



Brussels, 17 October 2016
(OR. en)

Interinstitutional File:
2016/0300 (NLE)

13294/16
ADD 1

TRANS 390
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PROPOSAL

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

No. Cion doc.: COM(2016) 620 final - ANNEX 1

Subject: ANNEX to the Proposal for a COUNCIL DECISION on the Union position
to be taken in the European Union/Switzerland GNSS Committee
established by the Cooperation Agreement between the European Union
and its Member States, of the one part, and the Swiss Confederation, of
the other, on the European Satellite Navigation Programmes Draft
DECISION 1/2016 OF EUROPEAN UNION/SWITZERLAND GNSS
COMMITTEE (THE JOINT COMMITTEE) of XXX 2016 adopting its rules of
procedure

Delegations will find attached document COM(2016) 620 final - ANNEX 1.

Encl.: COM(2016) 620 final - ANNEX 1



Brussels, 12.10.2016
COM(2016) 620 final

ANNEX 1

ANNEX

to the

Proposal for a COUNCIL DECISION

on the Union position to be taken in the European Union/Switzerland GNSS Committee established by the Cooperation Agreement between the European Union and its Member States, of the one part, and the Swiss Confederation, of the other, on the European Satellite Navigation Programmes

Draft

**DECISION 1/2016 OF EUROPEAN UNION/SWITZERLAND GNSS COMMITTEE
(THE JOINT COMMITTEE)
of XXX 2016
adopting its rules of procedure**

ANNEX

to the

Proposal for a COUNCIL DECISION

on the Union position to be taken in the European Union/Switzerland GNSS Committee established by the Cooperation Agreement between the European Union and its Member States, of the one part, and the Swiss Confederation, of the other, on the European Satellite Navigation Programmes

Draft

**DECISION 1/2016 OF EUROPEAN UNION/SWITZERLAND GNSS COMMITTEE
(THE JOINT COMMITTEE)
of XXX 2016
adopting its rules of procedure**

THE JOINT COMMITTEE,

Having regard to the Cooperation Agreement between the European Union and its Member States, of the one part, and the Swiss Confederation (hereinafter referred to as "Switzerland"), of the other, on the European satellite navigation programmes (hereinafter referred to as "the Agreement"), and in particular Article 20 thereof,

Whereas:

- (1) The Agreement applies provisionally between Switzerland and the European Union from 1 January 2014 as regards elements falling within the competence of the European Union.
- (2) In accordance with Article 20 (2) of the Agreement the Joint Committee is to establish its rules of procedure.
- (3) The Joint Committee may decide to set up working groups or groups of experts to assist it in the accomplishment of its tasks.
- (4) In accordance with Article 27 (2) of the Agreement, during the provisional application of the Agreement the Joint Committee shall be made up of delegates of Switzerland and the European Union.

HAS DECIDED AS FOLLOWS:

Sole Article

The rules of procedure of the Joint Committee annexed to this decision are hereby adopted.

Done in English at Brussels and Berne, XXXXX 2016 and XXXX 2016, respectively

For the Joint Committee

The Chairman

Secretary for the EU

Secretary for Switzerland

RULES OF PROCEDURE
OF THE
EUROPEAN UNION/SWITZERLAND GNSS COMMITTEE (THE
JOINT COMMITTEE)

Article 1

Composition of the Joint Committee

1. The Joint Committee shall be composed, for the European Union and its Member States, on the one side, of delegates of the European Commission (hereinafter referred to as "Commission") and of the governments of the Member States of the European Union, and for Switzerland, on the other side, of delegates of the Swiss Federal Government. The two sides shall hereinafter be referred to individually as "the Party" or jointly as "the Parties".
2. The delegates of the Parties may be accompanied by other officials.
3. During the provisional application of the Agreement the Joint Committee shall be made up of delegates of Switzerland and of the European Union, represented by the Commission

Article 2

Chairmanship

1. The Parties shall hold the Chairmanship of the Joint Committee alternatively for a period of one calendar year.

The Chairmanship shall be held by Switzerland during the first calendar year of the entry into force of the Agreement.

2. The Party that holds the Chairmanship shall appoint the person and his or her delegate to be Chairman of the Joint Committee.
3. The Chairman directs the work of the Joint Committee.
4. During the provisional application of the Agreement, the provisions of Chairmanship shall apply *mutatis mutandis*.

Article 3

Observers and experts

The Joint Committee may decide by common agreement of the Parties to invite persons in their expert capacity or representatives of other bodies to attend the meeting of the Joint Committee as observers in order to provide information on specific subjects. The Joint Committee shall agree on the terms and conditions under which these observers may attend the meetings.

Article 4

Secretariat

1. An official of the European Commission and an official of the Government of Switzerland shall act jointly as Secretaries of the Joint Committee.
2. The Secretariat shall be responsible for the communication between the Parties, including the transmission of documents.
3. The secretarial functions fall within the responsibility of the Party that holds the Chairmanship.

Article 5

Meetings of the Joint Committee

1. The Joint Committee shall meet as and when necessary, in principle once a year.

The Chairman shall convene, after consultation with the Parties, the meeting of the Joint Committee at a mutually agreed time and place. If the Parties so agree telephone and video conferences may also be used.

The Chairman shall convene a special session of the Joint Committee at the request of either the European Union or Switzerland.

The Joint Committee shall meet within 15 calendar days of a request under Article 22(2) of the Agreement.

2. The Joint Committee shall meet in Brussels or in Switzerland, depending on the Party that holds the Chairmanship, unless the Parties agree otherwise.
3. The Chairman shall send the notice of meeting, together with the draft agenda and the documents for the meeting, to the delegates of the Parties no later than 21 calendar days before the meeting. Documents for meetings convened in accordance with Article 22(2) of the Agreement, shall be sent no later than 7 calendar days before the meeting.

4. The Chairman may, in agreement with the Parties shorten the time limits indicated in paragraph 3 in order to take account of the requirements of a particular matter.
5. At least 7 calendar days before each meeting, the Chairman shall be informed of the composition of the delegation of each Party.
6. Meetings of the Joint Committee shall not be public unless the Parties decide otherwise.

Article 6

Agenda

1. The Chairman, assisted by the Secretaries, shall draw up the provisional agenda for each meeting.
2. Each Party may propose additional items to be included in the agenda at the latest 7 calendar days before the meeting. Any request for additional items to be included in the agenda must be duly substantiated and sent in writing to the Chairman.
3. The Joint Committee shall approve the agenda at the beginning of the meeting.

Article 7

Working groups of the Joint Committee

1. The composition and functioning of the working groups or groups of experts to be set up in accordance with Article 20 (4) of the Agreement shall be agreed on the basis of a mandate established by the Joint Committee.
2. The working groups or groups of experts shall apply the present rules of procedure *mutatis mutandis*.
3. The working groups or groups of experts shall work under the authority of the Joint Committee to which they shall report after each of their meetings. They are not authorised to take decisions, but may make recommendations for the Joint Committee's attention.
4. The Joint Committee may decide to amend or to terminate the mandate of the working groups or groups of experts.

Article 8

Decisions and recommendations

1. The Joint Committee shall take Decisions and draw up Recommendations by common agreement of the Parties in accordance with the provisions set out in the Agreement. They

shall be entitled "Recommendation" or "Decision", followed by a sequential number, the date of adoption and a reference to their subject matter.

2. The Decisions and Recommendations of the Joint Committee shall be signed by the Chairman and the Secretaries and shall be circulated to the Parties.

3. Each Party may decide to publish any Decision or Recommendation adopted by the Joint Committee in its respective official journal. The Parties will inform each other about their intention to publish a Decision or a Recommendation.

4. The Joint Committee may adopt its Decisions or Recommendations by written procedure if the Parties so agree. The written procedure shall consist of an exchange of notes between the Secretaries, acting in agreement with the Parties. For that purpose, the text of the proposal shall be circulated pursuant to Article 5 of these Rules of Procedure, within a time-limit of no less than 21 calendar days within which any reservations or amendments shall be made known. The Chairman may reduce that time-limit, in consultation with the Parties, in order to take account of special circumstances. Once the text is agreed, the decision or the recommendation shall be signed by the Chairman and the Secretaries.

5. The Joint Committee Decisions amending the Annex I to the Agreement shall be adopted in the authentic languages of the Agreement.

Article 9

Minutes

1. The Secretariat shall draw up draft minutes of each meeting. The draft shall indicate the decisions taken and the recommendations drawn. The draft minutes shall be submitted to the Joint Committee for adoption. Once they have been adopted by the Joint Committee, the minutes shall be signed by the Chairman and the Secretaries.

2. The draft minutes shall be drawn up within 21 calendar days of the meeting and submitted for the approval of the Joint Committee either through written procedure or in the following meeting of the Joint Committee.

Article 10

Confidentiality

Where a Party submits to the Joint Committee information designated as confidential, the other Parties shall treat that information as such.

Article 11

Expenses

1. Each Party shall bear any expenses it incurs relating to its participation in the meetings of the Joint Committee and of the working groups or groups of experts.
2. The Joint Committee shall agree on the breakdown of expenses relating to any missions assigned to experts.
3. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.
4. Expenditure in connection with interpretation at meetings and translation of documents into or from English, French and German shall be borne by the Party hosting the meeting.

Article 12

Correspondence

All correspondence to or from the Chairman of the Joint Committee shall be sent to the Secretariat of the Joint Committee.

Article 13

Languages

The working languages of the Joint Committee shall be English, French and German. Without prejudice to Article 8(5) of these Rules of Procedure, the Joint Committee shall base its decisions and deliberations on the documentations drawn up in any of these languages, unless decided otherwise by the Parties.

Article 14

Amendment of Rules of Procedure

These Rules of Procedure may be amended in accordance with Article 8 of these Rules of Procedure.