

Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2009/0062(NLE)	Procedure completed
EC/Ukraine agreement: scientific and technological cooperation, renewal		
See also 2002/0243(CNS)		
Subject 3.50.20 Scientific and technological cooperation and agreements		
Geographical area Ukraine		

Key players			
European Parliament	Committee responsible		Rapporteur
	ITRE Industry, Research and Energy		Appointed
			29/09/2010
			PPE REUL Herbert
	Former committee responsible		
	ITRE Industry, Research and Energy		
	ITRE Industry, Research and Energy		02/09/2009
			PPE REUL Herbert
	Committee for opinion		Rapporteur for opinion
	AFET Foreign Affairs		Appointed
			The committee decided not to give an opinion.
	BUDG Budgets		The committee decided not to give an opinion.
	Former committee for opinion		
	AFET Foreign Affairs		
	BUDG Budgets		
	AFET Foreign Affairs		The committee decided not to give an opinion.
	BUDG Budgets		The committee decided not to give an opinion.
Council of the European Union	Council configuration		Meeting
	Competitiveness (Internal Market, Industry, Research and Space)		Date
European Commission	Commission DG		Commissioner
	Research and Innovation		GEOGHEGAN-QUINN Máire

Key events			
21/04/2009	Legislative proposal published	COM(2009)0182	Summary

14/07/2009	Committee referral announced in Parliament		
23/11/2009	Vote in committee		Summary
23/11/2009	Committee report tabled for plenary, 1st reading/single reading	A7-0074/2009	
26/11/2009	Results of vote in Parliament		
26/11/2009	Decision by Parliament	T7-0095/2009	Summary
02/12/2009	Additional information		Summary
02/07/2010	Amended legislative proposal for reconsultation published	11364/2010	Summary
13/07/2010	Formal reconsultation of Parliament		
26/10/2010	Vote in committee		Summary
04/11/2010	Committee report tabled for plenary, reconsultation	A7-0306/2010	
23/11/2010	Decision by Parliament	T7-0412/2010	Summary
09/03/2011	Act adopted by Council after consultation of Parliament		
09/03/2011	End of procedure in Parliament		
25/03/2011	Final act published in Official Journal		

Technical information

Procedure reference	2009/0062(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
	See also 2002/0243(CNS)
Legal basis	Treaty on the Functioning of the EU TFEU 186-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/7/00296; ITRE/7/03488

Documentation gateway

Document attached to the procedure		09317/2002	11/06/2002	CSL	
Legislative proposal		COM(2009)0182	21/04/2009	EC	Summary
Committee draft report		PE430.650	11/11/2009	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0074/2009	23/11/2009	EP	
Text adopted by Parliament, 1st reading/single reading		T7-0095/2009	26/11/2009	EP	Summary

Amended legislative proposal for reconsultation		11364/2010	02/07/2010	CSL	Summary
Committee draft report		PE450.616	11/10/2010	EP	
Committee final report tabled for plenary, reconsultation		A7-0306/2010	04/11/2010	EP	
Text adopted by Parliament after reconsultation		T7-0412/2010	23/11/2010	EP	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Decision 2011/182](#)
[OJ L 079 25.03.2011, p. 0003](#) Summary

EC/Ukraine agreement: scientific and technological cooperation, renewal

PURPOSE: to renew the Agreement for scientific and technological cooperation between the European Community and Ukraine for an additional five years.

PROPOSED ACT: Council Decision.

CONTENT: the [Agreement on cooperation](#) in science and technology between the European Community and Ukraine was signed in Copenhagen on 4 July 2002 and entered into force on 11 February 2003. Article 12 (b) of the Agreement provides as follows: "This Agreement shall be concluded for an initial period ending on 31 December 2002 and will be renewable by common agreement between the Parties for additional periods of five years".

By [Council Decision 2003/737/EC](#), the Agreement was renewed for a further period of five years which entered into force on 8 November, 2004. The Agreement is due to expire on 7 November, 2009.

Given that it is in the interest of the Community to renew this Agreement in order to continue to facilitate cooperation with Ukraine in common science and technological priority, it is proposed to approve the renewal of the Agreement under the same conditions as the last agreement.

The material content of the renewed Agreement will be identical to the material content of the current Agreement.

In the light of the above considerations, the Commission requests the Council to approve, on behalf of the Community, after consulting the European Parliament, the renewal of the Agreement and expresses the consent of the Community to be bound by the Agreement's provisions.

EC/Ukraine agreement: scientific and technological cooperation, renewal

The Committee on Industry, Research and Energy adopted the report drawn up by Herbert REUL (EPP, DE) approving unamended, under the consultation procedure, the proposal for a Council decision concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and Ukraine.

EC/Ukraine agreement: scientific and technological cooperation, renewal

The European Parliament adopted by 586 votes to 18, with 6 abstentions, a legislative resolution approving unamended, under the consultation procedure, the proposal for a Council decision concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and Ukraine.

EC/Ukraine agreement: scientific and technological cooperation, renewal

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in

changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Decision concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and Ukraine, the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis - Treaty/EC/Art.170 2nd para, Art.300(2) first para and (3) first para.- became Art. 186 2nd para, Art 218 (6)(b) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE).

EC/Ukraine agreement: scientific and technological cooperation, renewal

This is a reconsultation on the Council Decision concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and Ukraine.

By [Decision 2003/96/EC](#), the Council approved the conclusion of the Agreement for scientific and technological cooperation between the EC and Ukraine. The Agreement provided that it would be concluded for an initial period ending on 31 December 2002 and would be renewable by common agreement between the Parties for additional periods of five years.

By a [Decision of 22 September 2003](#) which entered into force on 8 November 2004, the Council approved the renewal of the Agreement for a further period of five years.

Subsequently, at the third meeting of the EU-Ukraine Sub-Committee N° 7, held in November 2008 in Kyiv, both Parties confirmed their interest in a renewal of the abovementioned Agreement for a further five years.

The material content of the renewed Agreement is identical with the material content of the Agreement which expired on 7 November 2009. As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

This draft Decision proposes the approval of the renewal of the Agreement for scientific and technological cooperation between the EC and Ukraine should be approved on behalf of the Union. A European Parliament should be reconsulted as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009. From this date, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as "the European Union".

EC/Ukraine agreement: scientific and technological cooperation, renewal

The Committee on Industry, Research and Energy adopted, under the simplified procedure, the report drafted by Herbert REUL (EPP, DE) recommending that the European Parliament gives its consent to the renewal of the Agreement for Scientific and Technological Cooperation between the European Community and Ukraine.

EC/Ukraine agreement: scientific and technological cooperation, renewal

The European Parliament adopted a legislative resolution in which it gives its consent to the renewal of the Agreement for Scientific and Technological Cooperation between the European Community and Ukraine.

Parliament was re-consulted on this draft decision.

EC/Ukraine agreement: scientific and technological cooperation, renewal

PURPOSE: the renewal for a further five years of the Agreement for scientific and technological cooperation between the European Community and Ukraine.

NON-LEGISLATIVE ACT: Council Decision 2011/182/EU concerning the renewal of the Agreement for scientific and technological cooperation between the European Community and Ukraine.

CONTENT: by means of this Decision, the Council approves on behalf of the European Union the renewal of the scientific and technological cooperation Agreement between the European Community and Ukraine for a further five years.

The [scientific and technological cooperation agreement](#) between the European Community and Ukraine was signed in Copenhagen on 4 July 2002 and entered into force on 11 February 2003. Article 12 (b) of that Agreement stipulates: "This Agreement shall be concluded for an initial period ending 31 December 2002 and will be renewable between the parties for additional periods of five years".

By [Council Decision 2003/737/EC](#), the Agreement was renewed a first time for an additional period of five years, from 8 November 2004. The Agreement expired on 7 November 2009.

Given that it is in the interest of the Parties to renew the Agreement a second time in order to continue and encourage cooperation with Ukraine in the joint priority areas in the scientific and technological fields, the Parties decided, following negotiations held in Kyiv, on 26-27 November 2008 to renew this Agreement for a further period of five years. The material content of the renewed Agreement is identical to that of the Agreement that expired on 7 November 2009.

It should be noted that this Agreement is concluded ?on behalf of the European Union? this time and not ?on behalf of the European Community?, as a result of the entry into force of the Lisbon Treaty on 1 December 2009 whereby the European Union substitutes for and succeeds the European Community.

ENTRY INTO FORCE: the Decision will enter into force on 9 March 2011. The date of entry into force of the Agreement will be published in the EU?s Official Journal.