


# Procedure file

Basic information	
CNS - Consultation procedure Decision	1999/0123(CNS) Procedure completed
EC/China agreement: scientific and technological cooperation agreement	
Subject 3.50.20 Scientific and technological cooperation and agreements	
Geographical area China	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ITRE</b> Industry, External Trade, Research, Energy	V/ALE <a href="#">GAHRTON Per</a>	21/09/1999
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs, Human Rights, Common Security, Defense		
	<b>BUDG</b> Budgets		
Council of the European Union	Council configuration	Meeting	Date
	Research	<a href="#">2231</a>	02/12/1999

Key events			
11/06/1999	Legislative proposal published	COM(1999)0287	Summary
23/07/1999	Committee referral announced in Parliament		
26/10/1999	Vote in committee		Summary
26/10/1999	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0049/1999</a>	
03/11/1999	Debate in Parliament		
04/11/1999	Decision by Parliament	<a href="#">T5-0091/1999</a>	Summary
02/12/1999	Act adopted by Council after consultation of Parliament		
02/12/1999	End of procedure in Parliament		
11/01/2000	Final act published in Official Journal		

Technical information	
Procedure reference	1999/0123(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 300-p2-a1; EC Treaty (after Amsterdam) EC 300-p3-a1; EC Treaty (after Amsterdam) EC 170
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/4/11074

Documentation gateway					
Legislative proposal		<a href="#">COM(1999)0287</a> <a href="#">OJ C 247 31.08.1999, p. 0032 E</a>	11/06/1999	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0049/1999</a> <a href="#">OJ C 154 05.06.2000, p. 0020</a>	26/10/1999	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0091/1999</a> <a href="#">OJ C 158 07.06.2000, p. 0011-0033</a>	04/11/1999	EP	Summary

Additional information	
European Commission	<a href="#">EUR-Lex</a>

Final act
<a href="#">Decision 2000/16</a> <a href="#">OJ L 006 11.01.2000, p. 0039</a> Summary

## EC/China agreement: scientific and technological cooperation agreement

**PURPOSE:** conclusion of a scientific and technological cooperation agreement with the People's Republic of China. **CONTENT:** The essential objective of the draft agreement is to stimulate RTD cooperation between the European Community and the People's Republic of China in research projects covered by the framework programme. The proposed agreement would be concluded for an initial period of five years and may be renewed by common agreement between the parties (tacit renewal) after evaluation during the penultimate year of each successive period. The agreement is founded on: - mutual benefit based on an overall balance of advantages; - reciprocal access to the activities of RTD undertaken by each Party; - timely exchange of information which may affect cooperative activities; - appropriate protection of intellectual property rights. Subject to their applicable laws, regulations and policies, the Parties shall foster, to the fullest extent possible, the involvement of participants in cooperative activities under this Agreement with a view to providing comparable opportunities for participation in their scientific and technological R&D activities. Cooperative activities may take the following forms: - participation of Chinese research entities in RTD projects under the first activity of the Framework Programme and reciprocal participation of European research entities in Chinese projects in the same sector of RTD. - pooling of RTD projects already implemented. - visits and exchanges of scientists and technical experts. - joint organisation of scientific seminars, conferences, symposia and workshops, as well as participation of experts in those activities. - concerted actions. - exchanges and sharing of equipment and materials. - exchnages of information on practices, laws, regulations and programmes relevant to cooperation under this Agreement. - any other modality that would be recommended by the Steering Committee and deemed in conformity with the policies and procedures applicable in both Parties. The joint RTD projects will be implemented when the participants have developed a technology management plan, as indicated in the Annex of the Agreement. The Annex also lays down the rules regarding the ownership, allocation and exercise of intellectual property rights.?

## EC/China agreement: scientific and technological cooperation agreement

The committee adopted a report (consultation procedure) by Mr Per GAHRTON (Greens/EFA, S) approving the conclusion of the agreement. The report welcomed closer scientific cooperation with China but pointed to the need for caution in some areas such as biotechnological cooperation, given the lack of ethical constraints and the risks of bio-weapons development. It also stated that the emphasis on undisclosed information in section V of the annex on intellectual property rights was not in keeping with EU principles and that this section should not be invoked in implementation of the agreement.

## EC/China agreement: scientific and technological cooperation agreement

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In adopting the report drafted by Mr. Per GAHRTON (Greens/ALE, S), the European Parliament approved the conclusion of the EC/China Agreement for scientific and technological cooperation.?

## EC/China agreement: scientific and technological cooperation agreement

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**PURPOSE** : to conclude the Agreement for scientific and technological cooperation between the European Community and China.

**COMMUNITY MEASURE** : Council Decision 2000/16/EC concerning the conclusion of the Agreement for scientific and technological cooperation between the European Community and China. **CONTENT** : the Agreement, to be concluded for tacitly renewable five-year periods, was negotiated against the background of an upgraded and intensifying cooperation between China and the EU, in view of the importance of science and technology for economic and social development and the mutual wish to extend and strengthen the conduct of cooperative activities in areas of common interest. It is based on the principles of mutual benefit, reciprocal opportunities for access to each other's programmes and activities relevant to the purpose of the Agreement, non-discrimination, and the effective protection of intellectual property and equitable sharing of intellectual property rights. Cooperation shall be conducted subject to applicable laws and regulations in force on each side. The Agreement provides for : - the participation of persons and legal entities, including the Parties themselves, universities, research institutes, and other bodies or undertakings, in each other's research projects ; - pooling of RTD projects already implemented according to the procedures applicable in the RTD programmes of each Party ; - exchange and sharing of equipment and materials ; - exchange and provision of information and data ; - visits and exchanges of scientists, engineers or other appropriate personnel for the purposes of participating in meetings, seminars, symposia, workshops and other research activities relevant to cooperation under this Agreement ; - such other activities as may be mutually determined by the steering Committee in accordance with the applicable policies and programmes of the Parties ; - the endorsement by the Parties of technology Management Plans as a condition for research projects to proceed, as described in the Annex to the Agreement ; - cooperation activities to be subject to the availability of funds and to applicable laws and regulations, policies and programmes of China and the Community ; no transfer funds will take place. The Annex covers intellectual property rights : their application, ownership, allocation and exercise of rights, copyright works and scientific literary works, inventions, discoveries and other scientific and technological achievements, etc. The Steering Committee will facilitate the efficient and effective operation of the Agreement. **ENTRY INTO FORCE** : the Decision shall enter into force on 02.12.1999, the Agreement shall enter into force as soon as all the procedures necessary for the entry into force have been completed.?