



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 15 April 2014  
(OR. en)**

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**LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on a position to be taken, on behalf of the European Union, within the Trade Committee set up by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as regards the adoption of the Rules of Procedure for the Trade Committee, the Rules of Procedure and Code of Conduct for arbitrators, the establishment of the lists of arbitrators and the list of experts of the Group of Experts, and the adoption of the Rules of Procedure for the Group of Experts on Trade and Sustainable Development

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**COUNCIL DECISION**

**of**

**on a position to be taken, on behalf of the European Union,  
within the Trade Committee set up by the Trade Agreement  
between the European Union and its Member States, of the one part,  
and Colombia and Peru, of the other part,  
as regards the adoption of the Rules of Procedure for the Trade Committee,  
the Rules of Procedure and Code of Conduct for arbitrators,  
the establishment of the lists of arbitrators  
and the list of experts of the Group of Experts,  
and the adoption of the Rules of Procedure  
for the Group of Experts on Trade and Sustainable Development**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4), in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 19 January 2009, the Council authorised the Commission to negotiate a multiparty trade agreement on behalf of the European Union and its Member States with the Member countries of the Andean Community.
- (2) These negotiations have been concluded and the Trade Agreement between the European Union its Member States, of the one part, and Colombia and Peru, of the other part ( ‘the Agreement’)<sup>1</sup> was signed in Brussels on 26 June 2012.
- (3) Pursuant to Article 330(3) of the Agreement, the Agreement has been provisionally applied with Peru since 1 March 2013 and with Colombia since 1 August 2013, subject to its conclusion at a later date.
- (4) Article 12 of the Agreement establishes a Trade Committee which is to, *inter alia*, ensure that the Agreement operates properly.
- (5) Point (j) of Article 13(1) of the Agreement provides that the Trade Committee is to adopt its own Rules of Procedure.
- (6) Point (h) of Article 13(1) and Article 315 of the Agreement provide that the Trade Committee is to adopt, at its first meeting, the Rules of Procedure and the Code of Conduct for arbitrators.

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<sup>1</sup> OJ L 354, 21.12.2012, p. 3.

- (7) Article 304(1) and (4) of the Agreement provide that the Trade Committee is to establish, at its first meeting, a list of 25 individuals to serve as arbitrators and an additional list of 12 individuals with sectorial experience on specific subjects covered by the Agreement.
- (8) Article 284(3) of the Agreement provides that the Trade Committee is to endorse, at its first meeting, a list of at least 15 persons with expertise on issues covered by Title IX of the Agreement to serve in the Group of Experts.
- (9) Article 284(6) of the Agreement stipulates that the Trade Committee is to adopt, at its first meeting, Rules of Procedure for the Group of Experts.
- (10) The Union should determine the position to be taken with regards to the adoption of the Rules of Procedure of the Trade Committee, the Rules of Procedure and Code of Conduct for arbitrators, the establishment of the lists of individuals to serve as arbitrators and of the list of persons with expertise on issues covered by Title IX of the Agreement, as well as the adoption of the Rules of Procedure for the Group of Experts,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be taken on behalf of the Union within the Trade Committee, set up by the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, as regards the adoption of the Rules of Procedure of the Trade Committee, the Rules of Procedure and Code of Conduct for arbitrators, the establishment of the lists of individuals to serve as arbitrators and the list of persons with expertise on issues covered by Title IX of the Agreement, as well as the adoption of the Rules of Procedure for the Group of Experts, shall be based on the draft decisions of the Trade Committee attached to this Decision.

Minor technical corrections to the draft decisions of the Trade Committee may be agreed to by the representatives of the Union in the Trade Committee without further decision of the Council.

*Article 2*

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

Done at Brussels,

*For the Council*

*The President*

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