



Council of the
European Union

157274/EU XXV. GP
Eingelangt am 10/10/17

Brussels, 9 October 2017
(OR. en)

Interinstitutional File:
2017/0257 (NLE)

13043/17
ADD 1

WTO 234
COLAC 95

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	9 October 2017
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2017) 584 final - ANNEX I
Subject:	ANNEX to the Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Trade Committee regarding the amendment of Annex XII of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, setting out the list of Colombian procuring entities in accordance with the provisions of Title VI ('Government Procurement')

Delegations will find attached document COM(2017) 584 final - ANNEX I.

Encl.: COM(2017) 584 final - ANNEX I



EUROPEAN
COMMISSION

Brussels, 9.10.2017
COM(2017) 584 final

ANNEX 1

ANNEX

to the

Proposal for a Council Decision

on the position to be adopted, on behalf of the European Union, in the Trade Committee regarding the amendment of Annex XII of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, setting out the list of Colombian procuring entities in accordance with the provisions of Title VI ('Government Procurement')

ATTACHMENT

DECISION No [...] /2017 OF THE EU-COLOMBIA-PERU TRADE COMMITTEE of [...] 2017

amending Appendix 1 of Annex XII ('Government Procurement') to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part

THE TRADE COMMITTEE,

Having regard to the Trade Agreement between the European Union ('Union') and its Member States, of the one part, and Colombia and Peru, of the other part ('the Trade Agreement'), and in particular Article 191 thereof,

Whereas:

- (1) Article 191 of the Trade Agreement lays down the procedures whereby a Party may modify or rectify its coverage of procurement under Title VI of the Agreement.
- (2) Subsection 2 of Section A to Appendix 1 of Annex XII ('Government Procurement') to the Trade Agreement specifies sub-central government entities of Colombia whose procurement is covered under Title VI.
- (3) Following exchanges between the Union and Colombia on the implementation of the Trade Agreement, Colombia notified the Union of its intention to add a note to Subsection 2 to specify that 'procuring entities' cover all sub-central public procuring entities, not having an industrial or commercial character. The Union and Colombia agree to such modification and that such modification will not require compensatory adjustments.
- (4) In order to include this note, Subsection 2 of Section A to Appendix 1 of Annex XII to the Trade Agreement must be modified. The decision to modify the Annex can be adopted in the Trade Committee set out under the Agreement by the European Union and Colombia ('the Andean Country concerned'), pursuant to paragraph 3 of Article 14 of the Trade Agreement, as it relates exclusively to the bilateral relationship between them,

HAS ADOPTED THIS DECISION:

Article 1

The notes to Subsection 2 of Section A to Appendix 1 of Annex XII ('Government Procurement') to the Trade Agreement shall be replaced as follows:

'Notes to this Subsection

1. For the purposes of this Subsection "procuring entities" cover all sub-central public procuring entities, not having an industrial or commercial character.
2. Title VI of this Agreement does not cover:
 - (a) procurements of food, agricultural raw materials/inputs and live animals related to agricultural support programmes and food assistance; and

- (b) procurements of goods classified under Section 2 (food products, beverages and tobacco; textiles, apparel and leather products) of the CPC version 1.0 for social assistance programmes.'

Article 2

The modification laid down in Article 1 shall not entail compensatory adjustment since it does not lead to a reduction of coverage.

Article 3

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

Done at [...], [...] 2017.

For the Trade Committee