



Council of the
European Union

000750/EU XXVI. GP
Eingelangt am 14/11/17

Brussels, 14 November 2017
(OR. en)

9934/02
DCL 1

RECH 104
AMLAT 46

DECLASSIFICATION

of document:	ST 9934/02 RESTREINT UE/EU RESTRICTED
dated:	14 June 2002
new status:	Public
Subject:	Adoption of a Council Decision authorising the Commission to negotiate an agreement for scientific and technological cooperation between the European Community and the United Mexican States.

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

RESTREINT UE



COUNCIL OF
THE EUROPEAN UNION

Brussels, 14 June 2002

9934/02

RESTREINT UE

RECH 104
AMLAT 46

"I/A" ITEM NOTE

from : General Secretariat of the Council
to : Permanent Representatives Committee/Council

No. Cion prop.: 9276/02 RECH 88 AMLAT 43 – SEC(2002) 456 final

Subject : Adoption of a Council Decision authorising the Commission to negotiate an agreement for scientific and technological cooperation between the European Community and the United Mexican States.

1. On 22 May 2002, the Commission submitted to the Council its recommendation for the above-mentioned decision. The Commission's recommendation is based on Articles 170 and 300 of the Treaty establishing the European Community, having regard to Article 29 of the Economic Partnership, Political Coordination and Cooperation Agreement between the Community and its Member States of the one part and the United Mexican States of the other part¹.
2. The Research Working Party, at its meeting on 4 June 2002, reached agreement on the text of the decision authorising the Commission to negotiate the agreement (Annex I), as well as on the negotiating directives (Annex II).
3. It is suggested, therefore, that the Permanent Representatives Committee recommends the Council, at one of its future sessions, to adopt as an "A" item this Decision and the negotiating directives as annexed to this note.

¹ O.J. L 276, 28.10.2000, p.44.

RESTREINT UE

ANNEX I

COUNCIL DECISION

authorising the Commission to negotiate an agreement on scientific and technological cooperation between the European Community and the United Mexican States

1. The Council, on the recommendation of the Commission, has authorised the Commission to negotiate an agreement for scientific and technological cooperation between the European Community and the United Mexican States.
2. The Commission shall conduct the negotiations with the assistance of the special committee set up for this purpose in accordance with Article 300 of the Treaty establishing the European Community.
3. The Council calls on the Commission to conduct these negotiations on the basis of the attached negotiating directives.
4. The Commission shall keep the Council informed of the state of progress of the negotiations.

DECLASSIFIED

NEGOTIATING DIRECTIVES for an agreement on scientific and technological cooperation with the United Mexican States

1. Subject

The aim of the negotiations is to conclude an agreement in accordance with Article 170 in conjunction with the first sentence of Article 300(2) and the first indent of Article 300(3) of the Treaty establishing the European Community, and having regard to the Economic Partnership, Political Coordination and Cooperation Agreement (hereinafter: Global Agreement) between the Community and its Member States of the one part and the United Mexican States (hereinafter: Mexico) of the other part. The purpose of this S&T agreement is to give effect to the Global Agreement with regard to establishing cooperation under the first activity of the European Community multiannual RTD Framework Programme (hereinafter: framework programme), as provided for in Article 164 of the Treaty establishing the European Community. This cooperation should be to the benefit of both parties.

2. Guiding principles

Cooperation under this agreement shall ensure reciprocal access for research bodies from the two parties to their research and development activities and appropriate protection of industrial and intellectual property, with the objective of acting to the mutual benefit of both parties.

3. Scope of the cooperation

The cooperation established by this agreement shall cover the first research activity under the European Community multiannual RTD framework programme, as provided for in Article 164 of the Treaty establishing the European Community.

RESTREINT UE

4. Forms and methods of cooperation

Cooperation shall take the following forms:

- full participation, under the Agreement, of Mexican research bodies¹ in indirect research actions under the Community's framework programme for non-nuclear RTD activities and reciprocal participation by research bodies¹ from the European Community in Mexican research projects in similar sectors. Participation by Mexican bodies in indirect Community research actions shall be subject to the rules for the participation of undertakings, research centres and universities and for the dissemination of research results for the implementation of the framework programme; joint research and technological development activities by European and Mexican bodies must be approved by both parties in order to come under this agreement;
- visits and exchanges of scientists;
- participation by experts in seminars, symposia and workshops.

5. Duration

The agreement will be concluded for an initial period of five years and may be tacitly renewed after evaluation during the next to last year of each successive period. It may be terminated at any time by either party upon six months' written notice.

6. Dissemination and utilisation of information

Participation of Mexican bodies in indirect Community RTD actions and the dissemination and exploitation of results, including intellectual property rights, shall be subject to the rules adopted by the Council for the Community's research programmes under Article 167 of the Treaty and, where appropriate, to the guiding principles on the allocation of intellectual property rights applicable to scientific and technical cooperation agreements with third

¹ As currently defined in Article 6 of Council Decision 1999/65/EC of 22 December 1998 concerning the rules for the participation of undertakings, research centres and universities and for the dissemination of research results for the implementation of the fifth framework programme of the European Community (1998-2002) (OJ L 26, 1.2.1999, pp. 46-55).

RESTREINT UE

countries, as laid down in the Joint Declaration of the Council and the Commission of 26 June 1992.

Mutatis mutandis, bodies from the Community participating in Mexican research activities under this agreement shall have the same rights and obligations as Mexican bodies.

7. Financing

As far as the participation of Mexican research bodies in indirect Community research actions under the first activity in the framework programme is concerned, the provisions adopted by the Council under Article 167 of the EC Treaty applicable to bodies from third countries shall apply.

8. Management of the agreement

A Joint Scientific and Technological Cooperation Committee shall be set up to promote, monitor and assess the various activities under the agreement. It shall consist of representatives of the Commission, on the one hand, and representatives of the Republic of Mexico, on the other. The Committee shall normally meet once a year, preferably before the Joint Committee set up under the Global EU-Mexico Agreement, and shall report to the Joint Committee. Extraordinary meetings may be held at the request of either of the parties.

9. Negotiating procedure

The Commission shall be assisted in its negotiations by the special committee appointed by the Council in accordance with Article 300 of the EC Treaty.
