



**COUNCIL OF
THE EUROPEAN UNION**

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Subject: 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 concerning the adoption of its rules of procedure

COUNCIL DECISION

of

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

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 Regional Convention on pan-Euro-Mediterranean preferential rules of origin¹,

Having regard to the proposal from the European Commission,

¹ OJ L 54, 26.2.2013, p. 4.

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 is to be represented.
- (3) Council Decision 2013/94/EU¹ provides that the Commission is to represent the Union in the Joint Committee.
- (4) Pursuant to Article 3(4) of the Convention, the Joint Committee is to adopt its own rules of procedure.
- (5) The position of the Union within the Joint Committee should be to vote in favour of the rules of procedure,

HAS ADOPTED THIS DECISION:

¹ Council Decision 2013/94/EU of 26 March 2012 on the conclusion of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin (OJ L 54, 26.2.2013, p. 3).

Article 1

The position to be adopted on behalf of the European Union within the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin, concerning the adoption of its rules of procedure, shall be based on the draft Decision of the Joint Committee of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin attached to this Decision.

Minor changes to the draft Decision may be agreed to by the representatives of the Union in the Joint 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

Draft

**DECISION OF THE JOINT COMMITTEE OF THE REGIONAL CONVENTION
ON PAN-EURO-MEDITERRANEAN PREFERENTIAL RULES OF ORIGIN No 1**

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,
and 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 is to be represented.
- (3) Pursuant to Article 3(4) of the Convention the Joint Committee is to adopt its own rules of procedure,

HAS ADOPTED THIS DECISION:

Article 1

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

Article 2

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

Done at Brussels

*For the Joint Committee
The Chair*

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

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 subparagraphs 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 the '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 the 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 meetings being convened during the public holidays of any Contracting Party. For this purpose, the Contracting Parties may 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 on the agenda if they are submitted to the chair at the latest 15 calendar days before the meeting. Additional items may be included on 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 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 committee cannot agree, 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. The 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 third countries submitted by the depositary, in principle at the meeting following receipt of such requests.
2. The committee shall consider whether transitional arrangements are required pending conclusion of free trade agreements between the acceding Contracting Party and 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, and who are present or represented at the meeting of the committee. Quorum is at least 2/3 of those Contracting Parties.

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, their 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 in both English and French.

Article 15

Entry into force

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