

Official Journal of the European Union

L 82



English edition

Legislation

Volume 61

26 March 2018

Contents

II Non-legislative acts

INTERNATIONAL AGREEMENTS

- ★ **Information concerning the entry into force of the Agreement between the European Community and the Government of the Republic of India on certain aspects of air services** 1

REGULATIONS

- ★ **Commission Implementing Regulation (EU) 2018/497 of 21 March 2018 approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ('Marrone del Mugello' (PGI))** 2
- ★ **Commission Regulation (EU) 2018/498 of 22 March 2018 amending Regulation (EC) No 1126/2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards International Financial Reporting Standard 9 ⁽¹⁾** 3

DECISIONS

- ★ **Commission Implementing Decision (EU) 2018/499 of 20 March 2018 setting up the European Infrastructure of Open Screening Platforms for Chemical Biology European Research Infrastructure Consortium (EU-OPENSREEN ERIC) (notified under document C(2018) 1482) ⁽¹⁾** 8
- ★ **Commission Implementing Decision (EU) 2018/500 of 22 March 2018 on the compliance of the proposal to establish the Alpine-Western Balkan rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council (notified under document C(2018) 1625)** 13

⁽¹⁾ Text with EEA relevance.

EN

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

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

★ Commission Implementing Decision (EU) 2018/501 of 22 March 2018 on the recognition of the Sultanate of Oman pursuant to Directive 2008/106/EC of the European Parliament and of the Council as regards the systems for training and certification of seafarers (notified under document C(2018) 1640) ⁽¹⁾	15
--	----

Corrigenda

★ Corrigendum to Directive (EU) 2015/412 of the European Parliament and of the Council of 11 March 2015 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory (OJ L 68, 13.3.2015)	17
★ Corrigendum to Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts (OJ L 94, 28.3.2014)	17

⁽¹⁾ Text with EEA relevance.

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

**Information concerning the entry into force of the Agreement between the European Community
and the Government of the Republic of India on certain aspects of air services**

The Agreement between the European Community and the Government of the Republic of India on certain aspects of air services, signed in Marseille on 28 September 2008, entered into force on 21 February 2018, in accordance with Article 7(1) of the Agreement, as the last notification was deposited on 21 February 2018.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2018/497

of 21 March 2018

approving non-minor amendments to the specification for a name entered in the register of protected designations of origin and protected geographical indications ('Marrone del Mugello' (PGI))

THE EUROPEAN COMMISSION,

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

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

Whereas:

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 21 March 2018.

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

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

⁽³⁾ OJ C 413, 5.12.2017, p. 14.

COMMISSION REGULATION (EU) 2018/498**of 22 March 2018****amending Regulation (EC) No 1126/2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards International Financial Reporting Standard 9****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1606/2002 of the European Parliament and of the Council of 19 July 2002 on the application of international accounting standards ⁽¹⁾, and in particular Article 3(1) thereof,

Whereas:

- (1) By Commission Regulation (EC) No 1126/2008 ⁽²⁾ certain international standards and interpretations that were in existence at 15 October 2008 were adopted.
- (2) On 12 October 2017, the International Accounting Standards Board (IASB) published amendments to International Financial Reporting Standard (IFRS) 9 *Financial Instruments Prepayment features with Negative Compensation*. The amendments are intended to clarify the classification of particular prepayable financial assets when applying IFRS 9.
- (3) Following consultations with the European Financial Reporting Advisory Group, the Commission concludes that the amendments to IFRS 9 meet the criteria for adoption set out in Article 3(2) of Regulation (EC) No 1606/2002.
- (4) Regulation (EC) No 1126/2008 should therefore be amended accordingly.
- (5) The IASB set the effective date of the amendments as 1 January 2019 with earlier application permitted.
- (6) Since Commission Regulation (EU) 2016/2067 ⁽³⁾ has become applicable for financial periods starting at the latest on or after 1 January 2018, companies should be able to use International Financial Reporting Standard (IFRS) 9 *Financial Instruments* as amended in the Annex to this Regulation as from the date of application of Regulation (EU) 2016/2067. Therefore, companies should be able to apply the provisions of this Regulation for financial periods starting on or after 1 January 2018.
- (7) Given that Regulation (EU) 2016/2067 entered into force on 12 December 2016, in order to ensure consistency this Regulation should enter into force as soon as possible.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Accounting Regulatory Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*In the Annex to Regulation (EC) No 1126/2008, International Financial Reporting Standard (IFRS) 9 *Financial Instruments* is amended as set out in the Annex to this Regulation.⁽¹⁾ OJ L 243, 11.9.2002, p. 1.⁽²⁾ Commission Regulation (EC) No 1126/2008 of 3 November 2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council (OJ L 320, 29.11.2008, p. 1).⁽³⁾ Commission Regulation (EU) 2016/2067 of 22 November 2016 amending Regulation (EC) No 1126/2008 adopting certain international accounting standards in accordance with Regulation (EC) No 1606/2002 of the European Parliament and of the Council as regards International Financial Reporting Standard 9 (OJ L 323, 29.11.2016, p. 1).

Article 2

Each company shall apply the amendments referred to in Article 1 at the latest, as from the commencement date of its first financial year starting on or after 1 January 2019.

Article 3

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, 22 March 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

Prepayment Features with Negative Compensation

(Amendments to IFRS 9)

Amendments to IFRS 9 Financial Instruments

Paragraph 7.1.7 is added. A new heading and paragraphs 7.2.29–7.2.34 are added.

Chapter 7 Effective date and transition**7.1 EFFECTIVE DATE**

...

- 7.1.7 *Prepayment Features with Negative Compensation* (Amendments to IFRS 9), issued in October 2017, added paragraphs 7.2.29–7.2.34 and B4.1.12 A and amended paragraphs B4.1.11(b) and B4.1.12(b). An entity shall apply these amendments for annual periods beginning on or after 1 January 2019. Earlier application is permitted. If an entity applies these amendments for an earlier period, it shall disclose that fact.

7.2 TRANSITION

...

Transition for *Prepayment Features with Negative Compensation*

- 7.2.29 An entity shall apply *Prepayment Features with Negative Compensation* (Amendments to IFRS 9) retrospectively in accordance with IAS 8, except as specified in paragraphs 7.2.30–7.2.34.
- 7.2.30 An entity that first applies these amendments at the same time it first applies this Standard shall apply paragraphs 7.2.1–7.2.28 instead of paragraphs 7.2.31–7.2.34.
- 7.2.31 An entity that first applies these amendments after it first applies this Standard shall apply paragraphs 7.2.32–7.2.34. The entity shall also apply the other transition requirements in this Standard necessary for applying these amendments. For that purpose, references to the date of initial application shall be read as referring to the beginning of the reporting period in which an entity first applies these amendments (date of initial application of these amendments).
- 7.2.32 With regard to designating a financial asset or financial liability as measured at fair value through profit or loss, an entity:
- (a) shall revoke its previous designation of a financial asset as measured at fair value through profit or loss if that designation was previously made in accordance with the condition in paragraph 4.1.5 but that condition is no longer satisfied as a result of the application of these amendments;
 - (b) may designate a financial asset as measured at fair value through profit or loss if that designation would not have previously satisfied the condition in paragraph 4.1.5 but that condition is now satisfied as a result of the application of these amendments;
 - (c) shall revoke its previous designation of a financial liability as measured at fair value through profit or loss if that designation was previously made in accordance with the condition in paragraph 4.2.2(a) but that condition is no longer satisfied as a result of the application of these amendments; and
 - (d) may designate a financial liability as measured at fair value through profit or loss if that designation would not have previously satisfied the condition in paragraph 4.2.2(a) but that condition is now satisfied as a result of the application of these amendments.

Such a designation and revocation shall be made on the basis of the facts and circumstances that exist at the date of initial application of these amendments. That classification shall be applied retrospectively.

- 7.2.33 An entity is not required to restate prior periods to reflect the application of these amendments. The entity may restate prior periods if, and only if, it is possible without the use of hindsight and the restated financial statements reflect all the requirements in this Standard. If an entity does not restate prior periods, the entity shall recognise any difference between the previous carrying amount and the carrying amount at the beginning of the annual reporting period that includes the date of initial application of these amendments in the opening retained earnings (or other component of equity, as appropriate) of the annual reporting period that includes the date of initial application of these amendments.
- 7.2.34 In the reporting period that includes the date of initial application of these amendments, the entity shall disclose the following information as at that date of initial application for each class of financial assets and financial liabilities that were affected by these amendments:
- (a) the previous measurement category and carrying amount determined immediately before applying these amendments;
 - (b) the new measurement category and carrying amount determined after applying these amendments;
 - (c) the carrying amount of any financial assets and financial liabilities in the statement of financial position that were previously designated as measured at fair value through profit or loss but are no longer so designated; and
 - (d) the reasons for any designation or de-designation of financial assets or financial liabilities as measured at fair value through profit or loss.

In Appendix B, paragraphs B4.1.11(b) and B4.1.12(b) are amended. Paragraph B4.1.12 A is added. Paragraph B4.1.10 has not been amended but has been included for ease of reference.

CLASSIFICATION (CHAPTER 4)

Classification of financial assets (Section 4.1)

...

Contractual cash flows that are solely payments of principal and interest on the principal amount outstanding

...

Contractual terms that change the timing or amount of contractual cash flows

- B4.1.10 If a financial asset contains a contractual term that could change the timing or amount of contractual cash flows (for example, if the asset can be prepaid before maturity or its term can be extended), the entity must determine whether the contractual cash flows that could arise over the life of the instrument due to that contractual term are solely payments of principal and interest on the principal amount outstanding. To make this determination, the entity must assess the contractual cash flows that could arise both before, and after, the change in contractual cash flows. The entity may also need to assess the nature of any contingent event (i.e. the trigger) that would change the timing or amount of the contractual cash flows. While the nature of the contingent event in itself is not a determinative factor in assessing whether the contractual cash flows are solely payments of principal and interest, it may be an indicator. For example, compare a financial instrument with an interest rate that is reset to a higher rate if the debtor misses a particular number of payments to a financial instrument with an interest rate that is reset to a higher rate if a specified equity index reaches a particular level. It is more likely in the former case that the contractual cash flows over the life of the instrument will be solely payments of principal and interest on the principal amount outstanding because of the relationship between missed payments and an increase in credit risk. (See also paragraph B4.1.18).
- B4.1.11 The following are examples of contractual terms that result in contractual cash flows that are solely payments of principal and interest on the principal amount outstanding:
- (a) a variable interest rate that consists of consideration for the time value of money, the credit risk associated with the principal amount outstanding during a particular period of time (the consideration for credit risk may be determined at initial recognition only, and so may be fixed) and other basic lending risks and costs, as well as a profit margin;

- (b) a contractual term that permits the issuer (i.e. the debtor) to prepay a debt instrument or permits the holder (i.e. the creditor) to put a debt instrument back to the issuer before maturity and the prepayment amount substantially represents unpaid amounts of principal and interest on the principal amount outstanding, which may include reasonable compensation for the early termination of the contract; and
- (c) a contractual term that permits the issuer or the holder to extend the contractual term of a debt instrument (i.e. an extension option) and the terms of the extension option result in contractual cash flows during the extension period that are solely payments of principal and interest on the principal amount outstanding, which may include reasonable additional compensation for the extension of the contract.

B4.1.12 Despite paragraph B4.1.10, a financial asset that would otherwise meet the condition in paragraphs 4.1.2(b) and 4.1.2 A(b) but does not do so only as a result of a contractual term that permits (or requires) the issuer to prepay a debt instrument or permits (or requires) the holder to put a debt instrument back to the issuer before maturity is eligible to be measured at amortised cost or fair value through other comprehensive income (subject to meeting the condition in paragraph 4.1.2(a) or the condition in paragraph 4.1.2 A(a)) if:

- (a) the entity acquires or originates the financial asset at a premium or discount to the contractual par amount;
- (b) the prepayment amount substantially represents the contractual par amount and accrued (but unpaid) contractual interest, which may include reasonable compensation for the early termination of the contract; and
- (c) when the entity initially recognises the financial asset, the fair value of the prepayment feature is insignificant.

B4.1.12 A For the purpose of applying paragraphs B4.1.11(b) and B4.1.12(b), irrespective of the event or circumstance that causes the early termination of the contract, a party may pay or receive reasonable compensation for that early termination. For example, a party may pay or receive reasonable compensation when it chooses to terminate the contract early (or otherwise causes the early termination to occur).

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2018/499

of 20 March 2018

**setting up the European Infrastructure of Open Screening Platforms for Chemical Biology
European Research Infrastructure Consortium (EU-OPENSREEN ERIC)**

(notified under document C(2018) 1482)

(Only the Czech, English, Finnish, German, Latvian, Polish, 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 Regulation (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC) ⁽¹⁾, and in particular point (a) of Article 6(1) thereof,

Whereas:

- (1) Czech Republic, Finland, Germany, Latvia, Norway, Poland and Spain requested the Commission to set up the European Infrastructure of Open Screening Platforms for Chemical Biology European Research Infrastructure Consortium (EU-OPENSREEN ERIC). They have agreed that Germany will be the host Member State of EU-OPENSREEN ERIC.
- (2) Regulation (EC) No 723/2009 has been incorporated in the Agreement on the European Economic Area (EEA) by Decision of the EEA Joint Committee No 72/2015 ⁽²⁾.
- (3) The Commission has, in accordance with Article 5(2) of Regulation (EC) No 723/2009, assessed the application and concluded that it meets the requirements set out in that Regulation.
- (4) The measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 20 of Regulation (EC) No 723/2009,

HAS ADOPTED THIS DECISION:

Article 1

1. The European Infrastructure of Open Screening Platforms for Chemical Biology European Research Infrastructure Consortium named 'EU-OPENSREEN ERIC' is set up.
2. The essential elements of the Statutes of EU-OPENSREEN ERIC are set out in the Annex.

⁽¹⁾ OJ L 206, 8.8.2009, p. 1.

⁽²⁾ Decision of the EEA Joint Committee No 72/2015 of 20 March 2015 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (OJ L 129, 19.5.2016, p.85).

Article 2

This Decision is addressed to the Czech Republic, the Federal Republic of Germany, the Kingdom of Spain, the Republic of Latvia, the Republic of Poland, the Republic of Finland and the Kingdom of Norway.

Done at Brussels, 20 March 2018.

For the Commission

Carlos MOEDAS

Member of the Commission

ANNEX

ESSENTIAL ELEMENTS OF THE STATUTES OF EU-OPENSREEN ERIC

The following Articles and paragraphs of the Articles of the Statutes of EU-OPENSREEN ERIC provide for the essential elements in accordance with Article 6(3) of Regulation No (EC) 723/2009

1. Tasks and Activities

(Article 3 of the Statutes of EU-OPENSREEN ERIC)

1. EU-OPENSREEN ERIC shall establish, operate and develop a European distributed research infrastructure consisting of screening platforms as well as chemistry and biology facilities, in order to facilitate the access to resources, tools and facilities to researchers and to support high quality research on the molecular mechanisms of biological processes.
2. EU-OPENSREEN ERIC shall operate the infrastructure on a non-economic basis. EU-OPENSREEN ERIC may carry out limited economic activities, provided that these are closely related to its principal task and that they do not jeopardise the achievement thereof.
3. To fulfil its tasks EU-OPENSREEN ERIC shall undertake and coordinate activities, including but not limited to:
 - (a) develop, build and maintain a European Chemical Biology Library of Compounds;
 - (b) develop, build and maintain a Central Database of screening results;
 - (c) build and maintain a Central Office for coordinating activities;
 - (d) organise and coordinate high-quality infrastructure services supported by harmonised procedures and quality standards;
 - (e) grant researchers effective access to the resources and services of EU-OPENSREEN ERIC and its Partner Sites in accordance with the rules defined in these Statutes;
 - (f) establish collaboration with the other European and international research infrastructures in order to serve the research community in interdisciplinary research questions;
 - (g) disseminate tools and data for the use of the public;
 - (h) engage in exchange with relevant industry without prejudice to Article 3(2) of Regulation (EC) No 723/2009.

2. Statutory seat of EU-OPENSREEN ERIC

(Article 1(2) of the Statutes of EU-OPENSREEN ERIC)

The statutory seat of EU-OPENSREEN ERIC shall be in Berlin, Germany.

3. Name

(Article 1(1) of the Statutes of EU-OPENSREEN ERIC)

The European Infrastructure of Open Screening Platforms for Chemical Biology, 'EU-OPENSREEN', is established. EU-OPENSREEN shall have the legal form of a European Research Infrastructure Consortium (ERIC), hereinafter referred to as 'EU-OPENSREEN ERIC'.

4. Duration

(Article 28(1) of the Statutes of EU-OPENSREEN ERIC)

EU-OPENSREEN ERIC shall exist for an indefinite period of time.

5. Winding up

(Article 28(2) to 28(5) of the Statutes of EU-OPENSSCREEN ERIC)

1. The winding up of EU-OPENSSCREEN ERIC shall follow a decision of the Assembly of Members in accordance with Article 14(6) or when the number of members falls down below the minimum established in Article 9 of the Regulation (EC) No 723/2009.
2. Without undue delay and in any event within 10 days after adoption of the decision to wind up EU-OPENSSCREEN ERIC, EU-OPENSSCREEN ERIC shall notify the European Commission of the decision.
3. Assets remaining after payment of EU-OPENSSCREEN ERIC debts shall be apportioned among the Members and Observers at the time of dissolution in proportion to their accumulated annual contributions to EU-OPENSSCREEN ERIC.
4. EU-OPENSSCREEN ERIC shall cease to exist on the day on which the European Commission publishes the appropriate notice in the *Official Journal of the European Union*.

6. Liability

(Article 20 of the Statutes of EU-OPENSSCREEN ERIC)

1. The liability of the Members and Observers for the debts of EU-OPENSSCREEN ERIC shall be limited to their respective contributions.
2. EU-OPENSSCREEN ERIC shall take appropriate and commensurate insurance to cover the risks specific to the construction and operation of EU-OPENSSCREEN ERIC.

7. Access policy

(Article 22 of the Statutes of EU-OPENSSCREEN ERIC)

1. EU-OPENSSCREEN ERIC shall grant Users access to its services and resources according to the policy laid down in Annex 3 to the Statutes.
2. There shall be different categories of Users. The Assembly of Members shall decide on various fees and scope of access for these categories.

8. Scientific Evaluation Policy

(Article 17 of the Statutes of EU-OPENSSCREEN ERIC)

1. The Scientific and Ethical Advisory Board shall consist of independent and internationally recognised scientists and/or experts acting on their personal title.
2. The Scientific and Ethical Advisory Board shall offer advice on all matters including ethical questions requested by the Assembly of Members. Further details shall be laid down in the Rules of Procedure.
3. The Assembly of Members shall appoint the members of the Scientific and Ethical Advisory Board for three years. The Assembly of Members may reappoint them once for the same duration.

9. Dissemination Policy

(Article 24 of the Statutes of EU-OPENSSCREEN ERIC)

Users of EU-OPENSSCREEN ERIC services and resources shall make their research results publicly available within the Central Database of EU-OPENSSCREEN ERIC after a grace period of two years. Upon request an extension up to a total of three years may be granted. Notwithstanding, existing rights and obligations shall be respected.

10. Intellectual Property Rights

(Article 25 of the Statutes of EU-OPENSSCREEN ERIC)

1. The term intellectual property shall be understood according to Article 2 of the convention establishing the World Intellectual Property Organisation signed on 14 July 1967.
2. EU-OPENSSCREEN ERIC may own intellectual property whenever the EU-OPENSSCREEN ERIC contribution covers the innovation process. Further details in relation to the intellectual property policy shall be set out in Annex 4 to the Statutes and in the Rules of Procedure.
3. Income generated by intellectual property produced by EU-OPENSSCREEN ERIC shall be used for the operations of EU-OPENSSCREEN ERIC up to a threshold laid down in the Rules of Procedure. The use of income above this threshold shall be subject to a decision of the Assembly of Members.
4. No provision in these Statutes should be understood as seeking to alter the scope and application of intellectual property rights and benefit-sharing agreements as determined under relevant laws and regulations of the Members and Observers and international agreements to which they are a party.

11. Employment Policy

(Article 26 of the Statutes of EU-OPENSSCREEN ERIC)

1. EU-OPENSSCREEN ERIC shall be an equal opportunity employer. For each vacancy EU-OPENSSCREEN ERIC shall select the best candidate. EU-OPENSSCREEN ERIC employment policy shall be governed by the laws of the country in which the staff is employed.
2. The selection procedures for EU-OPENSSCREEN ERIC staff positions shall be transparent, non-discriminatory and respect equal opportunities. Recruitment and employment shall not be discriminatory.

12. Procurement Policy

(Article 27(1)(2) of the Statutes of EU-OPENSSCREEN ERIC)

1. EU-OPENSSCREEN ERIC shall treat procurement candidates and tenderers equally and in a non-discriminatory way, independent of whether or not they are based in the European Union. All procurements shall follow the principles of transparency, non-discrimination and competition. Public procurement of innovation may be made a criterion. Details shall be laid down in the Rules of Procedure.
 2. Procurement by Partner Sites as defined in Article 11 of the Statutes shall respect EU-OPENSSCREEN ERIC needs, technical requirements and specifications issued by the relevant bodies. Further details shall be laid down in the Rules of Procedure. The agreement between a Partner Site and EU-OPENSSCREEN ERIC shall contain an according provision.
-

COMMISSION IMPLEMENTING DECISION (EU) 2018/500**of 22 March 2018****on the compliance of the proposal to establish the Alpine-Western Balkan rail freight corridor with Article 5 of Regulation (EU) No 913/2010 of the European Parliament and of the Council***(notified under document C(2018) 1625)***(Only the Bulgarian, Croatian, English, German and Slovenian texts are authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Decision (EU) 2017/1937 of 11 July 2017 on the signing, on behalf of the European Union, and provisional application of the Treaty establishing the Transport Community ⁽¹⁾ and in particular Article 3 of this Treaty,Having regard to Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight ⁽²⁾, and in particular Article 5(6) thereof,

Whereas:

- (1) In accordance with Article 5(5) of Regulation (EU) No 913/2010, the ministries responsible for rail transport in Austria, Bulgaria, Croatia, Serbia and Slovenia jointly sent a letter of intent to the Commission, which it received on 16 November 2017. The letter included a proposal to establish a new rail freight corridor, called the Alpine-Western Balkan corridor, on the territory of those four Member States and of Serbia.
- (2) The Commission examined the proposal included in the letter of intent pursuant to Article 5(6) of Regulation (EU) No 913/2010 and considers the proposal to be in compliance with Article 5 of that Regulation for the reasons set out below.
- (3) Annex I.2 to the Transport Community Treaty signed between the Union and the South East European Parties provides for a legal basis for Serbia to participate in rail freight corridors by mentioning Regulation (EU) No 913/2010 among applicable provisions of Union law. On 24 November 2017 Serbia ratified the Transport Community Treaty which has been applied provisionally since 27 November 2017. Serbia has committed itself to transposing the relevant Union legislation into national legislation in accordance with the Transport Community Treaty, and in any event prior to the establishment of the proposed rail freight corridor.
- (4) The Commission considers that the criteria set out in Article 4 of Regulation (EU) No 913/2010 have been taken into account in the proposal as follows:

point (a): the proposed route connects four Member States, and Serbia;

point (b): the implementation of the proposed principal route of the corridor

Salzburg — Villach — Ljubljana —/

Wels/Linz — Graz — Maribor —

Zagreb — Vinkovci/Vukovar — Tovarnik — Beograd — Sofia — Svilengrad (Bulgarian-Turkish border)

would for most of its length utilise lines that are, as regards the Member States concerned, part of the TEN-T core network, and, as regards Serbia, the indicative core network ⁽³⁾. The other sections envisaged for implementing the principal route are part of the comprehensive network. In addition, the central part of RNE corridor C11 includes the main route of the proposed rail freight corridor from Salzburg to the Bulgarian/Turkish border;

point (e): the proposed corridor will complement the existing rail freight corridors in the South-Eastern European region, notably by providing access to regions so far not covered by the network of rail freight corridors. It will also provide an alternative routing to two existing rail freight corridors, namely the rail freight corridors Orient/East-Mediterranean and Rhine Danube, which will enhance the options for cross-corridor contingency

⁽¹⁾ OJ L 278, 27.10.2017, p. 1.

⁽²⁾ OJ L 276, 20.10.2010, p. 22.

⁽³⁾ Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 amending Regulation (EU) No 1315/2013 of the European Parliament and of the Council as regards adapting Annex III thereto (OJ L 126, 14.5.2016, p. 3).

management based on additional diversionary routes, thereby enhancing the resilience of rail freight in particular in the case of major disruptions;

point (f): the route proposed is a key rail axis for freight in the Western Balkans region. In the past, significantly higher volumes than the estimated current freight volumes on the most heavily used sections were shipped along the corridor. There is indeed an important potential to develop rail freight transport, that is to say, modal shift or development of overall transport volumes, for the two submarkets the Alpine-Western Balkan rail freight corridor can serve: on the one hand, freight transport within the regions directly served by the corridor and between these regions and other parts of Europe, and, on the other hand, freight transport transiting the corridor on its entire length. In particular, the corridor can serve the noticeable demand for intermodal rail freight services between the Union and Turkey;

point (g): the corridor will create the basis for better interconnections between Member States and European third countries since it will include Serbia and facilitate the connection with Turkey at the Bulgarian-Turkish border, providing a direct link between Western/Central Europe and Turkey;

point (h): potential applicants were consulted during summer 2017 on the establishment of the Alpine-Western Balkan rail freight corridor. 20 companies expressed their support, as documented in Annex III to the letter of intent. Among those undertakings 13 were railway undertakings, three intermodal operators, three freight forwarders and one vehicle owner;

point (i): the proposed corridor provides direct access to major terminals in the Member States concerned. Intermodal interfaces with the Danube and the Sava rivers are provided in different locations. In addition, access to sea ports, in particular the ports of Koper and Rijeka, is provided through the connection with other rail freight corridors.

- (5) The infrastructure managers concerned have expressed their support for this new rail freight corridor in a joint letter of support, as documented in Annex II to the letter of intent.
- (6) The measures provided for in this Decision are in accordance with the opinion of the Committee established pursuant to Article 21 of Regulation (EU) No 913/2010,

HAS ADOPTED THIS DECISION:

Article 1

The letter of intent received on 16 November 2017 concerning the establishment of the Alpine-Western Balkan rail freight corridor, jointly sent to the Commission by the ministries responsible for rail transport in Austria, Bulgaria, Croatia, Serbia and Slovenia, and proposing the route

Salzburg — Villach — Ljubljana —/

Wels/Linz — Graz — Maribor —

Zagreb — Vinkovci/Vukovar — Tovarnik — Beograd — Sofia — Svilengrad (Bulgarian-Turkish border)

as the principal route for the 'Alpine-Western Balkan' rail freight corridor is in compliance with Article 5 of Regulation (EU) No 913/2010.

Article 2

This Decision is addressed to the Republic of Bulgaria, the Republic of Croatia, the Republic of Austria, the Republic of Slovenia and the Republic of Serbia.

Done at Brussels, 22 March 2018.

For the Commission

Violeta BULC

Member of the Commission

COMMISSION IMPLEMENTING DECISION (EU) 2018/501**of 22 March 2018****on the recognition of the Sultanate of Oman pursuant to Directive 2008/106/EC of the European Parliament and of the Council as regards the systems for training and certification of seafarers***(notified under document C(2018) 1640)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers ⁽¹⁾, and in particular Article 19(3) thereof,

Whereas:

- (1) According to Directive 2008/106/EC Member States may decide to recognise, by endorsement, seafarers' appropriate certificates of competence or proficiency issued by third countries, provided that the third country concerned is recognised by the Commission. Those third countries have to meet all the requirements of the International Maritime Organisation Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 ('STCW Convention').
- (2) By letter of 19 August 2015, the Netherlands requested the recognition of the Sultanate of Oman. Following that request, the Commission contacted the Omani authorities with a view to carrying out an assessment of their training and certification system in order to verify whether the Sultanate of Oman meets all the requirements of the STCW Convention and whether the appropriate measures have been taken to prevent fraud involving certificates. It was explained that the assessment would be based on the results of a fact finding inspection to be carried out by the experts of the European Maritime Safety Agency ('the Agency').
- (3) The inspection took place in August 2016 and identified several areas that needed to be properly addressed by the Omani authorities, including shortcomings related to the quality management procedures, the approval of the educational programmes and training courses and the activities of the International Maritime College of Oman (IMCO). In January 2017, the Omani authorities submitted a voluntary corrective action plan.
- (4) Based on the results of the inspection and on the voluntary corrective action plan, the Commission carried out an assessment of the training and certification system in the Sultanate of Oman. In May 2017, the Commission provided the Omani authorities with an assessment report concluding that all shortcomings had been addressed by the voluntary corrective action plan, except for two findings related to the approval procedure of the training programme of IMCO, and the completion of the construction of a safety training site in the same educational institution.
- (5) The Omani authorities submitted further corrective actions in July 2017 addressing those findings.
- (6) Based on all available information, the Commission concluded that the Omani authorities have taken measures to bring the Omani system for training and certification of seafarers in line with the requirements of the STCW Convention.
- (7) The final outcome of the assessment demonstrates that the Sultanate of Oman complies with the requirements of the STCW Convention, has addressed all identified shortcomings, and that the appropriate measures have been taken to prevent fraud involving certificates.
- (8) Member States were provided with a report on the results of the assessment.
- (9) The measure provided for in this Decision is in accordance with the opinion of the Committee on Safe Seas and the Prevention of Pollution from Ships,

⁽¹⁾ OJ L 323, 3.12.2008, p. 33.

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 19 of Directive 2008/106/EC, the Sultanate of Oman is recognised as regards the systems for the training and certification of seafarers.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 March 2018.

For the Commission
Violeta BULC
Member of the Commission

CORRIGENDA**Corrigendum to Directive (EU) 2015/412 of the European Parliament and of the Council of 11 March 2015 amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory**

(Official Journal of the European Union L 68 of 13 March 2015)

On page 1, footnote 2:

for: '(2) OJ C 102, 2.4.2011, p. 62.',

read: '(2) OJ C 104, 2.4.2011, p. 62.'.

Corrigendum to Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts

(Official Journal of the European Union L 94 of 28 March 2014)

On page 56 and on page 57, Annex IV, table, first row (heading):

for: 'Description CPV Code',

read: 'CPV Code Description'.

