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⁽¹⁾ Text with EEA relevance.

EN

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

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II

(Non-legislative acts)

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) 2019/537

of 28 March 2019

entering a name in the register of protected designations of origin and protected geographical indications ('Странджански манов мед' (Strandzhanski manov med)/'Манов мед от Странджа' (Manov med ot Strandzha) (PDO))

THE EUROPEAN COMMISSION,

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

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

Whereas:

- (1) Pursuant to Article 50(2)(a) of Regulation (EU) No 1151/2012, the application submitted by Bulgaria to register the name 'Странджански манов мед' (Strandzhanski manov med)/'Манов мед от Странджа' (Manov med ot Strandzha) as a protected designation of origin has been published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no statement of opposition under Article 51 of Regulation (EU) No 1151/2012 has been received by the Commission, the name 'Странджански манов мед' (Strandzhanski manov med)/'Манов мед от Странджа' (Manov med ot Strandzha) should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name 'Странджански манов мед' (Strandzhanski manov med)/'Манов мед от Странджа' (Manov med ot Strandzha) (PDO) is registered.

The name specified in the first paragraph denotes a product in Class 1.4. Other products of animal origin (eggs, honey, various dairy products except butter, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 ⁽³⁾.

Article 2

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

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ OJ C 449, 13.12.2018, p. 11.

⁽³⁾ Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

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

Done at Brussels, 28 March 2019.

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

DECISIONS

COUNCIL DECISION (CFSP) 2019/538

of 1 April 2019

in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

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

Whereas:

- (1) On 12 December 2003 the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction ('the EU Strategy'), Chapter III of which contains a list of measures to combat such proliferation.
- (2) The EU Strategy underlines the crucial role of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction ('CWC') and of the Organisation for the Prohibition of Chemical Weapons ('the OPCW') in creating a world free of chemical weapons. As part of the EU Strategy, the Union has committed itself to working towards universal adherence to key disarmament and non-proliferation treaties and agreements, including the CWC. The objectives of the EU Strategy are complementary to the objectives pursued by the OPCW in the context of its responsibility for the implementation of the CWC.
- (3) On 22 November 2004 the Council adopted Joint Action 2004/797/CFSP ⁽¹⁾ on support for OPCW activities. That Joint Action was followed on its expiry by Council Joint Action 2005/913/CFSP ⁽²⁾, which in turn was followed by Council Joint Action 2007/185/CFSP ⁽³⁾. Joint Action 2007/185/CFSP was followed by Council Decisions 2009/569/CFSP ⁽⁴⁾, 2012/166/CFSP ⁽⁵⁾ and (CFSP) 2015/259 ⁽⁶⁾. Decision (CFSP) 2015/259 expired on 23 March 2018.
- (4) On 26 February 2018 the Council adopted Decision (CFSP) 2018/294 ⁽⁷⁾, which provided for the extension of the duration of Decision (CFSP) 2015/259 in order to allow for continued implementation of the activities until 23 December 2018.
- (5) The continuation of such intensive and targeted assistance from the Union to the OPCW is necessary in the context of the active implementation of Chapter III of the EU Strategy. There is a need for further activities to enhance the capacities of States Parties to the CWC ('States Parties') in fulfilling their obligations under the CWC, the preparedness of States Parties to prevent and respond to attacks involving toxic chemicals and the international cooperation in the field of chemical activities. Further activities are also needed in order to support the ability of the OPCW to adapt to developments in the field of science and technology as well as to enhance the

⁽¹⁾ Council Joint Action 2004/797/CFSP of 22 November 2004 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 349, 25.11.2004, p. 63).

⁽²⁾ Council Joint Action 2005/913/CFSP of 12 December 2005 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 331, 17.12.2005, p. 34).

⁽³⁾ Council Joint Action 2007/185/CFSP of 19 March 2007 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 85, 27.3.2007, p. 10).

⁽⁴⁾ Council Decision 2009/569/CFSP of 27 July 2009 on support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 197, 29.7.2009, p. 96).

⁽⁵⁾ Council Decision 2012/166/CFSP of 23 March 2012 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 87, 24.3.2012, p. 49).

⁽⁶⁾ Council Decision (CFSP) 2015/259 of 17 February 2015 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 43, 18.2.2015, p. 14).

⁽⁷⁾ Council Decision (CFSP) 2018/294 of 26 February 2018 amending Decision (CFSP) 2015/259 in support of activities of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 55, 27.2.2018, p. 58).

capacity of the OPCW to address the threat of chemical weapons use. Measures related to the universalisation of the CWC should continue and be adapted to and targeted at the declining number of States not Parties to the CWC.

- (6) On 16 April 2018 the Council adopted conclusions laying down, inter alia, the position of the Union relating to the Fourth Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention (the Fourth Review Conference), held in The Hague from 21 to 30 November 2018.
- (7) The Union has provided political, financial and in-kind support to the OPCW operations in Syria aimed at the total destruction of Syrian chemical weapons and agents. Accordingly, on 9 December 2013 the Council adopted Decision 2013/726/CFSP ⁽⁸⁾ in support of the activities of the OPCW in the framework of United Nations Security Council Resolution ('UNSCR') 2118 (2013), the OPCW Executive Council Decision of 27 September 2013 on the destruction of Syrian chemical weapons and subsequent and related resolutions and decisions. Decision 2013/726/CFSP was followed by Council Decision (CFSP) 2017/2303 ⁽⁹⁾, adopted on 12 December 2017. Furthermore, on 30 November 2015 the Council adopted Decision (CFSP) 2015/2215 ⁽¹⁰⁾ in support of UNSCR 2235 (2015).
- (8) On 27 June 2018 the Fourth Special Session of the Conference of the States Parties adopted Decision C-SS-4/DEC.3 on addressing the threat from chemical weapons use. In its conclusions of 28 June 2018, the European Council committed the Union to supporting the outcomes of that Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. For the purpose of giving immediate and practical application to some elements of the EU Strategy, the Union shall support activities of the OPCW, with the following objectives:

- to enhance the capacities of States Parties in fulfilling their obligations under the CWC;
- to enhance the preparedness of States Parties to prevent and respond to attacks involving toxic chemicals;
- to enhance international cooperation in the field of chemical activities;
- to support the ability of the OPCW to adapt to developments in the field of science and technology;
- to enhance the capacity of the OPCW to address the threat of chemical weapons use;
- to promote universality by encouraging States not Parties to join the CWC.

2. In the context of paragraph 1, the Union-supported activities of the projects of the OPCW, which are in compliance with the measures of the EU Strategy, shall be the following:

Project I: OPCW Centre for Chemistry and Technology and implementation of Decision C-SS-4/DEC.3 on addressing the threat from chemical weapons use

Activities:

- Laboratory upgrade project
- Implementation of Decision C-SS-4/DEC.3

Project II: Chemical demilitarisation and non-proliferation

Activities:

- Visits of Executive Council representatives and observers of States Parties to the People's Republic of China and the United States of America to obtain an overview of the destruction programmes

⁽⁸⁾ Council Decision 2013/726/CFSP of 9 December 2013 in support of the UNSCR 2118 (2013) and OPCW Executive Council EC-M-33/Dec 1, in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction (OJ L 329, 10.12.2013, p. 41).

⁽⁹⁾ Council Decision (CFSP) 2017/2303 of 12 December 2017 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons, in the framework of the implementation of the EU Strategy against proliferation of weapons of mass destruction (OJ L 329, 13.12.2017, p. 55).

⁽¹⁰⁾ Council Decision (CFSP) 2015/2215 of 30 November 2015 in support of UNSCR 2235 (2015), establishing an OPCW-UN joint investigative mechanism to identify the perpetrators of chemical attacks in the Syrian Arab Republic (OJ L 314, 1.12.2015, p. 51).

- Expansion and enhancement of the usage of the Enterprise Content Management (ECM) system
- Deployment of a full telecommunications solution to all relevant OPCW Technical Secretariat staff members

Project III: Assistance and protection in African States Parties

Activities:

- Operational training for first responders
- Training of trainers in assistance and protection for the Africa Group

Project IV: International cooperation

Activities:

- Executive training for senior industry managers, policymakers and alumni of the OPCW Associate Programme
- Laboratory twinning project
- Forum for women on the peaceful uses of chemistry and basic analytical skills development course for women chemists
- Education and training for youth on the peaceful uses of chemistry
- Analytical development course for analytical chemists in the African Member States
- Chemical safety and security management course for African States Parties

Project V: Universality and outreach

Activities:

- Development of e-learning modules
- Translation and dissemination of education and outreach tools and materials
- Support for NGO participation in OPCW activities
- Side events in the margins of the Conferences of States Parties

Project VI: National implementation

Activities:

- Global stakeholders' forum

Project VII: Science and technology

Activities:

- Plant biomarker challenge
- Support for the temporary working groups (TWGs) of the OPCW's Scientific Advisory Board

A detailed description of the Union-supported activities of the OPCW referred to in this paragraph is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy ('the HR') shall be responsible for the implementation of this Decision.

2. Technical implementation of the projects referred to in Article 1(2) shall be carried out by the OPCW Technical Secretariat ('the Technical Secretariat'). It shall perform that task under the responsibility and the control of the HR. For that purpose, the HR shall enter into the necessary arrangements with the Technical Secretariat.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 11 601 256.

2. The expenditure financed by the amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.
3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 2. For that purpose, it shall conclude a financing agreement with the Technical Secretariat. That agreement shall stipulate that the Technical Secretariat is to ensure visibility of the Union contribution, commensurate with its size, and specify measures to facilitate the development of synergies and to avoid the duplication of activities.
4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the agreement.

Article 4

The HR shall report to the Council on the implementation of this Decision on the basis of regular reports prepared by the Technical Secretariat. The HR reports shall form the basis for the evaluation carried out by the Council. The Commission shall provide information on the financial aspects of the projects referred to in Article 1(2).

Article 5

1. This Decision shall enter into force on the date of its adoption.
2. This Decision shall expire 36 months after the date of conclusion of the financing agreement referred to in Article 3(3). However, it shall expire six months after its entry into force if that financing agreement has not been concluded by that time.

Done at Brussels, 1 April 2019.

For the Council
The President
G. CIAMBA

ANNEX

Union support for OPCW activities in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction

Project I — OPCW Centre for Chemistry and Technology and implementation of Decision C-SS-4/DEC.3 on addressing the threat of chemical weapons use

Objectives

- Elimination of chemical weapons stockpiles and chemical weapons production facilities (CWPFs) subject to the verification measures provided for in the CWC
- Non-proliferation of chemical weapons, through the application of the verification and implementation measures provided for in the CWC, which also serve to build confidence between States Parties
- Assistance and protection against chemical weapons and their use, or threat of use, in accordance with the provisions of Article X of the CWC
- Economic and technological development through international cooperation in the field of chemical activities for purposes not prohibited under the CWC in accordance with the provisions of Article XI
- Full and effective implementation by States Parties of the provisions of Article VII of the CWC

Purposes

- Verification for continued confidence in compliance
- Capacity development to prevent and respond to the hostile use of toxic chemicals and to foster international cooperation
- Engagement to utilise others' capabilities
- An organisation that remains fit for purpose
- To identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic by identifying and reporting on all information potentially relevant to the origin of those chemical weapons in those instances in which the fact-finding mission ('the FFM') determines or has determined that use or likely use occurred, and cases for which the OPCW-UN Joint Investigative Mechanism ('JIM') has not issued a report

Results

- Increased operational efficiency
- Improved physical security
- Adherence to the highest safety standards
- Well-positioned to keep pace with current threats as well as scientific and technological developments, enhanced credibility and standing that will derive from the new facility
- Conduct investigations pursuant to the mandate in Decision C-SS-4/DEC.3

Activities**I.1 Laboratory upgrade project**

The OPCW Laboratory and Equipment Store play critical roles in supporting the implementation of the CWC. Since the Laboratory and Equipment Store began operations over 20 years ago at their current location in Rijswijk, a suburb of The Hague, the demands on these facilities have risen substantially. In the last few years, a dramatic increase in non-routine operations has further stressed the capacities of these facilities, and Decision C-SS-4/DEC.3 will likely result in additional demands. Moreover, States Parties are increasingly requesting training support from the Laboratory to increase their analytical and technical capacities in chemistry. To address these issues, the OPCW has decided to initiate a project to upgrade the OPCW Laboratory and Equipment Store to a new Centre for Chemistry and Technology (the ChemTech Centre).

I.2 Implementation of Decision C-SS-4/DEC.3

In operative paragraph 10 of Decision C-SS-4/DEC.3, the OPCW Conference of States Parties decided that the Secretariat shall put into place arrangements to identify the perpetrators of the use of chemical weapons in the Syrian Arab Republic by identifying and reporting on all information potentially relevant to the origin of those chemical weapons in those instances in which the FFM determines or has determined that use or likely use occurred, and cases for which the UN-OPCW JIM has not issued a report. In furtherance of that Decision, the Secretariat will establish an Investigation and Identification Team, which will undertake its activities in an impartial and objective manner. The Investigation and Identification Team will function under the direct supervision of the OPCW Director-General and will provide reports to the Executive Council and to the United Nations Secretary-General.

Project II — Chemical demilitarisation and non-proliferation

Objectives

- To support non-proliferation of chemical weapons through the application of the verification and implementation measures provided for in the CWC
- To advance and ensure the elimination of chemical weapons stockpiles and production facilities subject to the verification measures provided for in the CWC
- To contribute to the full, effective and non-discriminatory implementation of all provisions of the CWC

Purposes

- Verification for continued confidence in compliance
- Engagement to utilise others' capabilities
- An organisation that remains fit for purpose
- Capacity development to prevent and respond to the hostile use of toxic chemicals and to foster international cooperation

Results

- Implementation of the relevant decisions about the completion of the destruction of chemical weapons
- Increased knowledge transfer, transparency and understanding through OPCW stakeholders
- Support built for rebalancing the CWC's verification regime from disarmament to preventing the re-emergence of chemical weapons
- Augmented routine verification activities with a risk management system
- Enhanced capability of the OPCW to conduct contingency operations
- Augmented assistance and protection capabilities of the OPCW in support of its focus on the re-emergence of chemical weapons, both in terms of prevention and response
- Adapted structures and processes, where required, in support of the smooth transition of the OPCW

Activities

II.1 Visits of Executive Council representatives and observers of States Parties in the People's Republic of China and the United States of America to obtain an overview of the destruction programmes

Executive Council visits have regularly been supported by the Union (in Joint Action 2007/185/CFSP and Decisions 2009/569/CFSP, 2012/166/CFSP and (CFSP) 2015/259). The visits conducted so far have proved to be valuable as a means of addressing questions or concerns about a possessor State Party's programme for fulfilling its obligations on the destruction of its chemical weapons. All States Parties will benefit from these visits, which will help enhance transparency and build confidence that progress is being made for the complete destruction of the remaining chemical weapons in accordance with the provisions of the CWC and subject to the verification of the Technical Secretariat. The project should encourage broader participation in such visits by States Parties while taking into account the appropriate financial criteria and taking steps to ensure the adequate rotation of participants.

II.2 Expansion and enhancement of the usage of the Enterprise Content Management (ECM) system

The ECM system is mainly available for users in the Verification Division having access to the OPCW's air-gapped network, internally known as Secure Critical Network (SCN). This project will enhance the ECM system by making it accessible to OPCW inspectors and eliminate inefficiencies due to the limited security and IT network infrastructure.

II.3 Deployment of a full telecommunications solution to all relevant OPCW Technical Secretariat staff members

The project will consist of identifying a relevant and cost-efficient service provider, phasing transition of legacy infrastructure, trialling and clearing security of mission-use procedures with new technologies, developing field operations kits, deploying a full telecommunications solution to all relevant OPCW stakeholders and decommissioning the legacy infrastructure.

Project III — Assistance and protection in African States Parties

Objectives

- To ensure assistance and protection against chemical weapons and their use, or threat of use, in accordance with the provisions of Article X of the CWC
- To provide for full, effective and non-discriminatory implementation of all provisions of the CWC by the OPCW, especially in African States Parties
- To enhance capacity development for national implementation, and international cooperation

Purposes

- Capacity development to prevent and respond to the hostile use of toxic chemicals and to foster international cooperation
- Engagement to utilise others' capabilities
- An organisation that remains fit for purpose

Results

- Augmented assistance and protection capabilities of the OPCW in support of its focus on the re-emergence of chemical weapons, both in terms of prevention and response
- Enhanced capacity development for national implementation, and international cooperation
- Enhanced and sustainable collaboration with other international organisations
- Strengthened engagement with broader group of relevant stakeholders
- Enhanced capacities to facilitate collaboration among ad hoc groups of States Parties

Activities

III.1 Operational training for first responders

This operational training aims to support African States Parties and their respective regional economic communities (ECOWAS, SADC, IGAD) in the development of protective capacity against chemical incident involving chemical warfare agents or toxic industrial chemical.

III.2 Training of trainers in assistance and protection for Africa Group

The main aim of the course is to provide basic knowledge to instructors from agencies involved in the emergency response to chemical agents in order to create a pool of trainers in African countries capable of disseminating knowledge on topics related to the response to a chemical incident.

Project IV — International cooperation

Objectives

- To advance economic and technological development through international cooperation in the field of chemical activities for purposes not prohibited under the CWC
- To enhance capacity development for national implementation, and international cooperation
- To enhance and sustainably develop collaboration with other international organisations
- To strengthen engagement with broader group of relevant stakeholders
- To enhance capacities to facilitate collaboration among ad hoc groups of States Parties

Purposes

- To promote international cooperation among States Parties in the pursuit of chemistry for peaceful purposes
- To enhance capacity of OPCW Member States, especially of some regions, such as Africa and GRULAC, in the analysis of chemicals under the CWC regime
- To increase the awareness of women chemists on the peaceful uses of chemistry and provide a platform for more women chemists to participate in the capacity-building programme offered by the OPCW
- To enrich knowledge and relevant skills for relevant stakeholders and enable them to acquire the knowledge in the areas of chemical threat assessment and mitigation methods

Results

- Enhanced capacity development for national implementation, and international cooperation
- Strengthened evaluation capabilities of the Secretariat in the area of capacity development
- Enhanced and sustainable collaboration with other international organisations
- Strengthened engagement with broader group of relevant stakeholders
- Support built for rebalancing the CWC's verification regime from disarmament to preventing the re-emergence of chemical weapons
- Strengthened capability of the OPCW to monitor scientific and technological developments of relevance to the CWC
- Augmented assistance and protection capabilities of the OPCW in support of its focus on the re-emergence of chemical weapons, both in terms of prevention and response
- Strengthened engagement with broader group of relevant stakeholders
- Enhanced capacities to facilitate collaboration among ad hoc groups of States Parties

Activities

IV.1 Executive training for senior industry managers, policymakers and alumni of the OPCW Associate Programme

This project proposes an executive training programme intended for chemists, chemical engineers and other relevant professionals who assume managerial responsibilities (including those related to CWC implementation) in the industry, government and academia sectors in OPCW States Parties with developing and transition economies, in order to build capacity for them to develop in-depth knowledge and leadership skills in integrated chemicals management, encompassing though not limited to chemical safety, security and sustainability.

IV.2 Laboratory twinning project

The rationale behind the establishment of the twinning initiative in the OPCW was the lack of several regions, such as Africa and GRULAC, in the laboratories certified to perform the analysis of chemicals under the CWC regime (OPCW designated laboratories). The rules of participation in the initiative, including its objectives and modus operandi, are outlined in the Technical Secretariat's note S/1397/2016 of 14 July 2016. According to that note, the projects can include a range of activities, each between a pair of assisted and assisting laboratories, such as personnel visits from both sides (training and mentorship), support for the participation of assisted laboratories in OPCW proficiency tests and support for the transfer of equipment and for collaborative research.

IV.3 Forum for women on the peaceful uses of chemistry and basic analytical skills development course for women chemists

The OPCW Technical Secretariat will organise a forum for women on the peaceful uses of chemistry and a basic analytical skills development course for women chemists at the OPCW Headquarters. OPCW States Parties will nominate the experts, and the selection of participants will be based on qualification, geographical distribution and gender.

IV.4 Education and training for youth on the peaceful uses of chemistry

Based on the capacity-building programmes organised by the OPCW Technical Secretariat, the national authorities of Member States have requested a tailored programme for education and outreach on chemical safety and security management for youth/students in schools/universities in the context of the peaceful uses of chemistry. This programme is the first initiative for the youth/students on the promotion of peaceful uses of chemistry, and the training will utilise the interaction of experts and students, also with the potential to develop videos and brochures that can be distributed to academic institutions / schools in OPCW States Parties.

IV.5 Analytical development course for analytical chemists in the African Member States

Due to the current ongoing activities by non-State actors across the Africa region, there is a pressing need to enhance laboratory capabilities generally in the region in terms of analysing CWC-related substances. The course is aimed at assisting qualified analytical chemists in acquiring further experience and practical skills in the analysis of chemicals related to the CWC.

IV.6 Chemical safety and security management for African States Parties

Chemical industries have become important contributors to sustainable development in Africa. According to the Africa Review Report on Chemicals by the United Nations Economic Commission for Africa (UNECA), the chemical industry in Africa will continue to grow in the coming years. At the same time, this development will raise a number of issues related to chemical safety and security, and the peaceful uses of chemistry for socioeconomic development, which can be addressed through the full and effective implementation of the CWC. The programme is expected to enrich knowledge and relevant skills for relevant stakeholders and enable them to acquire knowledge in the areas of chemical threat assessment and mitigation methods.

Project V — Universality and outreach

Objectives

- To strengthen engagement with a broader group of relevant stakeholders
- To augment the OPCW's efforts to reach universality
- To contribute to the full, effective and non-discriminatory implementation of all provisions of the CWC

Purposes

- To raise awareness and knowledge of the OPCW and CWC amongst students and teachers and other groups as appropriate
- To raise the visibility of the OPCW and to explain its activities to a broad public audience
- To improve means of reaching to the widest possible audience, especially among the non-technical or non-specialists
- To raise awareness of the OPCW and CWC among a young audience in selected States or regions
- To encourage States not Parties to the CWC to get more involved in OPCW activities and increase their understanding of the CWC and its benefits
- To broaden engagement with stakeholders on substantive issues facing the OPCW during a period of institutional transition

Results

- Strengthened engagement with a broader group of relevant stakeholders
- Augmented OPCW efforts to reach universality

Activities

V.1 Development of e-learning modules

This project aims at bringing in specialist e-learning expertise to assist the OPCW Technical Secretariat in defining a common approach to its e-learning offer to design and execute the new e-learning modules. The content of such modules will be determined on the basis of the report of the Advisory Board on Education and Outreach (ABEO) to the OPCW Director-General, and subsequent discussion of the ABEO recommendations.

V.2 Translation and dissemination of education and outreach tools and materials

During its first two years of operation, the ABEO has repeatedly called for more education and outreach materials to be made available in all six official languages of the OPCW. Besides English, these are French, Spanish, Russian, Chinese and Arabic. Usually, however, education and outreach materials and tools are produced in English, which seriously limits their use by as many stakeholders globally as possible. For dissemination purposes, there is a need for translation of education and outreach materials, particularly those targeted at specific stakeholder groups.

V.3 Support for NGO participation in OPCW activities

This project proposes to sponsor qualifying representatives of non-governmental organisations (NGOs), with preference given to applicants from developing or transitioning economies to attend the annual Conference of the States Parties in 2019 and 2020.

V.4 Side events in the margins of the Conferences of States Parties

Three side events will take place over the duration of the programme, i.e. one for every annual Conference of States Parties. Union funds may cover the travel expenses of up to three experts/officials from beneficiary countries.

Project VI — National implementation

Objectives

- Enhancing and sustaining the capacity of States Parties and their national authorities to fully implement all obligations under the CWC

Purposes

- Relevant stakeholders have improved understanding and awareness of the CWC and have enhanced their role and involvement in national implementation efforts
- Customs officials from participating States Parties have improved their understanding and ability for effective handling of the duties regarding import/export of scheduled chemicals and coordination with national authorities
- Relevant stakeholders have correct and up-to-date information for effective learning available
- Potential stakeholder agencies/bodies, in supporting the implementation of the CWC, have agreed on a short-term agenda to establish synergies between themselves

Results

- Enhanced capacity of States Parties for effective national implementation
- Increased number of States Parties able to conduct effective national implementation at quantitative and qualitative level
- Enhanced understanding and awareness of national authorities on CWC-related matters for good cooperation and support.
- Increased number of States Parties able to process and draft legislation for subsequent approval
- Effective functioning of customs authorities in the control and monitoring of the chemical trade

Activities

VI.1 Global stakeholders' forum

The project envisages the organisation of a global stakeholders' forum to promote among the key national stakeholders the importance of the implementation of the CWC through the adoption of the national implementing legislation.

Project VII: Science and technology

Objectives

- To enable the OPCW Director-General to provide advice and make recommendations to the Conference of States Parties, the Executive Council of the OPCW or the States Parties on areas of science and technology relevant to the CWC

Purposes

- Setting the direction for science- and technology-related activities at the OPCW in the interim period between the Fourth and Fifth Review Conferences
- To enable the OPCW Director-General to give special advice to the OPCW policymaking organs and to the States Parties in the areas of science and technology relevant to the CWC
- To draw upon a larger pool of scientific experts available for the OPCW, and improved mechanisms for keeping aware of developments in chemical monitoring technologies and informatics tools for analysis of complex data sets containing chemical information
- Building and maintaining a network of non-technical stakeholders who can complement scientific experts available to the OPCW in assessing all aspects of new science and technology to provide more complete advice on science and technology and its impact

Results

- Support built for rebalancing the CWC's verification regime from disarmament to preventing the re-emergence of chemical weapons
- Enhanced capability of the OPCW to conduct contingency operations
- Strengthened capability of the OPCW to monitor scientific and technological developments of relevance to the CWC
- Augmented assistance and protection capabilities of the OPCW in support of its focus on the re-emergence of chemical weapons, both in terms of prevention and response
- Enhanced capacity development for national implementation, and international cooperation
- Enhanced and sustainable collaboration with other international organisations
- Strengthened engagement with broader group of relevant stakeholders
- The OPCW remains the global repository of knowledge and expertise in the field of chemical weapons
- Enhanced capacities to facilitate collaboration among ad hoc groups of States Parties

Activities

VII.1 Plant biomarker challenge

This project will develop a 'crowd challenge' to engage relevant experts from disciplines across the sciences and build a reference set of geographically representative plants that have utility for detection of exposure to toxic chemicals (through chemical analysis and/or observable phenotypic change).

VII.2 Support for the temporary working groups (TWGs) of the OPCW's Scientific Advisory Board

To address specific scientific and technological issues in a substantive manner, the Scientific Advisory Board (SAB) can, at the OPCW Director-General's request, establish temporary working groups (TWGs). This project would contribute to the implementation of the TWG on investigative science and technology as well as the creation of other TWGs based on need identified at the Fourth Review Conference in 2018.

COUNCIL DECISION (CFSP) 2019/539
of 1 April 2019
amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

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

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

Whereas:

- (1) On 31 July 2015, the Council adopted Decision (CFSP) 2015/1333 ⁽¹⁾ concerning restrictive measures in view of the situation in Libya.
- (2) On 28 September 2018, the Council adopted Decision (CFSP) 2018/1465 ⁽²⁾.
- (3) In view of the continuing instability and gravity of the situation in Libya, the Council has decided that the restrictive measures concerning three persons should be extended for a further period of six months.
- (4) Decision (CFSP) 2015/1333 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 17 of Decision (CFSP) 2015/1333, paragraphs 3 and 4 are replaced by the following:

- ‘3. The measures referred to in Article 8(2) shall apply with regard to entries 14, 15 and 16 in Annex II until 2 October 2019.
4. The measures referred to in Article 9(2) shall apply with regard to entries 19, 20 and 21 in Annex IV until 2 October 2019.’

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, 1 April 2019.

For the Council
The President
G. CIAMBA

⁽¹⁾ Council Decision (CFSP) 2015/1333 of 31 July 2015 concerning restrictive measures in view of the situation in Libya, and repealing Decision 2011/137/CFSP (OJ L 206, 1.8.2015, p. 34).

⁽²⁾ Council Decision (CFSP) 2018/1465 of 28 September 2018 amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya (OJ L 245, 1.10.2018, p. 16).

COMMISSION DECISION (EU) 2019/540**of 26 March 2019****on the proposed citizens' initiative entitled '#NewRightsNow — Strengthening the rights of "uberised" workers'***(notified under document C(2019) 2312)***(Only the French text is authentic)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative ⁽¹⁾, and in particular Article 4 thereof,

Whereas:

- (1) The subject-matter of the proposed citizens' initiative entitled '#NewRightsNow — Strengthening the rights of "uberised" workers' refers to the following: 'Strengthening the rights of "uberised" workers, in particular by obliging digital platforms to pay a guaranteed minimum income to "self-employed" people who regularly work for them.'
- (2) The objectives of the proposed citizens' initiative refer to the following: 'We would like to establish an obligation for digital platforms to pay a guaranteed minimum income to "self-employed" people who regularly work for them. This social justice measure would safeguard and stabilise their income, and would specifically tackle job insecurity. More generally, we wish to strengthen the social rights of "uberised" workers.'
- (3) The Treaty on European Union (TEU) reinforces citizenship of the Union and enhances further the democratic functioning of the Union by providing, inter alia, that every citizen is to have the right to participate in the democratic life of the Union by way of a European citizens' initiative.
- (4) To this end, the procedures and conditions required for the citizens' initiative should be clear, simple, user-friendly and proportionate to the nature of the citizens' initiative so as to encourage participation by citizens and to make the Union more accessible.
- (5) Legal acts of the Union for the purpose of implementing the Treaties can be adopted for the coordination of the provisions laid down by law, regulation or administrative action in Member States concerning the taking-up and pursuit of activities as self-employed persons, on the basis of Articles 53(1) and 62 TFEU.
- (6) For these reasons, the proposed citizens' initiative does not manifestly fall outside the framework of the Commission's powers to submit a proposal for a legal act of the Union for the purpose of implementing the Treaties in accordance with Article 4(2)(b) of the Regulation.
- (7) Furthermore, the citizens' committee has been formed and the contact persons have been designated in accordance with Article 3(2) of the Regulation and the proposed citizens' initiative is neither manifestly abusive, frivolous or vexatious nor manifestly contrary to the values of the Union as set out in Article 2 TEU.
- (8) The proposed citizens' initiative entitled '#NewRightsNow — Strengthening the rights of "uberised" workers' should therefore be registered,

HAS ADOPTED THIS DECISION:

Article 1

The proposed citizens' initiative entitled '#NewRightsNow — Strengthening the rights of "uberised" workers' is hereby registered.

⁽¹⁾ OJ L 65, 11.3.2011, p. 1.

Article 2

This Decision shall enter into force on 1 April 2019.

Article 3

This Decision is addressed to the organisers (members of the citizens' committee) of the proposed citizens' initiative entitled '#NewRightsNow — Strengthening the rights of "uberised" workers', represented by Mr Atte Samuli OKSANEN and Ms Vasiliki TSIARA acting as contact persons.

Done at Strasbourg, 26 March 2019.

For the Commission
Frans TIMMERMANS
First Vice-President

COMMISSION IMPLEMENTING DECISION (EU) 2019/541**of 1 April 2019****on the equivalence of the legal and supervisory framework applicable to approved exchanges and recognised market operators in Singapore in accordance with Regulation (EU) No 600/2014 of the European Parliament and of the Council***(notified under document C(2019) 2349)***(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 600/2014 of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Regulation (EU) No 648/2012 ⁽¹⁾, and in particular Article 28(4) thereof,

Whereas:

- (1) Article 28(1) of Regulation (EU) No 600/2014 identifies the trading venues on which financial counterparties, as defined in Article 2(8) of Regulation (EU) No 648/2012 of the European Parliament and of the Council ⁽²⁾, and non-financial counterparties that meet the conditions in Article 10(1)(b) of Regulation (EU) No 648/2012 can conclude transactions in derivatives pertaining to a class of derivatives that has been declared subject to the trading obligation. The trading venues on which such transactions may be concluded is limited to regulated markets, multilateral trading facilities (MTFs), organised trading facilities (OTFs), and third-country trading venues recognised by the Commission as being subject to equivalent legal requirements and effective supervision in that third country. The relevant third country is also required to provide for an effective equivalent system for the recognition of trading venues authorised under Directive 2014/65/EU of the European Parliament and of the Council ⁽³⁾.
- (2) Given the agreement reached by the parties to the G20 in Pittsburgh on 25 September 2009 to move trading in standardised OTC derivative contracts to exchanges or electronic trading platforms, it is appropriate to provide for a suitable range of eligible venues on which trading contemplated by that commitment can take place. Regulation (EU) No 600/2014 underlines, moreover, the need to establish a single set of rules for all institutions in respect of certain requirements and to avoid potential regulatory arbitrage. Therefore, when designating the standardised OTC derivative contracts that will be subject to a trading obligation, it is appropriate that the Union also encourages the development of a sufficient number of eligible venues to allow the trading obligation to be complied with, including in the Union.
- (3) In accordance with Article 28(4) of Regulation (EU) No 600/2014, third-country trading venues can be recognised as equivalent to trading venues established in the Union where they are required to comply with legally binding requirements which are equivalent to the requirements resulting from Directive 2014/65/EU, Regulation (EU) No 600/2014, Regulation (EU) No 596/2014 of the European Parliament and of the Council ⁽⁴⁾ and where those equivalent requirements are subject to effective supervision and enforcement in that third country. This should be read in the light of the objectives pursued by those three acts, in particular their contribution to the establishment and functioning of the internal market, market integrity, investor protection and ultimately, but no less importantly, financial stability.
- (4) With the commencement of a new regime regulating operators of trading platforms for OTC derivatives in Singapore and designating the most liquid derivatives as subject to a domestic trading mandate, it is necessary to

⁽¹⁾ OJ L 173, 12.6.2014, p. 84.⁽²⁾ Regulation (EU) No 648/2012 of the European Parliament and of the Council of 4 July 2012 on OTC derivatives, central counterparties and trade repositories (OJ L 201, 27.7.2012, p. 1).⁽³⁾ Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349).⁽⁴⁾ Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC (OJ L 173, 12.6.2014, p. 1).

address potential risks of liquidity fragmentation by ensuring that trading platforms established in Singapore are recognised as eligible for compliance with the Union trading obligation. Trading platforms operating in Singapore offer important trading volumes in derivatives and it is important that Union firms are able to access the liquidity stemming from Asian counterparts in Singapore for efficient risk management, especially outside of European trading hours. This Decision is based on a detailed assessment of the legal and supervisory framework governing trading platforms under the Securities and Futures Act (SFA) in Singapore and its implementing regulations.

- (5) The purpose of the equivalence assessment under Article 28 of Regulation (EU) No 600/2014 is to verify that the legal and supervisory arrangements under the SFA and its implementing regulations ensure that trading platforms operated by approved exchanges (AEs) or recognised market operators (RMOs) established in Singapore and authorised by the Monetary Authority of Singapore (MAS) comply with legally binding requirements which are equivalent to the requirements for Union trading venues resulting from Directive 2014/65/EU, Regulation (EU) No 596/2014 and Regulation (EU) No 600/2014, based on the criteria set out in the third subparagraph of Article 28(4) of Regulation (EU) No 600/2014. The purpose of the equivalence assessment is also to verify that AEs and RMOs in question are subject to effective supervision and enforcement in Singapore.
- (6) Legally binding requirements for AEs and RMOs are set out in Part II of the SFA, which supports MAS' mandate for establishing a principle-based, technology-neutral regime that applies to all AEs and RMOs. Acts and regulations adopted based on those acts, such as the Securities and Futures (Organised Markets) Regulations (SFOMR) adopted by MAS, have the force of law and together establish the legal framework for the operation of AEs and RMOs in Singapore. Section 45 of the SFA allows MAS to issue binding directions to an AE or a RMO. Not complying with those directions is deemed to be a breach of the relevant provision in the SFA. Section 321 of the SFA empowers MAS to provide guidance in furtherance of the regulatory objectives of the SFA or in relation to the operation of any of the SFA provisions. Guidelines set out principles or best practice standards governing the conduct of AEs and RMOs, such as the Guidelines on the Regulation of Organised Markets (SFA 02-G01). Any failure to comply with guidelines can be relied upon by any party to proceedings — civil or criminal — as tending to establish or to negate any liability at stake in the proceedings (section 321(5) of the SFA). Sections 15(1)(e) and 33(1)(e) of the SFA require AEs and RMOs to maintain business rules and listing rules that make satisfactory provision for a fair, orderly and transparent market. The business and listing rules, as well as any amendment of those rules, must be submitted to MAS prior to implementation. The business rules and listing rules have effect as a binding contract for AEs and RMOs and their members and must be observed and complied with on an ongoing basis.
- (7) The third subparagraph of Article 28(4) of Regulation (EU) No 600/2014 sets out four conditions that need to be fulfilled in order to determine that the legal and supervisory framework of a third country regarding the trading venues authorised in that country has equivalent effect.
- (8) The first of those conditions provides that third-country trading venues must be subject to authorisation and to effective supervision and enforcement on an ongoing basis.
- (9) Under the SFA, markets are facilities that operate on a multilateral or 'many-to-many' basis. An entity operating a market in Singapore must be an AE or RMO. The legislative provisions relating to AEs and RMOs are contained in Part II of the SFA. Singapore corporations are regulated as AEs or RMOs, while foreign corporations are regulated as RMOs. An applicant wishing to operate a market in Singapore must obtain a licence from MAS pursuant to Section 8 of the SFA either as an AE or as a RMO. In determining whether a market operator should be regulated as an AE or a RMO, MAS considers the systemic importance of the organised market. Corporations operating organised markets that are systemically important are regulated as AEs. An applicant must meet the applicable requirements, including the requirements set out in section 15 and 33 of the SFA, on an initial and ongoing basis. Under section 9 of Part II, MAS grants a licence if it concludes that all the requirements with respect to the applicant are satisfied. MAS can refuse to approve an application if the requirements are not all met. Sections 15(1)(a) and 33(1)(a) of the SFA both require that an AE and a RMO operate a fair organised market which is characterised by non-discriminatory access to market facilities and information. Sections 15(1)(d) and 33(1)(d) of the SFA further require that an AE and a RMO ensure that access for participation in its facilities is subject to criteria that are fair and objective, and that are designed to ensure the orderly functioning of the organised market and to protect the interests of the investing public. Regulations 13 and 25 of the SFOMR require AEs and RMOs to make available upon request, or to publish in a manner that is accessible to any investor or potential investor, information, including information on their services, products, fees, and any compensation arrangements that may be in place. AEs and RMOs are subject to organisational requirements with respect to corporate governance, conflicts of interest policy, risk management, fair and orderly trading, clearing and settlement arrangements, trading system resilience and compliance monitoring.

- (10) MAS has investigation powers under Part IX, Division 3 of the SFA and under the Criminal Procedure Code that include powers to compel production of evidence, interview and take statements from suspects and witnesses, arrest suspects and seize property in certain circumstances. MAS supervises AEs' and RMOs' risk management practices and controls, through both on-site and off-site inspections. Section 45 of the SFA empowers MAS to issue directions to AEs and RMOs in relation to specific matters as specified by the SFA to ensure investor protection, the functioning of fair, orderly and transparent markets, the integrity and stability of the capital markets and compliance with any condition or restriction imposed by MAS. MAS may impose fines and issue reprimands for the infringement of provisions of the SFA or of its subsidiary legislation. MAS may also remove officers in situations specified in section 43(1) and where it considers that doing so is in the interest of the public. MAS is also empowered to revoke the licence of an AE or RMO under the conditions set out in section 14 of the SFA. Furthermore, AEs and RMOs are required under sections 15 and 33 of the SFA to ensure proper regulation and supervision of their members. In addition, AEs are required to notify MAS of any disciplinary action taken against a member under section 16(1)(f) of the SFA. The SFA provides for penalties where the business or listing rules are not compliant with the requirements set out by MAS. Finally, under section 46AA of the SFA, MAS is equipped with emergency powers to direct an AE or RMO to take action to maintain or restore the fair, orderly and transparent operation of the market when it is in the interest of the public or necessary for the protection of investors.
- (11) The Commission therefore concludes that markets operated by AEs and RMOs are subject to authorisation and to effective supervision and enforcement on an ongoing basis.
- (12) The second of the conditions set out in the third subparagraph of Article 28(4) of Regulation (EU) No 600/2014 provides that the third-country trading venues have clear and transparent rules regarding admission of financial instruments to trading so that such financial instruments are capable of being traded in a fair, orderly and efficient manner and are freely negotiable.
- (13) The conditions for admission to trading of financial instruments are set by the AE in its listing rules which specify the classes of products that may be traded on its market, the terms and conditions for listing, as well as the rules to ensure that members are able to meet their obligations. Under sections 29 and 41 of the SFA, AEs and RMOs are required to notify MAS before proceeding with the launch of a product. In addition, AEs and RMOs are required to certify to MAS that they have established appropriate controls and governance procedures to adequately address the key risks pertaining to the products, namely (i) the risk of disorderly trading that may be brought about by a sharp change in prices; (ii) the risk of persons acquiring significant amounts of the product which facilitates the ability of those persons to gain from market manipulation; (iii) the risk that daily settlement prices and final settlement prices will be subject to manipulation; (iv) the risk that the final settlement price of the product will not converge to its underlying; (v) the risk that the underlying of physically delivered products will not be delivered in a safe, reliable and timely manner; and (vi) the legal, operational and reputational risks surrounding the product. Under section 45 of the SFA, MAS has powers to take action if AEs and RMOs fail to provide appropriate controls and governance procedures, including imposing higher supervisory capital, requiring independent audit on specific processes and prohibiting the listing of new products. Under section 46 of the SFA, MAS may issue notice in writing to an AE or a RMO to prohibit trading in products if MAS is of the opinion that it is necessary to protect persons buying or selling such financial instruments.
- (14) Sections 15 and 33 of the SFA require AEs and RMOs, respectively, to ensure that the market they operate is fair, orderly and transparent, regardless of the execution protocol used. Section 15(1)e of the SFA requires the business rules of an AE to make satisfactory provision for the operation of a fair, orderly and transparent market. The Guidelines on the Regulation of Organised Markets, together with the Monograph on Objectives and Principles of Financial Sector Oversight in Singapore, further specify that a transparent market is a market where pre- and post-trade information about trading is made publicly available on a continuous and real-time basis. For the trading of derivatives, MAS does not require that execution is made through a specific protocol. However, in practice, a large proportion of the trades are executed through the 'request for quote' protocol. Electronic order book trading systems require the publication of best bids and offers continuously, while other trading systems (such as 'request for quote' systems or 'voice-based systems') require the dissemination of information on price and volume to eligible market participants before they become executable. Inter-dealer voice brokers facilitating multilateral trading are subject to MAS' market licensing regime and are required to ensure pre-trade transparency of their organised markets. Therefore, pre-trade information is made publicly available to enable investors to know which transactions they may enter into and at what prices. Post-trade information on executed trades must

similarly be publicised to reflect the product details, the price and volume. AEs and RMOs are expected to publicly disclose submitted quotes as soon as they are executable and the transaction details should be publicly disclosed as soon as possible after the quote is executed.

- (15) The Commission therefore concludes that markets operated by AEs and RMOs have clear and transparent rules regarding admission of financial instruments to trading so that such financial instruments are capable of being traded in a fair, orderly and efficient manner and are freely negotiable.
- (16) The third of the conditions set out in the third subparagraph of Article 28(4) of Regulation (EU) No 600/2014 provides that issuers of financial instruments must be subject to periodic and ongoing information requirements ensuring a high level of investor protection.
- (17) Issuers seeking to list securities or admit securities for trading on a market must satisfy the requirements of the exchange's listing rules. Rule 703 of the Listing Manual requires an issuer to disclose any information that is necessary to avoid the establishment of a false market in the issuer's securities or would be likely to materially affect the price or value of its securities. Furthermore, Rules 707 to 711 of the Listing Manual in Singapore set out the requirements for annual reports issued by listed issuers. Periodic and ongoing information requirements and disclosure obligations are applicable to issuers of derivatives contracts where an underlying asset is a security. Where such a derivative is admitted to trading on an AE or a RMO, its issuer is subject to the reporting requirements set out under the listing rules of the individual exchange.
- (18) The Commission therefore concludes that issuers of derivatives contracts traded on AEs and RMOs are subject to periodic and ongoing information requirements ensuring a high level of investor protection.
- (19) The fourth of the conditions set out in the third subparagraph of Article 28(4) of Regulation (EU) No 600/2014 provides that the third-country framework must ensure market transparency and integrity via rules addressing market abuse in the form of insider dealing and market manipulation.
- (20) Under Part XII, Division 1 of the SFA, MAS has established a comprehensive regulatory framework to ensure market integrity and prevent insider dealing and market manipulation in relation to securities, units in collective investment schemes and derivatives contracts. This framework prohibits, and authorises MAS to take enforcement action against, practices which could result in distorting the functioning of the markets, such as false trading and market rigging (section 197), bucketing (section 201A), price manipulation (section 201B), employment of fraudulent or deceptive device (section 201), and the dissemination of information about illegal transactions (section 202). Sections 218(2) and 219(2) of the SFA also prohibit insider dealing and the communication of inside information. Under Sections 15 and 33 of the SFA, AEs and RMOs are required to maintain and enforce business rules for the proper regulation and supervision of their members. To help ensure that trading activities are subject to ongoing and effective surveillance, AEs are responsible for ensuring compliance with all applicable regulatory requirements. Accordingly, they are expected to put in place systems, processes and controls to ensure compliance and prevent misconduct. MAS conducts periodic inspections of the surveillance and enforcement functions of AEs to ensure their relevance and effectiveness in detecting trading irregularities. RMOs are also expected to put in place processes and controls to detect potential insider dealing and market manipulation.
- (21) The Commission therefore concludes that the framework applicable to markets operated by AEs and RMOs in Singapore ensures market transparency and integrity via rules addressing market abuse in the form of insider dealing and market manipulation.
- (22) As a result, the legal and supervisory framework in Singapore is considered to ensure that AEs and RMOs comply with legally binding requirements which are equivalent to the requirements for Union trading venues resulting from Directive 2014/65/EU, Regulation (EU) No 596/2014 and Regulation (EU) No 600/2014, and which are subject to effective supervision and enforcement in Singapore.
- (23) In accordance with Article 28(1)(d) of Regulation (EU) No 600/2014, relevant derivatives transactions can be concluded on a third-country trading venue recognised as equivalent provided that the third country provides for an effective equivalent system for the recognition of trading venues authorised under Directive 2014/65/EU to admit to trading or trade derivatives declared subject to the trading obligation in that third country on a non-exclusive basis.

- (24) Part VIC of the SFA empowers MAS to commence a trading obligation by requiring specified derivatives contracts that meet prescribed criteria to be traded on markets operated by an AE, a RMO or on any other facility prescribed by MAS. Part VIC, section 129J(1) of the SFA, read with section 129N, empowers MAS to prescribe, by way of regulations, all trading venues that are eligible for compliance with the trading obligation that are regulated by national competent authorities in the Union.
- (25) A joint statement by the Vice President of the European Commission for Financial Stability, Financial Services and Capital Markets Union, and the Deputy Prime Minister of Singapore and Chairman of the Monetary Authority of Singapore sets out the common approaches. At the same time as the Commission has been assessing the legal and supervisory framework applicable to AEs and RMOs for the purposes of adopting this Decision, MAS has been assessing that Union trading venues are subject to regulatory and supervisory frameworks that are comparable to the legal and supervisory framework under the SFA which applies to trading venues in Singapore. Following that assessment, MAS exempts the Union trading venues as notified by the Commission in accordance with section 7(6) of the SFA from the obligation to register as RMOs. MAS may undertake regular reviews of the legal and supervisory arrangements applicable to Union trading venues and intends to give the Commission's services appropriate prior notice of any such review and an opportunity to comment in cases where the review would lead to any changes in the scope of the exemption granted in accordance with section 7(6) of the SFA. This Decision and the acts and regulations adopted by MAS based on those acts will be complemented by cooperation arrangements to ensure the effective exchange of information and coordination of supervisory activities between the national competent authorities responsible for the authorisation and supervision of the recognised Union trading venues and MAS.
- (26) The Commission therefore concludes that the legal and supervisory framework of Singapore provides for an effective equivalent system for the recognition of trading venues authorised under Directive 2014/65/EU to admit to trading or trade derivatives declared subject to a trading mandate in Singapore on a non-exclusive basis.
- (27) This Decision determines the eligibility of AEs and RMOs authorised in Singapore to allow financial and non-financial counterparties established in the Union to comply with the trading obligation when trading derivatives on a third-country venue. This Decision does therefore not affect the ability of financial and non-financial counterparties established in the Union to trade derivatives that are not subject to the trading obligation on any third-country trading venue.
- (28) This Decision is based on the legally binding requirements applicable to AEs and RMOs in Singapore at the time of the adoption of this Decision. The Commission will continue to monitor the evolution of the legal and supervisory arrangements for recognised trading venues, the enforcement of such arrangements by third-country authorities, the effectiveness of supervisory cooperation, market developments and the fulfilment of the conditions on the basis of which this Decision is adopted.
- (29) At least every three years the Commission should undertake a review of the grounds on the basis of which this Decision was adopted, including the legal and supervisory arrangements applicable in Singapore to markets operated by AEs or RMOs authorised in Singapore. Such regular reviews are without prejudice to the Commission's power to undertake a specific review at any time where relevant developments make it necessary for the Commission to re-assess the determination made by this Decision. Based on the findings arising from a regular or specific review, the Commission may decide to amend, or repeal this Decision at any time, in particular where developments affect the conditions on the basis of which this Decision is adopted.
- (30) The measures provided for in this Decision are in accordance with the opinion of the European Securities Committee,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of Article 28(1)(d) of Regulation (EU) No 600/2014, it is hereby determined that the legal and supervisory framework of Singapore ensures that the approved exchanges and recognised market operators listed in the Annex to this Decision comply with legally binding requirements which are equivalent to the requirements for the trading venues referred to in points (a), (b) and (c) of Article 28(1) of Regulation (EU) No 600/2014 resulting from that Regulation, Directive 2014/65/EU and Regulation (EU) No 596/2014 and are subject to effective supervision and enforcement in Singapore.

Article 2

No later than 3 years after the date of entry into force of this Decision and then no later than every 3 years after each previous review under this Article, the Commission shall undertake a review of the grounds on which the determination under Article 1 was made.

Article 3

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

Done at Brussels, 1 April 2019.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX

Approved exchanges authorised by the Monetary Authority of Singapore and considered equivalent to trading venues as defined in Directive 2014/65/EU:

- (1) Asia Pacific Exchange Pte Ltd
- (2) ICE Futures Singapore Pte Ltd
- (3) Singapore Exchange Derivatives Trading Limited

Recognised Market Operators authorised by the Monetary Authority of Singapore and considered equivalent to trading venues as defined in Directive 2014/65/EU:

- (1) Cleartrade Exchange Pte Ltd
 - (2) Tradition Singapore Pte Ltd
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