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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Notice concerning the provisional application of Part IV (trade matters) of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (Costa Rica)

Pending the completion of the procedures for the conclusion of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, signed at Tegucigalpa on 29 June 2012, Part IV thereof concerning trade matters shall, in accordance with its Article 353(4), be applied on a provisional basis between the European Union and Costa Rica as from 1 October 2013. By virtue of Article 3(1) of the Council Decision 2012/734/EU on the signing and provisional application of the Agreement, Article 271 shall not be provisionally applied.

Notice concerning the provisional application of Part IV (trade matters) of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (El Salvador)

Pending the completion of the procedures for the conclusion of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, signed at Tegucigalpa on 29 June 2012, Part IV thereof concerning trade matters shall, in accordance with its Article 353(4), be applied on a provisional basis between the European Union and El Salvador as from 1 October 2013. By virtue of Article 3(1) of the Council Decision 2012/734/EU on the signing and provisional application of the Agreement, Article 271 shall not be provisionally applied.

COUNCIL DECISION**of 23 September 2013****on the position to be taken on behalf of the European Union within the Bilateral Oversight Board under the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety, concerning Decision No 0004 amending Annex 1 to the Agreement**

(2013/475/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) Council Decision 2011/719/EU of 7 March 2011 concerning the conclusion of the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety ⁽¹⁾ entered into force on 1 May 2011.
- (2) Pursuant to Article 3.C.2 of the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety ⁽²⁾ ('the Agreement'), the Bilateral Oversight Board established by Article 3.A of the Agreement may amend the annexes to the Agreement in accordance with Article 19.B thereof.
- (3) It is appropriate to establish the position to be adopted on the Union's behalf within the Bilateral Oversight Board in accordance with Article 4(4) of

Decision 2011/719/EU with regard to Decision No 0004 of the Bilateral Oversight Board amending Annex 1 to the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the European Union within the Bilateral Oversight Board, as referred to in Article 3.A of the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety, with regard to the adoption of a Decision amending Annex 1 to the Agreement, shall be based on the draft Decision No 0004 of the Bilateral Oversight Board, attached to this Decision.

Article 2

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

Done at Brussels, 23 September 2013.

For the Council
The President
V. JUKNA

⁽¹⁾ OJ L 291, 9.11.2011, p. 1.

⁽²⁾ OJ L 291, 9.11.2011, p. 3.

DRAFT

BILATERAL OVERSIGHT BOARD

for the Agreement between the United States of America and the European Community on cooperation in the regulation of civil aviation safety

Record of decision**Decision No 0004**

In accordance with Article 19.B of the Agreement between the United States of America and the European Community on Cooperation in the Regulation of Civil Aviation Safety (the 'Agreement'), which provides for amendments to the annexes to the Agreement to be effected by decision of the Bilateral Oversight Board established pursuant to Article 3 of the Agreement, the Bilateral Oversight Board hereby decides as follows:

1. To amend Annex 1 to the Agreement by adding a new paragraph 3.2.11 with the following text:

'3.2.11 (a) As of January 1, 2014, fees imposed during any calendar year by a Technical Agent on an applicant or regulated entity for a validation performed by that Technical Agent under 3.2.4 to approve

(i) the design of an aircraft, aircraft engine, propeller, or appliance;

(ii) a supplemental type certificate;

(iii) certain major changes to a type design, as defined in the technical implementation procedures; or

(iv) acoustical and emissions changes

shall not exceed 95 % of the fees that the Technical Agent would have imposed on the applicant or regulated entity during that same calendar year in the issuance of an equivalent approval of a design, supplemental type certificate, major change, or acoustical or emissions change using a certification process.

(b) Fees imposed during any calendar year by a Technical Agent on an applicant or regulated entity for a validation performed by that Technical Agent under 3.2.4 shall reflect the efficiencies gained by using a validation process instead of a certification process. Such efficiencies and associated fee reductions shall be substantiated by relevant data. Therefore, the Bilateral Oversight Board shall periodically review, and appropriately adjust by decision, the percentage in (a) above.'

2. The periodic review indicated in the new paragraph 3.2.11 (b) shall be undertaken at the request of either Party but no more frequently than every two years. As provided for in paragraph 2.2.1 of Annex 1 to the Agreement, the Bilateral Oversight Board shall be assisted by the Certification Oversight Board in conducting such reviews and developing any necessary decisions. The review and decision shall be based on data provided by the Technical Agents.

The amendment shall take effect on the date of the last signature below.

For the Bilateral Oversight Board:

FEDERAL AVIATION ADMINISTRATION

EUROPEAN COMMISSION

DEPARTMENT OF TRANSPORTATION

EUROPEAN UNION

UNITED STATES OF AMERICA

BY: _____

BY: _____

TITLE: Associate Administrator for Aviation Safety

TITLE: Director, Aviation and International Transport Affairs, Directorate-General for Mobility and Transport

DATE:

DATE:

PLACE: Washington, DC

PLACE: Brussels, Belgium

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 934/2013

of 27 September 2013

amending Implementing Regulation (EU) No 914/2013 establishing budgetary ceilings for 2013 applicable to certain direct support schemes provided for in Council Regulation (EC) No 73/2009

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003⁽¹⁾, and in particular the first subparagraph of Article 51(2), the first subparagraph of Article 69(3) and Article 142(c) thereof,

Whereas:

- (1) Commission Implementing Regulation (EU) No 914/2013⁽²⁾ established the budgetary ceilings for 2013 which apply to certain direct support schemes provided for in Regulation (EC) No 73/2009.
- (2) Greece has made use of the option provided for in Article 69(1) of Regulation (EC) No 73/2009 during the years 2010, 2011 and 2012. A budgetary ceiling for the specific support referred to in Chapter 5 of Title III of Regulation (EC) No 73/2009 has been established for each of those years accordingly.
- (3) In July 2012, Greece has decided to also make use of the option provided for in Article 69(1) of Regulation (EC) No 73/2009 for the year 2013. However, due to a misunderstanding concerning the notification of such decision, the amounts to be fixed for the purpose of the budgetary ceiling for 2013 have not been included in Implementing Regulation (EU) No 914/2013.
- (4) Given that Greece decided to continue implementing the specific support in calendar year 2013 without any

change in the amounts notified by Greece for financing the support measures concerned as they were implemented in the year 2012, the budgetary ceiling should be fixed for that year.

- (5) For the sake of clarity, the ceiling resulting from the amounts allocated by Greece for the measures concerned in 2013 should be published.
- (6) Commission Implementing Regulation (EU) No 929/2013⁽³⁾ amended the national ceilings for 2013 determined in Annex VIII to Regulation (EC) No 73/2009 as regards Luxembourg and Malta. Annex V to Implementing Regulation (EU) No 914/2013 should be amended accordingly.
- (7) In accordance with the sixth subparagraph of Article 51(1) of Regulation (EC) No 73/2009, Croatia notified the Commission of its decision to use a certain percentage of the ceilings fixed in Articles 104(4) and 112(5) of that Regulation for the sheep and goats payments and the beef and veal payments respectively. Therefore, the relevant budgetary ceilings for the sheep and goat premium, the sheep and goat supplementary premium and the suckler cow premium should be established.
- (8) In accordance with Article 69(1) of Regulation (EC) No 73/2009, Croatia decided before the date of its accession to use the specific support provided for in Article 68(1)(a)(ii) of that Regulation in the dairy sector and communicated its decision to the Commission. The decision is in compliance with the limit set in Article 69(4) of Regulation (EC) No 73/2009. The relevant ceiling should be established by the Commission.
- (9) Croatia applies the single payment scheme provided for under Title III of Regulation (EC) No 73/2009. For the sake of clarity, the budgetary ceiling for the single payment scheme for Croatia, resulting from the deduction of the ceilings established for the payments

⁽¹⁾ OJ L 30, 31.1.2009, p. 16.

⁽²⁾ Commission Implementing Regulation (EU) No 914/2013 of 23 September 2013 establishing budgetary ceilings for 2013 applicable to certain direct support schemes provided for in Council Regulation (EC) No 73/2009 (OJ L 252, 24.9.2013, p. 14).

⁽³⁾ Commission Implementing Regulation (EU) No 929/2013 of 26 September 2013 amending Annex VIII to Council Regulation (EC) No 73/2009 establishing common rules for direct support schemes for farmers under the common agricultural policy (OJ L 255, 27.9.2013, p. 5).

referred to in Articles 52, 53 and 68 of Regulation (EC) No 73/2009 from the ceilings set in Annex VIII to that Regulation, should be published for 2013.

(10) Annexes I to V to Implementing Regulation (EU) No 914/2013 should therefore be amended accordingly.

(11) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Direct Payments,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I to V to Implementing Regulation (EU) No 914/2013 are amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the seventh 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, 27 September 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annexes I to V to Implementing Regulation (EU) No 914/2013 are replaced by the following:

'ANNEX I

Budgetary ceilings for direct payments to be granted in accordance with Articles 52, 53 and 54 of Regulation (EC) No 73/2009

2013 calendar year

(thousand EUR)

	BE	ES	FR	HR	AT	PT	FI
Sheep and goat premium				1 192		21 892	600
Sheep and goat supplementary premium				117		7 184	200
Suckler cow premium	77 565	261 153	525 622	2 948	70 578	78 695	
Additional suckler cow premium	19 389	26 000			99	9 462	

ANNEX II

Budgetary ceilings for the specific support provided for in Article 68(1) of Regulation (EC) No 73/2009

2013 calendar year

Member State	(thousand EUR)
Belgium	8 600
Bulgaria	28 500
Czech Republic	31 826
Denmark	40 975
Estonia	1 253
Ireland	25 000
Greece	108 000
Spain	248 054
France	478 600
Croatia	4 660
Italy	321 950
Latvia	5 130
Lithuania	13 304
Hungary	131 898
Netherlands	38 900
Austria	13 900
Poland	106 558

Member State	(thousand EUR)
Portugal	34 111
Romania	44 257
Slovenia	14 424
Slovakia	13 500
Finland	57 055
Sweden	3 469
United Kingdom	29 800

Amounts notified by the Member States to grant the support referred to in point (c) of Article 68(1) which are included in the single payment scheme ceiling (thousand EUR).

Greece: 30 000

Slovenia: 5 800

ANNEX III

Budgetary ceilings for the support provided for in points (i), (ii), (iii) and (iv) of Article 68(1)(a) and Article 68(1)(b) and (e) of Regulation (EC) No 73/2009

2013 calendar year

Member State	(thousand EUR)
Belgium	4 461
Bulgaria	28 500
Czech Republic	31 826
Denmark	17 075
Estonia	1 253
Ireland	25 000
Greece	78 000
Spain	179 954
France	297 600
Croatia	4 660
Italy	152 950
Latvia	5 130
Lithuania	13 304
Hungary	46 164
Netherlands	31 420
Austria	13 900
Poland	106 558
Portugal	21 210

Member State	(thousand EUR)
Romania	44 257
Slovenia	8 624
Slovakia	13 500
Finland	57 055
Sweden	3 469
United Kingdom	29 800

ANNEX IV

Amounts to be used by the Member States in accordance with Article 69(6)(a) of Regulation (EC) No 73/2009 to cover the specific support provided in Article 68(1) of that Regulation

2013 calendar year

Member State	(thousand EUR)
Belgium	8 600
Denmark	23 250
Ireland	23 900
Greece	70 000
Spain	144 390
France	84 000
Italy	144 900
Netherlands	31 700
Austria	11 900
Portugal	21 700
Slovenia	5 800
Finland	6 190

ANNEX V

Budgetary ceilings for the single payment scheme

2013 calendar year

Member State	(thousand EUR)
Belgium	517 901
Denmark	1 031 277
Germany	5 852 938
Ireland	1 339 769

Member State	(thousand EUR)
Greece	2 225 227
Spain	4 913 824
France	7 607 272
Croatia	86 007
Italy	4 202 935
Luxembourg	37 672
Malta	5 504
Netherlands	890 551
Austria	679 111
Portugal	476 907
Slovenia	141 450
Finland	518 883
Sweden	767 437
United Kingdom	3 958 242'

COMMISSION IMPLEMENTING REGULATION (EU) No 935/2013**of 27 September 2013****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral trade negotiations, the criteria whereby the

Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 27 September 2013.

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

Jerzy PLEWA
*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	MK	59,9
	ZZ	59,9
0707 00 05	TR	116,3
	ZZ	116,3
0709 93 10	TR	132,7
	ZZ	132,7
0805 50 10	AR	120,1
	CL	114,3
	IL	142,1
	TR	84,6
	UY	127,6
	ZA	112,0
	ZZ	116,8
0806 10 10	TR	142,0
	ZZ	142,0
0808 10 80	AR	101,0
	BA	76,8
	CL	116,0
	NZ	131,1
	US	115,7
	ZA	113,5
	ZZ	109,0
0808 30 90	CN	74,6
	TR	133,3
	ZA	90,3
	ZZ	99,4
0809 30	TR	117,4
	ZZ	117,4
0809 40 05	BA	36,8
	XS	46,6
	ZZ	41,7

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

DECISIONS

COUNCIL DECISION

of 26 September 2013

amending Decision 2007/641/EC, concerning the Republic of Fiji and extending the period of application thereof

(2013/476/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Whereas:

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 thereof,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾, as revised in Ouagadougou, Burkina Faso, on 22 June 2010 ⁽²⁾ ('the ACP-EU Partnership Agreement'), and in particular Article 96 thereof,

Having regard to the Internal Agreement between the representatives of the governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement ⁽³⁾, and in particular Article 3 thereof,

Having regard to Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation ⁽⁴⁾ (the 'Development Cooperation Instrument'), and in particular Article 37 thereof,

Having regard to the proposal from the European Commission,

(1) Council Decision 2007/641/EC ⁽⁵⁾ was adopted to take appropriate measures following the violation of the essential elements referred to in Article 9 of the ACP-EU Partnership Agreement, and of the values referred to in Article 3 of the Development Cooperation Instrument.

(2) Those measures have been extended by Council Decision 2009/735/EC ⁽⁶⁾, and subsequently by Council Decisions 2010/208/EU ⁽⁷⁾, 2010/589/EU ⁽⁸⁾, 2011/219/EU ⁽⁹⁾, 2011/637/EU ⁽¹⁰⁾ and 2012/523/EU ⁽¹¹⁾, since not only

⁽⁵⁾ Council Decision 2007/641/EC of 1 October 2007 on the conclusion of consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 260, 5.10.2007, p. 15).

⁽⁶⁾ Council Decision 2009/735/EC of 24 September 2009 extending the period of application of the measures in Decision 2007/641/EC concluding consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 262, 6.10.2009, p. 43).

⁽⁷⁾ Council Decision 2010/208/EU of 29 March 2010 amending and extending Decision 2007/641/EC on the conclusion of consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 89, 9.4.2010, p. 7).

⁽⁸⁾ Council Decision 2010/589/EU of 27 September 2010 amending and extending the period of application of Decision 2007/641/EC concluding consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EU Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 260, 2.10.2010, p. 10).

⁽⁹⁾ Council Decision 2011/219/EU of 31 March 2011 amending and extending the period of application of Decision 2007/641/EC on the conclusion of consultations with the Republic of Fiji pursuant to Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 93, 7.4.2011, p. 2).

⁽¹⁰⁾ Council Decision 2011/637/EU of 26 September 2011 amending and extending the period of application of Decision 2007/641/EC on the conclusion of consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 252, 28.9.2011, p. 1).

⁽¹¹⁾ Council Decision 2012/523/EU of 24 September 2012 amending and extending the period of application of Decision 2007/641/EC on the conclusion of consultations with the Republic of the Fiji Islands under Article 96 of the ACP-EC Partnership Agreement and Article 37 of the Development Cooperation Instrument (OJ L 263, 28.9.2012, p. 2).

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 287, 4.11.2010, p. 3.

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ OJ L 378, 27.12.2006, p. 41.

has the Republic of Fiji yet to implement important commitments it made in consultations held in April 2007 concerning essential elements of the ACP-EU Partnership Agreement and the Development Cooperation Instrument, but there had also been important regressive developments concerning a number of these commitments.

- (3) There have been considerable developments since April 2007 and the commitments agreed with the Republic of Fiji will be revised accordingly. The commitments will be reviewed in the context of a political dialogue and in light of the current legal situation. Prospective reengagement towards the programming of future development assistance should continue.
- (4) Decision 2007/641/EC expires on 30 September 2013. It is appropriate to update that Decision and to extend its validity accordingly.
- (5) The European Union will engage in a political dialogue in order to review and update the commitments made in 2007 and adapt the appropriate measures accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Decision 2007/641/EC the second paragraph of Article 3 is replaced by the following:

'It shall expire on 31 March 2015. It shall be reviewed regularly at least once every six months'.

Article 2

The letter in the Annex to this Decision shall be addressed to the Republic of Fiji.

Article 3

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

Done at Brussels, 26 September 2013.

For the Council
The President
E. GUSTAS

ANNEX

Letter

H.E. Ratu Epeli NAILATIKAU

President of the Republic of Fiji

Suva

Republic of Fiji

Your Excellency,

The European Union (EU) attaches great importance to the provisions of Article 9 of the ACP-EU Partnership Agreement and Article 3 of the Development Cooperation Instrument. The ACP-EU partnership is founded on respect for human rights, democratic principles and the rule of law, which form the essential elements of the ACP-EU Partnership Agreement, and are the basis of our relations.

Six years have elapsed since the EU took a decision on the appropriate measures following the military coup of 2006, and since then a set of commitments were agreed with Fiji.

The EU notes that since 2007 some of the agreed commitments have become outdated and some are in need of revision in the light of Fiji's new legal framework. In order to have an appropriate basis for assessing Fiji's reform progress, we need to revise these commitments together, taking into account the current situation and the legal framework.

The EU has therefore decided to include in its new decision on appropriate measures a requirement that the EU engage with Fiji in an enhanced political dialogue under Article 8 of the ACP-EU Partnership Agreement. This will be with a view to revising together the agreed commitments of 2007, and to adapting the appropriate measures (annexed to this letter) accordingly, as necessary steps towards ensuring respect for human rights, the restoration of democracy and respect for the rule of law, until both parties conclude that the enhanced nature of the dialogue has served its purpose.

As some restrictions on certain human rights and fundamental freedoms remain in Fiji, and in light of the necessary revision of the agreed commitments, the EU has decided to extend the appropriate measures by 18 months, until 31 March 2015. This will provide the necessary flexibility and will give both the EU and Fiji the time they need to agree on the commitments, to adapt the appropriate measures accordingly, and for the government to hold its elections planned for September 2014.

The EU will monitor the progress made towards a return to constitutional rule and this will continue to guide our upcoming decisions on development cooperation. In this spirit the EU confirms its willingness to engage in preparations for the 11th EDF programming process, and to notify in due course an indicative national financing allocation in this process. The finalisation, signature and implementation of 11th EDF programming documents will be envisaged with the democratically elected government.

Once Fiji has held free and fair elections and met the revised agreed commitments, an Article 96 review mission, in line with the ACP-EU Partnership Agreement, will be conducted in Fiji. Based on an agreement on the recommendations of this assessment, the Article 96 appropriate measures can then be concluded for Fiji.

In order to advance cooperation under the ACP-EU Partnership Agreement and the Development Cooperation Instrument, the EU invites the Interim Government to engage in an enhanced political dialogue with the EU, starting as soon as possible.

The EU also welcomes the engagement with the Pacific Island's Forum Ministerial Contact Group set up to monitor the progress of Fiji's preparations for the elections and its return to democracy and looks forward to the next steps for a transparent, participatory and credible electoral process, leading to free and fair elections and Fiji's return to democratic rule.

Yours sincerely,

Done at Brussels,

For the Council
C. ASHTON
President

For the Commission
A. PIEBALGS
Commissioner

ANNEX 1 TO THE ANNEX

The appropriate measures, which will be adapted following the revision of the agreed commitments under the enhanced political dialogue, are as follows:

- humanitarian aid and direct support to civil society and vulnerable populations may continue;
 - the cooperation activities under way, in particular under the 8th and 9th EDFs, was allowed to continue;
 - cooperation activities that would help the return to democracy and improve governance may be pursued, save under very exceptional circumstances;
 - implementation of the sugar reform accompanying measures for 2006 was allowed to proceed. The Financing Agreement was signed at the technical level by Fiji on 19 June 2007. It is noted that the Financing Agreement includes a suspension clause;
 - the 2007 sugar allocation is zero;
 - availability of the 2008 sugar allocation was subject to evidence of credible and timely preparation of elections in accordance with the agreed commitments, notably regarding a census, the redrafting of boundaries and electoral reform in accordance with the Constitution, and measures taken to ensure the functioning of the Elections Office, including the appointment of a Supervisor of Elections by 30 September 2007 in accordance with the Constitution. This 2008 sugar allocation was lost on 31 December 2009;
 - the 2009 sugar allocation was cancelled in May 2009 because the Interim Government decided to delay general elections until September 2014;
 - the 2010 allocation was cancelled before 1 May 2010 as no progress was made in the continuation of the democratic process; however, given the critical situation of the sugar sector part of the allocation was set aside for direct assistance to the population directly dependent on sugar production in order to mitigate adverse social consequences. These funds are centrally managed by the EU's Delegation in Suva and not channelled through the Government;
 - the preparation of programming for the 11th EDF may be launched, so that Fiji could expect to be notified of an indicative allocation in due course;
 - specific support for the preparation and implementation of key commitments, in particular in support of the preparation and/or holding of elections, could be considered;
 - regional cooperation, and Fiji's participation in it, is unaffected;
 - monitoring of the commitments will be in accordance with the terms in the Annex to this letter concerning regular dialogue, and effective cooperation with assessment and monitoring missions and reporting.
-

ANNEX 2 TO THE ANNEX

COMMITMENTS AGREED WITH THE REPUBLIC OF THE FIJI ISLANDS IN 2007**A. Respect for Democratic Principles***Commitment No 1*

That free and fair parliamentary elections take place within 24 months from 1 March 2007, subject to the findings of an assessment to be carried out by the independent auditors appointed by the Pacific Islands Forum Secretariat. The processes leading to the holding of the elections will be jointly monitored, adapted and revised as necessary on the basis of mutually agreed benchmarks. This implies in particular that:

- by 30 June 2007 the Interim Government will adopt a schedule setting out dates for the completion of the various steps to be taken in preparation for the new parliamentary elections,
- the schedule specifies the timing of a census, the redrafting of boundaries and electoral reform,
- the determination of boundaries and electoral reform will be carried out in accordance with the Constitution,
- measures will be taken to ensure the functioning of the Elections Office, including the appointment of a Supervisor of Elections by 30 September 2007 in accordance with the Constitution,
- the appointment of the Vice-President will be in accordance with the Constitution.

Commitment No 2

That the Interim Government, when adopting major legislative, fiscal and other policy initiatives and changes, will take into account consultations with civil society and other relevant stakeholders.

B. Rule of Law*Commitment No 1*

That the Interim Government will use its best endeavours to prevent statements by security agencies designed to intimidate.

Commitment No 2

That the Interim Government upholds the 1997 Constitution and guarantees the normal and independent functioning of constitutional institutions, such as the Fiji Human Rights Commission, the Public Service Commission, and the Constitutional Offices Commission. The substantial independence and functioning of the Great Council of Chiefs will be preserved.

Commitment No 3

That the independence of the judiciary is fully respected, that it is allowed to work freely and that its rulings are respected by all concerned parties, in particular:

- that the Interim Government undertakes to appoint the tribunal pursuant to Section 138(3) of the Constitution by 15 July 2007,
- that any appointment and/or dismissal of judges is henceforth carried out in strict conformity with constitutional provisions and procedural rules,
- that there will be no instances whatsoever of interference, of whatever form, by the military and the police or by the Interim Government with the judicial process, including full respect for the legal profession.

Commitment No 4

That all criminal proceedings in connection with corruption are dealt with through the appropriate judicial channels and that any other bodies that may be set up to investigate alleged cases of corruption will operate within constitutional boundaries.

C. Human Rights and Fundamental Freedoms*Commitment No 1*

The Interim Government will take all necessary steps to facilitate that all allegations of human rights infringements are investigated or dealt with in accordance with the various procedures and forums under the laws of the Fiji Islands.

Commitment No 2

The Interim Government will lift the Public Emergency Regulations in May 2007, subject to any threats to national security, public order and safety.

Commitment No 3

The Interim Government is committed to ensuring that the Fiji Human Rights Commission functions with full independence and in accordance with the Constitution.

Commitment No 4

That freedom of expression and freedom of the media, in all forms, are fully respected as provided in the Constitution.

D. Follow-up of Commitments*Commitment No 1*

That the Interim Government undertakes to maintain a regular dialogue to allow verification of the progress made and gives EU and European Commission authorities/representatives full access to information on all matters relating to human rights, the peaceful restoration of democracy and the rule of law in Fiji.

Commitment No 2

That the Interim Government cooperates fully with any missions from the EU to assess and monitor progress.

Commitment No 3

That the Interim Government sends progress reports every three months starting 30 June 2007 regarding the essential elements of the ACP-EU Partnership Agreement and the commitments.

It is noted that certain issues can only be effectively addressed through a pragmatic approach that acknowledges the realities of the present and which focuses on the future.

COUNCIL DECISION 2013/477/CFSP**of 27 September 2013****amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

Whereas:

- (1) On 27 September 2010, the Council adopted Decision 2010/573/CFSP ⁽¹⁾.
- (2) On the basis of a review of Decision 2010/573/CFSP, the restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova should be extended until 30 September 2014.
- (3) Decision 2010/573/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Article 4(2) of Decision 2010/573/CFSP is hereby replaced by the following:

'2. This Decision shall apply until 30 September 2014. It shall be kept under constant review. It may be renewed or amended, as appropriate, if the Council deems that its objectives have not been met.'

Article 2

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

Done at Brussels, 27 September 2013.

For the Council
The President
E. GUSTAS

⁽¹⁾ Council Decision 2010/573/CFSP of 27 September 2010 concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova (OJ L 253, 28.9.2010, p. 54).

COMMISSION DECISION
of 27 September 2013
amending Decision 1999/352/EC, ECSC, Euratom establishing the European Anti-fraud Office
(2013/478/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 249 thereof,

Whereas:

(1) The institutions and the Member States attach great importance to the protection of the Union's financial interests and to the fight against fraud and any other illegal activities detrimental to the Union's financial interests, and the importance of action to that end is confirmed by Article 325 of the Treaty on the Functioning of the European Union.

(2) Commission Decision 1999/352/EC, ECSC, Euratom⁽¹⁾ should be amended because of the entry into force of Regulation (EU, Euratom) 883/2013 of the European Parliament and of the Council⁽²⁾.

(3) The Office's tasks should continue to comprise the preparation of legislative and regulatory provisions in the areas of activity of the Office, including relevant instruments which fall under Title V of the Treaty on the Functioning of the European Union and instruments on the protection of the euro against counterfeiting. The tasks of the Office should also continue to include training and technical assistance for the protection of the euro against counterfeiting.

(4) The Office should take part in the activities of international bodies and associations specialised in the fight against fraud and corruption, for the purpose, in particular, of exchanging best practices.

(5) The Commission should assess the need for revision of this Decision in the event that a European Public Prosecutor's Office is established,

HAS ADOPTED THIS DECISION:

Article 1

Decision 1999/352/EC, ECSC, Euratom is amended as follows:

⁽¹⁾ Commission Decision (1999/352/EC, ECSC, Euratom) of 28 April 1999 establishing the European Anti-Fraud Office (OJ L 136, 31.5.1999, p. 20).

⁽²⁾ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

(1) the second sentence of Article 1 is deleted;

(2) Article 2 is amended as follows:

(a) in paragraph 1, 'Community' is replaced by 'Union';

(b) in paragraph 2, the following second sentence is added:

'This includes support to improve the protection of the euro against counterfeiting through training and technical assistance.';

(c) in paragraph 3, the following sentence is added:

'This may include taking part in the activities of international bodies and associations specialised in the fight against fraud and corruption for the purpose, in particular, of exchanging best practices.';

(d) paragraph 4 is replaced by the following:

'4. The Office shall be responsible for the preparation of legislative and regulatory initiatives of the Commission with the objective of fraud prevention as referred to in paragraph 1, and of the protection of the euro against counterfeiting.';

(3) Article 3 is amended as follows:

— 'Director' is replaced by 'Director-General';

(4) Article 4 is amended as follows:

— 'Surveillance Committee' is replaced by 'Supervisory Committee',

— 'Community' is replaced by 'Union';

(5) Article 5 is replaced by the following:

'Article 5

Director-General

1. The Office shall be headed by a Director-General. The Director-General shall be appointed by the Commission, in accordance with the procedure specified in paragraph 2. The term of office of the Director-General shall be seven years and shall not be renewable.

The Director-General shall be responsible for the Office's conduct of investigations.

2. In order to appoint a new Director-General, the Commission shall publish a call for applications in the *Official Journal of the European Union*. Such publication shall take place at the latest six months before the end of the term of office of the Director-General in office. After a favourable opinion has been given by the Supervisory Committee on the selection procedure applied by the Commission, the Commission shall draw up a list of suitably qualified candidates. After consultations with the European Parliament and the Council, the Commission shall appoint the Director-General.

3. The Commission shall exercise, with regard to the Director-General, the powers conferred on the appointing authority. Any decision on initiating disciplinary proceedings against the Director-General under Article 3, paragraph 1, point (c) of Annex IX to the Staff Regulations shall be taken by reasoned decision of the Commission, after consulting the Supervisory Committee. The decision shall be communicated for information to the European Parliament, the Council and the Supervisory Committee.;

(6) Article 6 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. The Director-General of the Office shall exercise, with regard to the staff of the Office, the powers of the appointing authority and of the authority empowered to conclude contracts of employment delegated to him. He shall be permitted to sub-delegate those powers. In accordance with the Conditions of Employment of Other Servants, he shall lay down the conditions and detailed arrangements for recruitment, in particular as to the length of contracts and their renewal.;

(b) paragraph 2 is replaced by the following:

'2. After consulting the Supervisory Committee, the Director-General shall send the Director-General for

budgets a preliminary draft budget to be entered in the annex concerning the Office to the Commission section of the general budget of the European Union.;

(c) paragraph 3 is replaced by the following:

'3. The Director-General shall act as authorising officer for implementation of the appropriations entered in the annex concerning the Office to the Commission section of the general budget of the European Union and the appropriations entered under the anti-fraud budget headings for which powers are delegated to him in the internal rules on implementation of the general budget. He shall be permitted to sub-delegate his powers to staff members subject to the Staff Regulations of Officials or Conditions of Employment of Other Servants in accordance with the abovementioned internal rules.;

(d) paragraph 4 is replaced by the following:

'4. Commission decisions concerning its internal organisation shall apply to the Office in so far as they are compatible with the provisions concerning the Office adopted by the Union legislator and with this Decision.;

(7) the last sentence of Article 7 is deleted.

Article 2

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

Done at Brussels, 27 September 2013.

For the Commission

The President

José Manuel BARROSO

NOTICE TO READERS

Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union*

In accordance with Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the *Official Journal of the European Union* (OJ L 69, 13.3.2013, p. 1), as of 1 July 2013, only the electronic edition of the Official Journal shall be considered authentic and shall have legal effect.

Where it is not possible to publish the electronic edition of the Official Journal due to unforeseen and exceptional circumstances, the printed edition shall be authentic and shall have legal effect in accordance with the terms and conditions set out in Article 3 of Regulation (EU) No 216/2013.

NOTE TO READERS — WAY OF REFERRING TO ACTS

As of 1 July 2013 the way of referring to acts has changed.

During a transitional period this new practice will coexist with the previous one.

EUR-Lex (<http://new.eur-lex.europa.eu>) offers direct access to European Union legislation free of charge. The *Official Journal of the European Union* can be consulted on this website, as can the Treaties, legislation, case-law and preparatory acts.

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