



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 5.5.2003  
COM(2003) 231 final

2003/0087 (CNS)

Proposal for a

**COUNCIL DECISION**

**concerning the conclusion of an Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

1. The Agreement on cooperation in science and technology between the European Community and Ukraine was signed in Copenhagen on 4 July 2002. 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"
2. The Community has been collaborating for many years with Ukraine in various areas of science and technology. For example, Ukraine participated in thirty-six research projects in the context of INCO-COPERNICUS under the fifth European Community framework programme for research and development. The Agreement on cooperation in science and technology with Ukraine, which was signed on 4 July 2002, helped to strengthen this cooperation.
3. By letter dated 15 October 2002, the Ministry of Foreign Affairs of Ukraine requested the renewal of the abovementioned Agreement for five more years. The Ukrainian Government wants above all a rapid renewal, without changing the text of the current Agreement, so as to maintain continuity in the scientific and technological relations between Ukraine and the European Community. Rapid renewal would be in the interest of both Parties.
4. Since the material content of the Agreement which recently expired would remain unchanged, following the normal procedures for negotiating this renewal (Article 300(1) of the EC Treaty) would serve no useful purpose. In addition, given the resulting advantages, for both Parties, of rapid renewal, a one-step procedure is suggested (a single procedure and a single act concerning signature and conclusion).

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 conclusion of an Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine;
- to authorise the President of the Council to designate the person empowered to sign the Agreement in order to express the consent of the Community to be bound thereby.

Proposal for a

**COUNCIL DECISION**

**concerning the conclusion of an Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the second paragraph of Article 170, in conjunction with the first sentence of the first subparagraph of Article 300(2), and the first subparagraph of Article 300(3),

Having regard to the proposal from the Commission<sup>1</sup>,

Having regard to the opinion of the European Parliament<sup>2</sup>,

Whereas:

- (1) The Agreement on cooperation in science and technology between the European Community and Ukraine was signed in Copenhagen on 4 July 2002;
- (2) 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";
- (3) By letter dated 15 October 2002, the Ministry of Foreign Affairs of Ukraine requested the renewal of the abovementioned Agreement for five more years; the Parties to the Agreement consider that rapid renewal of this Agreement would be in their mutual interest;
- (4) The material content of the renewed Agreement will be identical to the material content of the Agreement which recently expired;
- (5) The Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine should be approved on behalf of the Community;

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<sup>1</sup> OJ C...[...], [...]  
<sup>2</sup>

HAS DECIDED AS FOLLOWS:

*Article 1*

The Agreement aimed at renewing the Agreement on cooperation in science and technology between the European Community and Ukraine for an additional period of five years is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

*Article 2*

The President of the Council is hereby authorised to designate the person empowered to sign the Agreement in order to express the consent of the Community to be bound thereby.

Done at Brussels,

*For the Council*  
*The President*

**AGREEMENT**  
**RENEWING THE AGREEMENT ON COOPERATION IN SCIENCE AND  
TECHNOLOGY BETWEEN THE EUROPEAN COMMUNITY AND UKRAINE**

THE EUROPEAN COMMUNITY (hereinafter "the Community"), of the one part,

And

UKRAINE, of the other part,

hereinafter referred as the "Parties",

CONSIDERING the importance of science and technology for their economic and social development;

RECOGNISING that the Community and Ukraine are pursuing research and technological activities in a number of areas of common interest, and that participation in each other's research and development activities on a basis of reciprocity will provide mutual benefits;

HAVING REGARD to the Agreement on cooperation in science and technology between the European Community and Ukraine, which was signed in Copenhagen on 4 July 2002 and expired on 31 December 2002;

DESIRING to pursue their cooperation in science and technology in the formal framework established by the Agreement,

HAVE AGREED AS FOLLOWS:

*Article 1*

The Agreement on cooperation in science and technology between the European Community and Ukraine, which was signed in Copenhagen on 4 July 2002 and expired on 31 December 2002, is hereby renewed for an additional period of five years.

*Article 2*

This Agreement shall enter into force on the date on which the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.

*Article 3*

This Agreement is drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Ukrainian languages, each of these texts being equally authentic.

For the European Community

For Ukraine

## LEGISLATIVE FINANCIAL STATEMENT

**Policy area(s): RTD**

**Activit(y/ies): International scientific and technological cooperation**

**TITLE OF ACTION:** PROPOSAL FOR A COUNCIL DECISION CONCERNING THE CONCLUSION OF AN AGREEMENT AIMED AT RENEWING THE AGREEMENT ON COOPERATION IN SCIENCE AND TECHNOLOGY BETWEEN THE EUROPEAN COMMUNITY AND UKRAINE

### **1. BUDGET LINE(S) + HEADING(S)**

#### **1.1. Budget lines concerned**

The costs incurred in monitoring and implementing the Agreement will be charged to the specific budget headings of the programmes within the Community's RTD Framework Programme (Chapter B6-6013).

### **2. OVERALL FIGURES**

#### **2.1. Method of calculating the total annual cost of the action (estimate)**

- a. Preparatory activities, review of the cooperation:** meetings of the Joint Community-Ukraine Committee for cooperation in science and technology, exchange of information, visits of officials and experts to Ukraine **50 000 €**
- b. Scientific and technical workshops, seminars and meetings** **60 000 €**

**TOTAL : 110 000 €/year**

### **3. BUDGET CHARACTERISTICS**

Type of expenditure		New	EFTA contribution	Contribution from applicant Countries	Heading in financial perspective
Non-comp	Diff	No	Yes	Yes	No 3

### **4. LEGAL BASIS**

- With legal basis.

#### **4.1. Titles and references**

- Treaty establishing the European Community, and in particular Article 170(2) thereof, in conjunction with the first sentence of the first subparagraph of Article 300(2) and the first subparagraph of Article 300(3).

- Decision No 1513/2002/EC of the European Parliament and the Council of 27 June 2002 concerning the Sixth Framework Programme of the European Community for research, technological development and demonstration activities, contributing to the creation of the European Research Area and to innovation (2002-2006).

## **5. DESCRIPTION AND GROUNDS**

### **5.1. Need for Community intervention**

Community budget intervention is indispensable because the planned cooperation comes under the implementation of the Framework Programme, including the budgetary section: participation by Ukraine in certain specific programmes and administrative expenditure on the European side (meetings of the Joint Community-Ukraine Committee for cooperation in science and technology, exchange of information, visits of Community officials and experts to Ukraine, organisation of scientific and technical workshops, seminars and meetings in the Community and in Ukraine).

#### *5.1.1. Objectives pursued*

The essential objective is to stimulate RTD cooperation between the European Community and Ukraine in the areas covered by the Framework Programme.

- The Agreement is designed to enable the Community and Ukraine to profit, on the basis of the principle of mutual benefit, from the scientific and technical progress achieved under their respective research programmes, by means of participation by the Ukrainian scientific community and industrial sector in Community research projects and independent, non-subsidised participation by bodies established in the Community in Ukrainian projects.
- The beneficiaries in the EC and Ukraine will be the scientific community, the private sector and the general public, thanks to the direct and indirect effects of cooperation.

#### *5.1.2. Duration*

The Agreement will be renewed for an additional period of five years and will be renewable by common agreement for further periods of five years.

### **5.2. Actions envisaged and budget intervention arrangements**

#### *5.2.1. Type of expenditure*

100% grant (missions to Ukraine by Commission officials and experts; organisation of workshops, seminars and meetings in the European Community and in Ukraine).

## **6. FINANCIAL IMPACT**

### **6.1. Administrative and technical operating expenditure included in Part B (for the whole programming period)**

#### *6.1.1. Expenditure on the management of the Decision (estimate)*

Indicative breakdown, amounts (expressed in millions of euros)

	2003	2004	2005	2006
Commitments	0.11	0.11	0.11	0.11
Payments	0.11	0.11	0.11	0.11

## **7. FOLLOW-UP AND EVALUATION**

### **7.1. Follow-up arrangements**

The activities in the context of the Cooperation Agreement will be regularly monitored by the relevant Commission departments. This monitoring will be carried out through the collection of information on the basis of data from the specific programmes of the Framework Programme.

### **7.2. Overall evaluation**

An evaluation of all the cooperation activities in the context of this Agreement will be made by the Commission's departments at the end of each year.

## **8. ANTI-FRAUD MEASURES**

Numerous administrative and financial audits are provided for at each stage of the cooperation activities in the context of this Agreement. These include in particular:

- verification, at various levels, of the statements of expenditure before payment;
- audit by the internal audit service;
- audit by the Court of Auditors of the European Union.