EC/China agreement: scientific and technological cooperation agreement

1999/0123(CNS) - 02/12/1999 - Final act

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 availablitiy 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.