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THE EUROPEAN UNION**

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| From:            | Secretary-General of the European Commission,<br>signed by Mr Jordi AYET PUIGARNAU, Director   |
| date of receipt: | 27 March 2014  |
| To:              | Mr Uwe CORSEPIUS, Secretary-General of the Council of the European<br>Union  |
| No. Cion doc.:   | COM(2014) 193 final ANNEX 1  |
| Subject:         | ANNEX to the Proposal for a Council Decision on the position to be<br>adopted, on behalf of the European Union, within the Joint Committee<br>established by the Regional Convention on pan-Euro-Mediterranean<br>preferential rules of origin as regards the adoption of its rules of procedure |

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Delegations will find attached document COM(2014) 193 final ANNEX 1.

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Encl.: COM(2014) 193 final ANNEX 1



EUROPEAN  
COMMISSION

Brussels, 27.3.2014  
COM(2014) 193 final

ANNEX 1

**ANNEX**

**to the**

**Proposal for a Council Decision**

**on the position to be adopted, on behalf of the European Union, within the Joint Committee established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin as regards the adoption of its rules of procedure**

*DRAFT*

**Decision No 1/2014 of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin**

**of**

**concerning the adoption of its rules of procedure**

**THE JOINT COMMITTEE,**

Having regard to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, in particular Article 3 thereof,

Whereas:

- (1) The Regional Convention on pan-Euro-Mediterranean preferential rules of origin (the "Convention") entered into force on 1 December 2012.
- (2) Article 3(1) of the Convention established a Joint Committee in which each Contracting Party shall be represented.
- (3) Pursuant to Article 3(4) of the Convention the Joint Committee shall adopt its own rules of procedure,

HAS ADOPTED THIS DECISION:

*Sole Article*

The Rules of Procedure of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, as set out in Annex I to this Decision, are hereby adopted.

Done at Brussels

*For the Joint Committee  
The Chairman*

*ANNEX*

**RULES OF PROCEDURE OF THE JOINT COMMITTEE**

**established by the Regional Convention on pan-Euro-Mediterranean preferential rules of origin**

*Article 1*

***Composition***

1. The Joint Committee (hereinafter referred to as the ‘committee’) shall be composed of representatives of:

- the Contracting Parties referred to in Article 1(3) of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (hereinafter referred to as the ‘Convention’) for which the Convention has entered into force, and
- the Contracting Parties having effectively acceded to the Convention pursuant to Article 5(6) of the Convention,

hereinafter referred to as ‘the Contracting Parties for which the Convention has entered into force’.

The Contracting Parties for which the Convention has entered into force shall have voting rights. They shall have one vote per Contracting Party.

2. Contracting Parties referred to in Article 1(3) of the Convention for which the Convention has not yet entered into force and third countries invited by the committee to accede to the Convention pursuant to Article 5(9) shall have observer status in the committee.

Those Contracting Parties, hereinafter referred to as ‘the Contracting Parties with observer status’, shall not have voting rights. They can, however, actively participate in the discussion forum of the committee and table proposals.

3. The secretariats of the European Free Trade Association (EFTA), Agadir Agreement and Central European Free Trade Association (CEFTA) shall also have observer status in the committee.

If need be, the committee may decide to invite further observers on an ad-hoc basis, if no Contracting Party objects.

The observers referred to in the first and second subparagraph shall not have voting rights; however they can actively participate in the discussion forum of the committee and table proposals.

4. Before each meeting of the committee, the members of the committee referred to in paragraphs 1 to 3 (hereinafter referred to as ‘members of the Committee’) shall inform the secretariat in writing about the composition of their delegation. The number of delegates shall, as a general rule, be limited to three delegates per delegation. Any change in the composition shall be notified in writing to the secretariat at the latest seven calendar days before the meeting.

## *Article 2*

### ***Chair***

The committee shall be chaired by a representative of the European Commission (hereinafter referred to as the ‘Commission’).

## *Article 3*

### ***Secretariat***

The Commission shall act as secretariat of the committee and, if necessary, of the sub-committees and working groups created pursuant to Article 13.

## *Article 4*

### ***Correspondence***

1. Correspondence relating to the committee shall be submitted to the Commission, for the attention of the chair of the committee, in principle by electronic means.

2. Correspondence for members of the committee shall be submitted to them by the secretariat, in principle by electronic means.

## *Article 5*

### ***Meetings***

1. Meetings of the committee shall be convened by the chair, either on the chair's own initiative, or at the request of any Contracting Party.

2. The meetings shall take place in Brussels or, if no Contracting Party objects, in any other place.

3. The chair shall do the utmost to avoid that meetings be convened during public holidays of any Contracting Party. For this purpose, the Contracting Parties so willing shall notify the dates of their official holidays of the following year to the secretariat by the end of each calendar year.

4. Invitations to a meeting shall be sent to all members of the committee at least one month before the meeting.
5. Unless the committee decides otherwise, its meetings shall not be public.

#### *Article 6*

##### *Agenda*

1. The chair shall draw up a provisional agenda for each meeting.
2. The provisional agenda shall be transmitted to all members of the committee in principle at the latest one month before the meeting.
3. Additional items may be included as main points in the agenda if submitted to the chair at the latest 15 calendar days before the meeting. Additional items may be included in the provisional agenda as ‘any other business’ if requested prior to the adoption of the agenda.
4. The agenda shall be adopted by the committee at the beginning of each meeting, if no Contracting Party objects.

#### *Article 7*

##### *Minutes*

1. The minutes of each meeting shall be drawn up under the responsibility of the chair. The minutes shall indicate the recommendations and conclusions of the committee in respect of each agenda item and contain, in annexes to the minutes, documents submitted at the meeting and a list of participants.
2. The chair shall send the draft minutes to the members of the committee without delay and no later than one month after the meeting.

The members of the committee shall send any comments they may have on the draft minutes to the chair in writing no later than one month after they have been sent out. In case of disagreement, the matter shall be discussed by the committee. If the disagreement persists, the relevant comments shall be annexed to the final minutes.

#### *Article 8*

##### *Implementation and dispute settlement*

1. The Contracting Parties for which the Convention has entered into force shall exchange views on experiences and problems encountered in the implementation and application of the Convention.

2. Pursuant to Article 33 of Appendix 1 to the Convention, the committee shall seek a commonly acceptable solution to disputes in relation to the interpretation of the Convention.

#### *Article 9*

##### ***Administration of the Convention***

1. Contracting Parties for which the Convention has entered into force shall notify the committee of free trade agreements concluded with each other which refer to the Convention and shall inform the Secretariat of the date of application of the Convention in relation to those free trade agreements.

The Secretariat shall take the necessary steps for the publication of notices indicating the fulfilment of the necessary requirements to apply cumulation in the *Official Journal of the European Union*.

2. The Contracting Parties for which the Convention has entered into force shall inform the committee of any amendments to free trade agreements between the Contracting Parties, which may affect the conditions for applying diagonal cumulation.

#### *Article 10*

##### ***Accession of new Contracting Parties***

1. The committee shall consider written requests for accession by a third country submitted by the depositary, as a main rule at the meeting following receipt of a specific request.

2. The committee shall consider whether transitional arrangements need to be foreseen pending conclusion of free trade agreements between the acceding Contracting Party with other Contracting Parties, in particular to avoid uncertainties regarding cumulation with the acceding Contracting Party.

#### *Article 11*

##### ***Amendments to the Rules of Procedure and the Convention***

1. The rules of procedure of the committee may be reviewed upon request of any Contracting party for which the Convention has entered into force.

2. If a special provision reflected in Appendix II to the Convention is amended by the Contracting Parties concerned or if such a special provision is adopted by two Contracting Parties, the latter shall provide the Secretariat with the relevant amendment.

3. The Secretariat shall communicate amendments to the Convention, including its Appendixes, adopted by the committee to the Depositary and the Contracting Parties.

## *Article 12*

### *Decisions and Recommendations*

1. Decisions and recommendations are adopted by vote of the Contracting Parties for which the Convention has entered into force, present or represented at the meeting of the committee. Quorum is at least 2/3 of the Contracting Parties for which the Convention has entered into force.

Abstentions shall not prevent the adoption by the committee of acts which require unanimity.

A Contracting Party for which the Convention has entered into force may represent a maximum of one other Contracting Party for which the Convention has entered into force. The Contracting Party that is being represented shall inform the chair of this in writing before the meeting.

The Contracting Parties for which the Convention has entered into force shall give the utmost consideration to opinions raised by Contracting Parties with observer status.

2. Decisions and recommendations of the committee shall bear a number, date of adoption and a title referring to their subject matter.

3. Each Contracting Party may publish in its respective official language(s) and official journal(s) and in accordance with its internal rules the decisions and recommendations adopted by the committee.

4. Where a matter is urgent and a meeting cannot be convened, the committee may adopt its decisions or make its recommendations by written procedure, if so agreed by the Contracting Parties for which the Convention has entered into force. Paragraph 1 shall be applicable to such written procedure.

In particular, the chair may use the written procedure to obtain the committee's approval where a draft decision or recommendation has already been discussed during a committee meeting.

In this event, the chair shall circulate the proposed draft decision or recommendation for approval, laying down a time limit for submitting comments and positions according to the urgency of the matter.

The Contracting Parties for which the Convention has entered into force shall notify the Secretariat about their agreement or disagreement to adopt the relevant decision or recommendation within the set time limit. Any Contracting Party for which the Convention has entered into force which does not oppose the draft decision or recommendation before the expiry of that time limit shall be regarded as having tacitly agreed to the proposed draft decision or recommendation.



The chair shall inform all Contracting Parties of the outcome of a written procedure without delay, and no later than 14 calendar days after the expiry of the time limit.

### *Article 13*

#### ***Sub-committees and Working Groups***

1. A sub-committee or working group set up in accordance with Article 3(5) of the Convention may make recommendations, prepare decisions and carry out any other tasks delegated to it by the committee.
2. Sub-committees and working groups shall regularly report to the committee, and at least one month before each meeting of the committee.
3. Contracting Parties with observer status and observers as referred to in Article 1(3) may be represented with the same observer status in any sub-committee or working group.

### *Article 14*

#### ***Official language***

1. The working languages of the committee shall be English and French.
2. The draft decisions submitted to the committee shall be drafted both in English and French.

### *Article 15*

#### ***Entry into force***

These rules of procedure shall enter into force on the day of their adoption.