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EN

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- ★ **Decision of the European Parliament and of the Council of 16 April 2014 on the mobilisation of the European Globalisation Adjustment Fund, in accordance with Point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2012/007 IT/VDC Technologies from Italy) 44**

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 14 April 2014

on the conclusion of the Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation

(2014/252/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 79(3), in conjunction with Article 218(6)(a) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament,

Whereas:

- (1) In accordance with Council Decision 2012/499/EU ⁽¹⁾, the Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation (the 'Agreement') was signed on 16 December 2013, subject to its conclusion.
- (2) The Agreement is to establish a Joint Readmission Committee which will adopt its rules of procedure. It is appropriate to provide for a simplified procedure for the establishment of the Union position in this case.
- (3) In accordance with Articles 1 and 2 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of the said Protocol, the United Kingdom is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (4) In accordance with Articles 1 and 2 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of the said Protocol, Ireland is not taking part in the adoption of this Decision and is not bound by it or subject to its application.
- (5) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not take part in the adoption of this Decision and is not bound by it or subject to its application.
- (6) The Agreement should be approved,

⁽¹⁾ OJ L 244, 8.9.2012, p. 4.

HAS ADOPTED THIS DECISION:

Article 1

The Agreement between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 24(2) of the Agreement, in order to express the consent of the European Union to be bound by the Agreement ⁽¹⁾.

Article 3

The Commission, assisted by experts from Member States, shall represent the Union in the Joint Readmission Committee established by Article 19 of the Agreement.

Article 4

The position of the Union within the Joint Readmission Committee with regard to the adoption of its rules of procedure as required under Article 19(5) of the Agreement shall be taken by the Commission after consultation with a special committee designated by the Council.

Article 5

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

Done at Luxembourg, 14 April 2014.

For the Council

The President

A. TSAFTARIS

⁽¹⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

AGREEMENT**between the European Union and the Republic of Turkey on the readmission of persons residing without authorisation**

THE HIGH CONTRACTING PARTIES,

THE EUROPEAN UNION, hereinafter referred to as 'the Union',

and

THE REPUBLIC OF TURKEY, hereinafter referred to as 'Turkey',

DETERMINED to strengthen their co-operation in order to combat illegal immigration more effectively,

DESIRING to establish, by means of this Agreement and on the basis of reciprocity, effective and swift procedures for the identification and safe and orderly return of persons who do not or who no longer, fulfil the conditions for entry to, presence in, or residence on the territories of Turkey or one of the Member States of the Union, and to facilitate the transit of such persons in a spirit of co-operation,

EMPHASISING that this Agreement shall be without prejudice to the rights, obligations and responsibilities of the Union, its Member States and Turkey arising from international law and, in particular, from the European Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms and the Convention of 28 July 1951 on the Status of Refugees,

EMPHASISING that this Agreement shall be without prejudice to the rights and procedural guarantees for persons who are subject to return procedures in or who apply for asylum in a Member State as laid down in the respective legal instruments of the Union,

EMPHASISING that this Agreement shall be without prejudice to the provision of the Agreement of 12 September 1963 establishing an Association between the European Economic Community and Turkey, its additional protocols, the relevant Association Council decisions as well as the relevant case-law of the Court of Justice of the European Union,

EMPHASISING that the persons holding a long term residence permit granted under the terms of Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents enjoy a reinforced protection against expulsion under Article 12 of that Directive,

EMPHASISING that this Agreement is based on the principles of joint responsibility, solidarity, and an equal partnership to manage the migratory flows between Turkey and the Union and that in this context the Union is ready to make available financial resources in order to support Turkey in its implementation,

CONSIDERING that the provisions of this Agreement, which falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union, do not apply to the United Kingdom and Ireland, unless they 'opt-in' in accordance with the Protocol on the position of the United Kingdom and Ireland in Respect of the Area of Freedom, Security and Justice Annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union,

CONSIDERING that the provisions of this Agreement, which falls within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union, do not apply to the Kingdom of Denmark, in accordance with the Protocol on the position of Denmark Annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union,

HAVE AGREED AS FOLLOWS:

*Article 1***Definitions**

For the purpose of this Agreement:

- (a) 'Contracting Parties' shall mean Turkey and the Union;
- (b) 'National of Turkey' shall mean any person who holds the nationality of Turkey in accordance with its legislation;

- (c) 'National of a Member State' shall mean any person who holds the nationality of a Member State of the Union;
- (d) 'Member State' shall mean any Member State of the Union, with the exception of the Kingdom of Denmark;
- (e) 'Third-country national' shall mean any person who holds a nationality other than that of Turkey or one of the Member States;
- (f) 'Stateless person' shall mean any person who does not hold a nationality of any country;
- (g) 'Residence permit' shall mean a permit of any type issued by Turkey or one of the Member States entitling a person to reside on its territory. This shall not include temporary permissions to remain on its territory in connection with the processing of an asylum application or an application for a residence permit;
- (h) 'Visa' shall mean an authorisation issued or a decision taken by Turkey or one of the Member States which is required with a view to entry in, or transit through, its territory. This shall not include airport transit visa;
- (i) 'Requesting State' shall mean the State (Turkey or one of the Member States) submitting a readmission application pursuant to Article 8 or a transit application pursuant to Article 15 of this Agreement;
- (j) 'Requested State' shall mean the State (Turkey or one of the Member States) to which a readmission application pursuant to Article 8 or a transit application pursuant to Article 15 of this Agreement is addressed;
- (k) 'Competent Authority' shall mean any national authority of Turkey or one of the Member States entrusted with the implementation of this Agreement as designated in the implementing protocol in accordance with point (a) of Article 20(1) thereof;
- (l) 'Person residing without authorisation' shall mean any person who, in accordance with the relevant procedures established under national legislation, does not or no longer, fulfil the conditions in force for entry to, presence in, or residence on, the territory of Turkey or of one of the Member States;
- (m) 'Transit' shall mean the passage of a third country national or a stateless person through the territory of the Requested State while travelling from the Requesting State to the country of destination;
- (n) 'Readmission' shall mean the transfer by the Requesting State and admission by the Requested State of persons (nationals of the Requested State, third country nationals or stateless persons) who have been found illegally entering, being present in or residing in the Requesting State, in accordance with the provisions of this Agreement;
- (o) 'Border crossing point' shall mean any point designated for the purpose of crossing their respective borders by the Member States or Turkey;
- (p) 'Border region' of the Requesting State shall mean an area within its territory extending inwards up to 20 kilometres from the external border of the Requesting State, whether or not the border is shared between the Requesting State and the Requested State as well as the sea ports including customs zones and international airports of the Requesting State.

Article 2

Scope

1. The provisions of this Agreement shall apply to persons who do not or who no longer, fulfil the conditions for entry to, presence in, or residence on the territories of Turkey or one of the Member States of the Union.
2. The application of the present Agreement, including Paragraph 1 of this article, shall be without prejudice to the instruments enumerated in Article 18.
3. The present Agreement shall not apply to third country nationals or stateless persons as referred to Articles 4 and 6 who have left the territory of the Requested State more than five years before the Requesting State's competent authorities has gained knowledge of such persons unless the conditions required for their readmission to the Requested State as stipulated by Articles 4 and 6 can be established by means of documents enumerated in Annex 3.

SECTION I

READMISSION OBLIGATIONS BY TURKEY*Article 3***Readmission of own nationals**

1. Turkey shall readmit, upon application by a Member State and without further formalities to be undertaken by that Member State other than those provided for in this agreement, all persons who do not or who no longer, fulfil the conditions in force under the law of that Member State or under the law of the Union for entry to, presence in, or residence on, the territory of the requesting Member State provided that in accordance with Article 9, it is established that they are nationals of Turkey.
2. Turkey shall also readmit:
 - minor unmarried children of the persons mentioned in Paragraph 1 of this Article, regardless of their place of birth or their nationality, unless they have an independent right of residence in the requesting Member State or if the said independent right of residence is held by the other parent who has legal custody of the children concerned;
 - spouses, holding another nationality, of the persons mentioned in Paragraph 1 of this Article, provided they have the right to enter and stay or receive the right to enter and stay in the territory of Turkey unless they have an independent right of residence in the requesting Member State or unless it is demonstrated by Turkey that according to its national legislation the marriage in question is not legally recognised.
3. Turkey shall also readmit persons who in accordance with the Turkish legislation have been deprived of, or who have renounced, the nationality of Turkey since entering the territory of a Member State, unless such persons have at least been promised naturalisation by that Member State.
4. After Turkey has given a positive reply to the readmission application or, where appropriate, after expiry of the time limits laid down in Article 11(2), the competent consular office of Turkey shall, irrespective of the will of the person to be readmitted, within three working days, issue the travel document required for the return of the person to be readmitted with a period of validity of three months. In case there is no consular office of Turkey in a Member State or if Turkey has not, within three working days, issued the travel document, the reply to the readmission application shall be considered as the necessary travel document for the readmission of the person concerned.
5. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the travel document that was initially issued, the competent consular office of Turkey shall, within three working days, issue a new travel document with a period of validity of the same duration. In case there is no consular office of Turkey in a Member State or if Turkey has not, within three working days, issued the travel document, the reply to the readmission application shall be considered as the necessary travel document for the readmission of the person concerned.

*Article 4***Readmission of third-country nationals and stateless persons**

1. Turkey shall readmit, upon application by a Member State and without further formalities to be undertaken by that Member State other than those provided for in this Agreement, all third-country nationals or stateless persons who do not, or who no longer, fulfil the conditions in force for entry to, presence in, or residence on, the territory of the requesting Member State provided that in accordance with Article 10 it is established that such persons:
 - (a) hold, at the time of submission of the readmission application, a valid visa issued by Turkey entering the territory of a Member State directly from the territory of Turkey; or
 - (b) hold a residence permit issued by Turkey; or
 - (c) illegally and directly entered the territory of the Member States after having stayed on, or transited through, the territory of Turkey.

2. The readmission obligation in Paragraph 1 of this Article shall not apply if:
 - (a) the third country national or stateless person has only been in airside transit via an international airport of Turkey; or
 - (b) the requesting Member State has issued to the third country national or stateless person a visa which was used by the person for the entry on the requesting Member State's territory or residence permit before or after entering its territory unless that person is in possession of a visa or residence permit issued by Turkey, which has a longer period of validity; or
 - (c) the third country national or stateless person enjoys a visa free access to the territory of the requesting Member State.
3. After Turkey has given a positive reply to the readmission application or, where appropriate, after expiry of the time limits laid down in Article 11(2), the Turkish authorities, if necessary, shall within three working days, issue the person whose readmission has been accepted with the 'emergency travel document for aliens' required for his or her return with a period of validity of at least three months. In case there is no consular office of Turkey in a Member State or if Turkey has not, within three working days, issued the travel document, it shall be deemed to accept the use of the EU standard travel document for expulsion purposes ⁽¹⁾.
4. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the 'emergency travel document for aliens' that was initially issued, the Turkish authorities shall within three working days extend the validity of the 'emergency travel document for aliens' or, where necessary, issue a new 'emergency travel document for aliens' with the same period of validity. In case there is no consular office of Turkey in a Member State or if Turkey has not, within three working days, issued the travel document, it shall be deemed to accept the use of the EU standard travel document for expulsion purposes ⁽²⁾.

SECTION II

READMISSION OBLIGATIONS BY THE UNION

Article 5

Readmission of own nationals

1. A Member State shall readmit, upon application by Turkey and without further formalities to be undertaken by Turkey other than those provided for in this agreement, all persons who do not, or who no longer, fulfil the conditions in force for entry to, presence in, or residence on, the territory of Turkey provided that in accordance with Article 9 it is established that they are nationals of that Member State.
2. A Member State shall also readmit:
 - minor unmarried children of the persons mentioned in Paragraph 1 of this Article, regardless of their place of birth or their nationality, unless they have an independent right of residence in Turkey or if the said independent right of residence is held by the other parent who has legal custody of the children concerned;
 - spouses, holding another nationality, of the persons mentioned in Paragraph 1 of this Article, provided they have the right to enter and stay or receive the right to enter and stay in the territory of the requested Member State unless they have an independent right of residence in Turkey or unless it is demonstrated by the requested Member State that according to its national legislation the marriage in question is not legally recognised.
3. A Member State shall also readmit persons who in accordance with its legislation have been deprived of, or who have renounced, the nationality of a Member State since entering the territory of Turkey, unless such persons have at least been promised naturalisation by Turkey.

⁽¹⁾ In line with the form set out in EU Council recommendation of 30 November 1994.

⁽²⁾ Ibid.

4. After the requested Member State has given a positive reply to the readmission application or, where appropriate, after expiry of the time limits laid down in Article 11(2), the competent diplomatic mission or consular office of that Member State shall, irrespective of the will of the person to be readmitted, within three working days, issue the travel document required for the return of the person to be readmitted with a period of validity of three months. In case there is no diplomatic mission or consular office of a Member State in Turkey or if the requested Member State has not, within three working days, issued the travel document, the reply to the readmission application shall be considered as the necessary travel document for the readmission of the person concerned.

5. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the travel document that was initially issued, the competent diplomatic mission or consular office of that Member State shall, within three working days, issue a new travel document with a period of validity of the same duration. In case there is no diplomatic mission or consular office of a Member State in Turkey or if the requested Member State has not, within three working days, issued the travel document, the reply to the readmission application shall be considered as the necessary travel document for the readmission of the person concerned.

Article 6

Readmission of third-country nationals and stateless persons

1. A Member State shall readmit, upon application by Turkey and without further formalities to be undertaken by Turkey other than those provided for in this Agreement, all third-country nationals or stateless persons who do not, or who no longer, fulfil the conditions in force for entry to, presence in, or residence on, the territory of Turkey provided that in accordance with Article 10 it is established that such persons:

- (a) hold, at the time of submission of the readmission application, a valid visa issued by the requested Member State entering the territory of Turkey directly from the territory of the requested Member State; or
- (b) hold a residence permit issued by the requested Member State; or
- (c) illegally and directly entered the territory of Turkey after having stayed on, or transited through, the territory of the requested Member State.

2. The readmission obligation in Paragraph 1 of this Article shall not apply if:

- (a) the third country national or stateless person has only been in airside transit via an International Airport of the requested Member State; or
- (b) Turkey has issued to the third country national or stateless person a visa which was used by the person for the entry on the Turkish territory or residence permit before or after entering its territory unless that person is in possession of a visa or residence permit, issued by the requested Member State, which has a longer period of validity; or
- (c) the third country national or stateless person enjoys a visa free access to the territory of Turkey.

3. The readmission obligation in Paragraph 1 of this Article is for the Member State that issued a visa or residence permit. If two or more Member States issued a visa or residence permit, the readmission obligation in Paragraph 1 is for the Member State that issued the document with a longer period of validity or, if one or several of them have already expired, the document that is still valid. If all of the documents have already expired, the readmission obligation in Paragraph 1 is for the Member State that issued the document with the most recent expiry date. If no such documents can be presented, the readmission obligation in Paragraph 1 is for the Member State of last exit.

4. After the Member State has given a positive reply to the readmission application or, where appropriate, after expiry of the time limits laid down in Article 11(2), the Member State's authorities, if necessary, shall within three working days, issue the person whose readmission has been accepted the travel document required for his or her return with a period of validity of at least three months. In case there is no diplomatic mission or consular office of the Member State in Turkey or if the Member State has not, within three working days, issued the travel document, it shall be deemed to accept the use of the EU standard travel document for expulsion purposes ⁽¹⁾.

⁽¹⁾ Ibid.

5. If, for legal or factual reasons, the person concerned cannot be transferred within the period of validity of the travel document that was initially issued, the Member State's authorities shall within three working days extend the validity of the travel document or, where necessary, issue a new travel document with the same period of validity. In case there is no diplomatic mission or consular office of the Member State in Turkey or if the Member State has not, within three working days, issued the travel document, it shall be deemed to accept the use of the EU standard travel document for expulsion purposes ⁽¹⁾.

SECTION III

READMISSION PROCEDURE

Article 7

Principles

1. The Member States and Turkey shall make every effort to return a person referred to in Articles 4 and 6 directly to the country of origin. For this purpose, the modalities of the application of this Paragraph shall be determined in accordance with point (b) of Article 19(1). The provisions of this Paragraph shall not apply to cases in which the accelerated procedure is applicable in accordance with Paragraph 4 of this Article.

2. Subject to Paragraph 3 of this Article, any transfer of a person to be readmitted on the basis of one of the obligations contained in Articles 3 to 6 shall require the submission of a readmission application to the competent authority of the Requested State.

3. If the person to be readmitted is in possession of a valid travel document or identity card and, in the case of third country nationals or stateless persons, a valid visa used by the person for the purpose of entry on the territory of the Requested State or a residence permit of the Requested State, the transfer of such person shall take place without the Requesting State having to submit a readmission application or written notification referred to in Article 12(1) to the competent authority of the Requested State.

The previous Subparagraph shall not prejudice the right of the relevant authorities to verify at the border the identity of the readmitted persons.

4. Without prejudice to Paragraph 3 of this Article, if a person has been apprehended by the Requesting State in the border region after having entered illegally and directly from the territory of the Requested State, the Requesting State may submit a readmission application within three working days following this person's apprehension (accelerated procedure).

Article 8

Content of the readmission application

1. To the extent possible, the readmission application is to contain the following information:

- (a) the particulars of the person to be readmitted (e.g. given names, surnames, date of birth, and — where possible — place of birth, and the last place of residence) and, where applicable, the particulars of minor unmarried children and/or spouses;
- (b) in case of own nationals, indication of the means with which proof or prima facie evidence of nationality will be provided as set out by Annexes 1 and 2 respectively;
- (c) in case of third country nationals and stateless persons, indication of the means with which proof or prima facie evidence of the conditions for the readmission of third-country nationals and stateless persons as provided for by Annexes 3 and 4 respectively;
- (d) photograph of the person to be readmitted.

⁽¹⁾ Ibid.

2. To the extent possible, the readmission application shall also contain the following information:
 - (a) a statement indicating that the person to be transferred may need help or care, provided the person concerned has explicitly consented to the statement;
 - (b) any other protection, security measure or information concerning the health of the person, which may be necessary in the individual transfer case.
3. Without prejudice to Article 7(3), any readmission application shall be in writing and shall use a common form attached as Annex 5 to this Agreement.
4. A readmission application may be submitted by any means of communication including electronic ones e.g. facsimiles, e-mails etc.
5. Without prejudice to Article 11(2), a reply to the readmission application will be given in writing.

Article 9

Evidence regarding nationality

1. Proof of nationality pursuant to Article 3(1) and Article 5(1) can be particularly furnished through the documents listed in Annex 1 to this Agreement. If such documents are presented, the Member States or Turkey respectively shall for the purpose of this Agreement, recognise the nationality. Proof of nationality cannot be furnished through false documents.
2. *Prima facie* evidence of nationality pursuant to Article 3(1) and Article 5(1) shall be particularly furnished through the documents listed in Annex 2 to this Agreement, even if their period of validity has expired. If such documents are presented, the Member States and Turkey shall deem for the purpose of this Agreement, the nationality to be established, unless following an investigation and within the time limits laid down in Article 11, the Requested State demonstrates otherwise. *Prima facie* evidence of nationality cannot be furnished through false documents.
3. If none of the documents listed in Annexes 1 or 2 can be presented, the competent diplomatic and consular representations of the Requested State concerned shall, upon a request included in the readmission application by the Requesting State, make arrangements to interview the person to be readmitted without undue delay, within seven working days from the requesting day, in order to establish his or her nationality. In case there are no diplomatic or consular representations of the Requested State in the Requesting State, the former shall make the necessary arrangements in order to interview the person to be readmitted without undue delay, at the latest within seven working days from the requesting day. The procedure for such interviews may be established in the implementing Protocols provided for in Article 20 of this Agreement.

Article 10

Evidence regarding third-country nationals and stateless persons

1. Proof of the conditions for the readmission of third-country nationals and stateless persons laid down in Article 4(1) and Article 6(1) shall be particularly furnished by means of the evidence listed in Annex 3 to this Agreement. Proof of the conditions for the readmission cannot be furnished through false documents.
2. *Prima facie* evidence of the conditions for the readmission of third-country nationals and stateless persons laid down in Article 4(1) and Article 6(1) shall be particularly furnished through the means of evidence listed in Annex 4 to this Agreement; it cannot be furnished through false documents. Where such *prima facie* evidence is presented, the Member States and Turkey shall deem the conditions to be established, unless following an investigation and within the time limits laid down in Article 11, the Requested State demonstrates otherwise.
3. The unlawfulness of entry, presence or residence shall be established by means of the travel documents of the person concerned in which the necessary visa or other residence permit for the territory of the Requesting State are missing. A written statement by the Requesting State that the person concerned has been found not having the necessary travel documents, visa or residence permit shall likewise provide *prima facie* evidence of the unlawful entry, presence or residence.

*Article 11***Time limits**

1. The application for readmission must be submitted to the competent authority of the Requested State within a maximum of six months after the Requesting State's competent authority has gained knowledge that a third-country national or a stateless person who does not or who no longer, fulfil the conditions in force for entry, presence or residence.

If the third country national or the stateless person entered the territory of the Requesting State before the day on which Articles 4 and 6 become applicable pursuant to Article 24(3), the time limit mentioned in the previous sentence begins to run on the day on which Articles 4 and 6 become applicable.

Where there are legal or factual obstacles to the application being submitted in time, the time limit shall, upon request by the Requesting State, be extended but only until the obstacles have ceased to exist.

2. A readmission application must be replied to in writing:

- within five working days if the application has been made under the accelerated procedure (Article 7(4));
- without undue delay, and in any event within a maximum of 25 calendar days in all other cases, except for cases for which the initial detention period in the national legislation of the Requesting State is less, in which case the latter period shall apply. Where there are legal or factual obstacles to the application being replied to in time, the time limit may, upon request and giving reasons, be extended up to 60 calendar days, except if the maximum detention period in the national legislation of the Requesting State is less than, or equal to, 60 days.

This time limit begins to run with the date of receipt of the readmission request. If there was no reply within this time limit, the transfer shall be deemed to have been agreed to.

Reply to a readmission application may be submitted by any means of communication including electronic ones e.g. facsimiles, e-mails etc.

3. After agreement has been given or, where appropriate, after expiry of the time limits laid down in Paragraph 2 of this Article, the person concerned shall be transferred within three months. On request of the Requesting State, this time limit may be extended by the time taken to deal with legal or practical obstacles.

4. Reasons shall be given in writing for the refusal of a readmission request.

*Article 12***Transfer modalities and modes of transportation**

1. Without prejudice to Article 7(3), before returning a person, the competent authorities of the Requesting State shall notify in writing at least 48 hours in advance the competent authorities of the Requested State regarding the transfer date, the point of entry, possible escorts and other information relevant to the transfer.

2. Transportation may take place by air, land or sea. Return by air shall not be restricted to the use of the national carriers of Turkey or the Member States and may take place by using scheduled or charter flights. In the event of escorted returns, such escorts shall not be restricted to authorised persons of the Requesting State, provided that they are authorised persons by Turkey or any Member State.

*Article 13***Readmission in error**

The Requesting State shall take back any person readmitted by the Requested State if it is established, within a period of three months after the transfer of the person concerned, that the requirements laid down in Articles 3 to 6 of this Agreement are not met.

In such cases, and with the exception of all transport costs of the person in question which shall be borne by the Requesting State as referred to in the previous Paragraph, the procedural provisions of this Agreement shall apply *mutatis mutandis* and all available information relating to the actual identity and nationality of the person to be taken back shall be provided.

SECTION IV

TRANSIT OPERATIONS

Article 14

Transit principles

1. The Member States and Turkey should restrict the transit of third-country nationals or stateless persons to cases where such persons cannot be returned to the State of destination directly.
2. Turkey shall allow the transit of third-country nationals or stateless persons if a Member State so requests, and a Member State shall authorise the transit of third-country nationals or stateless persons if Turkey so requests, if the onward journey in possible other States of transit and the readmission by the State of destination is assured.
3. Transit can be refused by Turkey or a Member State:
 - (a) if the third-country national or the stateless person runs the real risk of being subjected to torture or to inhuman or degrading treatment or punishment or the death penalty or of persecution because of his race, religion, nationality, membership of a particular social group or political conviction in the State of destination or another State of transit; or
 - (b) if the third-country national or the stateless person shall be subject to criminal sanctions in the Requested State or in another State of transit; or
 - (c) on grounds of public health, domestic security, public order or other national interests of the Requested State.
4. Turkey or a Member State may revoke any authorisation issued if circumstances referred to in Paragraph 3 of this Article subsequently arise or come to light which stand in the way of the transit operation, or if the onward journey through possible States of transit or the readmission by the State of destination is no longer assured. In this case, the Requesting State shall take back the third-country national or the stateless person, as necessary and without delay.

Article 15

Transit procedure

1. An application for transit operations must be submitted to the competent authority of the Requested State in writing and is to contain the following information:
 - (a) type of transit (by air, sea or land), possible other States of transit and intended final destination;
 - (b) the particulars of the person concerned (e.g. given name, surname, maiden name, other names used/by which known or aliases, date of birth, sex and — where possible — place of birth, nationality, language, type and number of travel document);
 - (c) envisaged point of entry, time of transfer and use of escorts;
 - (d) a declaration that in the view of the Requesting State the conditions pursuant to Article 14(2) are met, and that no reasons for a refusal pursuant to Article 14(3) are known of.

A common form to be used for transit applications is attached as Annex 6 to this Agreement.

A transit application may be submitted by any means of communication including electronic ones e.g. facsimiles, e-mails etc.

2. The Requested State shall, within five working days after receipt of the application and in writing, inform the Requesting State of the admission, confirming the point of entry and the envisaged time of admission, or inform it of the admission refusal and of the reasons for such refusal. If there was no reply within five working days the transit shall be deemed to have been agreed to.

Reply to a transit application may be submitted by any means of communication including electronic ones e.g. facsimiles, e-mails etc.

3. If the transit operation takes place by air, the person to be readmitted and possible escorts shall be exempted from having to obtain an airport transit visa.

4. The competent authorities of the Requested State shall, subject to mutual consultations, assist in the transit operations, in particular through the surveillance of the persons in question and the provision of suitable amenities for that purpose.

SECTION V

COSTS

Article 16

Transport and transit costs

Without prejudice to Article 23 and without prejudice to the right of the competent authorities to recover the costs associated with the readmission from the person to be readmitted including the persons referred to in Article 3(2) and 5(2) or third parties, all transport costs incurred in connection with readmission and transit operations pursuant to this Agreement as far as the border crossing point of the Requested State for requests under Sections I and II of the Agreement; or as far as the border of the State of final destination for requests under Section IV of the Agreement shall be borne by the Requesting State.

SECTION VI

DATA PROTECTION AND NON-AFFECTION CLAUSE

Article 17

Data Protection

The communication of personal data shall only take place if such communication is necessary for the implementation of this Agreement by the competent authorities of Turkey or a Member State as the case may be. The processing and treatment of personal data in a particular case shall be subject to the domestic laws of Turkey and, where the controller is a competent authority of a Member State, to the provisions of Directive 95/46/EC and of the national legislation of that Member State adopted pursuant to this Directive. Additionally the following principles shall apply:

- (a) personal data must be processed fairly and lawfully;
- (b) personal data must be collected for the specified, explicit and legitimate purpose of implementing this Agreement and not further processed by the communicating authority nor by the receiving authority in a way incompatible with that purpose;
- (c) personal data must be adequate, relevant and not excessive in relation to the purpose for which they are collected and/or further processed; in particular, personal data communicated may concern only the following:
 - the particulars of the person to be transferred (e.g. given names, surnames, any previous names, other names used/by which known or aliases, sex, civil status, date and place of birth, current and any previous nationality),
 - passport, identity card or driving licence (number, period of validity, date of issue, issuing authority, place of issue),
 - stop-overs and itineraries,
 - other information needed to identify the person to be transferred or to examine the readmission requirements pursuant to this Agreement;

- (d) personal data must be accurate and, where necessary, kept up to date;
- (e) personal data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purpose for which the data were collected or for which they are further processed;
- (f) both the communicating authority and the receiving authority shall take every reasonable step to ensure as appropriate the rectification, erasure or blocking of personal data where the processing does not comply with the provisions of this Article, in particular because those data are not adequate, relevant, accurate, or they are excessive in relation to the purpose of processing. This includes the notification of any rectification, erasure or blocking to the other Party;
- (g) upon request, the receiving authority shall inform the communicating authority of the use of the communicated data and of the results obtained there from;
- (h) personal data may only be communicated to the competent authorities. Further communication to other bodies requires the prior consent of the communicating authority;
- (i) the communicating and the receiving authorities are under an obligation to make a written record of the communication and receipt of personal data.

Article 18

Non-affection clause

1. This agreement shall be without prejudice to the rights, obligations and responsibilities of the Union, its Member States and Turkey arising from international law including from international conventions to which they are party, in particular:

- the Convention of 28 July 1951 on the Status of Refugees as amended by the Protocol of 31 January 1967 on the Status of Refugees,
- the European Convention of 4 November 1950 for the Protection of Human Rights and Fundamental Freedoms,
- the international conventions determining the State responsible for examining applications for asylum lodged,
- the Convention of 10 December 1984 against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment,
- where applicable, the European Convention of 13 December 1955 on Establishment,
- international conventions on extradition and transit,
- multilateral international conventions and agreements on the readmission of foreign nationals.

2. The present Agreement shall fully respect the rights and obligations, including of those who are or have been legally residing and working on the territory of one of the Parties, provided by the provisions of the Agreement of 12 September 1963 establishing an Association between the European Economic Community and Turkey, its additional protocols, the relevant Association Council decisions as well as the relevant case-law of the Court of Justice of the European Union.

3. The application of the present Agreement shall be without prejudice to the rights and procedural guarantees of persons being subject of return procedures as laid down by Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals ⁽¹⁾ in particular with regard to their access to legal advice, information, temporary suspension of the enforcement of a return decisions and access to legal remedies.

4. The application of the present Agreement shall be without prejudice to the rights and procedural guarantees for persons applying for asylum as provided by Council Directive 2003/9/EC laying down minimum standards for the reception of asylum seekers ⁽²⁾ and by Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status ⁽³⁾ and in particular with regard to the right to remain in the Member State pending the examination of the application.

⁽¹⁾ OJ L 348, 24.12.2008, p. 98.

⁽²⁾ OJ L 31, 6.2.2003, p. 18.

⁽³⁾ OJ L 326, 13.12.2005, p. 13

5. The application of the present Agreement shall be without prejudice to the rights and procedural guarantees for persons holding a long term residence permit granted under the terms of Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents.
6. The application of the present Agreement shall be without prejudice to the rights and procedural guarantees for persons granted residence under the terms of the Council Directive 2003/86/EC on the right to family reunification.
7. Nothing in this Agreement shall prevent the return of a person under other formal or informal arrangements.

SECTION VII

IMPLEMENTATION AND APPLICATION

Article 19

Joint readmission committee

1. The Contracting Parties shall provide each other with mutual assistance in the application and interpretation of this Agreement. To this end, they shall set up a joint readmission committee (hereinafter referred to as 'the committee') which will, in particular, have the task:
 - (a) to monitor the application of this Agreement;
 - (b) to decide on implementing arrangements necessary for the uniform application of this Agreement;
 - (c) to have regular exchanges of information on the implementing Protocols drawn up by individual Member States and Turkey pursuant to Article 20;
 - (d) to recommend amendments to this Agreement and its Annexes.
2. The decisions of the committee shall be binding on the Contracting Parties following any necessary internal procedures required by the law of the Contracting Parties.
3. The committee shall be composed by representatives of Turkey and the Union; the Union shall be represented by the Commission, assisted by experts from Member States.
4. The committee shall meet where necessary at the request of one of the Contracting Parties.
5. The committee shall establish its rules of procedures.

Article 20

Implementing Protocols

1. On request of a Member State or Turkey, Turkey and a Member State shall draw up an implementing Protocol which shall, *inter alia*, cover rules on:
 - (a) designation of the competent authorities, border crossing points and exchange of contact points;
 - (b) conditions for escorted returns, including the transit of third-country nationals and stateless persons under escort;
 - (c) means and documents additional to those listed in the Annexes 1 to 4 to this agreement;
 - (d) the modalities for readmission under the accelerated procedure;
 - (e) the procedure for interviews.
2. The implementing Protocols referred to in Paragraph 1 of this Article shall enter into force only after the readmission committee, referred to in Article 19, has been notified.

3. Turkey agrees to apply any provision of an implementing Protocol drawn up with one Member State also in its relations with any other Member State upon request of the latter and subject to the practical feasibility of its application to Turkey.

Member States agree to apply any provision of an implementing Protocol drawn up between Turkey and any other Member State also in their relations with Turkey upon request of the latter and subject to the practical feasibility of its application to those Member States.

Article 21

Relation to bilateral readmission agreements or arrangements of Member States

Without prejudice to Article 24(3), the provisions of this Agreement shall take precedence over the provisions of any legally binding instrument on the readmission of persons residing without authorisation which have been or may, under Article 20, be concluded between individual Member States and Turkey, in so far as the provisions of the latter are incompatible with those of this Agreement.

SECTION VIII

FINAL PROVISIONS

Article 22

Territorial application

1. Subject to Paragraph 2 of this Article, this Agreement shall apply to the territory in which the Treaty on the European Union is applicable, as defined in Article 52 of that Treaty and in Article 355 of the Treaty on the Functioning of the European Union, and to the territory of the Republic of Turkey.
2. This Agreement shall not apply to the territory of the Kingdom of Denmark.

Article 23

Technical assistance

Both parties agree to implement this Agreement based on the principles of joint responsibility, solidarity, and an equal partnership to manage the migratory flows between Turkey and the Union.

In this context, the Union is committed to making available financial resources in order to support Turkey in the implementation of this Agreement in accordance with the attached joint declaration on technical assistance. In doing so, attention will be devoted in particular to institution and capacity building. Such support is to be provided in the context of the existing and future priorities jointly agreed by the Union and Turkey.

Article 24

Entry into force, duration and termination

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their respective procedures.
2. Subject to Paragraph 3 of this Article, this Agreement shall enter into force on the first day of the second month following the date on which the Contracting Parties notify each other that the procedures referred to in the first Paragraph of this Article have been completed.

3. The obligations set out in Articles 4 and 6 of this Agreement shall only become applicable three years after the date referred to in Paragraph 2 of this Article. During that three-year period, they shall only be applicable to stateless persons and nationals from third-countries with which Turkey has concluded bilateral treaties or arrangements on readmission. During that three-year period, existing bilateral readmission agreements between individual Member States and Turkey shall continue to apply in their relevant parts.

4. This Agreement is concluded for an unlimited period.

5. Each Contracting Party may denounce this Agreement by officially notifying the other Contracting Party. This Agreement shall cease to apply six months after the date of such notification.

Article 25

Annexes

Annexes 1 to 6 shall form an integral part of this Agreement.

Done at Ankara on the sixteenth day of December in the year two thousand and thirteen in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Turkish languages, each text being equally authentic.

За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen
Avrupa Birliği Adına



За Република Турция
Por la República de Turquía
Za Tureckou republiku
For Republikken Tyrkiet
Für die Republik Türkei
Türki Vabariigi nimel
Για τη Δημοκρατία της Τουρκίας
For the Republic of Turkey
Pour la république de Turquie
Per la Repubblica di Turchia
Turcijas Republikas vārdā –
Turkijos Respublikos vardu
A Török Köztársaság részéről
Għat-Turkija
Voor de Republiek Turkije
W imieniu Republiki Turcji
Pela República da Turquia
Pentru Republica Turcia
Za Tureckú republiku
Za Republiko Turčijo
Turkin tasavallan puolesta
För Republiken Turkiet
Türkiye Cumhuriyeti Adına



ANNEX 1

Common list of documents the presentation of which is considered as proof of nationality
(Articles 3(1), 5(1) and 9(1))

Where the Requested State is either one of the Member States or Turkey:

- passports of any kind,
- *laissez-passer* issued by the Requested State,
- identity cards of any kind (including temporary and provisional ones),
- military service books and military identity cards,
- seaman's registration books and skippers' service cards,
- citizenship certificates and other official documents that mention or clearly indicate citizenship.

Where the Requested State is Turkey:

- confirmation of identity as a result of a search carried out in the Visa Information System ⁽¹⁾,
- in the case of Member States not using the Visa Information System, positive identification established from visa application records of those Member States.

⁽¹⁾ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

ANNEX 2

Common list of documents the presentation of which is considered as *prima facie* evidence of nationality
(Articles 3(1), 5(1) and 9(2))

- photocopies of any of the documents listed in Annex 1 to this Agreement,
- driving licenses or photocopies thereof,
- birth certificates or photocopies thereof,
- company identity cards or photocopies thereof,
- written account of statements by witnesses,
- written account of statements made by the person concerned and language spoken by him or her, including by means of an official test result,
- any other document which may help to establish the nationality of the person concerned, including documents with pictures issued by the authorities in replacement of the passport
- documents listed in Annex 1 whose validity has expired,
- accurate information provided by official authorities and confirmed by the other Party.

ANNEX 3

Common list of documents which are considered as proof of the conditions for the readmission of third country nationals and stateless persons**(Articles 4(1), 6(1) and 10(1))**

- visa and/or residence permit issued by the Requested State,
- entry/departure stamps or similar endorsement in the travel document including in a falsified travel document of the person concerned or other evidence of entry/departure (e.g. photographic),
- documents, certificates and bills of any kind (e.g. hotel bills, appointment cards for doctors/dentists, entry cards for public/private institutions, car rental agreements, credit card receipts etc.) which clearly show that the person concerned stayed on the territory of the Requested State,
- named tickets and/or passenger lists of air, train, coach or boat passages which show the presence and the itinerary of the person concerned on the territory of the Requested State,
- information showing that the person concerned has used the services of a courier or travel agency,
- official written account of statements made, in particular, by border authority staff and other witnesses who can testify to the person concerned crossing the border,
- official written account of a statement by the person concerned in judicial or administrative proceedings.

ANNEX 4

Common list of documents which are considered as *prima facie* evidence of the conditions for the readmission of third country nationals and stateless persons**(Articles 4(1), 6(1) and 10(2))**

- description issued by the relevant authorities of the Requesting State, of place and circumstances under which the person concerned has been intercepted after entering the territory of that State,
- information related to the identity and/or stay of a person which has been provided by an International organisation (e.g. UNHCR),
- reports/confirmation of information by family members, travelling companions etc.,
- written account of statement by the person concerned.

ANNEX 5



[Emblem of the Republic of Turkey]

.....

.....

(Place and date)

.....

(Designation of requesting authority)

Reference:

To

.....

.....

(Designation of requested authority)

- ☐ ACCELERATED PROCEDURE (Article 7(3))
- ☐ INTERVIEW REQUEST (Article 9(3))

READMISSION APPLICATION

pursuant to Article 8 of the Agreement of between
the European Union and the Republic of Turkey
on the readmission of persons residing without authorisation

A. PERSONAL DETAILS

1. Full name (underline surname):

.....

2. Maiden name:

.....

3. Date and place of birth:

.....

4. Sex and physical description (height, colour of eyes, distinguishing marks etc.):

.....

5. Also known as (earlier names, other names used/by which known or aliases):

.....

6. Nationality and language:

.....

7. Civil status: ☐ married ☐ single ☐ divorced ☐ widowed

If married: name of spouse

.....

Names and age of children (if any)

.....

8. Last address in the requested State:

.....

B. PERSONAL DETAILS OF SPOUSE (IF APPROPRIATE)

1. Full name (underline surname):

.....

2. Maiden name:

.....

3. Date and place of birth:

.....

4. Sex and physical description (height, color of eyes, distinguishing marks etc.):

.....

5. Also known as (earlier names, other names used/by which known or aliases):

.....

6. Nationality and language:

.....

Photograph

C. PERSONAL DETAILS OF CHILDREN (IF APPROPRIATE)

- 1. Full name (underline surname):
.....
- 2. Date and place of birth:
.....
- 3. Sex and physical description (height, colour of eyes, distinguishing marks etc.):
.....
- 4. Nationality and language:
.....

D. SPECIAL CIRCUMSTANCES RELATING TO THE TRANSFEREE

- 1. State of health
(e.g. possible reference to special medical care; Latin name of contagious disease):
.....
- 2. Indication of particularly dangerous person
(e.g. suspected of serious offence; aggressive behaviour):
.....

E. MEANS OF EVIDENCE ATTACHED

- 1.
.....
(Passport No.) (date and place of issue)
.....
(issuing authority) (expiry date)
- 2.
.....
(Identity card No.) (date and place of issue)
.....
(issuing authority) (expiry date)
- 3.
.....
(Driving licence No.) (date and place of issue)
.....
(issuing authority) (expiry date)
- 4.
.....
(Other official document No.) (date and place of issue)
.....
(issuing authority) (expiry date)

F. OBSERVATIONS

.....
.....
.....
.....
.....

.....
(Signature) (Seal/stamp)

ANNEX 6



[Emblem of the Republic of Turkey]

.....

.....

(Place and date)

.....

(Designation of requesting authority)

Reference:

To

.....

.....

(Designation of requested authority)

TRANSIT APPLICATION

pursuant to Article 15 of the Agreement of between
the European Union and the Republic of Turkey
on the readmission of persons residing without authorisation

A. PERSONAL DETAILS

1. Full name (underline surname):

.....

2. Maiden name:

.....

3. Date and place of birth:

.....

4. Sex and physical description (height, colour of eyes, distinguishing marks etc.):

.....

5. Also known as (earlier names, other names used/by which known or aliases):

.....

6. Nationality and language:

.....

7. Type and number of travel document:

.....

B. TRANSIT OPERATION

1. Type of transit

☐ by air☐ by land☐ by sea

2. State of final destination

.....

3. Possible other States of transit

.....

4. Proposed border crossing point, date, time of transfer and possible escorts

.....

.....

.....

5. Admission guaranteed in any other transit State and in the State of final destination (Article 14 paragraph 2)

☐ yes☐ no

6. Knowledge of any reason for a refusal of transit (Article 14 paragraph 3)

☐ yes☐ no

Photograph

C. OBSERVATIONS

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.....

(Signature) (Seal/stamp)

Joint Declaration on the cooperation in the area of visa policy

The Contracting Parties reinforce their cooperation in the area of visa policy and related areas, with a view to further promoting people to people contacts, starting with ensuring the efficient application of the judgment of the Court of Justice of the European Union issued on 19 February 2009 in case no C-228/06 Mehmet Soysal, Ibrahim Savatli v Germany and other relevant judgements on Turkish Service providers' rights based on the Additional Protocol of 23 November 1970 annexed to the Agreement establishing an Association between the European Economic Community and Turkey.

Joint Declaration on Article 7(1)

The Parties agree that in order to demonstrate 'every effort to return a person referred to in Articles 4 and 6 directly to the country of origin', the Requesting State, while submitting a readmission application to the Requested State, should at the same time submit a readmission application also to the country of origin. The Requested State shall reply within the time limits mentioned in Article 11(2). The Requesting State informs the Requested State if a positive reply to the readmission application has been received from the country of origin in the meantime. In case where the country of origin of the person in question could not be determined and therefore a readmission application could not be submitted to the country of origin, the reasons of this situation should be stated in the readmission application which will be submitted to the Requested State.

Joint Declaration on technical assistance

Turkey and the Union agree to intensify their cooperation to meet the common challenge of managing migration flows and to tackle irregular migration in particular. By doing so, Turkey and the Union will express their commitment to international burden sharing, solidarity, joint responsibility and common understanding.

This cooperation will take into account geographical realities and build on Turkey's efforts as a negotiating candidate country. It will also take into account Council Decision 2008/157/EC of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the Republic of Turkey and the 2008 National Programme of Turkey for the Adoption of the EU *acquis*, in which Turkey accepts and is prepared to implement the full EU *acquis* in this area upon accession to the Union.

In this context, the Union is committed to making available reinforced financial assistance in order to support Turkey in the implementation of this Agreement.

In doing so, attention will be paid in particular to institution and capacity building to enhance Turkey's capacity to prevent irregular migrants from entering, staying and exiting its territory, as well as its reception capacity for the intercepted irregular migrants. This could be achieved through, amongst others, purchase of border surveillance equipment, establishment of reception centres and border police structures, and support to training activities, in full respect of the current rules governing EU external assistance.

In order to support continued full and effective implementation of this Agreement, EU financial assistance, including a sector support programme in the area of integrated border management and migration, will be developed according to modalities to be defined together with the Turkish authorities and, beyond 2013, within and in accordance with the next EU financial perspectives.

Joint Declaration concerning Denmark

The Contracting Parties take note that this Agreement does not apply to the territory of the Kingdom of Denmark, nor to nationals of the Kingdom of Denmark. In such circumstances it is appropriate that Turkey and Denmark conclude a readmission agreement in the same terms as this Agreement.

Joint Declaration concerning Iceland and Norway

The Contracting Parties take note of the close relationship between the Union and Iceland and Norway, particularly by virtue of the Agreement of 18 May 1999 concerning the association of these countries with the implementation, application and development of the Schengen *acquis*. In such circumstances it is appropriate that Turkey concludes a readmission agreement with Iceland and Norway in the same terms as this Agreement.

Joint Declaration concerning Switzerland

The Contracting Parties take note of the close relationship between the Union and Switzerland, particularly by virtue of the Agreement concerning the association of Switzerland with the implementation, application and development of the Schengen *acquis*, which entered into force on 1 March 2008. In such circumstances it is appropriate that Turkey concludes a readmission agreement with Switzerland in the same terms as this Agreement.

Joint Declaration concerning the Principality of Liechtenstein

The Contracting Parties take note of the close relationship between the Union and the Principality of Liechtenstein, particularly by virtue of the Agreement concerning the association of the Principality of Liechtenstein with the implementation, application and development of the Schengen *acquis*, which entered into force on 19 December 2011. In such circumstances it is appropriate that Turkey concludes a readmission agreement with the Principality of Liechtenstein in the same terms as this Agreement.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 462/2014

of 5 May 2014

approving the basic substance *Equisetum arvense* L., in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Implementing Regulation (EU) No 540/2011

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1107/2009 of the European Parliament and of the Council of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC ⁽¹⁾, and in particular Article 23(5) in conjunction with Article 13(2) and Article 78(2) thereof,

Whereas:

- (1) In accordance with Article 23(3) of Regulation (EC) No 1107/2009, the Commission received on 28 December 2011 an application from Institut Technique de l'Agriculture Biologique (ITAB) for the approval of *Equisetum arvense* L. as basic substance. That application was accompanied by the information required by the second subparagraph of Article 23(3).
- (2) The Commission asked the European Food Safety Authority (hereinafter 'the Authority') for scientific assistance. The Authority presented to the Commission a Technical report on the substance concerned on 24 May 2013 ⁽²⁾. The Commission presented the review report and this draft regulation on the approval of *Equisetum arvense* L. to the Standing Committee on the Food Chain and Animal Health on 20 March 2014.
- (3) The documentation provided by the applicant and the results of examination carried out by the Authority ⁽³⁾ in accordance with Regulation (EC) No 1924/2006 of the European Parliament and of the Council ⁽⁴⁾ show that *Equisetum arvense* L. fulfils the criteria of a foodstuff as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council ⁽⁵⁾. Moreover, it is not predominantly used for plant protection purposes but nevertheless is useful in plant protection in a product consisting of the substance and water. Consequently, it is to be considered as a basic substance.
- (4) As the basic substance concerned is a foodstuff not requiring a specific authorisation under Regulation (EC) No 178/2002, it is deemed to be evaluated as having neither an immediate or delayed harmful effect on human or animal health nor an unacceptable effect on the environment.
- (5) It has appeared from the examinations made that *Equisetum arvense* L. may be expected to satisfy, in general, the requirements laid down in Article 23 of Regulation (EC) No 1107/2009, in particular with regard to the uses which were examined and detailed in the Commission review report. In accordance with Article 13(2) of Regulation (EC) No 1107/2009 in conjunction with Article 6 thereof and in the light of current scientific and technical knowledge, it is necessary to include certain conditions for the approval which are detailed in Annex I to this Regulation.

⁽¹⁾ OJ L 309, 24.11.2009, p. 1.

⁽²⁾ Outcome of the consultation with Member States and EFSA on the basic substance application for *Equisetum arvense* L. and the conclusions drawn by EFSA on the specific points raised. 2013:EN-427.23 pp.

⁽³⁾ EFSA Panel on Dietetic Products, Nutrition and Allergies (NDA) EFSA Journal 2009; 7(9): 1289 doi: 10.2903/j.efsa.2009.1289.

⁽⁴⁾ Regulation (EC) No 1924/2006 of the European Parliament and of the Council of 20 December 2006 on nutrition and health claims made on foods (OJ L 404, 30.12.2006, p. 9.).

⁽⁵⁾ Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety (OJ L 31, 1.2.2002, p. 1).

- (6) In accordance with Article 23(5) of Regulation (EC) No 1107/2009, basic substances are to be listed separately in the Regulation referred to in Article 13(4) of Regulation (EC) No 1107/2009. It is therefore appropriate to add a Part C in the Annex to Commission Implementing Regulation (EU) No 540/2011 ⁽¹⁾. That Regulation should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS REGULATION:

Article 1

Approval of a basic substance

The basic substance *Equisetum arvense* L., as specified in Annex I, is approved subject to the conditions laid down in that Annex.

Article 2

Amendments to Implementing Regulation (EU) No 540/2011

- (1) In Article 1 of Regulation (EU) No 540/2011 the second paragraph is replaced by the following two paragraphs:
‘The active substances approved under Regulation (EC) No 1107/2009 are as set out in Part B of the Annex to this Regulation. The basic substances approved under Regulation (EC) No 1107/2009 are as set out in Part C of the Annex to this Regulation.’
- (2) The Annex to Regulation (EU) No 540/2011 is amended in accordance with Annex II to this Regulation.

Article 3

Entry into force and date of application

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

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

Done at Brussels, 5 May 2014.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ Commission Implementing Regulation (EU) No 540/2011 of 25 May 2011 implementing Regulation (EC) No 1107/2009 of the European Parliament and of the Council as regards the list of approved active substances (OJ L 153, 11.6.2011, p. 1).

ANNEX I

Common Name, Identification Numbers	IUPAC Name	Purity ⁽¹⁾	Date of approval	Specific provisions
<i>Equisetum arvense</i> L. CAS No: not allocated CIPAC No: not allocated	Not applicable	European Pharmacopeia	1 July 2014	<i>Equisetum arvense</i> L. may be used in accordance with the specific conditions included in the conclusions of the review report on <i>Equisetum arvense</i> L. (SANCO/12386/2013) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 20 March 2014.

⁽¹⁾ Further details on identity, specification and manner of use of basic substance are provided in the review report.

ANNEX II

The Annex to Implementing Regulation (EU) No 540/2011 is amended as follows:

(1) The title of the Annex is replaced by the following:

‘ANNEX ACTIVE SUBSTANCES’

(2) The following Part C is added:

PART C

Basic Substances

General provisions applying to all substances listed in this Part: the Commission shall keep available all review reports (except for confidential information within the meaning of Article 63 of Regulation (EC) No 1107/2009) for consultation by any interested parties or shall make them available to them on specific request.

Number	Common Name, Identification Numbers	IUPAC Name	Purity (*)	Date of approval	Specific provisions
1	<i>Equisetum arvense</i> L. CAS No: not allocated CIPAC No: not allocated	Not applicable	European Pharmacopeia	1 July 2014	<i>Equisetum arvense</i> L. may be used in accordance with the specific conditions included in the conclusions of the review report on <i>Equisetum arvense</i> L. (SANCO/12386/2013) and in particular Appendices I and II thereof, as finalised in the Standing Committee on the Food Chain and Animal Health on 20 March 2014.

(*) Further details on identity, specification and manner of use of basic substance are provided in the review report.’

COMMISSION IMPLEMENTING REGULATION (EU) No 463/2014**of 5 May 2014****laying down pursuant to Regulation (EU) No 223/2014 of the European Parliament and of the Council on the Fund for European Aid to the Most Deprived, the terms and conditions applicable to the electronic data exchange system between the Member States and the Commission**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 of March 2014 on the Fund for European Aid to the Most Deprived ⁽¹⁾, and in particular Article 30(4) thereof,

Whereas:

- (1) Pursuant to Article 30(4) of Regulation (EU) No 223/2014 all official exchanges of information between the Member State and the Commission shall be carried out using an electronic data exchange system. It is therefore necessary to establish the terms and conditions with which that electronic data exchange system should comply.
- (2) In order to guarantee enhanced quality of information on the implementation of operational programmes, improved usefulness of the system and simplification, it is necessary to specify basic requirements for the form and scope of the information to be exchanged.
- (3) It is necessary to specify principles, as well as applicable rules for operation of the system with regard to the identification of the party responsible for uploading the documents and making any updates thereto.
- (4) In order to guarantee the reduction of the administrative burden for the Member States and the Commission while ensuring the efficient and effective electronic exchange of information, it is necessary to establish technical characteristics for the system.
- (5) Member States and the Commission should also have a possibility to encode and transfer data in two different ways to be specified. It is also necessary to provide for rules in the event of *force majeure* hindering the use of the electronic data exchange system, to ensure that both Member States and the Commission can continue to exchange information by alternative means.
- (6) Member States and the Commission should ensure that transfer of data through the electronic data exchange system is performed in a secured manner allowing for availability, integrity, authenticity, confidentiality and non-repudiation of information. Therefore rules on security should be set out.
- (7) This Regulation should respect the fundamental rights and observe the principles recognised by the Charter of Fundamental Rights of the European Union, and notably the right to protection of personal data. This Regulation should therefore be applied in accordance with these rights and principles. Concerning personal data processed by Member States, Directive 95/46/EC of the European Parliament and of the Council ⁽²⁾ applies. Concerning the processing of personal data by the Union institutions and bodies and the free movement of such data, Regulation (EC) No 45/2001 of the European Parliament and of the Council ⁽³⁾ applies.

⁽¹⁾ Regulation (EU) No 223/2014 of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the most Deprived (OJ L 72, 12.3.2014, p. 1).

⁽²⁾ Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data (OJ L 281, 23.11.1995, p. 31).

⁽³⁾ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L 8, 12.1.2001, p. 1).

- (8) In order to allow for the prompt application of the measures provided for in this Regulation, this Regulation should enter into force on the day following that of its publication in the *Official Journal of the European Union*.
- (9) The measures provided for in this Regulation are in accordance with the opinion of the Committee for the Fund for European Aid to the Most Deprived,

HAS ADOPTED THIS REGULATION:

CHAPTER I

PROVISIONS IMPLEMENTING REGULATION (EU) NO 223/2014 WITH REGARD TO THE FUND FOR EUROPEAN AID TO THE MOST DEPRIVED (FEAD)

ELECTRONIC DATA EXCHANGE SYSTEM

(Empowerment under Article 30(4) of Regulation (EU) No 223/2014)

Article 1

Establishment of electronic data exchange system

The Commission shall establish an electronic data exchange system for all official exchanges of information between the Member State and the Commission.

Article 2

Content of electronic data exchange system

The electronic data exchange system (hereinafter referred to as 'SFC2014') shall contain at least information specified in the models, formats and templates established in accordance with Regulation (EU) No 223/2014. The information provided in the electronic forms embedded in SFC2014 (hereinafter referred to as 'structured data') may not be replaced by non-structured data, including the use of hyperlinks or other types of non-structured data such as attachment of documents or images. Where a Member State transmits the same information in the form of structured data and non-structured data, the structured data shall be used in case of inconsistencies.

Article 3

Operation of SFC2014

1. The Commission, the authorities designated by the Member State pursuant to Article 59(3) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council⁽¹⁾ and Article 31 of Regulation (EU) No 223/2014 as well as the bodies to which tasks of those authorities have been delegated shall enter into SFC2014 the information for the transmission of which they are responsible and any updates thereto.

2. Any transmission of information to the Commission shall be verified and submitted by a person other than the person who entered the data for that transmission. This separation of tasks shall be supported by SFC2014 or by Member State's management and control information systems connected automatically with SFC2014.

3. Member States shall appoint, at national level, a person or persons responsible for managing access rights to SFC2014 who shall fulfil the following tasks:

- (a) identifying users requesting access, making sure those users are employed by the organisation;
- (b) informing users about their obligations to preserve the security of the system;

⁽¹⁾ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

- (c) verifying the entitlement of users to the required privilege level in relation to their tasks and their hierarchical position;
- (d) requesting the termination of access rights when those access rights are no longer needed or justified;
- (e) promptly reporting suspicious events that may bring prejudice to the security of the system;
- (f) ensuring the continued accuracy of user identification data by reporting any changes;
- (g) taking the necessary data protection and commercial confidentiality precautions in accordance with Union and national rules;
- (h) informing the Commission of any changes affecting the capacity of the Member State authorities or users of SFC2014 to carry out the responsibilities referred to in paragraph 1 or their personal capacity to carry out responsibilities referred to in points (a)-(g).

4. Exchanges of data and transactions shall bear a compulsory electronic signature within the meaning of Directive 1999/93/EC of the European Parliament and of the Council ⁽¹⁾. The Member States and the Commission shall recognise the legal effectiveness and admissibility of the electronic signature used in SFC2014 as evidence in legal proceedings.

Information processed through SFC2014 shall respect the protection of privacy and personal data for individuals and commercial confidentiality for legal entities in accordance with Directive 2002/58/EC of the European Parliament and of the Council ⁽²⁾, Directive 2009/136/EC of the European Parliament and of the Council ⁽³⁾, Directive 1995/46/EC and Regulation (EC) No 45/2001.

Article 4

Characteristics of SFC2014

In order to ensure the efficient and effective electronic exchange of information, SFC2014 shall have the following characteristics:

- (a) interactive forms or forms pre-filled by the system on the basis of the data already recorded in the system previously;
- (b) automatic calculations, where they reduce the encoding effort of users;
- (c) automatic embedded controls to verify internal consistency of transmitted data and consistency of this data with applicable rules;
- (d) system generated alerts warning SFC2014 users that certain actions can or cannot be performed;
- (e) online status tracking of the treatment of information entered into the system;
- (f) availability of historical data in respect of all information entered for an operational programme.

Article 5

Transmission of data through SFC2014

1. SFC2014 shall be accessible to the Member States and the Commission either directly through an interactive user-interface (i.e. a web-application) or via a technical interface using pre-defined protocols (i.e. web-services) that allows for automatic synchronisation and transmission of data between Member States information systems and SFC2014.

⁽¹⁾ Directive 1999/93/EC of the European Parliament and of the Council of 13 December 1999 on a Community framework for electronic signatures (OJ L 13, 19.1.2000, p. 12).

⁽²⁾ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

⁽³⁾ Directive 2009/136/EC of the European Parliament and of the Council of 25 November 2009 amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 337, 18.12.2009, p. 11).

2. The date of electronic transmission of the information by the Member State to the Commission and vice versa shall be considered to be the date of submission of the document concerned.

3. In the event of *force majeure*, a malfunctioning of SFC2014 or a lack of a connection with SFC2014 exceeding one working day in the last week before a regulatory deadline for the submission of information or in the period from 23 to 31 December, or five working days at other times, the information exchange between the Member State and the Commission may take place in paper form using the models, formats and templates referred to in Article 2(1) of this Regulation.

When the electronic exchange system ceases to malfunction, the connection with that system is re-established or the cause of *force majeure* ceases, the party concerned shall enter without delay the information already sent in paper form also into SFC2014.

4. In cases referred to in paragraph 3 the date stamped by the post shall be considered to be the date of submission of the document concerned.

Article 6

Security of data transmitted through SFC2014

1. The Commission shall establish an information technology security policy (hereinafter referred to as 'SFC IT security policy') for SFC2014 applicable to personnel using SFC2014 in accordance with relevant Union rules, in particular Commission Decision C(2006) 3602 ⁽¹⁾ and its implementing rules. The Commission shall designate a person or persons responsible for defining, maintaining and ensuring the correct application of the security policy to SFC2014.

2. Member States and European institutions other than the Commission, who have received access rights to SFC2014, shall comply with the IT security terms and conditions published in the SFC2014 portal and the measures that are implemented in SFC2014 by the Commission to secure the transmission of data, in particular in relation to the use of the technical interface referred to in Article 5(1) of this Regulation.

3. Member States and the Commission shall implement and ensure the effectiveness of the security measures adopted to protect the data they have stored and transmitted through SFC2014.

4. Member States shall adopt national, regional or local information security policies covering access to SFC2014 and automatic input of data into it, ensuring a minimum set of security requirements. These national, regional or local IT security policies can refer to other security documents. Each Member State shall ensure that these IT security policies apply to all authorities using SFC2014.

5. These national, regional or local IT security policies shall include:

- (a) the IT security aspects of the work performed by the person or persons responsible for managing the access rights referred to in Article 3(3) of this Regulation in case of application of direct use;
- (b) in case of national, regional or local computer systems connected to SFC2014, through a technical interface referred to in Article 5(1) of this Regulation the security measures for those systems allowing to be aligned with SFC2014 security requirements.

For the purposes of point (b) of the first subparagraph, the following aspects shall be covered, as appropriate:

- (a) physical security;
- (b) data media and access control;
- (c) storage control;
- (d) access and password control;
- (e) monitoring;
- (f) interconnection with SFC2014;

⁽¹⁾ Commission Decision C(2006) 3602 of 16 August 2006 concerning the security of information systems used by the European Commission.

- (g) communication infrastructure;
- (h) human resources management prior to employment, during employment and after employment;
- (i) incident management.

6. These national, regional or local IT security policies shall be based on a risk assessment and the measures described shall be proportionate to the risks identified.

7. The documents setting out the national, regional or local IT security policies shall be made available to the Commission upon request.

8. Member States shall designate, at a national level, a person or persons responsible for maintaining and ensuring the application of the national, regional or local IT security policies. That person or these persons shall act as a contact point with the person or persons designated by the Commission and referred to in Article 6(1) of this Regulation.

9. Both the SFC IT security policy and the relevant national, regional and local IT security policies shall be updated in the event of technological changes, the identification of new threats or other relevant developments. In any event, they shall be reviewed on an annual basis to ensure that they continue to provide an appropriate response.

CHAPTER II

FINAL PROVISION

Article 7

This Regulation shall enter into force on the 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, 5 May 2014.

For the Commission
The President
José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 464/2014**of 6 May 2014**

derogating from Council Regulation (EC) No 1967/2006 as regards the minimum distance from the coast and the minimum sea depth for boat seines fishing for sand eel (*Gymnammodytes cicerelus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*) in certain territorial waters of Spain (Catalonia)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1967/2006 of 21 December 2006 concerning management measures for the sustainable exploitation of fishery resources in the Mediterranean Sea, amending Regulation (EEC) No 2847/93 and repealing Regulation (EC) No 1626/94 ⁽¹⁾, and in particular Article 13(5) thereof,

Whereas:

- (1) Article 13(1) of Regulation (EC) No 1967/2006 prohibits the use of towed gears within 3 nautical miles of the coast or within the 50 m isobath where that depth is reached at a shorter distance from the coast.
- (2) At the request of a Member State, the Commission may allow a derogation from the prohibition set out in Article 13(1) of Regulation (EC) No 1967/2006, provided that a number of conditions set out in Article 13(5) and (9) are fulfilled.
- (3) On 17 October 2013 the Commission received a request for derogation from Spain to Article 13(1) of that Regulation, for the use of boat seines fishing for sand eel (*Gymnammodytes cicerelus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Crystallogobius linearis*), within its territorial waters in the Catalan region.
- (4) Spain provided up-to-date scientific and technical justifications for the derogation.
- (5) The Scientific, Technical and Economic Committee for Fisheries (STECF) has assessed the derogation requested by Spain and the related draft management plan at its plenary session held from 4 to 8 November 2013.
- (6) The derogation requested by Spain complies with the conditions set out in Article 13(5) and (9) of Regulation (EC) No 1967/2006.
- (7) There are specific geographical constraints, given both the limited size of the continental shelf and the spatial distribution of the target species which limit the fishing grounds.
- (8) The fishery has no significant impact on marine environment and is very selective, since the seines are hauled in the water column and do not touch the seabed because collection of material from the seabed would damage the target species and make the selection of the fished species virtually impossible due to their very small size.
- (9) The derogation requested by Spain affects a limited number of only 26 vessels.
- (10) The fishery cannot be undertaken with other gears since there is no other regulated gear that, due to its structure, technical characteristics and the type of mesh used, can capture the target species.
- (11) The management plan guarantees no future increase in the fishing effort, as fishing authorisations will be issued only to specified 26 vessels involving a total effort of 1 106,35 kW that are already authorised by Spain.
- (12) The request covers vessels registered in the maritime census managed by the Autonomous Community of Catalonia which have a track record in the fishery of more than five years and which operate under a management plan adopted by Spain on 27 March 2014 ⁽²⁾ in accordance with Article 19(2) of Regulation (EC) No 1967/2006.

⁽¹⁾ OJ L 409, 30.12.2006, p. 11.

⁽²⁾ Diari Oficial de la Generalitat de Catalunya No 6591 of 27.3.2014, page 1.

- (13) Those vessels are included on a list communicated to the Commission in line with the requirements of Article 13(9) of Regulation (EC) No 1967/2006.
- (14) The fishing activities concerned fulfil the requirements of Article 4 of Regulation (EC) No 1967/2006 since the related management plan explicitly prohibits to fish above protected habitats.
- (15) The requirements of Article 8(1)(h) of Regulation (EC) No 1967/2006 are not applicable since they relate to trawlers.
- (16) As regards the requirement to comply with Article 9(3) establishing the minimum mesh size, the Commission notes that given the fishing activities concerned are highly selective, have a negligible effect on the marine environment and are not carried out above protected habitats, in line with Article 9(7) of Regulation (EC) No 1967/2006 Spain authorised a derogation from these provisions in its management plan.
- (17) The fishing activities concerned fulfil the recording requirements set out in Article 14 of Council Regulation (EC) No 1224/2009 ⁽¹⁾.
- (18) The fishing activities concerned do not interfere with the activities of vessels using gears other than trawls, seines or similar towed nets.
- (19) The activity of boat seines is regulated in the Spanish management plan to ensure that catches of species mentioned in Annex III are minimal.
- (20) Boat seines do not target cephalopods.
- (21) The Spanish management plan includes measures for the monitoring of fishing activities, as provided for in the third subparagraph of article 13(9) of Regulation (EC) No 1967/2006.
- (22) The requested derogation should therefore be granted.
- (23) Spain should report to the Commission in due time and in accordance with the monitoring plan provided for in the Spanish management plan.
- (24) A limitation in duration of the derogation should be introduced, to allow prompt corrective management measures in case the report to the Commission will show a poor conservation status of the exploited stock.
- (25) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

Derogation

Article 13(1) of Regulation (EC) No 1967/2006 shall not apply in territorial waters of Spain adjacent to the coast of the Catalan region to fishing for sand eel (*Gymnammodytes cicerelus* and *G. semisquamatus*) and gobies (*Aphia minuta* and *Cryptogobius linearis*) by boat seines which are used by vessels:

- (a) registered in the maritime census managed by the Autonomous Community of Catalonia;
- (b) having a track record in the fishery of more than five years; and
- (c) holding a fishing authorization and operating under the management plan adopted by Spain in accordance with Article 19(2) of Regulation (EC) No 1967/2006.

⁽¹⁾ Council Regulation (EC) No 1224/2009 of 20 November 2009 establishing a Community control system for ensuring compliance with the rules of the common fisheries policy, amending Regulations (EC) No 847/96, (EC) No 2371/2002, (EC) No 811/2004, (EC) No 768/2005, (EC) No 2115/2005, (EC) No 2166/2005, (EC) No 388/2006, (EC) No 509/2007, (EC) No 676/2007, (EC) No 1098/2007, (EC) No 1300/2008, (EC) No 1342/2008 and repealing Regulations (EEC) No 2847/93, (EC) No 1627/94 and (EC) No 1966/2006 (OJ L 343, 22.12.2009, p. 1).

*Article 2***Monitoring plan and reporting**

Spain shall communicate to the Commission, within three years following the entry into force of this Regulation, a report drawn up in accordance with the monitoring plan established in the management plan referred to in Article 1(c).

*Article 3***Entry into force and period of application**

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

It shall apply until 8 May 2017.

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

Done at Brussels, 6 May 2014.

For the Commission

The President

José Manuel BARROSO

COMMISSION IMPLEMENTING REGULATION (EU) No 465/2014**of 6 May 2014****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 multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in 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, 6 May 2014.

*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	MA	37,5
	MK	101,4
	TN	109,1
	TR	97,3
	ZZ	86,3
0707 00 05	MA	35,6
	MK	51,1
	TR	125,0
0709 93 10	ZZ	70,6
	MA	70,8
	TR	113,5
	ZA	31,4
	ZZ	71,9
0805 10 20	EG	47,3
	IL	73,9
	MA	45,0
	TN	68,6
	TR	63,3
0805 50 10	ZZ	59,6
	MA	35,6
	TR	96,3
	ZZ	66,0
0808 10 80	AR	109,1
	BR	87,6
	CL	115,7
	CN	98,6
	MK	30,8
	NZ	135,5
	US	158,7
	ZA	111,3
	ZZ	105,9

⁽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

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 16 April 2014

on the mobilisation of the European Globalisation Adjustment Fund, in accordance with Point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2012/004 ES/Grupo Santana from Spain)

(2014/253/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund ⁽¹⁾, and in particular Article 12(3) thereof,

Having regard to Regulation (EU) no 1309/2013 of the European Parliament and the Council of 17 December 2013 on the European Globalisation Fund (2014-2020) and repealing Regulation (EC) no 1927/2006 ⁽²⁾, and in particular Article 23, second subparagraph, thereof,

Having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 ⁽³⁾, and in particular Article 12 thereof,

Having regard to the Interinstitutional Agreement between the European Parliament, the Council and the Commission of 2 December 2013 on budgetary discipline, on cooperation in budgetary matters and on sound financial management ⁽⁴⁾, and in particular point 13 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.
- (2) The EGF shall not exceed a maximum annual amount of EUR 150 million (2011 prices), as laid down in Article 12 of Regulation (EU, Euratom) No 1311/2013.
- (3) Spain submitted an application to mobilise the EGF on 16 May 2012 in respect of redundancies in the enterprise Grupo Santana and 15 suppliers and downstream producers and supplemented it by additional information up to 28 November 2013. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006. The Commission, therefore, proposes to mobilise an amount of EUR 1 964 407.
- (4) Notwithstanding Regulation (EC) No 1927/2006 being repealed, it shall continue to apply for applications submitted up to 31 December 2013 by virtue of Article 23, second subparagraph of Regulation (EU) No 1309/2013.
- (5) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by Spain,

⁽¹⁾ OJ L 406, 30.12.2006, p. 1.

⁽²⁾ OJ L 347, 20.12.2013, p. 855.

⁽³⁾ OJ L 347, 20.12.2013, p. 884.

⁽⁴⁾ OJ C 373, 20.12.2013, p. 1.

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2014, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 1 964 407 in commitment and payment appropriations.

Article 2

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

Done at Strasbourg, 16 April 2014.

For the European Parliament

The President

M. SCHULZ

For the Council

The President

D. KOURKOULAS

DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**of 16 April 2014****on the mobilisation of the European Globalisation Adjustment Fund, in accordance with Point 13 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management (application EGF/2012/007 IT/VDC Technologies from Italy)**

(2014/254/EU)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Regulation (EC) No 1927/2006 of the European Parliament and of the Council of 20 December 2006 establishing the European Globalisation Adjustment Fund ⁽¹⁾, and in particular Article 12(3) thereof,Having regard to Regulation (EU) no 1309/2013 of the European Parliament and the Council of 17 December 2013 on the European Globalisation Fund (2014-2020) and repealing Regulation (EC) no 1927/2006 ⁽²⁾, and in particular Article 23, second subparagraph, thereof,Having regard to Council Regulation (EU, Euratom) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020 ⁽³⁾, and in particular Article 12 thereof,Having regard to the Interinstitutional Agreement between the European Parliament, the Council and the Commission of 2 December 2013 on budgetary discipline, on cooperation in budgetary matters and on sound financial management ⁽⁴⁾, and in particular point 13 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The European Globalisation Adjustment Fund (EGF) was established to provide additional support for workers made redundant as a result of major structural changes in world trade patterns due to globalisation and to assist them with their reintegration into the labour market.
- (2) The EGF shall not exceed a maximum annual amount of EUR 150 million (2011 prices), as laid down in Article 12 of Regulation (EU, Euratom) No 1311/2013.
- (3) Italy submitted an application to mobilise the EGF on 31 August 2012 in respect of redundancies in the enterprise VDC Technologies SpA and one supplier and supplemented it by additional information up to 6 September 2013. This application complies with the requirements for determining the financial contributions as laid down in Article 10 of Regulation (EC) No 1927/2006. The Commission, therefore, proposes to mobilise an amount of EUR 3 010 985.
- (4) Notwithstanding Regulation (EC) No 1927/2006 being repealed, it shall continue to apply for applications submitted up to 31 December 2013 by virtue of Article 23, second subparagraph of Regulation (EU) No 1309/2013.
- (5) The EGF should, therefore, be mobilised in order to provide a financial contribution for the application submitted by Italy,

⁽¹⁾ OJ L 406, 30.12.2006, p. 1.⁽²⁾ OJ L 347, 20.12.2013, p. 855.⁽³⁾ OJ L 347, 20.12.2013, p. 884.⁽⁴⁾ OJ C 373, 20.12.2013, p. 1.

HAVE ADOPTED THIS DECISION:

Article 1

For the general budget of the European Union for the financial year 2014, the European Globalisation Adjustment Fund shall be mobilised to provide the sum of EUR 3 010 985 in commitment and payment appropriations.

Article 2

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

Done at Strasbourg, 16 April 2014.

For the European Parliament

The President

M. SCHULZ

For the Council

The President

D. KOURKOULAS

COMMISSION IMPLEMENTING DECISION
of 29 April 2014
establishing the Work Programme for the Union Customs Code
(2014/255/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code ⁽¹⁾, and in particular Article 281 thereof,

Whereas:

- (1) Article 280 of Regulation (EU) No 952/2013 laying down the Union Customs Code (hereinafter referred to as 'the Code') provides that the Commission is to draw up a work programme relating the development and deployment of the electronic systems. The work programme is in particular important for the establishment of the transitional measures related to the electronic systems and the timing for the cases where systems are not yet operational by the date of application of the Code, i.e. 1 May 2016.
- (2) The Code provides that all exchange of information between customs authorities and between economic operators and customs authorities and storage of such information is to be made using electronic data processing techniques and that information and communication systems are to offer the same facilities to economic operators in all Member States. The work programme should therefore set out an extensive plan for the implementation of electronic systems in order to ensure the correct application of the Code.
- (3) Accordingly, the work programme should contain a list of the electronic systems which should be developed by the Member States and the Commission, in close cooperation, in order for the Code to become applicable in practice. That list is based on the existing planning document related to all IT related customs projects, called the multi-annual strategic plan ('MASP'), which is drawn up in accordance with Decision No 70/2008/EC of the European Parliament and of the Council ⁽²⁾ and in particular Article 4 and Article 8(2) thereof. The electronic systems referred to in the work programme should be subject to the same project management approach and prepared and developed as established in the MASP.
- (4) The work programme should define and describe the electronic systems as well as the related legal basis, the key milestones and the envisaged dates for starting operations. These dates should be referred to as 'target start dates of deployment'. The date of deployment of the electronic systems should constitute the target end date of the transitional period.
- (5) The electronic systems referred to in the work programme should be selected in view of their expected impact in terms of the priorities defined in the Code. One of the main priorities in this regard is to be able to offer economic operators a wide range of electronic customs services throughout the customs territory of the Union. Furthermore, the electronic systems should aim at enhancing the efficiency, effectiveness and harmonisation of customs processes across the Union. The order of and the timetable for the deployment of the systems included in the work programme should be based on practical and project management considerations such as the spreading of efforts and resources, the interconnection between the projects, the specific prerequisites of each system and the project maturity. As such, the work programme aims to plan and manage the development of the electronic systems in a proper and staged manner.

⁽¹⁾ OJ L 269, 10.10.2013, p. 1.

⁽²⁾ Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade (OJ L 23, 26.1.2008, p. 21).

- (6) As the electronic systems referred to in Article 16(1) of the Code are to be developed, deployed and maintained by the Member States, in cooperation with the Commission, the Commission and the Member States should work together to ensure that the preparation and implementation of the electronic systems are managed in line with the work programme and that appropriate measures are taken to plan, design, develop and deploy the systems identified in a coordinated and timely manner.
- (7) In order to ensure synchronicity between the work programme and the MASP the work programme should be updated at the same time as the MASP.
- (8) The measures provided for in this decision are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS DECISION:

Article 1

Subject matter

This Decision lays down the work programme as provided for in Article 280(1) of Regulation (EU) No 952/2013 laying down the Union Customs Code ('the Code').

The work programme is annexed to this Decision.

Article 2

Implementation

1. The Commission and the Member States shall take the necessary actions to cooperate and implement the work programme.
2. The projects specified in the work programme and the preparation and implementation of the related electronic systems shall be managed in a manner consistent with the work programme.
3. The Commission shall undertake to search for a common understanding and agreement with the Member States on the project scope, design, requirements and architecture of the electronic systems in order to initiate the projects of the work programme. Where relevant, the Commission shall also consult and take the views of the economic operators into account.

Article 3

Updates

1. The work programme shall be subject to regular updates in order to ensure alignment and adjustments with the latest developments in the implementation of the Code and to take into account the actual progress made in the preparation and development of the electronic systems, and in particular as regards the availability of commonly agreed specifications and the realisation of the entering into operation of the electronic systems.
2. In order to ensure synchronicity between the work programme and the multi-annual strategic plan ('MASP') the work programme shall be updated at least every year.

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, 29 April 2014.

For the Commission

The President

José Manuel BARROSO

ANNEX

THE WORK PROGRAMME FOR THE UNION CUSTOMS CODE**I. Introduction to the work programme**

The purpose of the work programme is to provide for an instrument to support the application of the Code relating to the development and deployment of the electronic systems.

The work programme will support the development of the electronic systems required by Article 6(1) and govern the setting up of transitional periods as referred to in Article 278 of the Code. The work programme relates to the necessary cooperation between the Commission and the Member States in the development and deployment of the electronic systems according to what is provided for in Article 16(1) of the Code.

The work programme shall be understood as follows:

1. It relates to the development and deployment of the electronic systems referred to in Article 16(1) of the Code;
2. It takes into consideration the priorities defined in Article 280(2) of the Code;
3. It lists the electronic systems referred to in Article 16(1) which are necessary for the application of the provisions of the Code and for which a transitional period is to be envisaged, from the date of application of the Code but not beyond 31 December 2020;
4. It specifies per project:
 - (a) a high level description of the project and the related electronic system;
 - (b) the legal basis for the electronic system (related legal provisions of the Code);
 - (c) the key milestone in terms of target date of the technical specifications, to be understood as the completion date of the stable technical specifications, updated and available to the Member States after review;
 - (d) the envisaged operational date of the electronic system, referred to as the target start date of deployment of the electronic system, being equal to the end date of the transitional period.

The description of the electronic systems in the work programme is based on the requirements for those systems, which can be derived from the descriptions in the Code, at the time of drawing up the work programme.

In order to implement the work programme, the Commission will initiate the specific projects related to electronic systems by means of business analysis activities in close collaboration with the Member States. In view of the further elaboration into the IT technical part of the projects, the Commission will, in close cooperation with the Member States, define common specifications for the envisaged electronic systems. The Member States and the Commission will ensure the development and deployment of the systems, including testing and migration activities, in line with the defined system architecture and specifications. The Commission and the Member States will also collaborate with other stakeholders such as the economic operators.

The projects will be rolled out in different phases from elaboration to construction, testing and migration to final operation. The role of the Commission and the Member States in these different phases will depend on the nature and architecture of the systems and its components or services as described in the detailed project fiches of the Multi-Annual Strategic Plan (MASP). Where appropriate, common technical specifications will be defined by the Commission, in close cooperation with and subject to review with the Member States, with a view to provide them 24 months prior to the target start date of deployment of the electronic system.

The Member States and the Commission will engage in the development and deployment of the systems, including implementation support activities such as training and communication activities. The activities will be carried out in respect of the milestones and dates stated in the work programme. The economic operators will take the necessary steps to be able to make use of the systems once in place.

II. The work programme (for the Union Customs Code)

‘UCC Projects and related Electronic Systems’ List of projects related to the development and deployment of electronic systems required for the application of the Code	Legal base	Key milestone	Target start date of deployment of the electronic system ⁽¹⁾
1. Registered Exporter System (REX) The project aims to make available up-to-date information on Registered Exporters established in GSP countries exporting goods to the EU. The system will also include data about EU traders for the purpose of supporting exports to GSP countries.	Article 6(1), 16 and 64 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q1 2015	1.1.2017
2. UCC BTI/Surveillance 2+ The project aims at providing an upgrade of the BTI system and Surveillance 2 system to ensure the <ul style="list-style-type: none"> — alignment of the EBTI-3 system to the UCC requirements, — extension of Surveillance data, — monitoring of the compulsory BTI usage, — monitoring and management of BTI extended usage. The project will be implemented in two phases. The first phase will cover the core parts to fulfil the obligation of BTI usage control by means of a reduced dataset and the alignment to the customs decisions process. The second phase will implement the full scope for monitoring by means of a full data set and will provide for traders an EU harmonised trader interface to submit the BTI application and receive the BTI decision electronically.	Article 6(1), 16, 22, 23, 26, 27, 28, 33 and 34 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q2 2015 (phase 1) = Q3 2016 (phase 2)	1.3.2017 (phase 1) 1.10.2018 (phase 2)
3. UCC Customs Decisions The project aims to harmonise the processes related to the application for a customs decision, the decision taking and the decision management through standardisation and electronic management of application and decision/authorisation data across the European Union. The system will facilitate consultations during the decision taking period and the management of the authorisations process.	Article 6(1), 16, 22, 23, 26, 27 and 28 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q3 2015	2.10.2017
4. Direct trader access to the European Information Systems (Uniform user management & digital signature) The goal of this project is to provide working solutions for a direct and EU harmonised trader access as a service to be integrated in the electronic customs systems as defined in the specific UCC projects such as UCC BTI/Surveillance 2+ and UCC Customs Decisions. It includes support for identity, access and user management compliant with the necessary security policies, potentially complemented by the support for digital signatures.	Article 6(1) and 16 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q4 2015	2.10.2017

<p>'UCC Projects and related Electronic Systems'</p> <p>List of projects related to the development and deployment of electronic systems required for the application of the Code</p>	Legal base	Key milestone	Target start date of deployment of the electronic system ⁽¹⁾
<p>5. UCC Proof of Union Status (PoUS)</p> <p>The project aims at the creation of a new European wide Information System to store, manage and retrieve the Proof of Union Status document. It envisages replacing the paper form T2L by electronic means.</p>	Article 6(1), 16 and 153 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q3 2015	2.10.2017
<p>6. UCC Authorised Economic Operators (AEO) update</p> <p>The project aims to improve the business processes related to AEO applications and authorisations taking into account the changes of the legal provisions of the UCC and the harmonisation of the customs decision taking procedure.</p>	Article 6(1), 16, 22, 23, 26, 27, 28, 38 and 39 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q1 2016	1.3.2018
<p>7. UCC Surveillance 3</p> <p>This project aims at providing an upgrade of the Surveillance 2+ system to ensure its alignment to the UCC requirements such as the standard exchange of information by electronic data-processing techniques and the establishment of adequate functionalities needed for processing and analysing the full surveillance dataset obtained from Member States.</p> <p>Therefore it will include further data mining capabilities and reporting functionalities to be made available to Commission and Member States.</p>	Article 6(1), 16 and 56(5) of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q3 2016	1.10.2018
<p>8. UCC New Computerised Transit System (NCTS) update</p> <p>The aim of this project is to align the existing NCTS system to the new UCC requirements such as the alignment of information exchanges to UCC data requirements and the update and development of interfaces with other systems.</p>	Article 6(1), 16 and 226 - 236 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q3 2016	1.10.2018
<p>9. UCC Automated Export System (AES)</p> <p>The aim of the project is to further develop the existing Export Control System in order to implement a full AES that would cover the business requirements for processes and data brought about by the UCC, inter alia, the coverage of simplified procedures, split exit consignments and centralised clearance for export. It is also envisaged to cover the development of harmonised interfaces with Excise Movement System (EMCS) and NCTS. As such, AES will enable the full automation of export procedures and exit formalities.</p>	Article 6(1), 16, 179 and 263 - 276 of Regulation (EU) No 952/2013 laying down the Union Customs Code	Target date of technical specifications = Q3 2016	1.3.2019

<p>'UCC Projects and related Electronic Systems'</p> <p>List of projects related to the development and deployment of electronic systems required for the application of the Code</p>	Legal base	Key milestone	Target start date of deployment of the electronic system ⁽¹⁾
<p>10. UCC Information Sheets (INF) for Special Procedures</p> <p>The aim of this project is to develop a new centralised system to support and streamline the processes of INF data management and the electronic handling of INF data in the domain of Special Procedures.</p>	<p>Article 6(1), 16, 215, 237 - 242 and 250 - 262 of Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>Target date of technical specifications = Q3 2017</p>	<p>1.10.2019</p>
<p>11. UCC Special Procedures</p> <p>This project aims at accelerating, facilitating and harmonising Special Procedures across the Union by means of providing common business process models. This project will aim to implement all UCC changes required for customs warehousing, end-use, temporary admission, inward and outward processing. As regards the electronic solutions for handling Special Procedures data, these will be mainly established at national level.</p>	<p>Article 6(1), 16, 215, 237 - 242 and 250 - 262 of Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>Target date of technical specifications = Q1 2017</p>	<p>1.10.2019</p>
<p>12. UCC Notification of Arrival, Presentation Notification and Temporary Storage</p> <p>The goal of this project is to define the processes for Notification of Arrival of the means of transport, Presentation Notification and Declaration for Temporary Storage and to support harmonisation in this respect across Member States as regards the data exchange between trade and customs and, where required, between customs administrations. Where the processes do not involve more than one Member State, the process implementation is solely a national matter.</p>	<p>Article 6(1), 16 and 133 - 152 of Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>Target date of technical specifications = Q3 2017</p>	<p>2.3.2020</p>
<p>13. UCC Centralised Clearance for Import (CCI)</p> <p>This project aims to allow for goods to be placed under customs procedure using Centralised Clearance, allowing economic operators to centralise their business from a customs viewpoint. The processing of the customs declaration and the physical release of the goods should be coordinated between the related customs offices.</p>	<p>Article 6(1), 16 and 179 of Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>Target date of technical specifications = Q1 2017</p>	<p>1.10.2020</p>
<p>14. UCC Guarantee Management (GUM)</p> <p>This project aims to assure the effective and efficient management of valid comprehensive guarantees that may be used in more than one Member State and the monitoring of the reference amount for each customs declaration, supplementary declaration or an appropriate information of the particulars needed for the entry in the accounts for the existing customs debts for all customs procedures as provided for in the Union Customs Code, except Transit which is handled as part of the NCTS project.</p>	<p>Article 6(1), 16 and 89 - 100 of Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>Target date of technical specifications = Q1 2018</p>	<p>2.3.2020</p>

<p>'UCC Projects and related Electronic Systems'</p> <p>List of projects related to the development and deployment of electronic systems required for the application of the Code</p>	<p>Legal base</p>	<p>Key milestone</p>	<p>Target start date of deployment of the electronic system ⁽¹⁾</p>
<p>15. UCC Safety and Security and Risk Management</p> <p>The goal of this project is to strengthen the safety & security of the supply chain in areas that have been identified, in all modes of transport and especially air cargo, by means of improving data quality, data filing, and data availability and sharing. The full risk analysis framework will also be improved by optimising the cargo data put at the disposal of customs authorities and the exchange of risk related information. It will lead to changes to systems such as the Import Control System and the Community Risk Management System with possible extension to new modules.</p>	<p>Article 6(1), 16, 46 and 127 - 132 of the Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>To be defined in the next version of the work programme</p>	<p>To be defined in the next version of the work programme based on the Roadmap ⁽²⁾</p>
<p>16. UCC Classification (CLASS)</p> <p>The project aims at developing a tariff classification information system with a consultation module which would provide a single platform where all the classification information (regardless of the nature) is made available and easy accessible. This will enable economic operators, in particular SMEs, and MS' customs authorities to find more easily the relevant classification information.</p>	<p>Article 6(1), 16(1) and 57 of Regulation (EU) No 952/2013 laying down the Union Customs Code</p>	<p>To be defined in the next version of the work programme</p>	<p>To be defined in the next version of the work programme</p>

⁽¹⁾ This target date for starting the deployment of the electronic systems equals to the end date of the transitional period.

⁽²⁾ The time table for the projects related to the developments in the area of risk management is to be considered in an update of the work programme in line with the Commission's ongoing work on the strategy and action plan as a follow up to the Council Conclusions on Strengthening the Security of the Supply Chain and Customs Risk Management (8761/3/13, Rev.3, 18 June 2013).

Graphical Overview

UCC Projects related to electronic systems	Target date of deployment	S1 2017	S2 2017	S1 2018	S2 2018	S1 2019	S2 2019	S1 2020	S2 2020
1. UCC Registered Exporter System (REX)	1.1.2017								
2. UCC Binding Tariff Information System (BTI) Update Phase 1	1.3.2017								
Phase 2	1.10.2018								
3. UCC Customs Decisions	2.10.2017								
4. Direct trader access to European Information Systems (Uniform user management & digital signature)	2.10.2017								
5. UCC Proof of Union Status (PoUS)	2.10.2017								
6. UCC AEO updates	1.3.2018								
8. UCC Surveillance 3	2.10.2018								
7. UCC New Computerised Transit System (NCTS) update	1.10.2018								
9. UCC Automated Export System (AES)	1.3.2019								
10. UCC Information Sheets (INF) for Special Procedures	1.10.2019								
11. UCC Special Procedures	1.10.2019								
12. UCC Notification of arrival, presentation notification and temporary storage	2.3.2020								
13. UCC Centralised Clearance for Import (CCI)	2.10.2020								
14. UCC Guarantee Management	2.10.2020								
15. UCC Safety and Security and Risk Management	TBD								
16. UCC Classification (CLASS)	TBD								

