lodged from 1 to 7 March 2017 under the tariff quotas opened by Regulation
(EC) No 533/2007 in the poultrymeat sector**

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(1) and (3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 533/2007 ⁽²⁾ opened annual tariff quotas for imports of poultrymeat products.
- (2) The quantities covered by the applications for import licences lodged from 1 to 7 March 2017 for the subperiod from 1 April to 30 June 2017 exceed those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) In order to ensure the efficient management of the measure, 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 quantities covered by the applications for import licences lodged under Regulation (EC) No 533/2007 for the subperiod from 1 April to 30 June 2017 shall be multiplied by the allocation coefficient 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, 17 March 2017.

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 533/2007 of 14 May 2007 opening and providing for the administration of tariff quotas in the poultrymeat sector (OJ L 125, 15.5.2007, p. 9).

⁽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).

ANNEX

Order No	Allocation coefficient — applications lodged for the subperiod from 1 April to 30 June 2017 (%)
09.4067	—
09.4068	0,365823
09.4069	0,137403
09.4070	—

COMMISSION IMPLEMENTING REGULATION (EU) 2017/475**of 17 March 2017**

establishing the allocation coefficient to be applied to the quantities covered by the applications for import licences lodged from 1 to 7 March 2017 and determining the quantities to be added to the quantity fixed for the subperiod from 1 July to 30 September 2017 under the tariff quotas opened by Regulation (EC) No 1385/2007 in the poultrymeat sector

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 Regulation (EC) No 1385/2007 ⁽²⁾ opened annual tariff quotas for imports of poultrymeat products.
- (2) For some quotas, the quantities covered by the applications for import licences lodged from 1 to 7 March 2017 for the subperiod from 1 April to 30 June 2017 exceed those available. The extent to which import licences may be issued should therefore be determined by establishing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 ⁽³⁾.
- (3) The quantities covered by the applications for import licences lodged from 1 to 7 March 2017 for the subperiod from 1 April to 30 June 2017 are, for some quotas, less than those available. The quantities for which applications have not been lodged should therefore be determined and these should be added to the quantity fixed for the following quota subperiod.
- (4) In order to ensure the efficient management of the measure, 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

1. The quantities covered by the applications for import licences lodged under Regulation (EC) No 1385/2007 for the subperiod from 1 April to 30 June 2017 shall be multiplied by the allocation coefficient set out in the Annex to this Regulation.
2. The quantities for which import licence applications have not been lodged pursuant to Regulation (EC) No 1385/2007, to be added to the subperiod from 1 July to 30 September 2017, are set out in the Annex to this Regulation.

Article 2

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

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ Commission Regulation (EC) No 1385/2007 of 26 November 2007 laying down detailed rules for the application of Council Regulation (EC) No 774/94 as regards opening and providing for the administration of certain Community tariff quotas for poultrymeat (OJ L 309, 27.11.2007, p. 47).

⁽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).

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

Done at Brussels, 17 March 2017.

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

ANNEX

Order No	Allocation coefficient — applications lodged for the subperiod from 1 April to 30 June 2017 (%)	Quantities not applied for, to be added to the quantities available for the subperiod from 1 July to 30 September 2017 (kg)
09.4410	0,135410	—
09.4411	0,136650	—
09.4412	0,139665	—
09.4420	0,138284	—
09.4421	—	325 047
09.4422	0,139199	—

DECISIONS

COUNCIL DECISION (EU, Euratom) 2017/476

of 3 March 2017

appointing a member, proposed by the Grand Duchy of Luxembourg, of the European Economic and Social Committee

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 302 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to the proposal of the Government of Luxembourg,

Having regard to the opinion of the European Commission,

Whereas:

- (1) On 18 September 2015 and 1 October 2015, the Council adopted Decisions (EU, Euratom) 2015/1600 ⁽¹⁾ and 2015/1790 ⁽²⁾ appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020.
- (2) A member's seat on the European Economic and Social Committee has become vacant following the end of the term of office of Mr Henri WAGENER,

HAS ADOPTED THIS DECISION:

Article 1

Mr Christophe HANSEN, *Adviser in European Affairs, Chamber of Commerce of the Grand Duchy of Luxembourg*, is hereby appointed as a member of the European Economic and Social Committee for the remainder of the current term of office, which runs until 20 September 2020.

Article 2

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

Done at Brussels, 3 March 2017.

For the Council

The President

M. FARRUGIA

⁽¹⁾ Council Decision (EU, Euratom) 2015/1600 of 18 September 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020 (OJ L 248, 24.9.2015, p. 53).

⁽²⁾ Council Decision (EU, Euratom) 2015/1790 of 1 October 2015 appointing the members of the European Economic and Social Committee for the period from 21 September 2015 to 20 September 2020 (OJ L 260, 7.10.2015, p. 23).

COUNCIL DECISION (EU) 2017/477**of 3 March 2017**

on the position to be adopted on behalf of the European Union within the Cooperation Council established under the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part as regards the working arrangements of the Cooperation Council, the Cooperation Committee, specialised subcommittees or any other bodies

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 31(1) and Article 37 thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91, Article 100(2) and Articles 207 and 209, in conjunction with Article 218(9) thereof,

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

Whereas:

- (1) Article 281(3) of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part, ⁽¹⁾ ('the Agreement') provides for provisional application of the Agreement in whole or in part.
- (2) Article 3 of Council Decision (EU) 2016/123 ⁽²⁾ lays down which parts of the Agreement are to be applied provisionally. Those parts of the Agreement have been applied provisionally as of 1 May 2016.
- (3) Pursuant to Article 268(7) of the Agreement, the Cooperation Council is to establish its rules of procedure.
- (4) Pursuant to Articles 268(6) and 269(3) of the Agreement, the Cooperation Council and the Cooperation Committee are to be chaired alternately by a representative of the European Union and a representative of the Republic of Kazakhstan.
- (5) Pursuant to Article 269(1) of the Agreement, the Cooperation Council is to be assisted in the performance of its duties by a Cooperation Committee.
- (6) Pursuant to Article 269(7) of the Agreement, the Cooperation Council is to determine in its rules of procedure the duties and functioning of the Cooperation Committee and of any subcommittee or body set up by the Cooperation Council.
- (7) Pursuant to Article 269(5) of the Agreement, the Cooperation Committee may meet in a special composition to address relevant issues related to Title III (Trade and Business). Pursuant to Article 269(6) of the Agreement, the Cooperation Council may decide to set up specialised subcommittees or any other bodies that could assist it in carrying out its duties and is to determine the composition and duties of such subcommittees or bodies and how they are to function.
- (8) Pursuant to Article 268(1) of the Agreement, the Cooperation Council is to supervise and regularly review the implementation of the Agreement. In accordance with Article 268(4) of the Agreement, the Cooperation Council may delegate any of its powers to the Cooperation Committee, including the power to take binding decisions. Pursuant to Article 268(3) of the Agreement, the Cooperation Council has the power to update or amend the Annexes to the Agreement, based on consensus between the Parties, without prejudice to any specific provisions under Title III (Trade and Business).

⁽¹⁾ OJ L 29, 4.2.2016, p. 3.

⁽²⁾ Council Decision (EU) 2016/123 of 26 October 2015 on the signing, on behalf of the European Union, and provisional application of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part (OJ L 29, 4.2.2016, p. 1).

- (9) Pursuant to Article 25(3) of the Agreement, the Cooperation Council is to establish a Subcommittee on Customs Cooperation. Pursuant to Article 25(4) of the Agreement, a regular dialogue is to take place on the issues covered by Chapter 2 of the Agreement. The Cooperation Committee may also establish rules for the conduct of such dialogue, as set out in Article 25(4) of the Agreement.
- (10) In order to ensure the effective implementation of the Agreement, the Rules of Procedure of the Cooperation Council, the Cooperation Committee and the subcommittees should be adopted as soon as possible.
- (11) The position of the Union within the Cooperation Council should therefore be based on the attached draft Decisions,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on the Union's behalf within the Cooperation Council established by Article 268(1) of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part, shall be based on the draft Decisions of the Cooperation Council attached to this Decision as regards:

- the adoption of the Rules of Procedure of the Cooperation Council and those of the Cooperation Committee, specialised subcommittees or any other bodies,
- the establishment of a Subcommittee on Justice, Freedom and Security, a Subcommittee on Energy, Transport, Environment and Climate Change and a Subcommittee on Customs Cooperation.

2. Minor technical corrections to the draft Decisions of the Cooperation Council may be agreed to by the representatives of the Union within the Cooperation Council without further decision of the Council.

Article 2

The Cooperation Council shall be chaired on the Union side by the High Representative of the Union for Foreign Affairs and Security Policy, in accordance with his or her responsibilities pursuant to the Treaties and his or her capacity as President of the Foreign Affairs Council.

Article 3

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

Done at Brussels, 3 March 2017.

For the Council
The President
M. FARRUGIA

DRAFT

DECISION No 1/2017 OF THE EU-REPUBLIC OF KAZAKHSTAN COOPERATION COUNCIL**of ...****Adopting its Rules of Procedure and those of the Cooperation Committee, specialised subcommittees or any other bodies**

THE EU-REPUBLIC OF KAZAKHSTAN COOPERATION COUNCIL,

Having regard to the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 268 thereof,

Whereas:

- (1) In accordance with Article 281(3) of the Agreement, parts of the Agreement have been applied provisionally as of 1 May 2016.
- (2) Pursuant to Article 268(7) of the Agreement, the Cooperation Council is to establish its rules of procedure.
- (3) Pursuant to Article 269(1) of the Agreement, the Cooperation Council is to be assisted in the performance of its duties by a Cooperation Committee.
- (4) Pursuant to Article 269(6) of the Agreement, the Cooperation Council may decide to set up specialised subcommittees or any other bodies that can assist it in carrying out its duties and is to determine the composition and duties of such subcommittees or bodies and how they will function.
- (5) Pursuant to Article 25(3) of the Agreement, the Cooperation Council is to establish a Subcommittee on Customs Cooperation.
- (6) Pursuant to Article 269(7) of the Agreement the Cooperation Council is to determine in its rules of procedure the duties and functioning of the Cooperation Committee and of any subcommittee or body set up by the Cooperation Council.
- (7) The Cooperation Council held on 6 October 2016 in Brussels decided to adopt its rules of procedure via an exchange of Notes Verbale,

HAS ADOPTED THIS DECISION:

Article 1

The Rules of Procedure of the Cooperation Council and those of the Cooperation Committee, specialised subcommittees or any other bodies set up by the Cooperation Council, as set out in Annexes I and II respectively, are hereby adopted.

Article 2

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

Done at ...,

For the Cooperation Council
The Chair

⁽¹⁾ OJ L 29, 4.2.2016, p. 3.

ANNEX I

RULES OF PROCEDURE OF THE COOPERATION COUNCIL*Article 1***General provisions**

1. The Cooperation Council established in accordance with Article 268(1) of the Agreement shall perform its duties in accordance with Article 268 of the Agreement.
2. In accordance with Article 268(5) of the Agreement, the Cooperation Council shall be composed of representatives of the Parties. The composition of the Cooperation Council shall take into consideration the specific issues to be addressed at any given meeting. The Cooperation Council shall meet at ministerial level.
3. In accordance with Article 268(2) of the Agreement, and for the purpose of attaining the objectives thereof, the Cooperation Council shall have the power to take decisions that are binding upon the Parties. The Cooperation Council shall take appropriate measures for the implementation of its decisions, including, if necessary, by empowering specific bodies established under the Agreement to act on its behalf. The Cooperation Council may also make recommendations. It shall adopt its decisions and recommendations by agreement between the Parties after the completion of the respective internal procedures. The Cooperation Council may delegate its powers to the Cooperation Committee.
4. The Parties subject to these Rules of Procedure are those set out in Article 285 of the Agreement.

*Article 2***Chairmanship**

The Parties shall hold the chairmanship of the Cooperation Council, alternately, for a period of 12 months. The first period shall begin on the date of the first Cooperation Council meeting and end on 31 December of the same year.

*Article 3***Meetings**

1. The Cooperation Council shall meet once a year and when circumstances require, by mutual agreement of the Parties. Unless otherwise agreed by the Parties, the Cooperation Council shall be held at the usual venue for meetings of the Council of the European Union.
2. Each meeting of the Cooperation Council shall be held at a date agreed by the Parties.
3. The meetings of the Cooperation Council shall be convened jointly by the secretaries of the Cooperation Council, in agreement with the chair of the Cooperation Council no later than 30 calendar days before the date of the meeting.

*Article 4***Representation**

1. The members of the Cooperation Council may be represented if unable to attend. If a member wishes to be represented, he or she shall inform the chair of the Cooperation Council in writing of the name of his or her representative before the meeting.
2. The representative of a member of the Cooperation Council shall exercise all the rights of that member.

*Article 5***Delegations**

1. The members of the Cooperation Council may be accompanied by officials. Before each meeting, the chair of the Cooperation Council shall be informed, through the secretariat of the Cooperation Council, of the intended composition of the delegation of each Party.
2. The Cooperation Council may, by agreement between the Parties, invite representatives of other bodies of the Parties or independent experts in a particular subject area to attend its meetings as observers or in order to provide information on particular subjects. The Parties shall agree on the terms and conditions under which those observers may attend the meetings.

*Article 6***Secretariat**

An official of the General Secretariat of the Council of the European Union and an official of the Republic of Kazakhstan shall act jointly as secretaries of the Cooperation Council.

*Article 7***Correspondence**

1. Correspondence addressed to the Cooperation Council shall be directed to either secretary of the Cooperation Council, who in turn will inform the other secretary.
2. The secretaries of the Cooperation Council shall ensure that correspondence addressed to the Cooperation Council is forwarded to the chair of the Cooperation Council and circulated, where appropriate, to the members of the Cooperation Council.
3. Correspondence from the chair of the Cooperation Council shall be sent on his or her behalf to the addressees by the secretaries of the Cooperation Council. Such correspondence shall be circulated, where appropriate, to the members of the Cooperation Council.

*Article 8***Confidentiality**

Unless otherwise decided by the Parties, the meetings of the Cooperation Council shall be held in camera. When a Party submits information designated as confidential to the Cooperation Council, the other Party shall treat that information as such.

*Article 9***Agendas for meetings**

1. The chair of the Cooperation Council shall draw up a provisional agenda for each meeting of the Cooperation Council. It shall be sent by the secretaries of the Cooperation Council to the addressees referred to in Article 7(3) no later than 15 calendar days before the meeting.

The provisional agenda shall include the items proposed to the chair of the Cooperation Council for inclusion in the agenda no later than 21 calendar days before the meeting. Such items shall not be included in the provisional agenda unless the relevant supporting documents have been sent to the secretaries of the Cooperation Council before the date of dispatch of the agenda.

2. The agenda shall be adopted by the Cooperation Council at the start of each meeting. Any item other than those featuring on the provisional agenda may be added on the agenda if the Parties so agree.
3. The chair of the Cooperation Council may reduce, in consultation with the Parties, the periods of time provided for in paragraph 1 in order to take account of special circumstances.

Article 10

Minutes

1. Draft minutes of each meeting of the Cooperation Council shall be drawn up jointly by the secretaries of the Cooperation Council.
2. The minutes shall, as a general rule, indicate for each item on the agenda:
 - (a) the documentation submitted to the Cooperation Council;
 - (b) statements which a member of the Cooperation Council requested to be entered in the minutes; and
 - (c) issues agreed upon by the Parties, such as decisions adopted, statements agreed upon and any conclusions.
3. The draft minutes shall be submitted to the Cooperation Council for approval. The Cooperation Council shall approve those draft minutes at its next meeting. Alternatively, those draft minutes may be approved in writing.

Article 11

Decisions and recommendations

1. The Cooperation Council shall take decisions and make recommendations by mutual agreement between the Parties and on completion of their respective internal procedures.
2. The Cooperation Council may also take decisions or make recommendations by written procedure if the Parties so agree. For that purpose, the draft decision or recommendation shall be circulated in writing by the chair of the Cooperation Council to its members pursuant to Article 7(3) no later than 21 calendar days before the meeting. Members of the Cooperation Council shall make known any reservations or amendments they wish to make within that period of time. The chair of the Cooperation Council may reduce, in consultation with the Parties, the period of time in order to take account of the requirements of a particular circumstances.
3. The acts of the Cooperation Council, within the meaning of Article 268(2) of the Agreement, shall be entitled 'Decision' or 'Recommendation' respectively, followed by a serial number, the date of their adoption and a description of their subject matter. Those decisions and recommendations shall be signed by the chair of the Cooperation Council and authenticated by the secretaries of the Cooperation Council. Those decisions and recommendations shall be circulated pursuant to Article 7(3) of these Rules of Procedure. Each Party may decide on the publication of the decisions and recommendations of the Cooperation Council in its respective official publication.
4. Each decision or recommendation of the Cooperation Council shall enter into force on the date of its adoption unless the decision or recommendation provides otherwise.

Article 12

Languages

1. The official languages of the Cooperation Council shall be the official languages of the Parties.
2. The working languages of the Cooperation Council shall be English and Russian. Unless otherwise decided, the Cooperation Council shall base its deliberations on documentation prepared in those languages.

*Article 13***Expenses**

1. Each Party shall meet any expenses which it incurs as a result of participating in the meetings of the Cooperation Council, both with regard to staff, travel and subsistence expenditure as well as postal and telecommunications expenditure.
2. Expenditure in connection with interpretation during meetings of the Cooperation Council, translation and reproduction of documents shall be borne by the Union.
3. Other expenditure relating to the material organisation of meetings of the Cooperation Council shall be borne by the Party which hosts those meetings.

*Article 14***Cooperation Committee and specialised subcommittees**

1. In accordance with Article 269(1) of the Agreement, the Cooperation Council shall be assisted in the performance of its duties by the Cooperation Committee in areas in which the Cooperation Council has delegated powers to it. In accordance with Article 269(2) of the Agreement, the Cooperation Committee shall be composed of representatives of the Parties, in principle at senior civil servant level.
2. The Cooperation Committee shall prepare the meetings and the deliberations of the Cooperation Council, implement the decisions of the Cooperation Council where appropriate and ensure continuity of the association relationship and the proper functioning of the Agreement in general. The Cooperation Committee shall consider any matter referred to it by the Cooperation Council as well as any other matter which may arise in the course of the implementation of the Agreement. The Cooperation Committee shall submit proposals or any draft decisions or recommendations to the Cooperation Council for its approval. In accordance with Article 268(4) of the Agreement, the Cooperation Council may delegate any of its powers to the Cooperation Committee, including the power to take binding decisions.
3. The Cooperation Committee shall take decisions and make recommendations for which it has been authorised under the Agreement.
4. In cases where the Agreement refers to an obligation to consult or a possibility of consultation or where the Parties decide by mutual agreement to consult each other, such consultation may take place within the Cooperation Committee, except as otherwise provided for in the Agreement. The consultation may continue in the Cooperation Council if the Parties so agree.
5. In accordance with Article 269(6) of the Agreement, the Cooperation Council may decide to set up specialised subcommittees or any other bodies that can assist it in carrying out its duties and shall determine the composition and duties of such subcommittees or bodies and how they shall function.
6. In accordance with Article 25(3) of the Agreement, the Cooperation Council shall establish a Subcommittee on Customs Cooperation.

*Article 15***Amendment of Rules of Procedure**

These Rules of Procedure may be amended in accordance with Article 11.

ANNEX II

**RULES OF PROCEDURE OF THE COOPERATION COMMITTEE AND OF SPECIALISED SUBCOMMITTEES
OR ANY OTHER BODIES SET UP BY THE COOPERATION COUNCIL***Article 1***General provisions**

1. The Cooperation Committee established in accordance with Article 269(1) of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part ('the Agreement') shall assist the Cooperation Council in the performance of its duties and perform the tasks provided for in the Agreement and assigned to it by the Cooperation Council. Pursuant to Article 269(7) of the Agreement, the Cooperation Council shall determine the duties and functioning of the Cooperation Committee in its rules of procedure.
2. The Cooperation Committee shall prepare the meetings and deliberations of the Cooperation Council, implement the decisions of the Cooperation Council where appropriate and ensure continuity of the association relationship and the proper functioning of the Agreement in general. The Cooperation Committee shall consider any matter referred to it by the Cooperation Council as well as any other matter which may arise in the course of the day-to-day implementation of the Agreement. The Cooperation Committee shall submit proposals or any draft decisions or recommendations for adoption to the Cooperation Council.
3. In accordance with Article 269(2) of the Agreement, the Cooperation Committee shall be composed of representatives of the Parties, in principle at senior civil servant level. These representatives are responsible for specific issues to be addressed at any given meeting of the Cooperation Committee. In accordance with Article 2 of these Rules of Procedure, the Cooperation Committee shall be chaired alternately by a representative of the European Union and a representative of the Republic of Kazakhstan.
4. Pursuant to Article 269(5) of the Agreement, when the Cooperation Committee meets in a special composition to address relevant issues related to Title III (Trade and Business) of the Agreement ('trade configuration'), it shall be composed of officials of the European Commission and of the Republic of Kazakhstan who are responsible for trade and trade-related matters. In accordance with Article 2 of these Rules of Procedure, a senior representative of the European Commission or of the Republic of Kazakhstan who is responsible for trade and trade-related matters shall act as chair of the Cooperation Committee when it meets in a trade configuration. The meetings will also be attended by a representative of the European External Action Service.
5. In accordance with Article 269(4) of the Agreement the Cooperation Committee shall have the power to adopt decisions in the cases provided for in the Agreement and in areas where the Cooperation Council has delegated powers to it. Those decisions shall be binding upon the Parties, which shall take appropriate measures to implement them. The Cooperation Committee shall adopt its decisions by agreement between the Parties after the completion of the respective internal adoption procedures.
6. The Parties subject to these Rules of Procedure are those set out in Article 285 of the Agreement.

*Article 2***Chairmanship**

The Parties shall hold the chairmanship of the Cooperation Committee, alternately, for a period of 12 months. The first period shall begin on the date of the first Cooperation Council meeting and end on 31 December of the same year.

*Article 3***Meetings**

1. Save as otherwise agreed by the Parties, the Cooperation Committee shall meet regularly and at least once a year. Special meetings of the Cooperation Committee may be held at the request of either Party, if both Parties agree.
2. The meetings of the Cooperation Committee shall be convened by its chair at a place and on a date agreed by the Parties. The notice convening the meeting shall be issued by the secretariat of the Cooperation Committee no later than 28 calendar days before the meeting, unless the Parties agree otherwise.

3. The Cooperation Committee in trade configuration shall meet at least once a year and when circumstances require, by mutual agreement of the Parties. The meetings shall be convened by the chair of the Cooperation Committee in trade configuration at a place, on a date and by the means agreed by the Parties. The notice convening the meeting shall be issued by the secretariat of the Cooperation Committee in trade configuration no later than 15 calendar days before the meeting, unless the Parties agree otherwise.
4. Whenever possible, the regular meetings of the Cooperation Committee shall be convened in good time before the regular meetings of the Cooperation Council.
5. By way of exception and if the Parties so agree, the meetings of the Cooperation Committee may be held by any agreed technological means such as videoconference.

Article 4

Delegations

Before each meeting, the Parties shall be informed, through the secretariat of the Cooperation Committee, of the intended composition of the delegations attending the meeting on either side.

Article 5

Secretariat

1. An official of the European External Action Service and an official of the Ministry of Foreign Affairs of the Republic of Kazakhstan shall act jointly as secretaries of the Cooperation Committee. They shall execute secretarial tasks jointly and in a spirit of mutual trust and cooperation, unless these Rules of Procedure provide otherwise.
2. An official of the European Commission and an official of the Republic of Kazakhstan who are responsible for trade and trade-related matters shall act jointly as secretaries of the Cooperation Committee in trade configuration.

Article 6

Correspondence

1. Correspondence addressed to the Cooperation Committee shall be directed to either secretary of the Cooperation Committee, who in turn will inform the other secretary.
2. The secretaries of the Cooperation Committee shall ensure that correspondence addressed to the Cooperation Committee is forwarded to the chair of the Cooperation Committee and circulated, where appropriate, as documents referred to in Article 7.
3. Correspondence from the chair of the Cooperation Committee shall be sent on his or her behalf to the addressees by the secretaries of the Cooperation Committee. Such correspondence shall be circulated, where appropriate, in accordance with Article 7.

Article 7

Documents

1. Documents shall be circulated through the secretaries of the Cooperation Committee.
2. A Party shall transmit its documents to its secretary who shall transmit those documents to the secretary of the other Party.
3. The secretary of the Union shall circulate the documents to the relevant representatives of the Union and shall copy systematically the secretary of the Republic of Kazakhstan in such correspondence.
4. The secretary of the Republic of Kazakhstan shall circulate the documents to the relevant representatives of the Republic of Kazakhstan and shall copy systematically the secretary of the Union in such correspondence.

*Article 8***Confidentiality**

Unless otherwise decided between the Parties, the meetings of the Cooperation Committee shall be held in camera. When a Party submits information designated as confidential to the Cooperation Committee, the other Party shall treat that information as such.

*Article 9***Agendas for meetings**

1. A provisional agenda for each meeting of the Cooperation Committee as well as draft operational conclusions as provided for in Article 10 shall be drawn up by the secretariat of the Cooperation Committee on the basis of proposals made by the Parties. The provisional agenda shall include items which the secretariat of the Cooperation Committee has received for inclusion in the agenda by a Party. Agenda items shall be supported by relevant documents and submitted no later than 21 calendar days before the meeting.
2. The provisional agenda, together with the relevant documents, shall be circulated in accordance with Article 7 and no later than 15 calendar days before the meeting.
3. The agenda shall be adopted by the Cooperation Committee at the start of each meeting. Any item other than those featuring on the provisional agenda may be added on the agenda if the Parties so agree.
4. The chair of the Cooperation Committee meeting may, upon agreement of the other Party, invite representatives of other bodies of the Parties or independent experts in a subject area on an *ad hoc* basis, to attend meetings of the Cooperation Committee in order to provide information on specific subjects. The Parties shall ensure that those representatives or experts respect any confidentiality requirements.
5. The chair of the Cooperation Committee meeting may reduce, in consultation with the Parties, the periods of time provided for in paragraphs 1 and 2 in order to take account of special circumstances.

*Article 10***Minutes and operational conclusions**

1. Draft minutes of each meeting of the Cooperation Committee shall be drawn up jointly by the secretaries of the Cooperation Committee.
2. The minutes shall, as a general rule, indicate for each item on the agenda:
 - (a) a list of participants at the meeting, a list of officials accompanying them and a list of any observers or experts who attended the meeting;
 - (b) the documentation submitted to the Cooperation Committee;
 - (c) statements which the Cooperation Committee requested to be entered in the minutes; and
 - (d) operational conclusions from the meeting, as provided for in paragraph 4.
3. The draft minutes shall be submitted to the Cooperation Committee for approval at its next meeting. Alternatively, those draft minutes may be approved in writing. The draft minutes of the Cooperation Committee in trade configuration shall be approved within 28 calendar days of each meeting. A copy shall be sent to each of the addressees referred to in Article 7.
4. Draft operational conclusions of each meeting of the Cooperation Committee shall be drawn up by the secretary of the Cooperation Committee of the Party holding the chairmanship of the Cooperation Committee. Those draft operational conclusions shall be circulated to the Parties together with the agenda, normally no later than 15 calendar days before the start of the subsequent meeting. That draft operational conclusions shall be updated as the meeting proceeds so that at the end of the meeting, unless agreed otherwise by the Parties, the Cooperation Committee adopts the operational conclusions, reflecting the follow-up actions by the Parties. Once agreed, the operational conclusions shall be attached to the minutes and their implementation shall be reviewed during any subsequent meeting of the Cooperation Committee. To that end, the Cooperation Committee shall adopt a template, allowing for each action point to be tracked against a specific deadline.

*Article 11***Decisions and recommendations**

1. In specific cases where the Agreement confers the power to take decisions or make recommendations or where such power has been delegated to it by the Cooperation Council, the Cooperation Committee shall take those decisions or make those recommendations. The Cooperation Committee shall take decisions and make recommendations by mutual agreement between the Parties and on completion of the respective internal procedures. Each decision or recommendation shall be signed by the chair of the Cooperation Committee and authenticated by the secretaries of the Cooperation Committee.
2. The Cooperation Committee may take decisions or make recommendations by written procedure if the Parties so agree. The written procedure shall consist of an exchange of notes between the secretaries of the Cooperation Committee, acting in agreement with the Parties. For that purpose, the draft decision or recommendation shall be circulated in writing pursuant to Article 7 no later than 21 calendar days before the meeting, within which period of time any reservations or amendments shall be made known. The chair of the Cooperation Committee may reduce, in consultation with the Parties, the periods of time specified in this paragraph in order to take account of special circumstances. Once the text is agreed, the decision or recommendation shall be signed by the chair of the Cooperation Committee and authenticated by the secretaries of the Cooperation Committee.
3. The acts of the Cooperation Committee shall be entitled 'Decision' or 'Recommendation' respectively. Each decision or recommendation of the Cooperation Committee shall enter into force on the date of its adoption unless it provides otherwise.
4. The decisions and recommendations shall be circulated to the Parties pursuant to Article 7.
5. Each Party may decide on the publication of the decisions and recommendations of the Cooperation Committee in its respective official publication.

*Article 12***Reports**

The Cooperation Committee shall report to the Cooperation Council on its activities and those of its specialised subcommittees or any other bodies at each regular meeting of the Cooperation Council.

*Article 13***Languages**

1. The official languages of the Cooperation Committee shall be the official languages of the Parties.
2. The working languages of the Cooperation Committee shall be English and Russian. Unless otherwise decided, the Cooperation Committee shall base its deliberations on documentation prepared in those languages.

*Article 14***Expenses**

1. Each Party shall meet any expenses it incurs as a result of participating in the meetings of the Cooperation Committee, both with regard to staff, travel and subsistence expenditure as well as postal and telecommunications expenditure.
2. Expenditure in connection with the organisation of meetings of the Cooperation Committee and reproduction of documents shall be borne by the Party which hosts those meetings.

3. Expenditure in connection with interpretation during meetings of the Cooperation Committee and translation of documents into or from English and Russian, as referred to in Article 13(2), shall be borne by the Party which hosts those meetings.

Interpretation and translation into or from other languages shall be borne directly by the requesting Party.

4. In cases where translation of documents into the official languages of the Union is necessary, the expenditure shall be borne by the Union.

Article 15

Amendment of Rules of Procedure

These Rules of Procedure may be amended by a decision of the Cooperation Council in accordance with Article 268(1) of the Agreement.

Article 16

Specialised subcommittees or any other bodies

1. The subcommittees are composed of representatives of the Parties involved in the specific issues to be addressed by each specialised subcommittee. Unless otherwise provided for by the Agreement or agreed in the Cooperation Council, these Rules of Procedure shall be applied *mutatis mutandis* to any subcommittee or any other body.

2. The subcommittees may, in their respective fields of competence, inter alia:

- (a) exchange views on any points of common interest, including future measures and the resources needed for their implementation and application;
- (b) hold regular consultations and monitor the implementation of the Agreement;
- (c) adopt practical arrangements and measures on issues defined in the Agreement;
- (d) make recommendations;
- (e) if empowered by the Cooperation Council, act on its behalf, in order to implement its decisions in accordance with Article 1(3) of the Rules of Procedure of the Cooperation Council.

3. The meetings of subcommittees or any other bodies may be held flexibly as the need arises, in person, either in Brussels or in the Republic of Kazakhstan or, for example, by videoconference. The subcommittees and any other bodies shall act as a platform to monitor progress, to discuss certain issues and challenges arising from that process and to formulate recommendations and operational conclusions.

4. The secretariat of the Cooperation Committee shall receive a copy of all relevant correspondence, documents and communications pertaining to any subcommittee or any other body.

Article 17

These Rules of Procedure shall apply *mutandis mutatis* to the Cooperation Committee in trade configuration, unless otherwise provided.

DRAFT

DECISION No 2/2017 OF THE EU-REPUBLIC OF KAZAKHSTAN COOPERATION COUNCIL
of ...
on the establishment of three specialised subcommittees

THE EU-REPUBLIC OF KAZAKHSTAN COOPERATION COUNCIL,

Having regard to the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part ⁽¹⁾ ('the Agreement'), and in particular Article 269(6) thereof,

Whereas:

- (1) In accordance with Article 281(3) of the Agreement, parts of the Agreement have been applied provisionally as of 1 May 2016.
- (2) Pursuant to Article 269(6) of the Agreement, the Cooperation Council may decide to set up specialised subcommittees or any other bodies that can assist it in carrying out its duties.
- (3) Pursuant to Article 25(3) of the Agreement, the Cooperation Council is to establish a Subcommittee on Customs Cooperation.
- (4) In order to allow for expert level discussions on the key areas falling within the scope of the provisional application of the Agreement, two specialised subcommittees should be established.
- (5) Upon agreement of the Parties, it should be possible to modify the list of subcommittees,

HAS ADOPTED THIS DECISION:

Article 1

The specialised subcommittees listed in the Annex are hereby established.

Article 2

The Rules of Procedure of the specialised subcommittees listed in the Annex are governed by Article 16 of the Rules of Procedure of the Cooperation Committee and of the specialised subcommittees or any other bodies set up by the Cooperation Council as adopted by Decision No 1/2017 of the EU-Republic of Kazakhstan Cooperation Council.

Article 3

Upon agreement of the Parties, the list of specialised subcommittees set out in the Annex can be modified.

Article 4

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

Done at ...,

For the Cooperation Council
The Chair

⁽¹⁾ OJ L 29, 4.2.2016, p. 3.

ANNEX

LIST OF SPECIALISED SUBCOMMITTEES

- (1) Subcommittee on Justice, Freedom and Security
 - (2) Subcommittee on Energy, Transport, Environment and Climate Change
 - (3) Subcommittee on Customs Cooperation
-

COMMISSION IMPLEMENTING DECISION (EU) 2017/478**of 16 March 2017**

releasing certain Member States from the obligation to apply to certain species Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 1999/105/EC, 2002/54/EC, 2002/55/EC and 2002/57/EC on the marketing of fodder plant seed, cereal seed, material for the vegetative propagation of the vine, forest reproductive material, beet seed, vegetable seed and seed of oil and fibre plants respectively, and repealing Commission Decision 2010/680/EU

(notified under document C(2017) 1662)

(Only the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Latvian, Lithuanian, Maltese, Polish, Slovakian, Slovenian, Spanish and Swedish texts are authentic)

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed ⁽¹⁾, and in particular Article 23a thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed ⁽²⁾, and in particular Article 23a thereof,

Having regard to Council Directive 68/193/EEC of 9 April 1968 on the marketing of material for the vegetative propagation of the vine ⁽³⁾, and in particular Article 18a thereof,

Having regard to Council Directive 1999/105/EC of 22 December 1999 on the marketing of forest reproductive material ⁽⁴⁾, and in particular Article 20 thereof,

Having regard to Council Directive 2002/54/EC of 13 June 2002 on the marketing of beet seed ⁽⁵⁾, and in particular Article 30A thereof,

Having regard to Council Directive 2002/55/EC of 13 June 2002 on the marketing of vegetable seed ⁽⁶⁾, and in particular Article 49 thereof,

Having regard to Council Directive 2002/57/EC of 13 June 2002 on the marketing of seed of oil and fibre plants ⁽⁷⁾, and in particular Article 28 thereof,

Having regard to the requests submitted by Bulgaria, Czech Republic, Denmark, Germany, Estonia, Hungary, Ireland, Spain, France, Cyprus, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Slovenia, Slovakia, Finland, Sweden and the United Kingdom,

Whereas:

- (1) Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 1999/105/EC, 2002/54/EC, 2002/55/EC and 2002/57/EC set out certain provisions for the marketing of fodder plant seed, cereal seed, material for the vegetative propagation of the vine, forest reproductive material, beet seed, vegetable seed, and seed of oil and fibre plants respectively. Those Directives also provide that, subject to certain conditions, Member States may be wholly or partially released from the obligation to apply those Directives in respect of certain species or material.

⁽¹⁾ OJ L25, 11.7.1966, p. 2298/66.

⁽²⁾ OJ L25, 11.7.1966, p. 2309/66.

⁽³⁾ OJ L93, 17.4.1968, p. 15.

⁽⁴⁾ OJ L11, 15.1.2000, p. 17.

⁽⁵⁾ OJ L193, 20.7.2002, p. 12.

⁽⁶⁾ OJ L193, 20.7.2002, p. 33.

⁽⁷⁾ OJ L193, 20.7.2002, p. 74.

- (2) Seed of certain species is not normally reproduced or marketed in all Member States. In addition, the growing of vines and the marketing of certain propagating material are of minimal economic importance in a number of Member States. Certain tree species are also not important for forestry purposes in some Member States.
- (3) On the basis of applications made by certain Member States, the Commission adopted Commission Decision 2010/680/EU ⁽¹⁾ releasing those Member States wholly or partially from the obligation to apply the provisions of Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 1999/105/EC, 2002/54/EC, 2002/55/EC and 2002/57/EC, to the species and material in question.
- (4) Hungary, which was not an addressee of Decision 2010/680/EU, and Bulgaria, the Czech Republic, Germany, Estonia, Ireland, Latvia, Lithuania, Slovenia and the United Kingdom, which were addressees of that Decision, submitted updated applications to the Commission, requesting the release for new species. France has asked for the repeal of all releases it had been granted, while Cyprus, Latvia and the Netherlands asked for the repeal of the releases which they had been granted for certain species only.
- (5) It is therefore necessary to update and, where requested, withdraw the releases granted.
- (6) Furthermore, in the interest of transparency and simplification, Decision 2010/680/EU should be repealed and replaced by a new Implementing Decision.
- (7) In order for the responsible official bodies and the professional operators to have time to adapt to the new provisions, this Decision should apply from 1 January 2018.
- (8) 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

1. Each Member State set out in Part I of the Annex to this Decision shall be released from the obligation to apply Directive 66/401/EEC, with the exception of Article 14(1), to the species listed in that Part of the Annex and identified therein, in relation to that Member State, by the indication 'X'.

2. Each Member State set out in Part II of the Annex to this Decision shall be released from the obligation to apply Directive 66/402/EEC, with the exception of Article 14(1), to the species listed in that Part of the Annex and identified therein, in relation to that Member State, by the indication 'X'.

In the case of Latvia, the release from that obligation in respect of *Zea mays* shall apply also with the exception of Article 19(1) of that Directive.

3. Each Member State set out in Part III of the Annex to this Decision shall be released from the obligation to apply Directive 68/193/EEC, with the exception of Articles 12 and 12a, to the genus listed in the first column of the table.

4. Each Member State set out in Part IV of the Annex to this Decision shall be released from the obligation to apply Directive 1999/105/EC, with the exception of Article 17(1), to the species listed in that Part of the Annex and identified therein, in relation to that Member State, by the indication 'X'.

5. Each Member State set out in Part V of the Annex to this Decision shall be released from the obligation to apply Directive 2002/54/EC, with the exception of Article 20, to the species listed in that Part of the Annex and identified therein, in relation to that Member State, by the indication 'X'.

⁽¹⁾ Commission Decision 2010/680/EU of 9 November 2010 releasing Bulgaria, the Czech Republic, Denmark, Germany, Estonia, Ireland, Spain, France, Cyprus, Latvia, Lithuania, Malta, the Netherlands, Poland, Slovenia, Slovakia, Finland, Sweden and the United Kingdom from the obligation to apply to certain species Council Directives 66/401/EEC, 66/402/EEC, 68/193/EEC, 1999/105/EC, 2002/54/EC, 2002/55/EC and 2002/57/EC on the marketing of fodder plant seed, cereal seed, material for the vegetative propagation of the vine, forest reproductive material, beet seed, vegetable seed and seed of oil and fibre plants respectively (OJ L 292, 10.11.2010, p. 57).

6. Each Member State set out in Part VI of the Annex to this Decision shall be released from the obligation to apply Directive 2002/55/EC, with the exception of Articles 16(1) and 34(1), to the species listed in that Part of the Annex and identified therein, in relation to that Member State, by the indication 'X'.

7. Each Member State set out in Part VII of the Annex to this Decision shall be released from the obligation to apply Directive 2002/57/EC, with the exception of Article 17, to the species listed in that Part of the Annex and identified therein, in relation to that Member State, by the indication 'X'.

In the case of Malta, the release from that obligation in respect of sunflower shall apply also with the exception of Article 9(1) of that Directive.

Article 2

Decision 2010/680/EU is repealed.

Article 3

This Decision shall apply from 1 January 2018.

Article 4

This Decision is addressed to the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Kingdom of Spain, the French Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Poland, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 16 March 2017.

For the Commission
Vytenis ANDRIUKAITIS
Member of the Commission

ANNEX

PART I

Directive 66/401/EEC

	BG	CZ	DK	DE	EE	IE	ES	LV	LT	HU	MT	PL	SI	SK	UK
<i>Agrostis canina</i>								X							
<i>Alopecurus pratensis</i>						X					X				X
<i>Arrhenatherum elatius</i>						X					X				
<i>Biserrula pelecinus</i>	X	X		X	X	X		X	X	X			X		X
<i>Bromus catharticus</i>				X			X	X	X		X				
<i>Bromus sitchensis</i>				X			X	X	X		X	X			
<i>Cynodon dactylon</i>		X		X				X	X			X			X
<i>Dactylis glomerata</i>											X				
<i>Festuca arundinacea</i>											X				
<i>x Festulolium</i>											X				
<i>Lathyrus cicera</i>	X	X		X	X	X		X	X				X		X
<i>Lolium x boucheanum</i>											X				
<i>Medicago doliata</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago italica</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago littoralis</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago murex</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago polymorpha</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago rugosa</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago scutellata</i>	X	X		X	X	X		X	X	X			X		X
<i>Medicago truncatula</i>	X	X		X	X	X		X	X	X			X		X
<i>Ornithopus compressus</i>	X	X		X	X	X		X	X				X		X
<i>Ornithopus sativus</i>	X	X		X	X	X		X	X				X		X
<i>Phalaris aquatica</i>			X	X				X	X		X	X			X
<i>Phleum nodosum</i>											X				
<i>Phleum pratense</i>											X				
<i>Plantago lanceolata</i>	X	X		X	X	X		X	X				X		X
<i>Poa annua</i>				X							X	X			
<i>Poa nemoralis</i>								X			X				

	BG	CZ	DK	DE	EE	IE	ES	LV	LT	HU	MT	PL	SI	SK	UK
<i>Poa palustris</i>											X				X
<i>Poa trivialis</i>											X				
<i>Trisetum flavescens</i>						X		X			X	X			X
<i>Galega orientalis</i>	X													X	X
<i>Hedysarum coronarium</i>		X		X		X		X	X	X		X			X
<i>Lotus corniculatus</i>						X					X				
<i>Lupinus albus</i>						X					X				
<i>Lupinus angustifolius</i>						X					X				
<i>Lupinus luteus</i>						X					X				
<i>Medicago lupulina</i>						X		X			X				
<i>Medicago x varia</i>											X				
<i>Onobrychis viciifolia</i>						X					X				
<i>Trifolium alexandrinum</i>						X		X				X			X
<i>Trifolium fragiferum</i>	X	X		X	X	X		X	X				X		X
<i>Trifolium glanduliferum</i>	X	X		X	X	X		X	X	X			X		X
<i>Trifolium hirtum</i>	X	X		X	X	X		X	X	X			X		X
<i>Trifolium hybridum</i>											X				
<i>Trifolium incarnatum</i>						X		X			X				X
<i>Trifolium isthmocarpum</i>	X	X		X	X	X		X	X	X			X		X
<i>Trifolium michelianum</i>	X	X		X	X	X		X	X	X			X		X
<i>Trifolium repens</i>											X				
<i>Trifolium resupinatum</i>						X		X			X				X
<i>Trifolium squarrosum</i>	X	X		X	X	X		X	X				X		X
<i>Trifolium subterraneum</i>	X	X		X	X	X		X	X	X			X		X
<i>Trifolium vesiculosum</i>	X	X		X	X	X		X	X	X			X		X
<i>Trigonella foenum-graecum</i>				X		X		X	X		X	X			X
<i>Vicia benghalensis</i>	X	X		X	X	X		X	X	X			X		X
<i>Vicia pannonica</i>						X		X			X	X			
<i>Vicia villosa</i>						X					X				
<i>Brassica napus</i>											X				
<i>Phacelia tanacetifolia</i>							X				X				X
<i>Raphanus sativus</i>											X				

PART II

Directive 66/402/EEC

	CZ	DK	DE	EE	IE	LV	LT	MT	NL	PL	UK
<i>Avena strigosa</i>				X		X					X
<i>Oryza sativa</i>	X	X	X	X	X	X	X	X	X	X	X
<i>Phalaris canariensis</i>			X	X	X	X					X
<i>Sorghum bicolor</i>		X		X	X	X				X	X
<i>Sorghum sudanense</i>		X		X	X	X	X			X	X
<i>Sorghum bicolor</i> x <i>Sorghum sudanense</i>		X		X	X	X				X	X
<i>Triticum spelta</i>					X	X					
<i>Zea mays</i>						X					

PART III

Directive 68/193/EEC

	DK	EE	IE	LV	LT	NL	PL	FI	SE	UK
<i>Vitis</i>	X	X	X	X	X	X	X	X	X	X

PART IV

Directive 1999/105/EC

	DK	EE	LT	MT	SI
<i>Abies alba</i>		X	X	X	
<i>Abies cephalonica</i>	X	X	X	X	
<i>Abies grandis</i>		X	X	X	
<i>Abies pinsapo</i>	X	X	X	X	X
<i>Acer platanoides</i>				X	
<i>Acer pseudoplatanus</i>		X	X	X	
<i>Alnus glutinosa</i>				X	
<i>Alnus incana</i>				X	
<i>Betula pendula</i>				X	
<i>Betula pubescens</i>				X	
<i>Carpinus betulus</i>		X		X	
<i>Castanea sativa</i>	X	X	X		
<i>Cedrus atlantica</i>	X	X	X	X	X

	DK	EE	LT	MT	SI
<i>Cedrus libani</i>	X	X	X	X	X
<i>Fagus sylvatica</i>		X		X	
<i>Fraxinus angustifolia</i>	X	X	X		
<i>Fraxinus excelsior</i>				X	
<i>Larix decidua</i>				X	
<i>Larix x eurolepis</i>				X	
<i>Larix kaempferi</i>				X	
<i>Larix sibirica</i>	X		X	X	X
<i>Picea abies</i>				X	
<i>Picea sitchensis</i>		X	X	X	X
<i>Pinus brutia</i>	X	X	X		X
<i>Pinus canariensis</i>	X	X	X		X
<i>Pinus cembra</i>	X	X	X	X	
<i>Pinus contorta</i>			X	X	X
<i>Pinus halepensis</i>	X	X	X		
<i>Pinus leucodermis</i>	X	X	X	X	X
<i>Pinus nigra</i>		X	X		
<i>Pinus pinaster</i>	X	X	X		
<i>Pinus pinea</i>	X	X	X		
<i>Pinus radiata</i>	X	X	X		X
<i>Prunus avium</i>		X			
<i>Pseudotsuga menziesii</i>			X		
<i>Quercus cerris</i>	X	X	X		
<i>Quercus ilex</i>	X	X	X		
<i>Quercus petraea</i>		X		X	
<i>Quercus pubescens</i>	X	X	X	X	
<i>Quercus rubra</i>				X	
<i>Quercus suber</i>	X	X	X		
<i>Robinia pseudoacacia</i>		X			
<i>Tilia cordata</i>				X	
<i>Tilia platyphyllos</i>		X		X	

PART V

Directive 2002/54/EC

	CY	MT
<i>Beta vulgaris</i>	X	X

PART VI

Directive 2002/55/EC

	IE	UK
<i>Allium cepa</i> — <i>aggregatum</i> group		X
<i>Allium fistulosum</i>		X
<i>Allium sativum</i>		X
<i>Allium schoenoprasum</i>		X
<i>Anthriscus cerefolium</i>	X	X
<i>Asparagus officinalis</i>	X	
<i>Beta vulgaris</i>	X	
<i>Capsicum annuum</i>		X
<i>Cichorium intybus</i>		X
<i>Citrullus lanatus</i>	X	X
<i>Cucurbita maxima</i>	X	
<i>Cynara cardunculus</i>	X	X
<i>Foeniculum vulgare</i>		X
<i>Rheum rhabarbarum</i>		X
<i>Scorzonera hispanica</i>	X	X
<i>Solanum melongena</i>		X
<i>Valerianella locusta</i>	X	X

PART VII

Directive 2002/57/EC

	CZ	DK	DE	EE	IE	CY	LV	LT	MT	NL	PL	UK
<i>Arachis hypogea</i>	X	X	X	X	X		X	X	X	X	X	X
<i>Brassica rapa</i>									X			
<i>Brassica juncea</i>					X		X		X			
<i>Brassica napus</i>									X			
<i>Brassica nigra</i>				X	X		X		X		X	

	CZ	DK	DE	EE	IE	CY	LV	LT	MT	NL	PL	UK
<i>Cannabis sativa</i>					X				X			
<i>Carthamus tinctorius</i>		X	X	X	X		X		X		X	X
<i>Carum carvii</i>			X		X				X			X
<i>Gossypium spp.</i>	X	X	X	X	X		X	X	X	X	X	X
<i>Helianthus annuus</i>		X		X	X		X		X			
<i>Linum usitatissimum</i>									X			
<i>Papaver somniferum</i>					X	X			X			X
<i>Sinapis alba</i>					X				X			
<i>Glycine max</i>		X			X				X			

