

No. 24993

**EUROPEAN ECONOMIC COMMUNITY,
NORWAY AND SWITZERLAND**

Community-COST Concertation Agreement on a concerted action project in the field of plant in vitro culture (COST Project 87) (with annexes). Concluded at Brussels on 25 September 1986

Authentic texts: Spanish, Danish, German, Greek, English, French, Italian, Dutch and Portuguese.

Registered by the European Economic Community on 16 July 1987.

**COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE,
NORVÈGE ET SUISSE**

Accord de concertation Communauté-COST relatif à l'action concertée dans le domaine des cultures végétales in vitro (Action COST 87) [avec annexes]. Conclu à Bruxelles le 25 septembre 1986

Textes authentiques : espagnol, danois, allemand, grec, anglais, français, italien, néerlandais et portugais.

Enregistré par la Communauté économique européenne le 16 juillet 1987.

COMMUNITY-COST CONCERTATION AGREEMENT¹ BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE REPUBLIC OF FINLAND, THE KINGDOM OF NORWAY, THE KINGDOM OF SWEDEN, THE SWISS CONFEDERATION AND THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA ON A CONCERTED ACTION PROJECT IN THE FIELD OF PLANT IN VITRO CULTURE (COST PROJECT 87)

The European Economic Community, hereinafter referred to as “the Community”;

The Republic of Finland, the Kingdom of Norway, the Kingdom of Sweden, the Swiss Confederation and the Socialist Federal Republic of Yugoslavia, hereinafter referred to as “the participating non-Member States”;

Whereas a research project in the field of plant in vitro culture was proposed in 1980 by the Swiss delegation within the framework of European Co-operation in the field of Scientific and Technical Research (COST);

Whereas a Memorandum of Understanding for carrying out a European Research Project on in vitro cultures for the purification and propagation of plants (COST Project 87) was signed by Belgium, Denmark, the Federal Republic of Germany, Ireland, and Italy, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom in 1983 and by Spain in 1985;

Whereas Section 3 of that Memorandum lays down that it will expire when a Community-Cost Concertation Agreement on in vitro cultures for the purification and propagation of plants comes into force;

Whereas by its Decision of 12 March 1985 the Council of the European Communities, hereinafter referred to as “the Council” adopted a multiannual research action programme for the European Economic Community in the field of biotechnology (1985-1989) which provides in particular for a concerted action project on plant in vitro culture;

Whereas the Member States of the Community and the participating non-Member States, hereinafter referred to as “the States”, and the Community intend, subject to the rules and procedures applicable to their national programmes, to carry out the research described in Annex A; whereas they prepared to integrate such research into a process of concertation which they consider will be of mutual benefit;

Whereas the implementation of the research covered by the concerted action project will require a financial contribution of about 20 million ECU from the States and the Community,

¹ Came into force on 1 November 1986 in respect of the following States and organization, i.e., the first day of the month following that during which the Community and at least one of the participating non-member States had notified the Secretary-General of the Council of the European Communities of the completion of the procedures necessary under their internal provisions for the implementation of the Agreement, in accordance with article 6 (2):

<i>State or organization</i>	<i>Date of the notification</i>
European Economic Community	25 September 1986
Norway	17 October 1986
Switzerland	17 October 1986

Has agreed as follows:

Article 1. The Community and the participating non-Member States, hereinafter referred to as “the contracting parties”, shall participate for a period extending until 14 June 1988 in a concerted action project in the field of plant in vitro culture.

This project is described in detail in Annex A.

The States remain entirely responsible for the research executed by their national institutions or bodies.

Article 2. Concertation between the contracting parties shall be effected through the Management and Co-ordination Advisory Committee (CGC) in the field of biotechnology set up by the Council Decision of 29 June 1984 dealing with structures and procedures for the management and co-ordination of Community research, development and demonstration activities, meeting in appropriate configuration and enlarged to include the representatives or experts of the participating non-Member States.

The terms of reference and the composition of this enlarged Committee hereinafter referred to as “the Committee” are defined in accordance with the said Decision.

Article 3. In order to ensure optimum efficiency in the execution of this concerted action project, a project leader shall be appointed by the Commission after having consulted the national representatives or experts to the Committee.

Article 4. The estimated financial contribution by the contracting parties to the co-ordination costs for the period referred to in the first paragraph of Article 1 shall be:

- 400,000 ECU from the Community,
- 33,000 ECU from each participating non-Member State.

The ECU is that defined by the Financial Regulation in force applicable to the general Budget of the European Communities and by the financial arrangements adopted pursuant thereto.

The rules governing the financing of the Agreement are set out in Annex B.

Article 5. Through the Committee, the States and the Community shall regularly exchange all useful information concerning the execution of the research covered by the concerted action project. The States shall provide the Commission with all information relevant for co-ordination purposes. They shall also endeavour to provide the Commission with information on similar research planned or carried out by other bodies which are not under their authority. Any information shall be treated as confidential if so requested by the State which provides it.

Article 6. 1. Each of the contracting parties shall, after signing this Agreement, notify the Secretary-General of the Council as soon as possible, of the completion of the procedures necessary under its internal provisions for the implementation of this Agreement.

2. For the contracting parties which have transmitted the notification provided for in paragraph 1, this Agreement shall enter into force on the first day

of the month following that in which the Community and at least one of the participating non-Member States transmitted these notifications.

For those contracting parties which transmit the notification after the entry into force of this Agreement, it shall come into force on the first day of the second month following the month in which the notification was transmitted.

Contracting parties which have not yet transmitted this notification at the time of entry into force of this Agreement shall be able to take part in the work of the Committee without voting rights for a period of six months following the entry into force of this Agreement.

3. The Secretary-General of the Council shall notify each of the contracting parties of the deposit of the notifications provided for in paragraph 1 and of the date of entry into force of this Agreement.

Article 7. This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community¹ is applied and under the conditions laid down in that Treaty and, on the other hand, to the territories of the participating non-Member States.

Article 8. This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese and Spanish languages, each text being equally authentic, shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall transmit a certified copy to each of the Contracting Parties.

[For the testimonium and signature pages, see p. 91 of this volume.]

¹ United Nations, *Treaty Series*, vol. 298, p.3.

ANNEX A

RESEARCH COVERED BY THE CONCERTED ACTION PROJECT

The primary aims of this research consist of developing tissue culture methods for:

- Rapid multiplication of healthy plants,
- Freeing plants from pathogens,
- Safe long-term storage of plant cultures.

The model plants selected are:

- Apple rootstock M 26,
- Cordyline,
- Nephrolepis,
- Gerbera,
- Pelargonium,
- Saintpaulia.

ANNEX B

FINANCING RULES

Article 1. These provisions lay down the financial rules referred to in Article 4 of the Agreement.

Article 2. At the beginning of each financial year, the Commission shall send to each of the participating non-Member States a call for funds corresponding to its share of the annual co-ordination costs under the Agreement, calculated in proportion to the maximum amounts laid down in Article 4 of the Agreement.

This contribution shall be expressed both in ECU and the currency of the participating non-Member States concerned, the value of the ECU being defined in the Financial Regulation applicable to the general Budget of the European Communities and determined on the date of the call for funds.

The total contributions shall cover the travel costs of the national representatives or experts to the Committee, in addition to the co-ordination costs proper which include meetings, contracts to be concluded with persons or bodies in the participating States with a view to insuring co-ordination and exchange of research workers between laboratories.

Each participating non-Member State shall pay its annual contribution to the co-ordination costs under the Agreement at the beginning of each year, and by 31 March at the latest. Any delay in the payment of the annual contribution shall give rise to the payment of interest by the participating non-Member State concerned at a rate equal to the highest discount rate ruling in the States on the due date. The rate shall be increased by 0.25% for each month of delay. The increased rate shall be applied to the entire period of delay. However, such interest shall be chargeable only if payment is effected more than three months after the issue of a call for funds by the Commission.

Article 3. The funds paid by participating non-Member States shall be credited to the concerted action project as budget receipts allocated to a heading in the statement of the revenue of the general Budget of the European Communities (Commission section).

Article 4. The provisional timetable for the co-ordination costs referred to in Article 4 of the Agreement is appended.

Article 5. The Financial Regulation in force applicable to the general Budget of the European Communities shall apply to the management of the appropriations.

Article 6. At the end of each financial year, a statement of appropriations for the concerted action project shall be prepared and transmitted to the participating non-Member States for information.

APPENDIX
PROVISIONAL TIMETABLE FOR THE CO-ORDINATION COSTS
(× 1 000 *Ecus*)

	1985		1986		1987		1988		Total	
	CA	PA	CA	PA	CA	PA	CA	PA	CA	PA
1. Initial estimate of overall requirements:										
— Staff and administrative operating expenditure	12	12	60	60	72	72	46	46	190	190
— Contracts	—	—	60	30	80	90	70	90	210	210
TOTAL	12	12	120	90	152	162	116	136	400	400
2. Revised estimate of expenditure with additional requirements resulting from the participation of non-Member States	12	12	120	90	152	162	116	136	400	400
	+	+	+	+	+	+	+	+	+	+
	n×1	n×1	n×10	n×8	n×12	n×13	n×10	n×11	n×33	n×33
3. Difference between 1 and 2 to be covered by contributions from participating non-Member States	n×1	n×1	n×10	n×8	n×12	n×13	n×10	n×11	n×33	n×33

n : Number of participating non-Member States.

CA : Commitment Appropriations.

PA : Payment Appropriations.