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## I

*(Legislative acts)*

## DECISIONS

**COUNCIL DECISION (EU) 2017/2269****of 7 December 2017****establishing a Multiannual Framework for the European Union Agency for Fundamental Rights for 2018–2022**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 352 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the consent of the European Parliament <sup>(1)</sup>,

Acting in accordance with a special legislative procedure,

Whereas:

- (1) In order for the European Union Agency for Fundamental Rights (the 'Agency') to carry out its tasks properly, a Multiannual Framework is to be adopted by the Council every five years, determining the thematic areas of the Agency's activity in accordance with Council Regulation (EC) No 168/2007 <sup>(2)</sup>.
- (2) The first Multiannual Framework was established by Council Decision 2008/203/EC <sup>(3)</sup>. The second Multiannual Framework was established by Council Decision 252/2013/EU <sup>(4)</sup>.
- (3) The Multiannual Framework should be conducted only within the scope of Union law.
- (4) The Multiannual Framework should be in line with the Union's priorities, taking due account of the orientations resulting from the European Parliament resolutions and Council conclusions in the field of fundamental rights.
- (5) The Multiannual Framework should have due regard to the Agency's financial and human resources.

<sup>(1)</sup> Consent of 1 June 2017 (not yet published in the Official Journal).

<sup>(2)</sup> Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (OJ L 53, 22.2.2007, p. 1).

<sup>(3)</sup> Council Decision 2008/203/EC of 28 February 2008 implementing Regulation (EC) No 168/2007 as regards the adoption of a Multiannual Framework for the European Union Agency for Fundamental Rights for 2007-2012 (OJ L 63, 7.3.2008, p. 14).

<sup>(4)</sup> Council Decision 252/2013/EU of 11 March 2013 establishing a Multiannual Framework for 2013-2017 for the European Union Agency for Fundamental Rights (OJ L 79, 21.3.2013, p. 1).

- (6) The Multiannual Framework should include provisions for the purpose of ensuring complementarity with the remit of other Union bodies, offices and agencies, as well as with the Council of Europe and other international organisations active in the field of fundamental rights. The most relevant Union bodies, offices and agencies in relation to this Multiannual Framework are: the European Asylum Support Office (EASO), established by Regulation (EU) No 439/2010 of the European Parliament and of the Council <sup>(1)</sup>; the European Border and Coast Guards Agency (Frontex), established by Council Regulation (EC) No 2007/2004 <sup>(2)</sup> and renamed by Regulation (EU) 2016/1624 of the European Parliament and of the Council <sup>(3)</sup>; the European Migration Network, established by Council Decision 2008/381/EC <sup>(4)</sup>; the European Institute for Gender Equality (EIGE), established by Regulation (EC) No 1922/2006 of the European Parliament and of the Council <sup>(5)</sup>; the European Data Protection Supervisor (EDPS), established by Regulation (EC) No 45/2001 of the European Parliament and of the Council <sup>(6)</sup>; the European Union Agency for Network and Information Security (ENISA), established by Regulation (EU) No 526/2013 of the European Parliament and of the Council <sup>(7)</sup>; Eurojust, established by Council Decision 2002/187/JHA <sup>(8)</sup>; the European Police Office (Europol), established by Council Decision 2009/371/JHA <sup>(9)</sup>; the European Union Agency for Law Enforcement Training (CEPOL), established by Regulation (EU) 2015/2219 of the European Parliament and of the Council <sup>(10)</sup>; the European Foundation for the improvement of living and working conditions (Eurofound), established by Regulation (EEC) No 1365/75 of the Council <sup>(11)</sup>; and the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), established by Regulation (EU) No 1077/2011 of the European Parliament and of the Council <sup>(12)</sup>.
- (7) The thematic areas of the Agency's work should include fight against racism, xenophobia and related intolerance.
- (8) In view of the importance of the fight against poverty and social exclusion for the Union, which has made it one of the five targets of the Europe 2020 growth strategy, the Agency should take into consideration the economic and social preconditions enabling an effective enjoyment of fundamental rights when collecting and disseminating data within the thematic areas established by this Decision.
- (9) The Commission, when preparing its proposal, consulted the Management Board of the Agency and received a written opinion on 1 March 2016. The Agency's Management Board was further consulted at its meeting on 19 and 20 May 2016.
- (10) The Agency, upon a request from the European Parliament, the Council or the Commission, and as long as its financial and human resources so permit, can work outside the thematic areas determined in the Multiannual Framework, in accordance with Article 5(3) of Regulation (EC) No 168/2007,

<sup>(1)</sup> Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office (OJ L 132, 29.5.2010, p. 11).

<sup>(2)</sup> Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (OJ L 349, 25.11.2004, p. 1).

<sup>(3)</sup> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

<sup>(4)</sup> Council Decision 2008/381/EC of 14 May 2008 establishing a European Migration Network (OJ L 131, 21.5.2008, p. 7).

<sup>(5)</sup> Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality (OJ L 403, 30.12.2006, p. 9).

<sup>(6)</sup> 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).

<sup>(7)</sup> Regulation (EU) No 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security (ENISA) and repealing Regulation (EC) No 460/2004 (OJ L 165, 18.6.2013, p. 41).

<sup>(8)</sup> Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime (OJ L 63, 6.3.2002, p. 1).

<sup>(9)</sup> Council Decision 2009/371/JHA of 6 April 2009 establishing the European Police Office (Europol) (OJ L 121, 15.5.2009, p. 37).

<sup>(10)</sup> Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA (OJ L 319, 4.12.2015, p. 1).

<sup>(11)</sup> Regulation (EEC) No 1365/75 of the Council of 26 May 1975 on the creation of a European Foundation for the improvement of living and working conditions (OJ L 139, 30.5.1975, p. 1).

<sup>(12)</sup> Regulation (EU) No 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (OJ L 286, 1.11.2011, p. 1).

HAS ADOPTED THIS DECISION:

#### *Article 1*

### **Multiannual Framework**

1. A Multiannual Framework for the European Union Agency for Fundamental Rights (the 'Agency') is established for the period 2018–2022.
2. The Agency shall, in accordance with Article 3 of Regulation (EC) No 168/2007, carry out the tasks defined in Article 4(1) of that Regulation within the thematic areas laid down in Article 2 of this Decision.

#### *Article 2*

### **Thematic areas**

The thematic areas shall be the following:

- (a) victims of crime and access to justice;
- (b) equality and discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation, or on the grounds of nationality;
- (c) information society and, in particular, respect for private life and protection of personal data;
- (d) judicial cooperation, except in criminal matters;
- (e) migration, borders, asylum and integration of refugees and migrants;
- (f) racism, xenophobia and related intolerance;
- (g) rights of the child;
- (h) integration and social inclusion of Roma.

#### *Article 3*

### **Complementarity and cooperation with other bodies**

1. In order to implement the Multiannual Framework, the Agency shall ensure appropriate cooperation and coordination with relevant Union institutions, bodies, offices and agencies, Member States, international organisations and civil society, in accordance with Articles 6, 7, 8 and 10 of Regulation (EC) No 168/2007.
2. The Agency shall deal with issues relating to discrimination based on gender only as part of, and to the extent relevant to, its work to be undertaken on the general issues of discrimination referred to in point (b) of Article 2, taking into account that it is for the European Institute for Gender Equality (EIGE) to collect data on gender equality and gender discrimination. The Agency and EIGE shall cooperate in accordance with the cooperation agreement of 22 November 2010.
3. The Agency shall cooperate with other Union bodies, offices and agencies such as: the European Foundation for the improvement of living and working conditions (Eurofound), in accordance with the cooperation agreement of 8 October 2009; the European Border and Coast Guards Agency (Frontex), in accordance with the cooperation agreement of 26 May 2010; the European Asylum Support Office (EASO), in accordance with the working arrangement of 11 June 2013; Eurojust, in accordance with the memorandum of understanding of 3 November 2014; and the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), in accordance with the working arrangement of 6 July 2016. It shall, moreover, cooperate with the European Police Office (Europol), the European Union Agency for Law Enforcement Training (CEPOL) and the European Migration Network in accordance with the future cooperation agreements. Cooperation with those bodies shall be limited to activities falling within the scope of the thematic areas laid down in Article 2.
4. The Agency shall carry out its tasks in relation to the information society and, in particular, the respect for private life and the protection of personal data, in cooperation with, and in a way that complements the work of the European Data Protection Supervisor (EDPS), the European Data Protection Board, the European Union Agency for Network and Information Security (ENISA) and the European Commission's Joint Research Centre (JRC).

5. The Agency shall coordinate its activities with those of the Council of Europe in accordance with Article 9 of Regulation (EC) No 168/2007 and the Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe <sup>(1)</sup>, referred to in that Article.

*Article 4*

**Entry into force**

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

It shall apply from 1 January 2018.

Done at Brussels, 7 December 2017.

*For the Council*

*The President*

A. ANVELT

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<sup>(1)</sup> Agreement between the European Community and the Council of Europe on cooperation between the European Union Agency for Fundamental Rights and the Council of Europe (OJ L 186, 15.7.2008, p. 7).

## II

*(Non-legislative acts)*

## INTERNATIONAL AGREEMENTS

**COUNCIL DECISION (EU) 2017/2270****of 9 October 2017****on the conclusion of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207 and 209, 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 <sup>(1)</sup>,

Whereas:

- (1) In accordance with Council Decision 2012/273/EU <sup>(2)</sup> the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, was signed on 30 April 2013, subject to its conclusion at a later date.
- (2) The Agreement should be approved,

HAS ADOPTED THIS DECISION:

*Article 1*

The Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, is hereby approved on behalf of the Union.

The text of the Agreement is attached to this Decision.

*Article 2*

The High Representative of the Union for Foreign Affairs and Security Policy shall chair the Joint Committee provided for in Article 56 of the Agreement.

The Union or, as the case may be, the Union and the Member States shall be represented in the Joint Committee depending on the subject matter.

<sup>(1)</sup> Consent of 15 February 2017 (not yet published in the Official Journal).

<sup>(2)</sup> Council Decision 2012/273/EU of 14 May 2012 on the signing, on behalf of the Union, of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part (OJ L 134, 24.5.2012, p. 4).

*Article 3*

The President of the Council shall, on behalf of the Union, give the notification provided for in Article 63(1) of the Agreement <sup>(1)</sup>.

*Article 4*

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

Done at Luxembourg, 9 October 2017.

*For the Council*  
*The President*  
S. KIISLER

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<sup>(1)</sup> 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.



**FRAMEWORK AGREEMENT**  
**on Partnership and Cooperation between the European Union and its Member States, of the one**  
**part, and Mongolia, of the other part**

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

and

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on the European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States',

of the one part, and

THE GOVERNMENT OF MONGOLIA, hereinafter referred to as 'Mongolia',

of the other part,

hereinafter jointly referred to as 'the Parties',

CONSIDERING the traditional links of friendship between the Parties and the close historical, political and economic ties which unite them,

WHEREAS the Parties attach particular importance to the comprehensive nature of their mutual relationship,

WHEREAS the Parties consider that this Agreement forms part of a wider and coherent relationship between them through agreements to which both sides are parties together,

REAFFIRMING the commitment of the Parties to, and their wish to strengthen, respect for democratic principles, the rule of law, human rights and fundamental freedoms, including the rights of persons belonging to minorities, as laid down, *inter alia*, in the United Nations Charter and the United Nations Universal Declaration on Human Rights and other relevant international human rights instruments,

REAFFIRMING their attachment to the principles of the rule of law, respect of international law, good governance and the fight against corruption, and their desire to promote economic and social progress for their peoples, taking into account the principle of sustainable development and environmental protection requirements,

REAFFIRMING their desire to enhance cooperation between the Parties, based on these shared values,

REAFFIRMING their desire to promote economic and social progress for their peoples, taking into account the principle of sustainable development in all its dimensions,

REAFFIRMING their commitment to promoting international peace and security and to engaging in effective multilateralism and the peaceful settlement of disputes, notably by cooperating to that end within the framework of the United Nations,

REAFFIRMING their desire to enhance cooperation on political and economic issues, as well as on international stability, justice and security as a basic precondition to promoting sustainable social and economic development, the eradication of poverty and the achievement of the Millennium Development Goals,

WHEREAS the Parties view terrorism as a threat to global security and wish to intensify their dialogue and cooperation in the fight against terrorism, in accordance with relevant UN Security Council instruments, particularly UNSC Resolution 1373. The European Security Strategy, adopted by the European Council in December 2003, identifies terrorism as a key threat to security. In this regard, the European Union has implemented key measures, including a Plan of Action on Combating Terrorism adopted in 2001 and updated in 2004, and a major Declaration on Combating Terrorism of 25 March 2004 in the wake of the Madrid attacks. The European Union also adopted an EU Counter-Terrorism Strategy in December 2005,

EXPRESSING their full commitment to prevent and combat all forms of terrorism and to stepping up cooperation in the fight against terrorism, and to fight against organised crime,

WHEREAS the Parties reaffirm that effective counter-terrorism measures and protection of human rights are complementary and mutually reinforcing,

REAFFIRMING that the most serious crimes of concern to the international community must not go unpunished and that their effective prosecution must be ensured by taking measures at national level and by enhancing global collaboration,

CONSIDERING that the establishment and effective functioning of the International Criminal Court constitute an important development for peace and international justice and that the Council of the European Union adopted on 16 June 2003 a Common Position on the ICC which has been followed up by an Action Plan, adopted on 4 February 2004,

WHEREAS the Parties share the view that the proliferation of weapons of mass destruction and their means of delivery pose a major threat to international security and wish to strengthen their dialogue and cooperation in this area. The adoption by consensus of UNSC Resolution 1540 underlies the commitment of the whole international community to fight against proliferation of weapons of mass destruction. The Council of the European Union adopted, on 17 November 2003, an EU policy of mainstreaming non-proliferation policies into EU relations with third countries. The European Council also adopted, on 12 December 2003, a Strategy to fight against proliferation,

WHEREAS the European Council expressed that Small Arms and Light Weapons (SALW) constitute a growing threat to peace, security and development and adopted on 13 January 2006 a Strategy to combat the illicit accumulation of SALW and their ammunition. In this Strategy, the European Council emphasized the need to ensure a comprehensive and consistent approach of security and development policy,

EXPRESSING their full commitment to promoting all aspects of sustainable development, including, environmental protection and effective cooperation to combat climate change, food security as well as effective promotion and implementation of internationally recognised labour and social standards,

UNDERLINING the importance of deepening relations and cooperation in areas such as readmission, asylum and visa policy, and of addressing jointly migration and human trafficking,

REITERATING the importance of trade for their bilateral relations and in particular of trade in raw materials and underlining their engagement to agree specific rules on raw materials in the Sub-Committee on Trade and Investment,

NOTING that the provisions of this Agreement that fall within the scope of Part Three, Title V of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties, and not as part of the European Union, unless the European Union together with the UK and/or Ireland have jointly notified Mongolia that the United Kingdom or Ireland is bound as part of the European Union in accordance with 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 the Treaty on the Functioning of the European Union. If the United Kingdom and/or Ireland ceases to be bound as part of the European Union in accordance with Article 4a of the Protocol No. 21, the European Union together with the UK and/or Ireland shall immediately inform Mongolia of any change in their position in which case they shall remain bound by the provisions of the agreement in their own right. The same applies to Denmark in accordance with the Protocol annexed to those Treaties on the position of Denmark,

CONFIRMING their commitment to strengthening the existing relationship with a view to enhancing cooperation between them, and their common will to consolidate, deepen and diversify their relations in areas of interest on the basis of equality, non-discrimination and mutual benefit,

HAVE AGREED AS FOLLOWS:

#### TITLE I

### NATURE AND SCOPE

#### *Article 1*

### **General principles**

1. Respect for democratic principles and human rights, as laid down in the Universal Declaration of Human Rights and other relevant international human rights instruments, and for the principle of the rule of law, underpins the internal and international policies of both Parties and constitutes an essential element of this Agreement.
2. The Parties confirm their shared values as expressed in the Charter of the United Nations.
3. The Parties confirm their commitment to promoting all aspects of sustainable development, cooperating to address the challenges of climate change as well as globalisation and to contributing to the internationally agreed development goals, including those contained in the Millennium Development Goals. The Parties reaffirm their attachment to a high level of environmental protection and inclusive social structures.
4. The Parties reaffirm their commitment to the Paris Declaration of 2005 on Aid Effectiveness and agree to strengthen cooperation with a view to further improving development performance.

5. The Parties reaffirm their attachment to the principles of good governance, including the independence of the judiciary and the fight against corruption.

## Article 2

### Aims of cooperation

With a view to strengthening their bilateral relationship, the Parties undertake to hold a comprehensive dialogue and promote further cooperation between them on all sectors of mutual interest. Their efforts will in particular be aimed at:

- (a) establishing cooperation on political and economic matters in all relevant regional and international *fora* and organisations;
- (b) establishing cooperation on the fight against serious crimes of international concern;
- (c) establishing cooperation on countering the proliferation of weapons of mass destruction and on small arms and light weapons;
- (d) developing trade and investment between the Parties to their mutual advantage; establishing cooperation in all trade and investment-related areas of mutual interest, in order to facilitate trade and investment flows and to prevent and remove obstacles to trade and investment;
- (e) establishing cooperation in the area of justice, freedom and security, including rule of law and legal cooperation, data protection, migration, smuggling and trafficking in human beings, combating organised crime, terrorism, transnational crimes, money laundering and illicit drugs;
- (f) establishing cooperation in all other sectors of mutual interest, notably macro-economic policy and financial services, taxation and customs, including good governance in the tax area, industrial policy and small and medium-sized enterprises (SMEs), information society, audiovisual and media, science and technology, energy, transport, education and culture, environment and natural resources, agriculture and rural development, health, employment and social affairs and statistics;
- (g) enhancing both Parties' participation in sub-regional and regional cooperation programmes open to the participation of the other Party;
- (h) raising the roles and profiles of the Parties in each other's region;
- (i) promoting people-to-people understanding through cooperation among various non-governmental entities such as think-tanks, academics, civil society, and the media, in the form of seminars, conferences, youth interaction and other activities;
- (j) promoting poverty eradication in the context of sustainable development and the progressive integration of Mongolia into the world economy.

## Article 3

### Countering the proliferation of weapons of mass destruction and their means of delivery

1. The Parties consider that the proliferation of weapons of mass destruction and their means of delivery, both to state and non-state actors, represents one of the most serious threats to international stability and security.

2. The Parties therefore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery through full compliance with and national implementation of their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations such as UN Security Council Resolution 1540. The Parties agree that this provision constitutes an essential element of the Agreement.

3. The Parties furthermore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction and their means of delivery by:

- taking steps to sign, ratify, or accede to, as appropriate, and fully implement all other relevant international instruments;

- establishing an effective system of national export controls, controlling the export and transit of WMD-related goods, including a WMD end-use control on dual use technologies and containing effective sanctions for breaches of export controls.
4. The Parties agree to establish a regular political dialogue that will accompany and consolidate these elements. Such dialogue may take place on a regional basis.

#### *Article 4*

### **Small arms and light weapons**

1. The Parties recognize that the illicit manufacture, transfer and circulation of small arms and light weapons, including their ammunition, and their excessive accumulation, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to peace and international security.
2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in small arms and light weapons, including their ammunition, under existing international agreements and UN Security Council resolutions, as well as their commitments within the framework of other international instruments applicable in this area, such as the UN Programme of Action to prevent, combat and eradicate the illicit trade in SALW in all its aspects.
3. The Parties undertake to cooperate and to ensure coordination, complementarity and synergy in their efforts to deal with the illicit trade in small arms and light weapons, including their ammunition, at global, regional, sub-regional and national levels and agree to establish regular political dialogue that will accompany and consolidate this undertaking.

#### *Article 5*

### **Serious crimes of international concern (the International Criminal Court)**

1. The Parties reaffirm that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national and international level, as appropriate, including the International Criminal Court. The Parties consider that establishing an effectively functioning International Criminal Court constitutes a significant development for international peace and justice.
2. The parties agree to cooperate and to take the necessary measures, as appropriate, in order to fully support the universality and integrity of the Rome Statute and related instruments and agree to strengthen their cooperation with the ICC. The parties undertake to implement the Rome Statute and to take the necessary steps to ratify the related instruments (such as the Agreement on the Privileges and Immunities of the ICC).
3. The Parties agree that a dialogue between them on these matters would be beneficial.

#### *Article 6*

### **Cooperation in combating terrorism**

1. The Parties, reaffirming the importance of the fight against terrorism, and in accordance with applicable international conventions, including international humanitarian and human rights, as well as with their respective legislation and regulations, and, taking into account the UN Global Counter-Terrorism Strategy, contained in the UN General Assembly Resolution no 60/288 of 8 September 2006 agree to cooperate in the prevention and suppression of terrorist acts.
2. The Parties shall do so in particular:
  - (a) in the framework of the full implementation of UN Security Council Resolutions 1373 and 1267 and its successor resolutions, including 1822, as well as other relevant UN resolutions, and their respective obligations under other relevant international conventions and instruments;
  - (b) by exchange of information on terrorists, terrorist groups and their support networks, in accordance with international and national law;

- (c) by exchanges of views on means and methods used to counter terrorism, including in technical fields and training, and by exchange of experiences in respect of terrorism prevention;
- (d) by cooperating to deepen the international consensus on the fight against terrorism including the legal definition of terrorist acts and in particular by working towards an agreement on the Comprehensive Convention on International Terrorism;
- (e) by sharing relevant best practices in the area of protection of human rights in the fight against terrorism;
- (f) by effectively implementing and enhancing their cooperation on counter-terrorism within the ASEM framework.

## TITLE II

### BILATERAL, REGIONAL AND INTERNATIONAL COOPERATION

#### Article 7

#### **Cooperation between Mongolia and the EU on principles, norms and standards**

1. The Parties agree to achieve European common principles, norms and standards in Mongolia, and to cooperate on promoting the exchange of information and sharing of experience with a view to introduction and implementation.
2. The Parties endeavour to strengthen the dialogue and cooperation between their Authorities on standardisation matters which, as agreed by the Parties, may include creation of cooperation framework which will facilitate the exchange of experts, information and expertise.

#### Article 8

#### **Cooperation in regional and international organisations**

1. The Parties undertake to exchange views and cooperate in regional and international *fora* and organisations such as the United Nations and relevant United Nations agencies, programmes and bodies, the World Trade Organisation (WTO), the Treaty on Amity and Cooperation (TAC) and the Asia-Europe Meeting (ASEM).
2. The Parties also agree to promote cooperation between think-tanks, academics, non-governmental organisations and the media in areas covered by this Agreement. Such cooperation may in particular include organisation of training schemes, workshops and seminars, exchanges of experts, studies, and other actions agreed by the Parties.

#### Article 9

#### **Regional and bilateral cooperation**

1. For each sector of dialogue and cooperation under this Agreement, and while giving due emphasis to matters under bilateral cooperation, both sides will agree to carry out the related activities at bilateral or regional level or through a combination of both frameworks. In choosing the appropriate framework, the Parties will seek to maximise the impact on and reinforce the involvement of all interested parties, while making the best possible use of available resources, taking account of the political and institutional feasibility, and ensuring coherence with other activities involving the European Union and other ASEM partners.
2. The Parties may, as appropriate, decide to extend financial support to cooperation activities in the areas covered by the Agreement or in relation to it, in accordance with their respective financial procedures and resources.

## TITLE III

### COOPERATION ON SUSTAINABLE DEVELOPMENT

#### Article 10

#### **General Principles**

1. The central objective of development cooperation is poverty reduction pursuing the Millennium Development Goals in the context of sustainable development and integration into the world economy. The Parties agree to hold a regular dialogue on development cooperation, in line with their respective priorities and areas of mutual interest.
2. The development cooperation strategies of the Parties shall aim at, *inter alia*:
  - (a) promoting human and social development;
  - (b) achieving sustained economic growth;

- (c) promoting environmental sustainability, regeneration and best practices, and the preservation of natural resources;
- (d) preventing and tackling the consequences of climate change;
- (e) supporting policies and instruments aimed at the further integration into the world economy and international trading system;
- (f) pursuing processes adhering to the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action, and other international commitments aimed at improving the delivery and effectiveness of aid.

#### *Article 11*

### **Economic development**

1. The Parties aim to promote balanced economic growth, poverty reduction and the reduction of social-economic disparities.
2. The Parties confirm their commitment to achieving the Millennium Development Goals and should reaffirm their commitment to the Paris Declaration of 2005 on Aid Effectiveness.
3. The Agreement should also aim to include commitments on social and environmental aspects of trade, reconfirming that trade should promote sustainable development in all its dimensions and it should promote the assessment of its economic, social and environmental impacts.

#### *Article 12*

### **Social development**

1. The Parties aim to underscore the need for mutually-reinforcing economic and social policies, highlight the key role of generating decent work and commit the Parties to supporting social dialogue.
2. The Parties aim to contribute to the effective implementation of International Labour Organisation (ILO) core labour standards, and to reinforce cooperation on employment and social issues.
3. The Parties furthermore aim to promote policies intended to guarantee availability and supplies of food for the population and of feed for the livestock, in an environmentally friendly and sustainable manner.

#### *Article 13*

### **Environment**

1. The Parties reaffirm the need for a high level of environmental protection and the conservation and management of natural resources and biological diversity, including forests, in pursuit of sustainable development.
2. The Parties aim to promote the ratification, implementation of and compliance with multilateral environmental agreements in the environmental area.
3. The Parties aim to reinforce cooperation on global environmental issues, in particular climate change.

#### TITLE IV

### **COOPERATION ON TRADE AND INVESTMENT ISSUES**

#### *Article 14*

### **General principles**

1. The Parties shall engage in a dialogue on bilateral and multilateral trade and trade-related issues with a view to strengthening bilateral trade relations and advancing the multilateral trade system.
2. The Parties undertake to promote the development and diversification of their reciprocal commercial exchanges to the highest possible level and to their mutual benefit. They undertake to achieve improved market access conditions by working towards the elimination of barriers to trade, in particular through the timely removal of non-tariff barriers and by taking measures to improve transparency, having regard to the work carried out by international organisations in this field.

3. Recognising that trade plays an indispensable role in development, and that assistance in the form of trade preferences schemes have proven beneficial to developing countries, the Parties shall endeavour to strengthen their consultation on such assistance, in full compliance with the WTO.
4. The Parties shall keep each other informed concerning the development of trade and trade-related policies such as agricultural policy, food safety policy, consumer policy and environmental policy.
5. The Parties shall encourage dialogue and cooperation to develop their trade and investment relations, including the solution of commercial problems, in, among other issues, the areas referred to under Articles 10 to 27.

#### *Article 15*

### **Sanitary and phytosanitary (SPS) issues**

1. The Parties shall cooperate on food safety and on sanitary and phytosanitary issues to protect human, animal or plant life or health in the territory of the Parties.
2. The Parties shall discuss and exchange information on their respective measures as defined in the World Trade Organization (WTO) Agreement on Sanitary and Phytosanitary measures (SPS), the International Plant Protection Convention (IPPC), the World Organisation for Animal Health (OIE) and the Codex Alimentarius Commission (Codex).
3. The Parties agree to enhance mutual understanding and cooperation on SPS matters and animal welfare. Such capacity building shall be specific to the needs of each Party and be conducted with an aim to assist such Party in complying with the other Party's legal framework.
4. The Parties shall establish a timely dialogue on SPS issues upon request by either Party to consider matters relating to SPS and other urgent related issues under this Article.

#### *Article 16*

### **Technical Barriers to Trade (TBT)**

The Parties shall promote the use of international standards and cooperate and exchange information on standards, conformity assessment procedures and technical regulations, especially within the framework of the WTO Agreement on Technical Barriers to Trade (TBT).

#### *Article 17*

### **Customs cooperation**

1. The Parties will pay special attention to increasing the security and safety dimension of international trade, including transport services, an effective and efficient customs enforcement of intellectual property rights, ensuring a balanced approach between trade facilitation and the fight against fraud and irregularities.
2. Without prejudice to other forms of cooperation, provided for under this Agreement, the Parties state their interest in considering, in the future, the conclusion of protocols on customs cooperation and mutual assistance, within the institutional framework laid down in this Agreement.

#### *Article 18*

### **Trade facilitation**

The Parties shall share experience in and examine possibilities to simplify import, export, transit and other customs procedures, increase the transparency of customs and trade regulations, develop customs cooperation and effective mutual administrative assistance mechanisms and seek convergence of views and joint action in the context of relevant international initiatives including trade facilitation.



*Article 19***Investment**

The Parties shall encourage a greater flow of investment through the development of an attractive and stable environment for reciprocal investment through a consistent dialogue, aimed at enhancing understanding and cooperation on investment issues, exploring administrative mechanisms to facilitate investment flows, and promoting stable, transparent, open and non-discriminatory rules for investors.

*Article 20***Competition policy**

The Parties shall promote the effective establishment and application of competition rules and the dissemination of information in order to foster transparency and legal certainty for enterprises operating in each other's markets. The Parties should exchange views on issues related to anti-competitive practice which could adversely affect bilateral trade and investment flows.

*Article 21***Services**

The Parties shall establish a consistent dialogue notably aimed at exchanging information on their respective regulatory environments, promoting access to each other's markets, promoting access to sources of capital and technology, and promoting trade in services between both regions and in third countries' markets.

*Article 22***Capital movements**

The Parties shall endeavour to facilitate the movement of capital in order to promote the objectives of the Agreement.

*Article 23***Government procurement**

The Parties shall aim to set procedural rules, including adequate transparency and challenge provisions that support the setting-up of an effective procurement system promoting optimal value for money in public purchasing and facilitate international trade.

The Parties shall work to achieve a reciprocal opening of their government procurement market, with a view to gaining mutual benefit.

*Article 24***Transparency**

The Parties recognise the importance of transparency and due process in the administration of their trade-related laws and regulations, and to this end they reaffirm their commitments as set out in Article X of the GATT 1994 and Article III of the GATS.

*Article 25***Raw materials**

1. The Parties agree to strengthen cooperation and promotion of mutual understanding between both sides in the field of raw materials.
2. This cooperation and promotion of mutual understanding should address topics such as the regulatory framework for raw materials sectors (including governance of mining income for socioeconomic development; and environmental protection and safety regulations in relation to the mining and raw material sectors) and trade in raw materials. With a view to foster greater cooperation and mutual understanding, either Party may request ad hoc meetings related to raw materials.

3. The Parties recognize that a transparent, non-discriminatory, non-distortive rules-based environment is the best way to create an environment favourable to foreign direct investment in the production and trade of raw materials.
4. The Parties, taking into account their respective economic policies and objectives and with a view to fostering trade, agree to promote cooperation in the removal of barriers to trade in raw materials.
5. Upon request by either Party, any matter concerning trade in raw materials could be raised and discussed during the Joint Committee and Subcommittee meetings, which shall have the power to take decisions thereon pursuant to Article 56 in line with the principles set out in the paragraphs above.

#### *Article 26*

### **Regional policy**

The Parties shall encourage the regional development policy.

#### *Article 27*

### **Intellectual property protection**

1. The Parties reaffirm the great importance they attach to the protection of intellectual property rights and undertake to establish the appropriate measures with a view to ensuring adequate and effective protection and enforcement of such rights, notably relating to the infringement of intellectual property rights.

Furthermore, the Parties agree to conclude as soon as possible a bilateral Agreement on Geographical Indications.

2. The Parties shall exchange information and experience on issues such as the practice, promotion, dissemination, streamlining, management, harmonisation, protection and effective application of intellectual property rights, the prevention of infringements of such rights, the fight against counterfeiting and piracy, namely through customs cooperation and other appropriate forms of cooperation, and the establishment and strengthening of organisations for the control and protection of such rights. The Parties shall assist each other in improving intellectual property protection, utilisation and commercialisation based upon the European experience, and enhancing dissemination of knowledge thereof.

#### *Article 28*

### **Subcommittee on Trade and Investment**

1. A Subcommittee on Trade and Investment is hereby established.
2. The Subcommittee shall assist the Joint Committee in the performance of its tasks, by dealing with all areas covered by this Chapter.
3. The Subcommittee shall establish its rules of procedure.

#### TITLE V

### **COOPERATION IN THE AREA OF JUSTICE, FREEDOM AND SECURITY**

#### *Article 29*

### **Rule of law and legal cooperation**

1. In their cooperation in the area of justice, freedom and security the Parties shall attach particular importance to the consolidation of the rule of law and the reinforcement of institutions at all levels in the areas of law enforcement and the administration of justice in particular.
2. Cooperation between the Parties will also include mutual exchange of information concerning legal systems and legislation. The Parties shall endeavour to develop mutual legal assistance within the existing legal framework.

## Article 30

**Protection of personal data**

1. The Parties agree to cooperate in order to improve the level of protection of personal data to the highest international standards, such as those contained, *inter alia*, in the UN Guidelines for the Regulation of Computerized Personal Data Files (UN General Assembly Resolution 45/95 of 14 December 1990).
2. Cooperation on protection of personal data may include, *inter alia*, technical assistance in the form of exchange of information and expertise.

## Article 31

**Cooperation on migration**

1. Parties shall establish cooperation aimed at preventing illegal immigration and illegal presence of physical persons of their nationality on their respective territories.
2. In the framework of the cooperation to prevent illegal immigration, the Parties agree to readmit, without undue delay, their nationals who do not, or who no longer fulfil the conditions in force for entry to, presence in or residence on the territory of the other Party. To this end, the Parties will provide their nationals with appropriate identity documents for such purposes. Where the person to be readmitted does not possess any documents or other proofs of his or her nationality, the competent diplomatic and consular representations of the Member State concerned or Mongolia shall, upon request by Mongolia or the Member State concerned, make arrangements to interview the person in order to establish his or her nationality.
3. The EU will assist financially with the implementation of this understanding through relevant bilateral cooperation instruments.
4. Parties agree to negotiate, upon request by either Party, an agreement between the EU and Mongolia regulating the specific obligations for readmission of their nationals, and including an obligation for nationals of other countries and stateless persons.

## Article 32

**Cooperation against illicit drugs**

1. The Parties shall cooperate to ensure a balanced approach through effective coordination between the competent authorities including from the health, justice, customs and interior sectors and other relevant sectors, with the aim of reducing the supply of, trafficking in and demand for illicit drugs, and with due regard to human rights. This cooperation shall also aim to reduce drug related harm, to address synthetic drug production, trafficking and use and to achieve a more effective prevention of diversion of drug precursors used for the illicit manufacture of narcotic drugs and psychotropic substances.
2. The Parties shall agree on means of cooperation to attain these objectives. Actions shall be based on commonly agreed principles along the lines of the relevant international conventions, the Political Declaration and the Special Declaration on the Guiding Principles of Drug Demand Reduction, approved by the Twentieth United Nations General Assembly Special Session (UNGASS) on Drugs in June 1998 and the Political Declaration and Plan of Action adopted at the 52<sup>nd</sup> session of the United Nations Commission on Narcotic Drugs in March 2009.
3. The cooperation between the Parties shall comprise technical and administrative assistance in particular in the following areas: drafting of national legislation and policies; establishment of national institutions and information centres; support for civil society efforts in the area of drugs and efforts to reduce demand for, and the harm from drugs; training of personnel; drug-related research; and prevention of diversion of drug precursors used for the illicit manufacture of narcotic drugs and psychotropic substances. The Parties may agree to include other areas.

*Article 33***Cooperation against organised crime and corruption**

The Parties agree to cooperate in combating organised, economic and financial crime as well as corruption. Such cooperation aims in particular at implementing and promoting relevant international standards and instruments such as the UN Convention against Transnational Organised Crime and its supplementing Protocols and the UN Convention against Corruption.

*Article 34***Cooperation in combating money laundering and terrorism financing**

1. The Parties agree on the need to work towards and to cooperate on preventing the use of their financial system and designated non-financial businesses and professions to launder the proceeds of all criminal activities such as drug trafficking and corruption.
2. Both Parties agree to promote technical and administrative assistance aimed at the development and implementation of regulations and the efficient functioning of mechanisms to combat money laundering and terrorism financing. In particular, cooperation shall allow exchanges of relevant information within the framework of respective legislations and the adoption of appropriate standards to combat money laundering and the financing of terrorism equivalent to those adopted by the Union and the international bodies active in this area, such as the Financial Action Task Force (FATF).

## TITLE VI

**COOPERATION IN OTHER SECTORS***Article 35***Cooperation in human rights**

1. The Parties agree to cooperate in the promotion and effective protection of human rights, including with regard to the ratification and implementation of international human rights instruments.
2. Such cooperation may include, *inter alia*:
  - (a) supporting the development and implementation of a national action plan on human rights;
  - (b) human rights promotion and education;
  - (c) strengthening of national and regional human rights-related institutions;
  - (d) the establishment of a meaningful, broad-based human rights dialogue;
  - (e) strengthening of cooperation within the human rights-related institutions of the United Nations.

*Article 36***Cooperation on financial services**

1. The Parties agree to achieve closer common rules and standards, and to strengthen cooperation with a view to improving accounting, supervisory and regulatory systems of banking, insurance and other parts of the financial sector.
2. The Parties shall cooperate to develop legal regulatory framework, infrastructure, and human resources as well as to introduce corporate governance and international standards on accounting into the capital market of Mongolia within the framework of bilateral cooperation in accordance with the GATS and WTO Commitment on Mutual Understanding Paper of Financial services.

*Article 37***Economic policy dialogue**

1. The Parties agree to cooperate on promoting the exchange of information on their respective economic trends and policies, and the sharing of experience with the coordination of economic policies in the context of regional economic cooperation and integration.

2. The Parties endeavour to deepen the dialogue between their authorities on economic matters which, as agreed by the Parties, may include areas such as monetary policy, fiscal policy, including business taxation, public finance, and macroeconomic stabilisation and external debt.

3. The Parties shall cooperate and promote a mutual understanding between both sides in the field of economic diversification and industrial development.

#### Article 38

### Good governance in the tax area

With a view to strengthening and developing economic activities while taking into account the need to develop an appropriate regulatory framework, the Parties recognise and commit themselves to implement the principles of good governance in the tax area as subscribed to by Member States at Union level. To that effect, without prejudice to Union and Member States' competences, the Parties will improve international cooperation in the tax area, facilitate the collection of legitimate tax revenues, and develop measures for the effective implementation of the abovementioned principles.

#### Article 39

### Industrial policy and SME cooperation

The Parties, taking into account their respective economic policies and objectives, agree to promote industrial policy cooperation in all fields deemed suitable, with a view to improving the competitiveness of small and medium-sized enterprises, *inter alia* through:

- (a) exchanging information and experience on creating framework conditions for small and medium-sized enterprises to improve their competitiveness;
- (b) promoting contacts between economic operators, encouraging joint investments and establishing joint ventures and information networks notably through existing European Union horizontal programmes, stimulating in particular transfers of soft and hard technology between partners;
- (c) providing information and stimulating innovation and exchanging good practices on access to finance, including for micro- and small enterprises;
- (d) facilitating and supporting the relevant activities established by the private sectors of both sides;
- (e) promoting decent work, corporate social responsibility and accountability and encouraging responsible business practices, including sustainable consumption and production. This cooperation shall also take account of the consumer dimension, such as product information and the consumer's role in the market;
- (f) joint research projects in selected industrial areas and cooperation on standards and conformity assessment procedures and technical regulations, as mutually agreed;
- (g) assistance through information on modernizing techniques and technologies of leather processing waste water cleaning facilities;
- (h) exchanging information and recommending partners and cooperation opportunities in the field of trade and investment through mutually accessible existing networks;
- (i) supporting cooperation between both sides' private businesses, especially between SMEs;
- (j) considering to negotiate an additional agreement on information exchanges, workshops on intensifying cooperation and other promotional events between SMEs of both sides;
- (k) providing information on technical assistance for exporting food and agricultural products to the European market within the scope of the preferential system of the European Union.

#### Article 40

##### **Tourism**

1. Guided by the World Tourism Organization's Global Code of Ethics for Tourism, and by the sustainability principles underpinning the 'Local Agenda 21 process', the Parties shall aim to improve the exchange of information and establish best practice in order to ensure the balanced and sustainable development of tourism.
2. The Parties agree to develop cooperation on safeguarding and maximising the potential of natural and cultural heritage, mitigating the negative impacts of tourism, and enhancing the positive contribution of the tourism business to the sustainable development of local communities, *inter alia* by developing eco-tourism, while respecting the integrity and interests of local and indigenous communities, and improving training in the tourism industry.

#### Article 41

##### **Information society**

1. Recognising that information and communication technologies are key elements of modern life and of vital importance to economic and social development, the Parties endeavour to exchange views on their respective policies in this field with a view to promoting economic development.
2. Cooperation in this area shall, *inter alia*, focus on:
  - (a) participation in the comprehensive regional dialogue on the different aspects of the information society, in particular electronic communications policies and regulation including universal service, licensing and general authorisations, protection of privacy and personal data, and the independence and efficiency of the regulatory authority;
  - (b) interconnection and interoperability of the Parties' and Asian networks and services;
  - (c) standardisation and dissemination of new information and communications technologies;
  - (d) promotion of research cooperation between the Parties in the area of information and communications technologies;
  - (e) cooperation on digital television including exchange of experiences on deployment, regulatory aspects and in particular spectrum management and research;
  - (f) cooperation on joint research projects in the area of information and communications technologies;
  - (g) security aspects of information and communications technologies as well as fighting cyber crime;
  - (h) conformity assessment of telecommunications, including radio equipment;
  - (i) cooperation on broadband network development;
  - (j) exchange of information on competition policy of information and communications technologies.

#### Article 42

##### **Audiovisual and media**

The Parties will encourage, support and facilitate exchanges, cooperation and dialogue between their relevant institutions and agents in the areas of audiovisual and media. They agree to establish a regular policy dialogue in these areas.

#### Article 43

##### **Scientific and technological cooperation**

1. The Parties agree to cooperate in the field of scientific research and technological development (RTD) in areas of mutual interest and benefit.
2. The aims of such cooperation shall be to:
  - (a) encourage exchanges of information and sharing of know-how on science and technology, including on the implementation of policies and programmes;
  - (b) promote research partnerships between the Parties' scientific communities, research centres, universities and industry;

- (c) promote training and mobility of researchers;
  - (d) encourage the participation of their respective higher education institutions, research centres and industry, including small and medium-sized enterprises in their respective RTD programmes.
3. Cooperation may take the form of joint research projects and exchanges, meetings and training of researchers through international training and mobility schemes and exchange programmes, providing for the maximum dissemination of the results of research, learning and best practices.
4. These cooperation activities shall be in accordance with the laws and regulations of both parties. They are based on the principles of reciprocity, fair treatment and mutual benefit, and ensure an effective protection of intellectual property.
5. The Parties agree to make all efforts to increase public awareness about possibilities offered by their respective programmes for science and technology cooperation.

#### Article 44

### Energy

1. The Parties shall endeavour to enhance cooperation in the energy sector with a view to:
- (a) enhancing energy security including by diversifying energy supplies and developing new, sustainable, innovative and renewable forms of energy, including, *inter alia*, biofuels and biomass, wind and solar energy as well as hydro power generation and supporting the development of appropriate policy frameworks to create favourable conditions for investment and a level playing field for renewable energy and its integration into relevant policy areas;
  - (b) achieving rational use of energy with contributions from both supply and demand sides by promoting energy efficiency in energy production, transportation, distribution and end-use;
  - (c) promoting the application of internationally recognised standards of nuclear safety, security, non-proliferation and safeguards;
  - (d) fostering the transfer of technology aimed at sustainable energy production and use;
  - (e) enhancing capacity-building and facilitating investment in the field based on transparent, non-discriminatory, market-compatible rules.
2. To these ends, the Parties agree to promote contacts and joint research to mutual benefit of the Parties particularly through relevant regional and international frameworks. With reference to Article 43 and the conclusions of the World Summit on Sustainable Development (WSSD), which took place in Johannesburg in 2002, the Parties note the need to address the links between affordable access to energy services and sustainable development. These activities can be promoted in cooperation with the European Union Energy Initiative, launched at the WSSD.
3. Trade in nuclear materials will be conducted in accordance with the provisions of the Treaty establishing the European Atomic Energy Community. If necessary, trade in nuclear materials shall be subject to the provisions of a specific Agreement to be concluded between the European Atomic Energy Community and Mongolia.

#### Article 45

### Transport

1. The Parties agree to cooperate in relevant areas of transport policy with a view to improving investment opportunities and the movement of goods and passengers, promoting aviation safety and security, combating piracy, protecting the environment protection, and increasing the efficiency of their transport systems.
2. Cooperation between the Parties in this area shall aim to promote:
- (a) exchanges of information on their respective transport policies and practices, especially regarding urban and rural transport, aviation, transport logistics and the interconnection and interoperability of multimodal transport networks as well as the management of road, railways and airports;

- (b) matters pertaining to satellite navigation with a focus on regulatory, industrial, and market development issues of mutual benefit. In this regard, consideration will be paid to the European global satellite navigation systems EGNOS and Galileo;
- (c) a dialogue in the field of air transport services with a view to examine the development of relations in areas such as aviation safety, security, environment, air traffic management, application of competition law and economic regulation of the air transport industry, with a view of supporting regulatory approximation and removal of obstacles to doing business. Civil aviation cooperation projects of mutual interest should be further promoted. On this basis, the Parties will explore the possible scope for closer cooperation in the area of civil aviation;
- (d) reduction of greenhouse gas emissions from the transport sector;
- (e) the implementation of security, safety and environmental standards, notably as regards aviation, in line with the relevant international conventions;
- (f) cooperation in the appropriate international *fora* aiming to ensure better enforcement of international regulations and to pursue the objectives laid down in this Article.

#### Article 46

### Education and culture

1. The Parties agree to promote education and cultural cooperation that duly respects their diversity, in order to increase mutual understanding and the knowledge of their respective cultures. To this end the Parties will support and promote the activities of their cultural institutes and civil society.
2. The Parties endeavour to take appropriate measures to promote cultural exchanges and carry out joint initiatives in various cultural spheres including cooperation in heritage conservation with respect to cultural diversity.
3. The Parties agree to consult and cooperate in relevant international *fora*, such as UNESCO, in order to pursue common objectives and promote cultural diversity as well as the protection of cultural heritage. With regard to cultural diversity, the Parties also agree to promote the ratification and implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, adopted on 20 October 2005.
4. The Parties shall furthermore place emphasis on measures designed to create links between their respective specialist agencies and to encourage exchanges of information, know-how, students, experts, youth and youth workers and technical resources, taking advantage of the facilities offered by European Union programmes in Asia in the area of education and culture as well as the experience that both Parties have acquired in this area. Both sides also agree to promote the implementation of relevant programmes for higher education such as the Erasmus Mundus programme with a view to promoting cooperation and modernisation in higher education, and to encourage academic mobility.

#### Article 47

### Environment, climate change and natural resources

1. The Parties agree on the need to conserve and manage in a sustainable manner natural resources and biological diversity as a basis for the development of current and future generations.
2. The Parties agree that cooperation in this area shall promote the conservation and improvement of the environment in pursuit of sustainable development. The outcome of the World Summit on Sustainable Development and the implementation of relevant multilateral environmental agreements shall be taken into account in all activities undertaken by the Parties under this Agreement.
3. The Parties agree to cooperate in the area of climate change in order to adapt to the negative effects of climate change, to mitigate greenhouse gas emissions and to set their economies on sustainable low-carbon growth paths. In this context, the Parties will explore the use of carbon market mechanisms.
4. The Parties agree to cooperate with a view to enhancing the mutual effectiveness of trade and environment policies, and the integration of environmental considerations into all sectors of cooperation.



5. The Parties endeavour to continue and strengthen their cooperation in regional programmes on protection of the environment, specifically as regards:

- (a) promoting environmental awareness and enhanced local participation, including participation of indigenous and local communities, in environmental protection and sustainable development efforts;
- (b) tackling climate change in particular as regards impacts on environment and natural resources;
- (c) capacity building for participating in and implementing multilateral environment agreements including biodiversity and biosafety and chemical hazards;
- (d) promoting and deploying environmental technologies, products and services, including through the use of regulatory and ecologically sound instruments;
- (e) improved forest governance including combating illegal logging and associated trade and the promotion of sustainable forest management;
- (f) prevention of illegal transboundary movement of solid and hazardous waste and products of living modified organisms;
- (g) improving ambient air quality, environmentally sound management of waste, sustainable water resource management and chemicals management, and promoting sustainable consumption and production;
- (h) protection and conservation of soils and sustainable land management;
- (i) effective management of national parks and the designation and protection of areas of biodiversity and fragile ecosystems, with due regard for local and indigenous communities living in or near these areas.

6. The Parties shall encourage mutual access to their programmes in this field, in accordance with the specific terms of such programmes:

- (a) establishment of the monitoring network for water reserve and its modernization;
- (b) introduction of technology for water desalination and re-usage;
- (c) development of eco-tourism.

#### *Article 48*

### **Agriculture, livestock, fisheries and rural development**

The Parties agree to encourage dialogue in agriculture, livestock, fisheries and rural development. The Parties will exchange information and develop relationships on:

- (a) agricultural policy and international food and agricultural outlook in general;
- (b) the possibilities for facilitating trade in plants, animals, livestock and their products, in view of the further development of light industries in the rural sector;
- (c) animal and livestock welfare;
- (d) rural development policy;
- (e) exchange of experience and cooperation networks between local agents or economic operators in particular areas such as research and technology transfer;
- (f) health and quality policy on plant, animal and livestock, in particular Protected Geographical Indications;
- (g) cooperation proposals and initiatives submitted to international agricultural organizations;
- (h) the development of sustainable and environmentally-friendly agriculture including crop production, bio-fuel and the transfer of bio-technology;
- (i) plant variety protection, seed technology, agricultural biotechnology;
- (j) the development of databases and information network on agriculture and livestock;
- (k) training on agriculture and veterinary sector.

*Article 49***Health**

1. The Parties agree to cooperate in the health sector covering the areas of health system reform, major communicable diseases and other health threats, non-communicable diseases, and international health agreements with a view to improving health conditions and raising the level of public health.
2. Cooperation shall take place mainly through:
  - (a) comprehensive programmes aimed at systemic reform of the health sector, including the improvement of health systems, health services, health conditions and health information;
  - (b) joint activities on epidemiology, including collaboration in the early prevention of health threats such as avian and pandemic influenza and other major communicable diseases;
  - (c) prevention and control of non-communicable diseases through exchange of information and good practices, promoting healthy lifestyle, addressing major health determinants such as nutrition, addiction to drugs, alcohol, tobacco;
  - (d) promoting the implementation of international health agreements, such as the Framework Convention on Tobacco Control and the International Health Regulations.

*Article 50***Employment and social affairs**

1. The Parties agree to enhance cooperation in the field of employment and social affairs, including cooperation on regional and social cohesion, health and safety at the workplace, gender equality and decent work, with a view to strengthening the social dimension of globalisation.
2. The Parties reaffirm the need to support the process of globalisation which is beneficial to all and to promote full and productive employment and decent work as a key element of sustainable development and poverty reduction, as endorsed by UN General Assembly Resolution 60/1 of 24 October 2005 (World Summit Outcome) and the Ministerial Declaration of the High-Level Segment of the UN Economic and Social Council of July 2006 (UN Economic and Social Council E/2006/L.8 of 5 July 2006). The Parties shall take into account the respective characteristics and diverse nature of their economic and social situations.
3. The Parties reaffirm their commitments to fully respect and effectively implement internationally recognised core labour and social standards, as laid down in particular in the 1998 ILO Declaration on Fundamental Rights and Principles at Work and in the 2008 ILO Declaration on Social Justice for a Fair Globalisation. The implementation of relevant multilateral social and labour agreements shall be taken into account in all activities undertaken by the Parties under this Agreement. The Parties agree to cooperate and to provide technical assistance as appropriate with a view to ratifying and effectively implementing all ILO conventions covered by the 1998 ILO Declaration and other relevant conventions.
4. The forms of cooperation may include, *inter alia*, specific programs and projects, as mutually agreed, as well as dialogue, cooperation and initiatives on topics of common interest at bilateral or multilateral level, such as the ILO.

*Article 51***Statistics**

1. The Parties agree to promote the harmonisation of statistical methods and practice including the gathering and dissemination of statistics, thus enabling them to use, on a mutually acceptable basis, statistics on trade in goods and services and, more generally, on any other area covered by this agreement which lends itself to statistical collecting, processing, analyzing and disseminating.
2. The Parties agree to promote the establishment of direct contact between the relevant authorities with a view to: strengthening friendly cooperation in the field of statistics; strengthening capacity-building of the statistical bodies by modernising and improving the quality of the statistical system; strengthening human resources; training in all relevant areas; and supporting the National Statistical Systems organised in accordance with internationally established practices, including the necessary infrastructures.

3. The cooperation shall cover fields of mutual interest with emphasis on
  - I. Economic Statistics:
    - (a) National Accounts
    - (b) Business statistics and registration
    - (c) Statistics of agriculture / farming, animal husbandry, rural development
    - (d) Environment and mineral reserve
    - (e) Industry
    - (f) Foreign trade in goods and services
    - (g) Statistics of wholesale and retail trade
    - (h) Revision policy
    - (i) Food security
    - (j) Balance of payments
  - II. Social Statistics:
    - (a) Gender statistics
    - (b) Migration statistics
    - (c) Household survey
  - III. Information technology
    - (a) Exchange of experiences on electronic technology and methodology for provision of information security, protection, storage and privacy and introduction of these experiences
    - (b) Exchange of experiences on establishing of online database for consumers based on the user friendly website and training in this area
    - (c) Support the IT specialists of the National Statistics Office of Mongolia in establishing the information database
    - (d) Cooperation on engagement with users in educating them about the information database

#### *Article 52*

#### **Civil society**

1. The Parties recognise the role and potential contribution of organised civil society, especially academics, in the dialogue and cooperation process under this Agreement and agree to promote effective dialogue with organised civil society and its effective participation.
2. Subject to the legal and administrative provisions of each Party, organised civil society may:
  - (a) participate in the policy-making process at country level, according to democratic principles;
  - (b) be informed of and participate in consultations on development and cooperation strategies and sectoral policies, particularly in areas concerning it, including all stages of the development process;
  - (c) receive financial resources, insofar as the internal rules of each Party so allow, and capacity building support in critical areas;
  - (d) participate in the implementation of cooperation programmes in the areas that concern it.

#### *Article 53*

#### **Cooperation on the modernisation of the state and public administration**

The Parties agree to cooperate with a view to the modernisation of the public administration. Cooperation in this area shall focus on:

- (a) improving organisational efficiency;
- (b) increasing institutions' effectiveness in service delivery;

- (c) ensuring transparent management of public resources and accountability;
- (d) improving the legal and institutional framework;
- (e) building capacities for policy design and implementation (public service delivery, budget composition and execution, anti-corruption);
- (f) reinforcing the judiciary systems; and
- (g) reforming the security system.

#### Article 54

### **Cooperation on the disaster risk management (DRM)**

1. The Parties agree to increase cooperation on DRM in the continuous development and implementation of measures to reduce the risk of communities and manage the consequence of natural disasters across all levels of society. Preventive actions and a proactive approach in dealing with hazards and risks with reducing risks and vulnerabilities to natural disasters, should be given emphasis.
2. Cooperation in this area shall focus on the following program elements:
  - (a) disaster risk reduction or prevention and mitigation;
  - (b) knowledge management, innovation, research, and education to build a culture of safety and resilience at all levels;
  - (c) disaster preparedness;
  - (d) policy, institutional capacity and consensus building for disaster management;
  - (e) disaster response;
  - (f) disaster risks assessment and monitoring.

#### TITLE VII

### **MEANS OF COOPERATION**

#### Article 55

### **Resources for cooperation and protection of financial interests**

1. The Parties agree to make available the appropriate resources, including financial means, insofar as their respective resources and regulations allow, in order to fulfil the cooperation objectives set out in this Agreement.
2. The Parties agree to promote the development and implementation of mutual technical and administrative assistance aiming at the effective protection of their financial interests in the area of development aid and other funded cooperation activities. The Parties shall promptly respond to demands for mutual administrative assistance expressed by judiciary and/or investigation authorities of either Party aiming at enhancing the fight against fraud and irregularities.
3. The Parties shall encourage the European Investment Bank to continue its operations in Mongolia, in accordance with its procedures and financing criteria.
4. The Parties shall implement financial assistance in accordance with the principles of sound financial management and cooperate in the protection of the financial interests of the European Union and of Mongolia. The Parties shall take effective measures to prevent and fight fraud, corruption and any other illegal activities, *inter alia* by means of mutual administrative assistance and mutual legal assistance in the fields covered by the present Agreement. Any further agreement or financing instrument to be concluded between the Parties shall provide for specific financial cooperation clauses covering on-the-spot checks, inspections, controls, and anti-fraud measures, including, *inter alia*, those conducted by the European Anti-Fraud Office (OLAF).

## TITLE VIII

**INSTITUTIONAL FRAMEWORK***Article 56***Joint Committee**

1. The Parties agree to establish under this Agreement a Joint Committee, composed of representatives of both sides at an appropriate high level, whose tasks shall be to:
  - (a) ensure the proper functioning and implementation of this Agreement;
  - (b) set priorities in relation to the aims of this Agreement;
  - (c) make recommendations for promoting the objectives of this Agreement.
2. The Joint Committee, and the Subcommittee established in Article 28, shall, for the purposes of attaining the objectives of this Agreement, have the power to take decisions in the cases provided for therein. Decisions shall be drawn up by agreement between the Parties, following the completion of the respective internal procedures required to establish a position thereon by both Parties. The decisions shall be binding on the Parties, which shall take the measures necessary to implement them.
3. The Joint Committee shall normally meet every year in Ulaanbaatar and Brussels alternately, on a date to be fixed by mutual agreement. Extraordinary meetings of the Joint Committee may also be convened by agreement between the Parties. The Joint Committee shall be chaired alternately by each of the Parties. The agenda for meetings of the Joint Committee shall be determined by agreement between the Parties.
4. The Joint Committee may set up specialised working groups in order to assist it in the performance of its tasks. These working groups shall make detailed reports on their activities to the Joint Committee at each of its meetings.
5. The Parties agree that it shall also be the task of the Joint Committee to ensure the proper functioning of any sectoral agreement or protocol concluded or to be concluded between the Parties.
6. The Joint Committee shall adopt its own rules of procedure.

## TITLE IX

**FINAL PROVISIONS***Article 57***Future developments clause**

1. The Parties may by mutual consent expand this Agreement with a view to enhancing the level of cooperation, including through supplementing it by means of agreements or protocols on specific sectors or activities.
2. With regard to the implementation of this Agreement, either of the Parties may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application.

*Article 58***Other agreements**

Without prejudice to the relevant provisions of the Treaty on the European Union and the Treaty on the Functioning of the European Union, neither this Agreement nor action taken hereunder shall affect the powers of the Member States to undertake bilateral cooperation activities with Mongolia or to conclude, where appropriate, new partnership and cooperation agreements with Mongolia.

This Agreement shall not affect the application or implementation of commitments undertaken by the respective Parties in relations with third parties.

*Article 59***Fulfillment of obligations**

1. Each Party may refer to the Joint Committee any divergence in the application or interpretation of this Agreement.

2. If either Party considers that the other Party has failed to fulfil any of its obligations under this Agreement it may take appropriate measures.
3. Before doing so, except in cases of special urgency, it shall present to the Joint Committee all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.
4. In the selection of measures, priority must be given to those which least disturb the functioning of this Agreement. These measures shall be notified immediately to the other Party and shall be the subject of consultations within the Joint Committee if the other Party so requests.
5. The Parties agree, for the purposes of the correct interpretation and practical application of this Agreement, that the term 'cases of special urgency' in paragraph 3 means a case of the material breach of the Agreement by one of the Parties. A material breach of the Agreement consists in:
  - (i) repudiation of the Agreement not sanctioned by the general rules of international law; or
  - (ii) violation of essential elements of the Agreement, namely Articles 1(1) and 3 thereof.

#### *Article 60*

#### **Facilities**

To facilitate cooperation in the framework of this Agreement, both Parties agree to grant necessary facilities to officials and experts involved in implementing cooperation for the performance of their functions, in accordance with internal rules and regulations of both Parties.

#### *Article 61*

#### **Territorial application**

This Agreement shall apply to the territory in which the Treaty on the European Union and the Treaty on the Functioning of the European Union are applied under the conditions laid down in those Treaties, on the one hand, and to the territory of Mongolia, on the other.

#### *Article 62*

#### **Definition of the Parties**

For the purposes of this Agreement, 'the Parties' shall mean the Union or its Member States or the Union and its Member States, in accordance with their respective powers, on the one hand, and Mongolia, on the other.

#### *Article 63*

#### **Entry into force and duration**

1. This Agreement shall enter into force on the first day of the month following the date on which last Party has notified the other of the completion of the legal procedures necessary for this purpose.
2. This Agreement is valid for a period of five years. It shall be automatically extended for further successive periods of one year, unless either Party notifies the other Party in writing of its intention not to extend this Agreement six months prior to the end of any subsequent one-year period.
3. Any amendments of this Agreement shall be made by agreement between the Parties. Any amendments shall become effective only after the last Party has notified the other that all necessary formalities have been completed.

4. If a Party introduces a more restrictive trade regime concerning the export of raw materials, such as the introduction of new prohibitions, restrictions, duties or charges of any kind that do not meet the requirements set out in the relevant provisions of Articles VIII, XI, XX or XXI of the GATT 1994, or are not authorised under a WTO waiver or are not agreed by the Joint Committee or Subcommittee on Trade and Investment under Article 56, than that in place at the date of initialling of the Agreement, the other Party may adopt appropriate measures in accordance with Article 59(3) and (4).

5. This Agreement may be terminated by one Party by written notice of denunciation given to the other Party. The termination shall take effect six months after receipt of notification by the other Party.

#### *Article 64*

### **Notifications**

Notifications made in accordance with Article 63 shall be made to the Secretary-General of the Council of the European Union and the Department of Foreign Affairs of Mongolia, respectively.

#### *Article 65*

### **Authentic text**

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

Съставено в Улан Батор на тридесети април две хиляди и тринадесета година.

Hecho en Ulán Bator, el treinta de abril de dos mil trece.

V Ulánbátaru dne třicátého dubna dva tisíce třináct.

Udfærdiget i Ulaanbaatar den tredivte april to tusind og tretten

Geschehen zu Ulan-Bator am dreißigsten April zweitausenddreizehn.

Kahe tuhande kolmeteistkümnenda aasta aprillikuu kolmekümnendal päeval Ulaanbaataris.

Έγινε στο Ουλάν Μπατόρ, στις τριάντα Απριλίου δύο χιλιάδες δεκατρία.

Done at Ulaanbaatar on the thirtieth day of April in the year two thousand and thirteen.

Fait à Oulan-Bator, le trente avril deux mille treize.

Fatto a Ulan-Bator, addì trenta aprile duemilatredici.

Ulanbatorā, divi tūkstoši trīspadsmitā gada trīsdesmitajā aprīlī.

Priimta du tūkstančiai trylikų metų balandžio trisdešimtą dieną Ulan Batore.

Kelt Ulánbátorban, a kétezertizenharmadik év április havának harmincadik napján.

Magħmul f'Ulaanbaatar, fit-tletin jum ta' April tas-sena elfejn u tlettax.

Gedaan te Ulaanbaatar, de dertigste april tweeduizend vier dertien.

Sporządzono w Ułan Bator dnia trzydziestego kwietnia roku dwa tysiące trzynastego.

Feito em Ulaanbaatar, em trinta de abril de dois mil e treze.

Întocmit la Ulan Bator la treizeci aprilie două mii treisprezece.

V Ulanbátare tridsiateho apríla dvetisíctrinásť.

V Ulaanbaatarju, dne tridesetega aprila leta dva tisoč trinajst.

Tehty Ulaanbaatarissa kolmantenakymmenentenä päivänä huhtikuuta vuonna kaksituhattakolmetoista.

Som skedde i Ulaanbaatar den trettionde april tjugohundratretton.

Энэхүү хэлэлцээрийг Улаанбаатар хотноо 2013 оны 4 дүгээр сарын 30-ны өдөр үйлдэв.

Voor het Koninkrijk België  
Pour le Royaume de Belgique  
Für das Königreich Belgien



Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.

За Република България



Za Českou republiku



For Kongeriget Danmark



Für die Bundesrepublik Deutschland





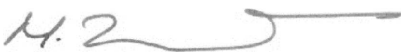
Eesti Vabariigi nimel



Thar cheann Na hÉireann  
For Ireland



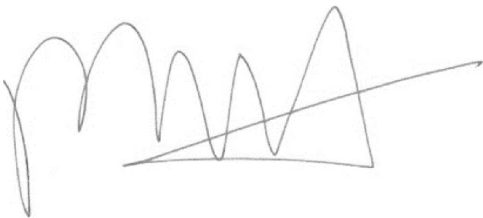
Για την Ελληνική Δημοκρατία



Por el Reino de España



Pour la République française



Per la Repubblica italiana




Για την Κυπριακή Δημοκρατία



Latvijas Republikas vārdā –



Lietuvos Respublikos vardu




Pour la Grand-Duché de Luxembourg



A Magyar Köztársaság részéről



Għal Malta



Voor het Koninkrijk der Nederlanden

A stylized, abstract signature consisting of several overlapping loops and a long horizontal stroke.

Für die Republik Österreich

A handwritten signature in cursive script, reading "Michael Linhart".

W imieniu Rzeczypospolitej Polskiej

A handwritten signature in cursive script, appearing to be "J. S. Ch.". The signature is written in a dark ink on a light background.

Pela República Portuguesa

A handwritten signature in cursive script, appearing to be "António". The signature is written in a dark ink on a light background.

Pentru România

A handwritten signature in cursive script, appearing to be "M. K.". The signature is written in a dark ink on a light background.

Za Republiko Slovenijo

A handwritten signature in cursive script, appearing to be "R. P.". The signature is written in a dark ink on a light background.

Za Slovenskú republiku



Suomen tasavallan puolesta

För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



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



Монгол Улсын Засгийн газрыг төлөөлж

A handwritten signature in black ink, appearing to be a stylized representation of a name, possibly 'T. Khurelbaatar'.

\_\_\_\_\_

**COUNCIL DECISION (EU) 2017/2271****of 30 November 2017**

**on the conclusion, on behalf of the Union and its Member States, of the Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 207 and 209, in conjunction with Article 218(6)(a) thereof,

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

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament <sup>(1)</sup>,

Whereas:

- (1) In accordance with Council Decision (EU) 2016/949 <sup>(2)</sup> the Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union was signed on 31 October 2016, subject to its conclusion at a later date.
- (2) The Protocol should be approved,

HAS ADOPTED THIS DECISION

*Article 1*

The Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union is hereby approved on behalf of the Union and its Member States.

The text of the Protocol is attached to this Decision.

*Article 2*

The President of the Council shall, on behalf of the Union and its Member States, give the notification provided for in Article 4(1) of the Protocol <sup>(3)</sup>.

*Article 3*

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

Done at Brussels, 30 November 2017.

*For the Council*

*The President*

K. SIMSON

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<sup>(1)</sup> Consent of 16 May 2017 (not yet published in the Official Journal).

<sup>(2)</sup> Council Decision (EU) 2016/949 of 6 June 2016 on the signing, on behalf of the Union and its Member States, of the Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union (OJ L 159, 16.6.2016, p. 1).

<sup>(3)</sup> The date of entry into force of the Protocol will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

**PROTOCOL**

**to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, to take account of the accession of the Republic of Croatia to the European Union**

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE REPUBLIC OF CROATIA,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

HUNGARY,

THE REPUBLIC OF MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States', and

THE EUROPEAN UNION,

of the one part, and

THE GOVERNMENT OF MONGOLIA, hereinafter referred to as 'Mongolia',

of the other part,

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

HAVING REGARD TO the accession of the Republic of Croatia to the European Union on 1 July 2013,

WHEREAS the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, hereinafter referred to as 'the Agreement', was signed in Ulaanbaatar on 30 April 2013,

WHEREAS the Treaty concerning the accession of the Republic of Croatia to the European Union, hereinafter referred to as 'the Treaty of Accession', was signed in Brussels on 9 December 2011,

WHEREAS pursuant to Article 6(2) of the Act of Accession of the Republic of Croatia, its accession to the Agreement is to be agreed by the conclusion of a protocol to the Agreement,

HAVE AGREED AS FOLLOWS:

#### *Article 1*

The Republic of Croatia shall accede to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, signed in Ulaanbaatar on 30 April 2013, and shall respectively adopt and take note, in the same manner as the other Member States of the European Union, of the text of the Agreement.

#### *Article 2*

In due time after the initialling of this Protocol, the European Union shall communicate to its Member States and to Mongolia the text of the Agreement in the Croatian language. Subject to the entry into force of this Protocol, the text of the Agreement in the Croatian language shall become authentic under the same conditions as the texts of the Agreement in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish and Swedish languages.

#### *Article 3*

This Protocol shall form an integral part of the Agreement.

#### *Article 4*

1. This Protocol shall be approved by the European Union, by the Council of the European Union on behalf of the Member States and by Mongolia in accordance with their own procedures. The Contracting Parties shall notify each other of the completion of the procedures necessary for that purpose. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.
2. This Protocol shall enter into force on the first day of the month following the date of the deposit of the last instrument of approval, but not before the date of entry into force of the Agreement.

#### *Article 5*

This Protocol shall be drawn up in duplicate in the Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish and Mongolian languages, each text being equally authentic.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, duly authorised to this effect, have signed this Protocol.

Съставено в Брюксел на тридесет и първи октомври през две хиляди и шестнадесета година.

Hecho en Bruselas, el treinta y uno de octubre de dos mil dieciséis.

V Bruselu dne třicátého prvního října dva tisíce šestnáct.

Udfærdiget i Bruxelles den enogtredivte oktober to tusind og seksten.

Geschehen zu Brüssel am einunddreißigsten Oktober zweitausendsechzehn.

Kahe tuhande kuueteistkümnenda aasta oktoobrikuu kolmekümne esimesel päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις τριάντα μία Οκτωβρίου δύο χιλιάδες δεκαέξι.

Done at Brussels on the thirty-first day of October in the year two thousand and sixteen.

Fait à Bruxelles, le trente-et-un octobre deux mille seize.

Sastavljeno u Bruxellesu trideset prvog listopada godine dvije tisuće šesnaeste.

Fatto a Bruxelles, addì trentuno ottobre duemilasedici.

Briselē, divi tūkstoši sešpadsmiņā gada trīsdesmit pirmajā oktobrī.

Priimta du tūkstančiai šešioliktų metų spalio trisdešimt pirmą dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenhatodik év október havának harmincegyedik napján.

Magħmul fi Brussell, fil-wieħed u tletin jum ta' Ottubru fis-sena elfejn u sittax.

Gedaan te Brussel, eenendertig oktober tweeduizend zestien.

Sporządzono w Brukseli dnia trzydziestego pierwszego października roku dwa tysiące szesnastego.

Feito em Bruxelas, em trinta e um de outubro de dois mil e dezasseis.

Întocmit la Bruxelles la treizeci și unu octombrie două mii șaisprezece.

V Bruseli tridsiateho prvého oktobra dvetisícšestnásť.

V Bruslju, dne enaintridesetega oktobra leta dva tisoč šestnajst.

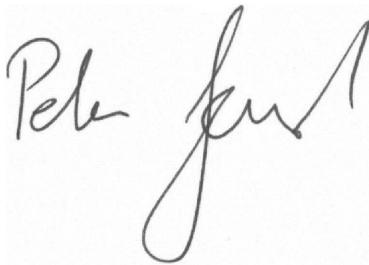
Tehty Brysselissä kolmantenakymmenentenäensimmäisenä päivänä lokakuuta vuonna kaksituhattakuusitoista.

Som skedde i Bryssel den trettioförsta oktober år tjugohundrasexton.

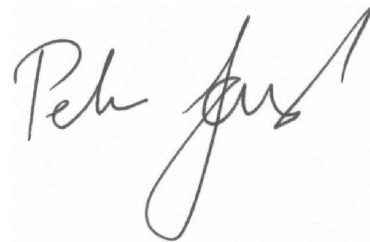
Хоёр мянга арван зургаан оны аравдугаар сарын гучин нэгний өдөр Брюссель хотноо үйлдэв.



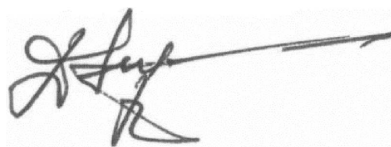
За държавите-членки  
 Por los Estados miembros  
 Za členské státy  
 For medlemsstaterne  
 Für die Mitgliedstaaten  
 Liikmesriikide nimel  
 Για τα κράτη μέλη  
 For the Member States  
 Pour les États membres  
 Za države članice  
 Per gli Stati membri  
 Dalībvalstu vārdā –  
 Valstybių narių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



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  
 Za Europejską uniję  
 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  
 Европын Холбоог төлөөлж



За Монголия  
 Por Mongolia  
 Za Mongolsko  
 For Mongoliet  
 Für die Mongolei  
 Mongoolia nimel  
 Για τη Μογγολία  
 For Mongolia  
 Pour la Mongolie  
 Za Mongoliju  
 Per la Mongolia  
 Mongolijas vārdā –  
 Mongolijos vardu  
 Mongólia részéről  
 Għall-Mongolja  
 Voor Mongolië  
 W imieniu Mongolii  
 Pela Mongólia  
 Pentru Mongolia  
 Za Mongolsko  
 Za Mongolijo  
 Mongolian Puolesta  
 För Mongoliet  
 Монгол Улсыг төлөөлж



# REGULATIONS

## COMMISSION IMPLEMENTING REGULATION (EU) 2017/2272

of 8 December 2017

**entering a name in the register of traditional specialities guaranteed ('Kabanosy staropolskie' (TSG))**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs <sup>(1)</sup>, and in particular Article 26 and Article 52(3)(a) thereof,

Whereas:

- (1) In accordance with Article 26 of Regulation (EU) No 1151/2012, Poland submitted the name 'Kabanosy staropolskie' in view of enabling it to be registered in the register of Traditional Specialities Guaranteed provided for in Article 22 of Regulation (EU) No 1151/2012. 'Kabanosy staropolskie' are long, thin sticks of dry sausage.
- (2) The name 'Kabanosy' had previously been registered <sup>(2)</sup> as traditional speciality guaranteed without reservation of name in accordance with Article 13(1) of Council Regulation (EC) No 509/2006 <sup>(3)</sup>.
- (3) Following the national opposition procedure referred to in the second subparagraph of Article 26(1) of Regulation (EU) No 1151/2012, the name 'Kabanosy' was complemented by the term 'staropolskie'. This complementing term identifies the traditional character of the name, in accordance with the third subparagraph of Article 26(1) of Regulation (EU) No 1151/2012.
- (4) The submission of the name 'Kabanosy staropolskie' was received by the Commission and subsequently published in the *Official Journal of the European Union* <sup>(4)</sup>.
- (5) On 26 August 2016 the Commission received a reasoned statement of opposition. On 9 September 2016 the Commission forwarded the statement of opposition.
- (6) Romania claimed that the registration of 'Kabanosy staropolskie' would jeopardise the existence of the partially homonymous name 'Cabanos', which is the Romanian name of the Romanian variation of 'Kabanosy'. Indeed, 'Cabanos' is the name of Romanian meat preparations having very similar raw materials and production technology to the product 'Kabanosy staropolskie' proposed by Poland as a Traditional Speciality Guaranteed (TSG).
- (7) Finding the opposition admissible, by letter of 7 November 2016 the Commission invited Poland and Romania to engage in appropriate consultations for a period of 3 months to seek agreement among themselves in accordance with their internal procedures.
- (8) An agreement was reached between the parties. Poland communicated the results of the agreement to the Commission by letter of 2 February 2017.
- (9) Poland and Romania agreed that the protection should cover only the term 'Kabanosy staropolskie' as a whole. Such protection should, therefore, not hinder the use of the term 'Kabanosy' per se nor the use of variations thereof such as 'Cabanos'.

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

<sup>(2)</sup> Commission Implementing Regulation (EU) No 1044/2011 of 19 October 2011 entering a name in the register of the traditional specialities guaranteed (Kabanosy (TSG)) (OJ L 275, 20.10.2011, p. 16).

<sup>(3)</sup> Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed (OJ L 93, 31.3.2006, p. 1). Regulation repealed and replaced by Regulation (EU) No 1151/2012.

<sup>(4)</sup> OJ C 188, 27.5.2016, p. 6.

- (10) The Commission notes that the agreement recognises that 'Kabanosy staropolskie' should be registered as TSG and aims at ensuring fair usage of the related rights.
- (11) The name 'Kabanosy staropolskie', should therefore be entered in the register of traditional specialities guaranteed,

HAS ADOPTED THIS REGULATION:

*Article 1*

The name 'Kabanosy staropolskie' (TSG) is hereby entered in the register.

The product specification of the TSG 'Kabanosy' shall be deemed to be the specification referred to in Article 19 of Regulation (EU) No 1151/2012 for the TSG 'Kabanosy staropolskie' with reservation of name.

'Kabanosy staropolskie' (TSG) denotes product in Class 1.2. Meat products (cooked, salted, smoked, etc.), as listed in Annex XI to Commission Implementing Regulation (EU) No 668/2014 <sup>(1)</sup>.

*Article 2*

The name 'Kabanosy staropolskie' (TSG) is protected as a whole. The term 'Kabanosy' may continue to be used, also in linguistic variations and translations thereof, throughout the European Union, provided the principles and rules applicable in the European Union's legal order are respected.

*Article 3*

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, 8 December 2017.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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<sup>(1)</sup> Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs (OJ L 179, 19.6.2014, p. 36).

**COMMISSION IMPLEMENTING REGULATION (EU) 2017/2273****of 8 December 2017****amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 834/2007 of 28 June 2007 on organic production and labelling of organic products and repealing Regulation (EEC) No 2092/91 <sup>(1)</sup>, and in particular Article 22(1) thereof,

Whereas:

- (1) Article 42 of Commission Regulation (EC) No 889/2008 <sup>(2)</sup> as amended by Commission Implementing Regulation (EU) No 836/2014 <sup>(3)</sup>, allows exceptionally, until 31 December 2017, under certain conditions and when organic reared pullets are not available, for non-organically reared pullets for egg production of not more than 18 weeks to be brought into an organic livestock unit.
- (2) Production of organically reared pullets for egg production has not been available in sufficient quality and quantity on the Union market to meet the needs of laying hen farmers. In order to allow more time to develop the production of organic pullets for egg production, the period of application of the exceptional production rules for using non-organically reared pullets for egg production of not more than 18 weeks should be extended until 31 December 2018.
- (3) Article 43 of Regulation (EC) No 889/2008 as amended by Implementing Regulation (EU) No 836/2014 allows exceptionally, for calendar years 2015, 2016 and 2017, for a maximum of 5 % of non-organic protein feed to be used for porcine and poultry species.
- (4) Organic protein supply has not been available in sufficient quality and quantity on the Union market to meet the nutritional requirements of pigs and poultry raised on organic farms. The production of organic protein crops is still lagging behind demand. It is therefore appropriate to extend the period of the exceptional possibility of using a limited proportion of non-organic protein feed until 31 December 2018.
- (5) Regulation (EC) No 889/2008 should therefore be amended accordingly.
- (6) The measures provided for in this Regulation are in accordance with the opinion of the Committee on Organic Production,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EC) No 889/2008 is amended as follows:

- (1) In Article 42(b), the date ‘31 December 2017’ is replaced by the date ‘31 December 2018’.
- (2) In Article 43, the second subparagraph is replaced by the following:

‘The maximum percentage of non-organic protein feed authorised per period of 12 months for those species shall be 5 % for calendar year 2018.’

<sup>(1)</sup> OJ L 189, 20.7.2007, p. 1.

<sup>(2)</sup> Commission Regulation (EC) No 889/2008 of 5 September 2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 250, 18.9.2008, p. 1).

<sup>(3)</sup> Commission Implementing Regulation (EU) No 836/2014 of 31 July 2014 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control (OJ L 230, 1.8.2014, p. 10).

*Article 2*

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

It shall apply from 1 January 2018.

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

Done at Brussels, 8 December 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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**COMMISSION IMPLEMENTING REGULATION (EU) 2017/2274****of 8 December 2017****concerning the authorisation of a new use of a preparation of 6-phytase (EC 3.1.3.26) produced by *Komagataella pastoris* (DSM 23036) as a feed additive for fish (holder of authorisation Huvepharma EOOD)****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition <sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003 an application was submitted for the authorisation of a preparation of 6-phytase (EC 3.1.3.26) produced by *Komagataella pastoris* (DSM 23036) as a feed additive for fish. That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) That application concerns the authorisation of a preparation of 6-phytase (EC 3.1.3.26) produced by *Komagataella pastoris* (DSM 23036) as a feed additive for fish to be classified in the additive category 'zootechnical additives'.
- (4) The use of that preparation was authorised for 10 years for chickens and turkeys for fattening, chickens reared for laying, turkeys reared for breeding, laying hens, other avian species for fattening and laying, weaned piglets, pigs for fattening and sows by Commission Implementing Regulation (EU) No 98/2012 <sup>(2)</sup>.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinion of 21 March 2017 <sup>(3)</sup> that, under the proposed conditions of use, preparation of 6-phytase (EC 3.1.3.26) produced by *Komagataella pastoris* (DSM 23036) does not have an adverse effect on animal health, human health or the environment. It concluded that the additive has the potential to be efficacious in rainbow trout and salmon and this conclusion can be extrapolated to all finfish. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (6) The assessment of preparation of 6-phytase (EC 3.1.3.26) produced by *Komagataella pastoris* (DSM 23036) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'digestibility enhancers', is authorised as an additive in animal nutrition, subject to the conditions laid down in that Annex.

<sup>(1)</sup> OJ L 268, 18.10.2003, p. 29.

<sup>(2)</sup> Commission Implementing Regulation (EU) No 98/2012 of 7 February 2012 concerning the authorisation of 6-phytase (EC 3.1.3.26) produced by *Pichia pastoris* (DSM 23036) as a feed additive for chickens and turkeys for fattening, chickens reared for laying, turkeys reared for breeding, laying hens, other avian species for fattening and laying, weaned piglets, pigs for fattening and sows (holder of authorisation Huvepharma AD) OJ L 35, 8.2.2012, p. 6.

<sup>(3)</sup> EFSA Journal 2017;15(4):4763.

*Article 2*

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

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

Done at Brussels, 8 December 2017.

*For the Commission*

*The President*

Jean-Claude JUNKER

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## ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						Units of activity/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: digestibility enhancers.									
4a16	Huvepharma EOOD	6-phytase (EC 3.1.3.26)	<i>Additive composition</i> Preparation 6-phytase (EC 3.1.3.26) produced by <i>Komagataella pastoris</i> (DSM 23036) with a minimum activity of: 4 000 OTU <sup>(1)</sup> /g in solid form 8 000 OTU/g in liquid form  <i>Characterisation of the active substance</i> 6-phytase (EC 3.1.3.26) produced by <i>Komagataella pastoris</i> (DSM 23036)  <i>Analytical method</i> <sup>(2)</sup> For quantification of 6-phytase in feed:  Colorimetric method based on the quantification of the inorganic phosphate released by the enzyme from the sodium phytate.	Fish	—	500 OTU	—	<ol style="list-style-type: none"><li>1. In the directions for use of the additive and premixture, the storage conditions and stability to heat treatment shall be indicated.</li><li>2. For use in feed containing more than 0,23 % phytin-bound phosphorus.</li><li>3. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with protective equipment, including breathing and skin protections.</li></ol>	29.12.2027

<sup>(1)</sup> 1 OTU is the amount of enzyme that catalyses the release of 1 micromole of inorganic phosphate per minute from 5,1 mM sodium phytate in pH 5,5 citrate buffer at 37 °C, measured as the blue P-molybdate complex colour at 820 nm.

<sup>(2)</sup> Details of the analytical methods are available at the following address of the Reference Laboratory: <http://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>.



## COMMISSION IMPLEMENTING REGULATION (EU) 2017/2275

of 8 December 2017

**concerning the authorisation of a new use of the preparation of *Lactobacillus acidophilus* (CECT 4529) as a feed additive for chickens for fattening (holder of the authorisation Centro Sperimentale del Latte)**

(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition <sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for a new use of the preparation of *Lactobacillus acidophilus* (CECT 4529). That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a new use of the preparation of *Lactobacillus acidophilus* (CECT 4529) as a feed additive for chickens for fattening to be classified in the additive category 'zootechnical additives'.
- (4) The preparation of *Lactobacillus acidophilus* (CECT 4529) belonging to the additive category of 'zootechnical additives', was authorised for 10 years as a feed additive for laying hens by Commission Implementing Regulation (EU) 2015/38 <sup>(2)</sup>.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinion of 21 March 2017 <sup>(3)</sup> that, under the proposed conditions of use, the preparation of *Lactobacillus acidophilus* (CECT 4529) does not have an adverse effect on animal health, human health and the environment. It also concluded that the additive has the potential to improve the weight gain/final weight only in two of three studies assessed. Two other studies were excluded due to the unusually high mortality and low growing performance of birds. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (6) However these evidences have been judged as a sufficient indication of the improvement of zootechnical parameters of weight gain. Therefore it was considered that the provided data meet the conditions for the demonstration of the efficacy of the additive for chickens for fattening.
- (7) The assessment of the preparation of *Lactobacillus acidophilus* (CECT 4529) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.
- (8) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

## Article 1

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

<sup>(1)</sup> OJ L 268, 18.10.2003, p. 29.

<sup>(2)</sup> Commission Implementing Regulation (EU) 2015/38 of 13 January 2015 concerning the authorisation of the preparation of *Lactobacillus acidophilus* CECT 4529 as a feed additive for laying hens and amending Regulation (EC) No 1520/2007 (holder of authorisation Centro Sperimentale del Latte) (OJ L 8, 14.1.2015, p. 4).

<sup>(3)</sup> EFSA Journal 2017; 15(4):4762.

*Article 2*

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

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

Done at Brussels, 8 December 2017.

*For the Commission*

*The President*

Jean-Claude JUNKER

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## ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			
Category of zootechnical additives. Functional group: gut flora stabilisers									
4b1715	Centro Sperimentale del latte	<i>Lactobacillus acidophilus</i> CECT 4529	<i>Additive composition:</i> Preparation of <i>Lactobacillus acidophilus</i> CECT 4529 containing a minimum of: 5 × 10 <sup>10</sup> CFU/g of additive (solid form).  <i>Characterisation of the active substance:</i>  Viable cells of <i>Lactobacillus acidophilus</i> CECT 4529.  <i>Analytical method</i> <sup>(1)</sup>  Enumeration: spread plate method using MRS agar (EN 15787).  Identification: Pulsed Field Gel Electrophoresis (PFGE).	Chickens for fattening	—	1 × 10 <sup>9</sup>	—	<ol style="list-style-type: none"><li>1. In the directions for use of the additive and premixture, the storage conditions and stability to heat treatment shall be indicated.</li><li>2. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from their use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including eyes, skin and breathing protection.</li></ol>	29.12.2027

<sup>(1)</sup> Details of the analytical methods are available at the following address of the European Union Reference Laboratory for Feed Additives: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

**COMMISSION IMPLEMENTING REGULATION (EU) 2017/2276****of 8 December 2017****concerning the authorisation of a new use of the preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for sows (holder of the authorisation Kemin Europa N.V.)****(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 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition <sup>(1)</sup>, and in particular Article 9(2) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) In accordance with Article 7 of Regulation (EC) No 1831/2003, an application was submitted for a new use of the preparation *Bacillus subtilis* (ATCC PTA-6737). That application was accompanied by the particulars and documents required under Article 7(3) of Regulation (EC) No 1831/2003.
- (3) The application concerns the authorisation of a new use of the preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for sows in order to have a benefit in piglets, to be classified in the additive category 'zootechnical additives'.
- (4) The preparation of *Bacillus subtilis* (ATCC PTA-6737), belonging to the additive category of 'zootechnical additives', was authorised for 10 years as a feed additive, for chickens for fattening by Commission Regulation (EU) No 107/2010 <sup>(2)</sup>, for chickens reared for laying, ducks for fattening, quails, pheasants, partridges, guinea fowl, pigeons, geese for fattening and ostriches by Commission Implementing Regulation (EU) No 885/2011 <sup>(3)</sup>, for weaned piglets and weaned *Suidae* other than *Sus scrofa domesticus* by Commission Implementing Regulation (EU) No 306/2013 <sup>(4)</sup>, for turkeys for fattening and turkeys reared for breeding by Commission Implementing Regulation (EU) No 787/2013 <sup>(5)</sup> and for laying hens and minor poultry species for laying by Commission Implementing Regulation (EU) 2015/1020 <sup>(6)</sup>.
- (5) The European Food Safety Authority ('the Authority') concluded in its opinion of 16 May 2017 <sup>(7)</sup> that, under the proposed conditions of use, the preparation of *Bacillus subtilis* (ATCC PTA-6737) does not have an adverse effect on animal health, human health and the environment. It also concluded that the additive has the potential to improve the growth of piglets from birth to weaning when added to diets of sows from 3 weeks before parturition until weaning of piglets. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (6) The assessment of the preparation of *Bacillus subtilis* (ATCC PTA-6737) shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that preparation should be authorised as specified in the Annex to this Regulation.

<sup>(1)</sup> OJ L 268, 18.10.2003, p. 29.

<sup>(2)</sup> Commission Regulation (EU) No 107/2010 of 8 February 2010 concerning the authorisation of *Bacillus subtilis* ATCC PTA-6737 as a feed additive for chickens for fattening (holder of authorisation Kemin Europa NV) (OJ L 36, 9.2.2010, p. 1).

<sup>(3)</sup> Commission Implementing Regulation (EU) No 885/2011 of 5 September 2011 concerning the authorisation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for chickens reared for laying, ducks for fattening, quails, pheasants, partridges, guinea fowl, pigeons, geese for fattening and ostriches (holder of authorisation Kemin Europa N.V.) (OJ L 229, 6.9.2011, p. 3).

<sup>(4)</sup> Commission Implementing Regulation (EU) No 306/2013 of 2 April 2013 concerning the authorisation of a preparation of *Bacillus subtilis* (ATCC PTA-6737) for weaned piglets and weaned *Suidae* other than *Sus scrofa domesticus* (holder of authorisation Kemin Europa N.V.) (OJ L 91, 3.4.2013, p. 5).

<sup>(5)</sup> Commission Implementing Regulation (EU) No 787/2013 of 16 August 2013 concerning the authorisation of a preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for turkeys for fattening and turkeys reared for breeding (holder of authorisation Kemin Europa N.V.) (OJ L 220, 17.8.2013, p. 15).

<sup>(6)</sup> Commission Implementing Regulation (EU) 2015/1020 of 29 June 2015 concerning the authorisation of the preparation of *Bacillus subtilis* (ATCC PTA-6737) as a feed additive for laying hens and minor poultry species for laying (holder of the authorisation Kemin Europa NV) (OJ L 163, 30.6.2015, p. 22).

<sup>(7)</sup> EFSA Journal 2017; 17(5):4855.

- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

*Article 1*

The preparation specified in the Annex, belonging to the additive category 'zootechnical additives' and to the functional group 'gut flora stabilisers', is authorised as an additive in animal nutrition subject to the conditions laid down in that Annex.

*Article 2*

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

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

Done at Brussels, 8 December 2017.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

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## ANNEX

Identification number of the additive	Name of the holder of authorisation	Additive	Composition, chemical formula, description, analytical method	Species or category of animal	Maximum age	Minimum content	Maximum content	Other provisions	End of period of authorisation
						CFU/kg of complete feedingstuff with a moisture content of 12 %			

**Category of zootechnical additives. Functional group: gut flora stabilisers**

4b1823	Kemin Europa N.V.	<i>Bacillus subtilis</i> ATCC PTA-6737	<p><i>Additive composition:</i></p> <p>Preparation of <i>Bacillus subtilis</i> (ATCC PTA-6737) containing a minimum of <math>1 \times 10^{10}</math> CFU/g additive</p> <p>Solid form</p> <p><i>Characterisation of the active substance:</i></p> <p>Viable spores of <i>Bacillus subtilis</i> (ATCC PTA-6737)</p> <p><i>Analytical method</i> <sup>(1)</sup></p> <p>Enumeration: spread plate method using tryptone soya agar with pre heat-treatment of feed samples.</p> <p>Identification: pulsed-field gel electrophoresis (PFGE) method.</p>	Sows	—	$1 \times 10^8$	—	<ol style="list-style-type: none"> <li>1. In the directions for use of the additive and premixture, the storage conditions and stability to heat treatment shall be indicated.</li> <li>2. For the use in sows from three weeks before farrowing to whole lactation period.</li> <li>3. For users of the additive and premixtures, feed business operators shall establish operational procedures and organisational measures to address potential risks resulting from its use. Where those risks cannot be eliminated or reduced to a minimum by such procedures and measures, the additive and premixtures shall be used with personal protective equipment, including breathing protection.</li> </ol>	29.12.2027
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<sup>(1)</sup> Details of the analytical methods are available at the following address of the Reference Laboratory: <https://ec.europa.eu/jrc/en/eurl/feed-additives/evaluation-reports>

# DECISIONS

## COMMISSION IMPLEMENTING DECISION (EU) 2017/2277

of 8 December 2017

**determining that a temporary suspension of the preferential customs duty pursuant to Article 15 of Regulation (EU) No 19/2013 of the European Parliament and of the Council is not appropriate for imports of bananas originating in Peru**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) No 19/2013 of the European Parliament and of the Council of 15 January 2013 implementing the bilateral safeguard clause and the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part <sup>(1)</sup>, and in particular Article 15(2) thereof,

Whereas:

- (1) A stabilisation mechanism for bananas has been introduced by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, which applies provisionally as regards Peru from 1 March 2013.
- (2) According to that stabilisation mechanism, as implemented by Regulation (EU) No 19/2013, once a defined trigger volume is exceeded for imports of fresh bananas (heading 0803 00 19 of the European Union Combined Nomenclature of 1 January 2012) from one of the countries concerned, the Commission may by implementing act, to be adopted in accordance with the urgency procedure laid down in Article 14(4) of Regulation (EU) No 19/2013, either temporarily suspend the preferential customs duty applied to imports of fresh bananas for that country or determine that such suspension is not appropriate.
- (3) Imports into the Union of fresh bananas originating in Peru exceeded the threshold of 93 750 tonnes defined by the Agreement on 16 October 2017.
- (4) In this context, pursuant to Article 15(3) of Regulation (EU) No 19/2013, the Commission took into consideration the impact of the imports concerned on the situation of the Union market for bananas in order to decide whether or not the preferential customs duty should be suspended. The Commission has examined the effect of the imports concerned on the Union price level, the development of imports from other sources and the overall stability of the Union market for fresh bananas.
- (5) Imports of fresh bananas from Peru represented only 2,7 % of the imports to the Union of fresh bananas subject to the banana stabilization mechanism when the imports exceeded the threshold for 2017. Furthermore, Peru represents merely 2,25 % of the total imports of fresh bananas into the Union.
- (6) Imports from large exporting countries with whom the Union also has a Free Trade Agreement, notably Colombia, Ecuador and Costa Rica amounted to 58,7 %, 61,4 % and 60,4 % of their respective thresholds respectively. The 'unused' quantities under the stabilization mechanism (approximately 2,3 million tonnes) are significantly higher than the total imports from Peru to date (93,8 thousand tonnes).
- (7) In terms of prices, the import of bananas from Peru did not have a downward effect on the import price of bananas of all origins. Indeed, the import price of bananas from Peru was on average 732 EUR/tonne for the first 8 months of 2017, which is above the (weighted) average Union import price of bananas of all origins (around 720 EUR/tonne). The latter price moreover follows the yearly trend and has been relatively stable.
- (8) Assessing subsequently the effect of these imports on wholesale prices at the moment of Peru exceeding the threshold, it is clear that although the weighted average Union wholesale price for bananas (of all origins) in September 2017 (861 EUR/tonne) was 9,5 % lower than in September 2016 (952 EUR/tonne), the wholesale price for EU produced bananas has been relatively stable, at 910 EUR/tonne in September 2017 compared to 915 EUR/tonne in September 2016.

<sup>(1)</sup> OJ L 17, 19.1.2013, p. 1.

- (9) There is thus at this stage neither an indication that the stability of the Union market has been disturbed by the imports of fresh bananas from Peru in excess of the defined annual trigger import volume, nor that this had any significant impact on the situation of Union producers.
- (10) There is no indication of threat of serious deterioration or of serious deterioration in the economic situation in the outermost regions of the Union in October 2017.
- (11) Therefore the suspension of preferential customs duty on imports of bananas originating in Peru does not appear appropriate at this stage,

HAS ADOPTED THIS DECISION:

*Article 1*

The temporary suspension of preferential customs duty on imports of fresh bananas classified under heading 0803 00 19 of the European Union Combined Nomenclature and originating in Peru is not appropriate.

*Article 2*

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

Done at Brussels, 8 December 2017.

*For the Commission*

*The President*

Jean-Claude JUNCKER

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**CORRIGENDA****Corrigendum to Commission Regulation (EU) 2017/2228 of 4 December 2017 amending Annex III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products**

*(Official Journal of the European Union L 319 of 5 December 2017)*

On page 4, Annex, in the table, in the column 'Reference number':

*for:* 'X',

*read:* '306';

on page 5, Annex, in the table, in the column 'Reference number':

*for:* 'Y'

*read:* '307'.

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