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(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL AND COMMISSION

DECISION OF THE COUNCIL AND OF THE COMMISSION

of 25 June 2007

on the signing, on behalf of the European Community and the European Atomic Energy Community, and provisional application of the Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part

(2007/502/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION AND THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAVE DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 170, in conjunction with the first sentence of the first subparagraph of Article 300(2) thereof,

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

Having regard to the proposal from the Commission,

Whereas:

(1) The Commission has negotiated, on behalf of the Communities, an Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, the other part, which also provides for provisional application of the Agreement as of 1 January 2007. Provisional application would enable Swiss entities to participate in the first calls for proposals under the Seventh Framework Programme.

(2) The Agreement was initialled on 27 February 2007.

(3) The Agreement should be signed and applied on a provisional basis, pending the completion of the procedures for its formal conclusion,

Article 1

1. The signing of the Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part, together with the Final Act, is hereby approved on behalf of the European Community and the European Atomic Energy Community, subject to the conclusion of the said Agreement.

2. The text of the Agreement is attached to this Decision.

Article 2

1. The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement and the Final Act on behalf of the European Community, subject to the conclusion of the said Agreement.

2. The President of the Commission is hereby authorised to designate the person(s) empowered to sign the Agreement and the Final Act on behalf of the European Atomic Energy Community, subject to the conclusion of the said Agreement.

Article 3

The Agreement on Scientific and Technological Cooperation between the European Community and the European Atomic Energy Community, of the one part, and the Swiss Confederation, of the other part, shall be applied provisionally.

Article 4

1. The Commission shall adopt the position of the Communities to be taken in the Switzerland/Communities Research Committee established by Article 10 of the Framework Agreement on Scientific and Technical Cooperation between the European Communities and the Swiss Confederation ⁽¹⁾ with regard to decisions pursuant to Article 2(1) of the Agreement on the applicability in Switzerland of the rules for the establishment of the legal structures created under Articles 169 and 171 of the EC Treaty.

2. The Commission shall adopt the position of the Communities to be taken in the Switzerland/Communities Research Committee established by Article 10 of the Framework Agreement on Scientific and Technical Cooperation between the European Communities and the Swiss Confederation with regard to decisions pursuant to Article 6(2) and (3) of the

Agreement identifying regions of Switzerland that may be eligible regions benefiting from research actions under the Work Programme 'Research Potential' under the specific 'Capacities' programme.

Article 5

The Decision shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 25 June 2007.

For the Council

The President

A. SCHAVAN

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 313, 22.11.1985, p. 6.