



Council of the
European Union

Brussels, 1 October 2020
(OR. en)

Interinstitutional File:
2020/0270(NLE)

11158/20
ADD 1

COEST 183
WTO 207

PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	24 September 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	COM(2020) 584 final - Annex
Subject:	ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Partnership Committee established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the amendment of the list of individuals to serve as arbitrators in dispute settlement proceedings

Delegations will find attached document COM(2020) 584 final - Annex.

Encl.: COM(2020) 584 final - Annex



Brussels, 24.9.2020
COM(2020) 584 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

on the position to be taken on behalf of the European Union in the Partnership Committee established by the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part, as regards the amendment of the list of individuals to serve as arbitrators in dispute-settlement proceedings

DRAFT

DECISION No .../... OF THE EU-ARMENIA PARTNERSHIP COMMITTEE

of ...

amending the list of arbitrators referred to in Article 339 of the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part

THE PARTNERSHIP COMMITTEE,

Having regard to the Comprehensive and Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part ('the Agreement'), and in particular Article 339(1) thereof,

Whereas:

- (1) The Partnership Committee, at its meeting of 17 October 2019, established a list of 15 individuals who are willing and able to serve as arbitrators ('the list of arbitrators').
- (2) In accordance with Article 339(2) of the Agreement, the individuals on the list should be independent, serve in their individual capacities and not take instructions from any organisation or government, or be affiliated with the government of any of the Parties, and should comply with the Code of Conduct.
- (3) Armenia has informed the Union that one of the arbitrators it had proposed no longer fulfills the conditions set out in Article 339(2) of the Agreement and therefore proposed another individual as replacement.
- (4) In order to ensure the operation of the provisionally applied provisions of the Agreement, the list of arbitrators should be amended by the Partnership Committee.
- (5) The European Union accepts that the proposed individual fulfills the conditions of Article 339(2) of the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The list of individuals who are willing and able to serve as arbitrators, established pursuant to Article 339(1) of the Agreement, is hereby replaced by the list of arbitrators set out in the Annex to this Decision.

Article 2

This Decision shall enter into force on the day of its adoption.

Article 3

This Decision is drawn up in duplicate in the English language. Each Party may provide translations into its official languages.

Done at ...,

For the Partnership Committee

The Chair

The Secretaries

ANNEX

LIST OF ARBITRATORS REFERRED TO IN ARTICLE 339 OF THE AGREEMENT

Arbitrators proposed by the European Union

1. Claus-Dieter EHLERMANN
2. Giorgio SACERDOTI
3. Jacques BOURGEOIS
4. Pieter Jan KUIJPER
5. Ramon TORRENT

Arbitrators proposed by the Republic of Armenia

1. Nora SARGSYAN
2. Arman SARGSYAN
3. Arsen TAVADYAN
4. Levon GEVORGYAN
5. Mushegh MANUKYAN

Chairpersons

1. William DAVEY (USA)
2. Helge SELAND (Norway)
3. Maryse ROBERT (Canada)
4. Christian HÄBERLI (Switzerland)
5. Merit JANOW (USA)