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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 459/2007**of 26 April 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 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 the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 26 April 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MA	64,5
	TN	139,0
	TR	149,0
	ZZ	117,5
0707 00 05	JO	171,8
	MA	46,9
	TR	130,8
	ZZ	116,5
0709 90 70	TR	111,4
	ZZ	111,4
0805 10 20	CU	41,3
	EG	44,3
	IL	69,7
	MA	44,5
	TN	50,1
	ZZ	50,0
0805 50 10	AR	37,2
	IL	60,7
	TR	42,8
	ZZ	46,9
0808 10 80	AR	87,7
	BR	77,1
	CA	99,8
	CL	85,6
	CN	99,0
	NZ	125,0
	US	137,6
	UY	63,4
	ZA	89,8
	ZZ	96,1
0808 20 50	AR	79,7
	CL	94,3
	CN	36,6
	ZA	96,5
	ZZ	76,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 460/2007

of 26 April 2007

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.

(4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to

those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.

(6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter ⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(8) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

⁽³⁾ OJ L 308, 25.11.2005, p. 1. Regulation as last amended by Regulation (EC) No 96/2007 (OJ L 25, 1.2.2007, p. 6).

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 27 April 2007 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	17,31	18,23
	(b) on exportation of other goods	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	54,59	57,50
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	72,87	76,75
	(c) on exportation of other goods	71,21	75,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faerøe Islands, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control and to the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.

COMMISSION REGULATION (EC) No 461/2007
of 26 April 2007
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 31 of Regulation (EC) No 1255/1999.
- (3) The second subparagraph of Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) In accordance with the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic ⁽²⁾ approved by Council Decision 98/486/EC ⁽³⁾, a certain amount of Community milk products exported to the Dominican Republic can benefit from reduced customs duties. For this reason, export refunds granted to products exported under this scheme should be reduced by a certain percentage.

(5) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 31 of Regulation (EC) No 1255/1999 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in Article 3(2) of Commission Regulation (EC) No 1282/2006 ⁽⁴⁾.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 218, 6.8.1998, p. 46.

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

⁽⁴⁾ OJ L 234, 29.8.2006, p. 4. Regulation as last amended by Regulation (EC) No 1919/2006 (OJ L 380, 28.12.2006, p. 1).

ANNEX

Export refunds on milk and milk products applicable from 27 April 2007

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	14,03	0402 29 19 9900	L20	EUR/100 kg	—
0401 30 31 9400	L20	EUR/100 kg	21,91	0402 29 99 9100	L20	EUR/100 kg	—
0401 30 31 9700	L20	EUR/100 kg	24,17	0402 29 99 9500	L20	EUR/100 kg	—
0401 30 39 9100	L20	EUR/100 kg	14,03	0402 91 11 9370	L20	EUR/100 kg	—
0401 30 39 9400	L20	EUR/100 kg	21,91	0402 91 19 9370	L20	EUR/100 kg	—
0401 30 39 9700	L20	EUR/100 kg	24,17	0402 91 31 9300	L20	EUR/100 kg	—
0401 30 91 9100	L20	EUR/100 kg	27,56	0402 91 39 9300	L20	EUR/100 kg	—
0401 30 99 9100	L20	EUR/100 kg	27,56	0402 91 99 9000	L20	EUR/100 kg	16,94
0401 30 99 9500	L20	EUR/100 kg	40,50	0402 99 11 9350	L20	EUR/100 kg	—
0402 10 11 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 19 9350	L20	EUR/100 kg	—
0402 10 19 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 31 9300	L20	EUR/100 kg	10,14
0402 10 99 9000	L20	EUR/100 kg	—	0403 90 11 9000	L20	EUR/100 kg	—
0402 21 11 9200	L20	EUR/100 kg	—	0403 90 13 9200	L20	EUR/100 kg	—
0402 21 11 9300	L20	EUR/100 kg	—	0403 90 13 9300	L20	EUR/100 kg	—
0402 21 11 9500	L20	EUR/100 kg	—	0403 90 13 9500	L20	EUR/100 kg	—
0402 21 11 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 13 9900	L20	EUR/100 kg	—
0402 21 17 9000	L20	EUR/100 kg	—	0403 90 33 9400	L20	EUR/100 kg	—
0402 21 19 9300	L20	EUR/100 kg	—	0403 90 59 9310	L20	EUR/100 kg	14,03
0402 21 19 9500	L20	EUR/100 kg	—	0403 90 59 9340	L20	EUR/100 kg	20,53
0402 21 19 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 59 9370	L20	EUR/100 kg	20,53
0402 21 91 9100	L20	EUR/100 kg	—	0404 90 21 9120	L20	EUR/100 kg	—
0402 21 91 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 21 9160	L20	EUR/100 kg	—
0402 21 91 9350	L20	EUR/100 kg	—	0404 90 23 9120	L20	EUR/100 kg	—
0402 21 99 9100	L20	EUR/100 kg	—	0404 90 23 9130	L20	EUR/100 kg	—
0402 21 99 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 23 9140	L20	EUR/100 kg	—
0402 21 99 9300	L20	EUR/100 kg	—	0404 90 23 9150	L20	EUR/100 kg	—
0402 21 99 9400	L20	EUR/100 kg	—	0404 90 81 9100	L20	EUR/100 kg	—
0402 21 99 9500	L20	EUR/100 kg	—	0404 90 83 9110	L20	EUR/100 kg	—
0402 21 99 9600	L20	EUR/100 kg	—	0404 90 83 9130	L20	EUR/100 kg	—
0402 21 99 9700	L20	EUR/100 kg	—	0404 90 83 9150	L20	EUR/100 kg	—
0402 29 15 9200	L20	EUR/100 kg	—	0404 90 83 9170	L20	EUR/100 kg	—
0402 29 15 9300	L20	EUR/100 kg	—	0405 10 11 9500	L20	EUR/100 kg	74,00
0402 29 15 9500	L20	EUR/100 kg	—	0405 10 11 9700	L20	EUR/100 kg	75,00
0402 29 19 9300	L20	EUR/100 kg	—				
0402 29 19 9500	L20	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	74,00	0406 30 39 9500	L04	EUR/100 kg	2,42
0405 10 19 9700	L20	EUR/100 kg	75,00		L40	EUR/100 kg	5,67
0405 10 30 9100	L20	EUR/100 kg	74,00	0406 30 39 9700	L04	EUR/100 kg	3,51
0405 10 30 9300	L20	EUR/100 kg	75,00		L40	EUR/100 kg	8,25
0405 10 30 9700	L20	EUR/100 kg	75,00	0406 30 39 9930	L04	EUR/100 kg	3,51
0405 10 50 9500	L20	EUR/100 kg	73,18		L40	EUR/100 kg	8,25
0405 10 50 9700	L20	EUR/100 kg	75,00	0406 30 39 9950	L04	EUR/100 kg	3,98
0405 10 90 9000	L20	EUR/100 kg	77,77		L40	EUR/100 kg	9,33
0405 20 90 9500	L20	EUR/100 kg	68,61	0406 40 50 9000	L04	EUR/100 kg	21,31
0405 20 90 9700	L20	EUR/100 kg	71,35		L40	EUR/100 kg	26,63
0405 90 10 9000	L20	EUR/100 kg	93,59	0406 40 90 9000	L04	EUR/100 kg	21,89
0405 90 90 9000	L20	EUR/100 kg	74,84		L40	EUR/100 kg	27,36
0406 10 20 9640	L04	EUR/100 kg	18,12	0406 90 13 9000	L04	EUR/100 kg	24,26
	L40	EUR/100 kg	22,66		L40	EUR/100 kg	34,72
0406 10 20 9650	L04	EUR/100 kg	15,11	0406 90 15 9100	L04	EUR/100 kg	25,08
	L40	EUR/100 kg	18,88		L40	EUR/100 kg	35,89
0406 10 20 9830	L04	EUR/100 kg	5,61	0406 90 17 9100	L04	EUR/100 kg	25,08
	L40	EUR/100 kg	7,00		L40	EUR/100 kg	35,89
0406 10 20 9850	L04	EUR/100 kg	6,79	0406 90 21 9900	L04	EUR/100 kg	24,38
	L40	EUR/100 kg	8,49		L40	EUR/100 kg	34,80
0406 20 90 9913	L04	EUR/100 kg	13,46	0406 90 23 9900	L04	EUR/100 kg	21,85
	L40	EUR/100 kg	16,81		L40	EUR/100 kg	31,42
0406 20 90 9915	L04	EUR/100 kg	18,26	0406 90 25 9900	L04	EUR/100 kg	21,43
	L40	EUR/100 kg	22,83		L40	EUR/100 kg	30,67
0406 20 90 9917	L04	EUR/100 kg	19,41	0406 90 27 9900	L04	EUR/100 kg	19,41
	L40	EUR/100 kg	24,26		L40	EUR/100 kg	27,78
0406 20 90 9919	L04	EUR/100 kg	21,68	0406 90 32 9119	L04	EUR/100 kg	17,94
	L40	EUR/100 kg	27,11		L40	EUR/100 kg	25,72
0406 30 31 9730	L04	EUR/100 kg	2,42	0406 90 35 9190	L04	EUR/100 kg	25,55
	L40	EUR/100 kg	5,67		L40	EUR/100 kg	36,75
0406 30 31 9930	L04	EUR/100 kg	2,42	0406 90 35 9990	L04	EUR/100 kg	25,55
	L40	EUR/100 kg	5,67		L40	EUR/100 kg	36,75
0406 30 31 9950	L04	EUR/100 kg	3,51	0406 90 37 9000	L04	EUR/100 kg	24,26
	L40	EUR/100 kg	8,25		L40	EUR/100 kg	34,72
				0406 90 61 9000	L04	EUR/100 kg	27,62
					L40	EUR/100 kg	39,97

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	27,21	0406 90 86 9200	L04	EUR/100 kg	22,02
	L40	EUR/100 kg	39,24		L40	EUR/100 kg	32,63
0406 90 63 9900	L04	EUR/100 kg	26,15	0406 90 86 9400	L04	EUR/100 kg	23,58
	L40	EUR/100 kg	37,90		L40	EUR/100 kg	34,49
0406 90 69 9910	L04	EUR/100 kg	26,54	0406 90 86 9900	L04	EUR/100 kg	24,82
	L40	EUR/100 kg	38,46		L40	EUR/100 kg	35,74
0406 90 73 9900	L04	EUR/100 kg	22,33	0406 90 87 9300	L04	EUR/100 kg	20,50
	L40	EUR/100 kg	31,99		L40	EUR/100 kg	30,29
0406 90 75 9900	L04	EUR/100 kg	22,78	0406 90 87 9400	L04	EUR/100 kg	20,93
	L40	EUR/100 kg	32,74		L40	EUR/100 kg	30,59
0406 90 76 9300	L04	EUR/100 kg	20,22	0406 90 87 9951	L04	EUR/100 kg	22,24
	L40	EUR/100 kg	28,94		L40	EUR/100 kg	31,83
0406 90 76 9400	L04	EUR/100 kg	22,64	0406 90 87 9971	L04	EUR/100 kg	22,24
	L40	EUR/100 kg	32,42		L40	EUR/100 kg	31,83
0406 90 76 9500	L04	EUR/100 kg	20,97	0406 90 87 9973	L04	EUR/100 kg	21,83
	L40	EUR/100 kg	29,76		L40	EUR/100 kg	31,26
0406 90 78 9100	L04	EUR/100 kg	22,18	0406 90 87 9974	L04	EUR/100 kg	23,39
	L40	EUR/100 kg	32,40		L40	EUR/100 kg	33,33
0406 90 78 9300	L04	EUR/100 kg	21,97	0406 90 87 9975	L04	EUR/100 kg	23,19
	L40	EUR/100 kg	31,38		L40	EUR/100 kg	32,78
0406 90 79 9900	L04	EUR/100 kg	18,14	0406 90 87 9979	L04	EUR/100 kg	21,85
	L40	EUR/100 kg	26,08		L40	EUR/100 kg	31,42
0406 90 81 9900	L04	EUR/100 kg	22,64	0406 90 88 9300	L04	EUR/100 kg	18,10
	L40	EUR/100 kg	32,42		L40	EUR/100 kg	26,66
0406 90 85 9930	L04	EUR/100 kg	24,82	0406 90 88 9500	L04	EUR/100 kg	18,66
	L40	EUR/100 kg	35,74		L40	EUR/100 kg	26,67
0406 90 85 9970	L04	EUR/100 kg	22,78				
	L40	EUR/100 kg	32,74				

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2007/2008 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Chapter III, Section 3 of Regulation (EC) No 1282/2006, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200 0,00 EUR/100 kg

The destinations are defined as follows:

L20: All destinations except Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Farøe Islands, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations except L04, Andorra, Gibraltar, Ceuta, Melilla, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Farøe Islands, the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

COMMISSION REGULATION (EC) No 462/2007
of 26 April 2007
granting no export refund for butter in the framework of the standing invitation to tender provided
for in Regulation (EC) No 581/2004

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate not to grant any refund for the tendering period ending on 24 April 2007.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 24 April 2007 no export refund shall be granted for the products and destinations referred to in Article 1(1) of that Regulation.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 276/2007 (OJ L 76, 16.3.2007, p. 16).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as last amended by Regulation (EC) No 128/2007 (OJ L 41, 13.2.2007, p. 6).

COMMISSION REGULATION (EC) No 463/2007**of 26 April 2007****amending the representative prices and additional duties for the import of certain products in the sugar sector fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾,

Having regard to Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed rules for the implementation of Council Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾, and in particular of the Article 36,

Whereas:

- (1) The representative prices and additional duties applicable to imports of white sugar, raw sugar and certain syrups

for the 2006/2007 marketing year are fixed by Commission Regulation (EC) No 1002/2006 ⁽³⁾. These prices and duties have been last amended by Commission Regulation (EC) No 449/2007 ⁽⁴⁾.

- (2) The data currently available to the Commission indicate that the said amounts should be changed in accordance with the rules and procedures laid down in Regulation (EC) No 951/2006,

HAS ADOPTED THIS REGULATION:

Article 1

The representative prices and additional duties on imports of the products referred to in Article 36 of Regulation (EC) No 951/2006, as fixed by Regulation (EC) No 1002/2006 for the 2006/2007 marketing year are hereby amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 2011/2006 (OJ L 384, 29.12.2006, p. 1).

⁽²⁾ OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

⁽³⁾ OJ L 179, 1.7.2006, p. 36.

⁽⁴⁾ OJ L 107, 25.4.2007, p. 3.

ANNEX

Amended representative prices and additional duties applicable to imports of white sugar, raw sugar and products covered by CN code 1702 90 99 applicable from 27 April 2007

(EUR)

CN code	Representative price per 100 kg of the product concerned	Additional duty per 100 kg of the product concerned
1701 11 10 ⁽¹⁾	18,87	6,87
1701 11 90 ⁽¹⁾	18,87	12,74
1701 12 10 ⁽¹⁾	18,87	6,68
1701 12 90 ⁽¹⁾	18,87	12,22
1701 91 00 ⁽²⁾	22,44	14,70
1701 99 10 ⁽²⁾	22,44	9,49
1701 99 90 ⁽²⁾	22,44	9,49
1702 90 99 ⁽³⁾	0,22	0,42

⁽¹⁾ Fixed for the standard quality defined in Annex LIII to Council Regulation (EC) No 318/2006 (OJ L 58, 28.2.2006, p. 1).

⁽²⁾ Fixed for the standard quality defined in Annex LII to Regulation (EC) No 318/2006.

⁽³⁾ Fixed per 1 % sucrose content.

COMMISSION REGULATION (EC) No 464/2007**of 26 April 2007****fixing the export refunds on white and raw sugar exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(b) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.

- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Regulation (EC) No 318/2006.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

ANNEX

**Export refunds on white and raw sugar exported without further processing applicable from
27 April 2007 ^(a)**

Product code	Destination	Unit of measurement	Amount of refund
1701 11 90 9100	S00	EUR/100 kg	27,68 ⁽¹⁾
1701 11 90 9910	S00	EUR/100 kg	27,68 ⁽¹⁾
1701 12 90 9100	S00	EUR/100 kg	27,68 ⁽¹⁾
1701 12 90 9910	S00	EUR/100 kg	27,68 ⁽¹⁾
1701 91 00 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3009
1701 99 10 9100	S00	EUR/100 kg	30,09
1701 99 10 9910	S00	EUR/100 kg	30,09
1701 99 10 9950	S00	EUR/100 kg	30,09
1701 99 90 9100	S00	EUR/1 % sucrose × 100 kg of net product	0,3009

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (O) L 23, 26.1.2005, p. 17).

⁽¹⁾ This amount is applicable to raw sugar with a yield of 92 %. Where the yield for exported raw sugar differs from 92 % the refund amount applicable shall be multiplied, for each exporting operation concerned, by a conversion factor obtained by dividing by 92 the yield of the raw sugar exported, calculated in accordance with paragraph 3 of Point III of the Annex I of Regulation (EC) No 318/2006.

COMMISSION REGULATION (EC) No 465/2007**of 26 April 2007****fixing the export refunds on syrups and certain other sugar products exported without further processing**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector ⁽¹⁾, and in particular the second subparagraph of Article 33(2) thereof,

Whereas:

- (1) Article 32 of Regulation (EC) No 318/2006 provides that the difference between prices on the world market for the products listed in Article 1(1)(c), (d) and (g) of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the sugar market, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Articles 32 and 33 of Regulation (EC) No 318/2006.
- (3) The first subparagraph of Article 33(2) of Regulation (EC) No 318/2006 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.
- (4) Refunds should be granted only on products that are allowed to move freely in the Community and that comply with the requirements of Commission Regulation (EC) No 951/2006 of 30 June 2006 laying down detailed

rules for the implementation of Regulation (EC) No 318/2006 as regards trade with third countries in the sugar sector ⁽²⁾.

- (5) Export refunds may be set to cover the competitive gap between Community and third country's exports. Community exports to certain close destinations and to third countries granting Community products a preferential import treatment are currently in a particular favourable competitive position. Therefore, refunds for exports to those destinations should be abolished.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

1. Export refunds as provided for in Article 32 of Regulation (EC) No 318/2006 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in paragraph 2 of this Article.
2. To be eligible for a refund under paragraph 1 products must meet the relevant requirements laid down in Articles 3 and 4 of Regulation (EC) No 951/2006.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 178, 1.7.2006, p. 24. Regulation as amended by Regulation (EC) No 2031/2006 (OJ L 414, 30.12.2006, p. 43).

ANNEX

Export refunds on syrups and certain other sugar products exported without further processing applicable from 27 April 2007 ^(a)

Product code	Destination	Unit of measurement	Amount of refund
1702 40 10 9100	S00	EUR/100 kg dry matter	30,09
1702 60 10 9000	S00	EUR/100 kg dry matter	30,09
1702 60 95 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3009
1702 90 30 9000	S00	EUR/100 kg dry matter	30,09
1702 90 60 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3009
1702 90 71 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3009
1702 90 99 9900	S00	EUR/1 % sucrose × 100 kg of net product	0,3009 ⁽¹⁾
2106 90 30 9000	S00	EUR/100 kg dry matter	30,09
2106 90 59 9000	S00	EUR/1 % sucrose × 100 kg of net product	0,3009

NB: The destinations are defined as follows:

S00: all destinations except Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo and the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City), Liechtenstein, Communes of Livigno and Campione d'Italia, Heligoland, Greenland, Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

^(a) The amounts set out in this Annex are not applicable with effect from 1 February 2005 pursuant to Council Decision 2005/45/EC of 22 December 2004 concerning the conclusion and application of the Agreement between the European Economic Community and the Swiss Confederation of 22 July 1972 as regards the provisions applicable to processed agricultural products (OJ L 23, 26.1.2005, p. 17).

⁽¹⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ L 355, 5.12.1992, p. 12).

COMMISSION REGULATION (EC) No 466/2007**of 26 April 2007****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 958/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

(1) Commission Regulation (EC) No 958/2006 of 28 June 2006 on a standing invitation to tender to determine refunds on exports of white sugar for the 2006/2007 marketing year ⁽²⁾ requires the issuing of partial invitations to tender.

(2) Pursuant to Article 8(1) of Regulation (EC) No 958/2006 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 26 April 2007, it is appropriate to fix a maximum export refund for that partial invitation to tender.

(3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the partial invitation to tender ending on 26 April 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 958/2006 shall be 35,093 EUR/100 kg.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 175, 29.6.2006, p. 49. Regulation as amended by Regulation (EC) No 203/2007 (OJ L 61, 28.2.2007, p. 3).

COMMISSION REGULATION (EC) No 467/2007**of 26 April 2007****fixing the maximum export refund for white sugar in the framework of the standing invitation to tender provided for in Regulation (EC) No 38/2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the markets in the sugar sector ⁽¹⁾, and in particular the second subparagraph and point (b) of the third subparagraph of Article 33(2) thereof,

Whereas:

- (1) Commission Regulation (EC) No 38/2007 of 17 January 2007 opening a standing invitation to tender for the resale for export of sugar held by the intervention agencies of Belgium, the Czech Republic, Spain, Ireland, Italy, Hungary, Poland, Slovakia and Sweden ⁽²⁾ requires the issuing of partial invitations to tender.
- (2) Pursuant to Article 4(1) of Regulation (EC) No 38/2007 and following an examination of the tenders submitted

in response to the partial invitation to tender ending on 25 April 2007, it is appropriate to fix a maximum export refund for that partial invitation to tender.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

For the partial invitation to tender ending on 25 April 2007, the maximum export refund for the product referred to in Article 1(1) of Regulation (EC) No 38/2007 shall be 399,50 EUR/tonne.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as last amended by Commission Regulation (EC) No 247/2007 (OJ L 69, 9.3.2007, p. 3).

⁽²⁾ OJ L 11, 18.1.2007, p. 4. Regulation as amended by Regulation (EC) No 203/2007 (OJ L 61, 28.2.2006, p. 3).

COMMISSION REGULATION (EC) No 468/2007
of 26 April 2007
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) Article 13 of Regulation (EC) No 1784/2003 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund.
- (2) Commission Regulation (EC) No 1517/95 of 29 June 1995 laying down detailed rules for the application of Regulation (EC) No 1784/2003 as regards the arrangements for the export and import of compound feedingstuffs based on cereals and amending Regulation (EC) No 1162/95 laying down special detailed rules for the application of the system of import and export licences for cereals and rice ⁽²⁾ in Article 2 lays down general rules for fixing the amount of such refunds.
- (3) That calculation must also take account of the cereal products content. In the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds

and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products. A refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff.

- (4) Furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export.
- (5) The current situation on the cereals market and, in particular, the supply prospects mean that the export refunds should be abolished.
- (6) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EC) No 1784/2003 and subject to Regulation (EC) No 1517/95 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 147, 30.6.1995, p. 51.

ANNEX

to the Commission Regulation of 26 April 2007 fixing the export refunds on cereal-based compound feedingstuffs

Product codes benefiting from export refund:

2309 10 11 9000, 2309 10 13 9000, 2309 10 31 9000,
2309 10 33 9000, 2309 10 51 9000, 2309 10 53 9000,
2309 90 31 9000, 2309 90 33 9000, 2309 90 41 9000,
2309 90 43 9000, 2309 90 51 9000, 2309 90 53 9000.

Cereal products	Destination	Unit of measurement	Amount of refunds
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10	C10	EUR/t	0,00
Cereal products excluding maize and maize products	C10	EUR/t	0,00

NB: The product codes and the 'A' series destination codes are set out in Commission Regulation (EEC) No 3846/87 (OJ L 366, 24.12.1987, p. 1) as amended.

C10: All destinations.

COMMISSION REGULATION (EC) No 469/2007
of 26 April 2007
fixing production refunds on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003, on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 8(2) thereof,

Whereas:

- (1) Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the application of Council Regulations (EEC) No 1766/92 and (EEC) No 1418/76 concerning production refunds in the cereals and rice sectors respectively ⁽²⁾ lays down the conditions for granting production refunds. The basis for calculating the refund is laid down in Article 3 of that Regulation. The refund thus calculated, differentiated where necessary for potato starch, must be fixed once a month and may be amended if the price of maize and/or wheat changes significantly.

- (2) The production refunds fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount to be paid.
- (3) The Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The refund per tonne of starch referred to in Article 3(2) of Regulation (EEC) No 1722/93, is hereby fixed at:

- (a) EUR/tonne 0,00 for starch from maize, wheat, barley and oats;
- (b) EUR/tonne 0,00 for potato starch.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 159, 1.7.1993, p. 112. Regulation as last amended by Regulation (EC) No 1950/2005 (OJ L 312, 29.11.2005, p. 18).

COMMISSION REGULATION (EC) No 470/2007**of 26 April 2007****on the issue of import licences for rice within the framework of the tariff quotas opened for the April 2007 sub-period by Regulation (EC) No 327/98**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1785/2003 of 29 September 2003 on the common organisation of the markets in rice ⁽¹⁾,Having regard to 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 ⁽²⁾, and in particular Article 7(2) thereof,Having regard to Commission Regulation (EC) No 327/98 of 10 February 1998 opening and providing for the administration of certain tariff quotas for imports of rice and broken rice ⁽³⁾, and in particular the first paragraph of Article 5 thereof,

Whereas:

- (1) Commission Regulation (EC) No 327/98 opened and provided for the administration of certain import tariff quotas for rice and broken rice, broken down by country of origin and split into several sub-periods in accordance with Annex IX to the Regulation.
- (2) April is the second sub-period for the quotas provided for in Article 1(1)(a) of Regulation (EC) No 327/98.
- (3) It follows from the notifications received under Article 8(a) of Regulation (EC) No 327/98 that in the case of quota[s] bearing serial numbers 09.4130, applications

lodged in the first 10 working days of April 2007, in accordance with Article 4(1) of the Regulation relate to a quantity exceeding that available. The extent to which import licences may be issued should therefore be determined and the allocation coefficient laid down to be applied to the quantities applied for the quotas concerned.

- (4) It also follows from those notifications that in the case of quotas bearing serial numbers 09.4127, 09.4128 and 09.4129, applications lodged in the first 10 working days of April 2007, in accordance with Article 4(1) of the Regulation relate to a quantity less than that available.
- (5) The total available quantities for the following sub-period should also be fixed in accordance with the first paragraph of Article 5 of Regulation (EC) No 327/98,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for rice under the quotas bearing serial numbers 09.4130 specified in Regulation (EC) No 327/98, submitted during the first 10 working days of April 2007 shall give rise to the issue of licences for the quantities applied for subject to the coefficients set out in the Annex.

2. The total available quantities under the quotas bearing serial numbers 09.4127, 09.4128 and 09.4129 specified in Regulation (EC) No 327/98 for the following sub-period are set out in the Annex.

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 270, 21.10.2003, p. 96. Regulation as last amended by Regulation (EC) No 797/2006 (OJ L 144, 31.5.2006, p. 1).

⁽²⁾ OJ L 238, 1.9.2006, p. 13. Regulation as amended by Commission Regulation (EC) No 289/2007 (OJ L 78, 17.3.2007, p. 17).

⁽³⁾ OJ L 37, 11.2.1998, p. 5. Regulation as amended by Regulation (EC) No 2019/2006 (OJ L 384, 29.12.2006, p. 48).

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

Done at Brussels, 26 April 2007.

For the Commission
Jean-Luc DEMARTY
Director-General for Agriculture and
Rural Development

ANNEX

Quantities to be allocated in respect of the April 2007 sub-period and available quantities for the following sub-period under Regulation (EC) No 327/98

Quota of wholly milled or semi-milled rice falling within CN code 1006 30 provided for in Article 1(1)(a) of Regulation (EC) No 327/98:

Origin	Serial number	Allocation coefficient for the April 2007 sub-period	Total quantities available for the July 2007 sub-period (kg)
United States of America	09.4127	— ⁽¹⁾	34 170 000
Thailand	09.4128	— ⁽¹⁾	8 419 801
Australia	09.4129	— ⁽¹⁾	613 000
Other origins	09.4130	1,329728 %	0

⁽¹⁾ No allocation coefficient for this sub-period, the applications being less than or equal to the quantities available.

COMMISSION REGULATION (EC) No 471/2007**of 26 April 2007****fixing the rates of refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 318/2006 of 20 February 2006 on the common organisation of the market in the sugar sector⁽¹⁾, and in particular Article 33(2)(a) and (4) thereof,

Whereas:

- (1) Article 32(1) and (2) of Regulation (EC) No 318/2006 provides that the differences between the prices in international trade for the products listed in Article 1(1)(b), (c), (d) and (g) of that Regulation and prices within the Community may be covered by an export refund where these products are exported in the form of goods listed in Annex VII to that Regulation.
- (2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006.
- (3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.
- (4) Article 32(4) of Regulation (EC) No 318/2006 lays down that the export refund for a product contained in goods

may not exceed the refund applicable to that product when exported without further processing.

- (5) The refunds fixed under this Regulation may be fixed in advance as the market situation over the next few months cannot be established at the moment.
- (6) The commitments entered into with regard to refunds which may be granted for the export of agricultural products contained in goods not covered by Annex I to the Treaty may be jeopardised by the fixing in advance of high refund rates. It is therefore necessary to take precautionary measures in such situations without, however, preventing the conclusion of long-term contracts. The fixing of a specific refund rate for the advance fixing of refunds is a measure which enables these various objectives to be met.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1(1) and in point (1) of Article 2 of Regulation (EC) No 318/2006, and exported in the form of goods listed in Annex VII to Regulation (EC) No 318/2006, shall be fixed as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 27 April 2007.

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

Done at Brussels, 26 April 2007.

For the Commission

Günter VERHEUGEN

Vice-President

⁽¹⁾ OJ L 58, 28.2.2006, p. 1. Regulation as amended by Commission Regulation (EC) No 1585/2006 (OJ L 294, 25.10.2006, p. 19).

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Regulation (EC) No 447/2007 (OJ L 106, 24.4.2007, p. 31).

ANNEX

Rates of refunds applicable from 27 April 2007 to certain products from the sugar sector exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

CN code	Description	Rate of refund in EUR/100 kg	
		In case of advance fixing of refunds	Other
1701 99 10	White sugar	30,09	30,09

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Albania, Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Kosovo, the former Yugoslav Republic of Macedonia, Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faeroe Islands and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control and to the goods listed in Tables I and II of Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.

II

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

DECISIONS

COUNCIL

COUNCIL DECISION

of 22 March 2007

on the signing and provisional application of a Protocol to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on the accession of the Republic of Bulgaria and Romania to the PCA

(2007/251/EC)

THE COUNCIL OF THE EUROPEAN UNION,

European Communities and their Member States, and Ukraine ⁽¹⁾ to take account of the accession of the Republic of Bulgaria and Romania to the European Union.

Having regard to the Treaty establishing the European Community, and in particular Article 44(2), the last sentence of Article 47(2), and Articles 55, 57(2), 71, 80(2), 93, 94, 133 and 181a, in conjunction with the second sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3), thereof,

(2) Subject to its possible conclusion at a later date, the Protocol initialled on 2 March 2007 should be signed on behalf of the European Communities and their Member States.

Having regard to the Treaty of Accession of the Republic of Bulgaria and Romania, and in particular Article 4(3) thereof,

(3) The Protocol should be applied on a provisional basis as from the date of its signature, pending completion of the relevant procedures for its formal conclusion,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 6(2) thereof,

HAS DECIDED AS FOLLOWS:

Article 1

Having regard to the proposal from the Commission,

The President of the Council is hereby authorised to designate the person(s) empowered to sign, on behalf of the European Communities and their Member States, the Protocol to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on the accession of the Republic of Bulgaria and Romania to the PCA, subject to possible conclusion at a later stage.

Whereas:

(1) On 23 October 2006, the Council authorised the Commission, on behalf of the Community and its Member States, to negotiate with Ukraine a Protocol to the Partnership and Cooperation Agreement between the

The text of the Protocol is attached to this Decision.

⁽¹⁾ OJ L 49, 19.2.1998, p. 3.

Article 2

Pending its entry into force, the Protocol shall be applied on a provisional basis from the date of its signature.

Done at Brussels, 22 March 2007.

For the Council
The President
W. TIEFENSEE

PROTOCOL

to the Partnership and Cooperation Agreement (PCA) between the European Communities and their Member States, of the one part, and Ukraine, of the other part, on accession of the Republic of Bulgaria and Romania to the PCA

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

IRELAND,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

hereinafter referred to as the 'Member States', represented by the Council of the European Union, and

THE EUROPEAN COMMUNITY AND THE EUROPEAN ATOMIC ENERGY COMMUNITY,

hereinafter referred to as 'the Communities', represented by the Council of the European Union and the European Commission, of the one part, and

UKRAINE

of the other part,

hereinafter referred to as 'the Parties' for the purposes of this Protocol,

HAVING REGARD TO the provisions of the Treaty between the Kingdom of Belgium, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, 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 (Member States of the European Union) and the Republic of Bulgaria and Romania concerning the accession of the Republic of Bulgaria and Romania to the European Union, which was signed at Luxembourg on 25 April 2005 and entered into force on 1 January 2007,

CONSIDERING the new situation in relations between Ukraine and the European Union arising from the accession to the EU of two new Member States, which opens opportunities and brings about challenges for cooperation between Ukraine and the European Union,

TAKING INTO ACCOUNT the desire of the Parties to ensure the attainment and implementation of the objectives and principles of the PCA,

HAVE AGREED AS FOLLOWS:

Article 1

The Republic of Bulgaria and Romania shall be Parties to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and Ukraine, of the other part, signed at Luxembourg on 14 June 1994 and entered into force on 1 March 1998, (hereinafter 'the Agreement'), and shall adopt and take note, in the same manner as the other Member States of the Community, of the texts of the Agreement, and of the Joint Declarations, Declarations and Exchanges of Letters annexed to the Final Act signed on the same date and the Protocol to the Agreement of 10 April 1997, which entered into force on 12 October 2000, and the Protocol to the Agreement of 29 April 2004 that entered into force on 1 February 2006.

Article 2

This Protocol shall form an integral part of the Agreement.

Article 3

1. This Protocol shall be approved by the Communities, by the Council of the European Union on behalf of the Member States and by Ukraine in accordance with their own procedures.
2. The Parties shall notify each other of the completion of the procedures referred to in the preceding paragraph. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.

Article 4

1. This Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval.
2. Pending the date of its entry into force, this Protocol shall apply provisionally as from the date of its signature.

Article 5

1. The texts of the Agreement, the Final Act and all documents annexed to it, and the Protocols to the Agreements of 10 April 1997 and 29 April 2004 are drawn up in the Bulgarian and Romanian languages.
2. They are annexed to this Protocol and are equally authentic with the texts in the other languages in which the Agreement, the Final Act and the documents annexed to it, and the Protocols to the Agreements of 10 April 1997 and 29 April 2004 are drawn up.

Article 6

This Protocol is drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, Swedish and Ukrainian languages, each of these texts being equally authentic.

Съставено в Брюксел на двадесет и седми март две хиляди и седма година.

Hecho en Bruselas, el veintisiete de marzo de dos mil siete.

V Bruselu dne dvacátého sedmého března dva tisíce sedm.

Udfærdiget i Bruxelles den syvogtyvende marts to tusind og syv.

Geschehen zu Brüssel am siebenundzwanzigsten März zweitausendsieben.

Kahe tuhanda seitsmenda aasta märtsikuu kahekümne seitsmendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις είκοσι επτά Μαρτίου δύο χιλιάδες επτά.

Done at Brussels on the twenty-seventh day of March in the year two thousand and seven.

Fait à Bruxelles, le vingt-sept mars deux mille sept.

Fatto a Bruxelles, addì ventisette marzo duemilasette.

Briselē, divtūkstoš septītā gada divdesmit septītajā martā.

Priimta du tūkstančiai septintųjų metų kovo dvidešimt septintą dieną Briuselyje.

Kelt Brüsszelben, a kettőezer-hatodik év március havának huszonhetedik napján.

Magħmul fi Brussel, fis-sebgha u ghoxrin jum ta' Marzu tas-sena elfejn u sebgha.

Gedaan te Brussel, de zevenentwintigste maart tweeduizend zeven.

Sporządzono w Brukseli, dnia dwudziestego siódmego marca roku dwa tysiące siódmego.

Feito em Bruxelas, em vinte e sete de Março de dois mil e sete.

Adoptat la Bruxelles, douăzeci și cinci martie două mii șapte.

V Bruseli dvadsiateho siedmeho marca dvetisícšedem.

V Bruslju, sedemindvajsetega marca leta dva tisoč sedem.

Tehty Brysselissä kahdentenakymmenentenäseitsemäntenä päivänä maaliskuuta vuonna kaksituhatta-seitsemän.

Som skedde i Bryssel den tjugosjunde mars tjugohundrasju.

За държавите-членки
 Por los Estados miembros
 Za členské státy
 For medlemsstaterne
 Für die Mitgliedstaaten
 Liikmesriikide nimel
 Για τα κράτη μέλη
 For the Member States
 Pour les États membres
 Per gli Stati membri
 Dalībvalstu vārdā
 Valstybių narių vardu
 A tagállamok részéről
 Għall-Istati Membri
 Voor de lidstaten
 W imieniu państw członkowskich
 Pelos Estados-Membros
 Pentru statele membre
 Za členské štáty
 Za države članice
 Jäsenvaltioiden puolesta
 På medlemsstaternas vägnar

За Европейската общност
 Por las Comunidades Europeas
 Za Evropská společnost
 For De Europæiske Fællesskaber
 Für die Europäischen Gemeinschaften
 Euroopa ühenduste nimel
 Για τις Ευρωπαϊκές Κοινότητες
 For the European Communities
 Pour les Communautés européennes
 Per le Comunità europee
 Eiropas Kopienu vārdā
 Europos Bendrijų vardu
 Az Európai Közösségek részéről
 Għall-Komunitajiet Ewropej
 Voor de Europese Gemeenschappen
 W imieniu Wspólnot Europejskich
 Pelas Comunidades Europeias
 Pentru Comunitatea Europeană
 Za Európske spoločenstvá
 Za Evropske skupnosti
 Euroopan yhteisöjen puolesta
 På Europeiska gemenskapernas vägnar

Ch. Fischer

C. Delors

J. Van der Sander

За Украина
 Por Ucraina
 Za Ukrajinu
 For Ukraine
 Für die Ukraine
 Ukraina nimel
 Για την Ουκραία
 For Ukraine
 Pour l'Ukraine
 Per l'Ucraina
 Ukrainas vārdā
 Ukrainos vardu
 Ukrajna részéről
 Għall-Ukrajna
 Voor Oekraïne
 W imieniu Ukrainy
 Pela Ucrânia
 Pentru Ucraina
 Za Ukrajinu
 Za Ukrajino
 Ukrainan puolesta
 På Ukrainas vägnar

S. Müller

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE VI OF THE EU TREATY

COUNCIL DECISION

of 19 April 2007

establishing for the period 2007-2013 the specific programme 'Fundamental rights and citizenship' as part of the General programme 'Fundamental Rights and Justice'

(2007/252/JHA)

THE COUNCIL OF THE EUROPEAN UNION,

to the European project by encouraging an active citizenship.

Having regard to the Treaty establishing the European Community, and in particular Article 308 thereof,

- (4) In its Communication of 15 October 2003 to the Council and the European Parliament on Article 7 of the Treaty on European Union, the Commission underlined the importance of the role that civil society plays both in protecting and promoting fundamental rights; the Commission therefore should establish an open, transparent and regular dialogue with civil society.

Having regard to the proposal from the Commission,

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

- (5) According to The Hague Programme, strengthening mutual cooperation requires an explicit effort to improve mutual understanding among judicial authorities and different legal systems. European networks of national public authorities should deserve special attention and support in this respect.

Whereas:

- (1) The European Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law, principles which are common to the Member States.

- (6) The Conference of the European Constitutional Courts and the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union contribute, in particular by maintaining relevant databases, to an exchange of views and experience on matters concerning the case-law, organisation and functioning of their Members in the performance of their judicial and advisory functions with regard to Community law. It ought to be possible to co-finance the activities of the Conference and the Association to the extent that the expenditure is incurred in pursuing an objective of general European interest. However, such co-financing should not imply that a future programme would cover such networks, nor should it prejudice other European networks from benefiting from support to their activities in accordance with this Decision.

- (2) The Charter of Fundamental Rights of the European Union ⁽²⁾, bearing in mind its status and scope and the accompanying explanations, reflects the rights as they result, in particular, from the constitutional traditions and international obligations common to the Member States, the Treaty on European Union, the Community Treaties, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the social charters adopted by the Community and by the Council of Europe and the case-law of the Court of Justice of the European Communities and of the European Court of Human Rights.

- (3) In November 2004 the European Council recognised the importance of communication to bring all persons close

- (7) It is appropriate to stress the importance of information and communication with respect to the rights that citizenship of the Union confers on its citizens to improve their awareness of their rights and to provide them with easy access to reliable information.

⁽¹⁾ Opinion delivered on 14 December 2006 (not yet published in the Official Journal).

⁽²⁾ OJ C 364, 18.12.2000, p. 1.

- (8) Fostering an interfaith and multicultural dialogue at the level of the European Union would contribute to preserving and strengthening peace and fundamental rights.
- (9) The objectives of the programme should be complementary to those of the European Union Agency for Fundamental Rights established by Regulation (EC) No 168/2007⁽¹⁾, and should focus on those areas where European added-value can be engendered. Appropriate coordination should be undertaken to these ends.
- (10) With a view to achieving complementarity and guaranteeing the best possible use of resources, it should be ensured that any duplication between the actions supported by the programme and the activities of international organisations competent in the field of fundamental rights, such as the Council of Europe, is avoided, while permitting joint activities for the achievement of the objectives of the programme. Appropriate coordination should be undertaken to these ends.
- (11) According to the principle of opening the Community programmes to the candidate countries and to the countries of the Western Balkans, as enshrined in the Thessaloniki Agenda, the programme should be open to the participation of the acceding countries, candidate countries and the Western Balkan countries. Such participation should necessitate fulfilling the general conditions of bilateral agreement and contribution to the programme budget. When it serves the objectives of the action concerned, it should also be possible for authorities, bodies or non-governmental organisations of countries not participating in the programme to be associated to individual actions as partners, without however them being the main beneficiaries of the project.
- (12) Appropriate measures should also be taken to prevent irregularities and fraud and the necessary steps should be taken to recover funds lost, wrongly paid or incorrectly used in accordance with Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests⁽²⁾, Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission⁽³⁾ and Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)⁽⁴⁾.
- (13) Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁽⁵⁾, hereinafter 'the Financial Regulation', and Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002⁽⁶⁾, which safeguard the Community's financial interests, should be applied taking into account the principles of simplicity and consistency in the choice of budgetary instruments, a limitation on the number of cases where the Commission retains direct responsibility for their implementation and management, and the required proportionality between the amount of resources and the administrative burden related to their use.
- (14) The Financial Regulation requires a basic act to be provided to cover operating grants.
- (15) In accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁽⁷⁾, measures for the implementation of this Decision should be adopted, with a distinction being made between those measures which are subject to the management committee procedure and those which are subject to the advisory committee procedure, the advisory committee being in certain cases, with a view to increased efficiency, the more appropriate.
- (16) The objectives of the programme, namely support to civil society associations, the fight against racism, xenophobia and anti-Semitism, the protection of fundamental rights and the protection of the Rights of the Citizen, through an interfaith and multicultural dialogue cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or impact of the programme, be better achieved at Community level. The Community may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Decision does not go beyond what is necessary to achieve those objectives.
- (17) The Treaty does not provide, for the adoption of this Decision, powers other than those under Article 308.

⁽¹⁾ OJ L 53, 22.2.2007, p. 1.

⁽²⁾ OJ L 312, 23.12.1995, p. 1.

⁽³⁾ OJ L 292, 15.11.1996, p. 2.

⁽⁴⁾ OJ L 136, 31.5.1999, p. 1.

⁽⁵⁾ OJ L 248, 16.9.2002, p. 1. Regulation as amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

⁽⁶⁾ OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1248/2006 (OJ L 227, 19.8.2006, p. 3).

⁽⁷⁾ OJ L 184, 17.7.1999, p. 23. Decision as last amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

(18) In order to ensure the effective and timely implementation of the programme, this Decision should apply from 1 January 2007.

(19) The Economic and Social Committee has delivered an opinion ⁽¹⁾,

HAS DECIDED AS FOLLOWS:

Article 1

Creation of the programme

1. This Decision establishes the programme 'Fundamental Rights and Citizenship', hereinafter referred to as 'the programme', as part of the general programme 'Fundamental Rights and Justice'.

2. The programme shall cover the period from 1 January 2007 to 31 December 2013.

3. The Programme shall be implemented within the scope of application of Community law.

Article 2

General objectives

1. The programme shall have the following general objectives:

(a) to promote the development of a European society based on respect for fundamental rights as recognised in Article 6(2) of the Treaty on European Union, including rights derived from citizenship of the Union;

(b) to strengthen civil society and to encourage an open, transparent and regular dialogue with it in respect of fundamental rights;

(c) to fight against racism, xenophobia and anti-Semitism and to promote a better interfaith and intercultural understanding and improved tolerance throughout the European Union;

(d) to improve the contacts, exchange of information and networking between legal, judicial and administrative authorities and the legal professions, including by way of support to judicial training, with the aim of better mutual understanding among such authorities and professionals.

2. The general objectives of the programme are complementary to the objectives pursued by the European Union Agency for Fundamental Rights established by Regulation (EC) No 168/2007.

3. The general objectives of the programme shall contribute to the development and implementation of Community policies in full compliance with fundamental rights.

Article 3

Specific objectives

The programme shall have the following specific objectives:

(a) to promote fundamental rights as recognised in Article 6(2) of the Treaty on European Union and to inform all persons of their rights including those derived from citizenship of the Union, in order to encourage Union citizens to participate actively in the democratic life of the Union;

(b) to examine, where necessary, respect for specific fundamental rights in the European Union and its Member States when implementing Community law, and to obtain opinions on specific questions related to fundamental rights within this scope;

(c) to support non-governmental organisations and other bodies from civil society in order to enhance their capability to participate actively in the promotion of fundamental rights, the rule of law and democracy;

(d) to create relevant structures in order to foster an interfaith and multicultural dialogue at the level of the European Union.

Article 4

Actions

With a view to pursuing the general and specific objectives set out in Articles 2 and 3, the programme will support the following types of actions:

(a) specific actions taken by the Commission, such as studies and research, opinion polls and surveys, formulation of indicators and common methodologies, collection, development and dissemination of data and statistics, seminars, conferences and expert meetings, organisation of public campaigns and events; development and maintenance of websites, preparation and dissemination of information material, support for and management of networks of national experts, analytical, monitoring and evaluation activities;

(b) specific trans-national projects of Community interest presented by an authority or any other body of a Member State, an international or non-governmental organisation, and involving in any case at least two Member States or at least one Member State and one other state which may either be an acceding country or a candidate country, under the conditions set out in the annual work programmes;

⁽¹⁾ OJ C 69, 21.3.2006.

- (c) support to the activities of non-governmental organisations or other entities pursuing an aim of general European interest in accordance with the general objectives of the programme under the conditions set out in the annual work programmes;
- (d) operating grants to co-finance expenditure associated with the permanent work programme of the Conference of the European Constitutional Courts and the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union, which maintains certain databases providing for a European-wide collection of national judgments relating to the implementation of Community law, insofar as the expenditure is incurred in pursuing an objective of general European interest by promoting exchanges of views and experience on matters concerning the case-law, organisation and functioning of their members in the performance of their judicial and/or advisory functions with regard to Community law.

Article 5

Participation of third countries

1. The following countries, hereinafter referred to as 'participating countries', may participate in the actions of the programme: acceding countries, candidate countries and the Western Balkan countries included in the stabilisation and association process, in accordance with the conditions laid down in the association agreements or their additional protocols relating to participation in Community programmes concluded or to be concluded with those countries.
2. Actions under Article 4 may associate authorities, bodies or non-governmental organisations of countries not participating in the programme pursuant to paragraph 1, where this would contribute to the preparation for accession of the countries referred to in paragraph 1 or serve the objectives of the actions concerned.

Article 6

Target groups

The programme is targeted at European Union citizens, citizens of participating countries or third country nationals legally residing within the European Union territory and civil society associations, among other groups active in promoting the objectives of the programme.

Article 7

Access to the programme

1. Access to the programme shall be open, *inter alia*, to institutions and public or private organisations, universities,

research institutes, non-governmental organisations, national, regional and local authorities, international organisations and other not-for-profit organisations established in the European Union or in one of the countries participating, pursuant to Article 5.

2. The programme shall permit joint activities with international organisations competent in the field of fundamental rights, such as the Council of Europe, on the basis of joint contributions and in accordance with the various rules prevailing in each institution or organisation, for the achievement of the objectives of the programme.

Article 8

Types of intervention

1. Community funding may take the following legal forms:

(a) grants;

(b) public procurement contracts.

2. Community grants shall be awarded following calls for proposals, save in duly substantiated exceptional cases as provided for in the Financial Regulation and shall be provided through operating grants and grants to actions. The maximum rate of co-financing will be specified in the annual work programmes.

3. Furthermore, expenditure is foreseen for accompanying measures, through public procurement contracts, in which case Community funds will cover the purchase of goods and services. This will cover, *inter alia*, expenditure on information and communication, preparation, implementation, monitoring, checking and evaluation of projects, policies, programmes and legislation.

Article 9

Implementing measures

1. The Commission shall implement the Community Assistance in accordance with the Financial Regulation.

2. In order to implement the programme, the Commission shall, within the limits of the general objectives set out in Article 2, adopt an annual work programme specifying its specific objectives, thematic priorities, a description of accompanying measures envisaged in Article 8 and if necessary a list of other actions.

3. The annual work programme shall be adopted in accordance with the procedure set out in Article 10(3).

4. The evaluation and award procedures relating to grants to actions shall take into account, *inter alia*, the following criteria:

- (a) conformity with the annual work programme, the general objectives as specified in Article 2 and measures taken in the different domains as specified in Articles 3 and 4;
- (b) quality of the proposed action regarding its conception, organisation, presentation and expected results;
- (c) amount requested for Community financing and its appropriateness as to expected results;
- (d) impact of the expected results on the general objectives defined in Article 2 and on measures taken in the different domains as specified in Articles 3 and 4.

5. The applications for operating grants, referred to in Article 4(b) and (c), shall be assessed in the light of:

- (a) consistency with the programme objectives;
- (b) quality of the planned activities;
- (c) likely multiplier effect on the public of these activities;
- (d) geographic impact of the activities carried out;
- (e) citizen involvement in the organisation of the bodies concerned;
- (f) cost/benefit ratio of the activity proposed.

6. The Decisions related to actions submitted under Article 4(b) and (c) shall be taken by the Commission in accordance with the procedure referred to in Article 10(2).

7. Pursuant to Article 113(2) of the Financial Regulation, the principle of gradual reduction shall not apply to the operating grant given to the Conference of the European Constitutional Courts and the Association of the Council of States and Supreme Administrative Jurisdictions of the European Union insofar as they pursue an objective of general European interest.

Article 10

Committee

1. The Commission shall be assisted by a Committee (hereinafter referred to as the Committee).

2. Where reference is made to this paragraph, Articles 3 and 7 of Decision 1999/468/EC shall apply.

3. Where reference is made to this paragraph, Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

4. The Committee shall adopt its Rules of Procedure.

Article 11

Complementarity

1. Synergies and complementarity with other Community instruments shall be sought, particularly the Framework programmes 'Security and Safeguarding Liberties' and 'Solidarity and Management of Migration Flows', as well as the programme 'Progress'. Complementarity with the European Union Agency for Fundamental Rights shall be secured. The statistical element of information on fundamental rights and citizenship shall be developed in collaboration with Member States, on the basis of available data using as necessary the Community Statistical Programme.

2. The programme may share resources with other Community instruments, in particular the general programmes 'Security and Safeguarding Liberties' and 'Solidarity and Management of Migration Flows', in order to implement actions meeting the objectives of all programmes.

3. Operations financed under this Decision shall not receive assistance for the same purpose from other Community financial instruments. It shall be ensured that the beneficiaries of this Decision shall provide the Commission with information about funding received from the Community budget and from other sources, as well as information about ongoing applications for funding.

Article 12

Budgetary resources

The budgetary resources allocated to the actions provided for in the programme shall be entered in the annual appropriations of the general budget of the European Union. The available annual appropriations shall be authorised by the budgetary authority within the limits of the financial framework.

*Article 13***Monitoring**

1. The Commission shall ensure that for any action financed by the programme, the beneficiary shall submit, technical and financial reports on the progress of work. A final report shall also be submitted within three months of the completion of the action. The Commission shall determine the form and content of the reports.

2. The Commission shall ensure that contracts and agreements resulting from the implementation of the programme provide in particular for supervision and financial control by the Commission (or any representative authorised by it), if necessary by means of on-the-spot checks, including sample checks, and audits by the Court of Auditors.

3. The Commission shall ensure that for a period of five years following the last payment in respect of any action, the beneficiary of financial assistance shall keep available for the Commission all the supporting documents regarding expenditure on the action.

4. On the basis of the results of the reports and the on-the-spot checks referred to in paragraphs 1 and 2, the Commission shall ensure that, if necessary, the scale or the conditions of allocation of the financial assistance originally approved and also the timetable for payments are adjusted.

5. The Commission shall ensure that every other step necessary to verify that the actions financed are carried out properly and in compliance with the provisions of this Decision and the Financial Regulation is taken.

*Article 14***Protection of Community financial interests**

1. The Commission shall ensure that, when actions financed under this Decision are implemented, the financial interests of the Community are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and by the recovery of the amounts unduly paid and, if irregularities are detected, by effective, proportional and dissuasive penalties, in accordance with Regulation (EC, Euratom) No 2988/95, Regulation (Euratom, EC) No 2185/96 and Regulation (EC) No 1073/1999.

2. For Community actions financed under the programme, Regulation (EC, Euratom) No 2988/95 and Regulation

(Euratom, EC) No 2185/96 shall apply to any infringement of a provision of Community law, including infringements of a contractual obligation stipulated on the basis of the programme, resulting from an act or omission by an economic operator, which has, or would have, the effect of prejudicing the general budget of the European Union or budgets managed by it, by an unjustified item of expenditure.

3. The Commission shall ensure that the amount of financial assistance granted for an action is reduced, suspended or recovered if it finds irregularities, including non-compliance with the provisions of this Decision or the individual decision or the contract or agreement granting the financial support in question, or if it transpires that, without Commission approval having been sought, the action has been subjected to a change which conflicts with the nature or implementing conditions of the project.

4. If the time limits have not been observed or if only part of the allocated financial assistance is justified by the progress made with implementing an action, the Commission shall ensure that the beneficiary will submit observations within a specified period. If the beneficiary does not give a satisfactory answer, the Commission shall ensure that the remaining financial assistance is cancelled and shall demand repayment of sums already paid.

5. The Commission shall ensure that any undue payment is repaid to the Commission. Interest shall be added to any sums not repaid in good time under the conditions laid down by the Financial Regulation.

*Article 15***Evaluation**

1. The programme will be monitored regularly in order to follow the implementation of the activities carried out thereunder.

2. The Commission shall ensure the regular, independent and external evaluation of the programme.

3. The Commission shall submit to the European Parliament and the Council:

(a) an annual presentation on the implementation of the programme;

- (b) an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of the programme, including on the work carried out by the beneficiaries of operating grants referred to in Article 4(d), not later than 31 March 2011;
- (c) a Communication on the continuation of the programme not later than 30 August 2012;
- (d) an *ex post* evaluation report not later than 31 December 2014.

Article 16

Publication of actions

Each year the Commission shall publish the list of actions financed under the programme together with a short description of each project.

Article 17

Entry into force

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2007.

Done at Brussels, 19 April 2007.

For the Council
The President
B. ZYPRIES
