



**COUNCIL OF
THE EUROPEAN UNION**

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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	4 June 2014
To:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2014) 311 final
Subject:	Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union with regard to the participation in the CARIFORUM-EU Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part

Delegations will find attached document **COM(2014) 311 final**.

Encl.: **COM(2014) 311 final**



EUROPEAN
COMMISSION

Brussels, 3.6.2014
COM(2014) 311 final

2014/0161 (NLE)

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union with regard to the participation in the CARIFORUM-EU Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

The Economic Partnership Agreement (EPA) between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, was signed on 15 October 2008, and is provisionally applied as of 29 December 2008.

It is important to set up all the institutions provided for by the Agreement, especially the CARIFORUM-EU Consultative Committee that has still not been convened despite of its role in promoting dialogue, cooperation and monitoring under the Agreement.

This Committee, as the other bodies established under the Agreement, needs to be established by a decision of the CARIFORUM – EU Joint Council, the main body of the EPA, which requires on the European side a Council Decision to establish a position based on Article 218(9) TFEU.

The proposed Council Decision includes as an annex the draft decision of the Joint Council. The decision of the Joint Council should be adopted by written procedure on the basis of the conclusions of the third annual meeting of the Caribbean EPA Trade and Development Committee that took place in Grenada on 21 November 2013.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

The Consultative Committee established by Article 232 of the CARIFORUM – EU EPA is a treaty obligation on all Parties to the Agreement.

The European Economic and Social Committee has expressed its willingness to assist the Consultative Committee, by organising the selection of the European representatives to the Committee, and by assuming the Consultative Committee's secretariat in the initial period after it is set up.

3. LEGAL ELEMENTS OF THE PROPOSAL

Article 207 in conjunction with Article 218(9) of the Treaty on the Functioning of the European Union.

4. BUDGETARY IMPLICATION

The EU shall finance some limited administrative expenditure related to Article 5 of the draft decision of the Joint Council included as an annex, by which the European Economic and Social Committee will serve as the secretariat of the Committee for an initial period of time.

5. OPTIONAL ELEMENTS

Not applicable.

Proposal for a

COUNCIL DECISION

on the position to be taken on behalf of the European Union with regard to the participation in the CARIFORUM-EU Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas:

- (1) The Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part¹, was signed on 15 October 2008, and is provisionally applied as of 29 December 2008.
- (2) Article 232(2) of the Agreement provides for its Joint Council to decide on the civil-society participation in the CARIFORUM-EU Consultative Committee, to ensure a broad representation of all interested stakeholders.
- (3) It is important to set up all the institutions provided for by the Agreement, especially the CARIFORUM-EU Consultative Committee that has still not been convened, despite of its role in promoting dialogue, cooperation and monitoring under the Agreement.
- (4) The European Economic and Social Committee has expressed its willingness to assist the Consultative Committee, by organising the selection of the European representatives to the Committee, and by assuming the Consultative Committee's secretariat in the initial period after it is set up.

HAS ADOPTED THIS DECISION:

Article 1

The position to be adopted on behalf of the Union with regard to the adoption of a decision of the CARIFORUM-EU Joint Council provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its

¹ OJ L 289, 30.10.2008, p. 3.

Member States, of the other part, on its Consultative Committee, shall be based on the draft decision of the Joint Council attached to this Decision.

Article 2

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

Done at Brussels,

*For the Council
The President*

LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

- 1.1. Title of the proposal/initiative
- 1.2. Policy area(s) concerned in the ABM/ABB structure
- 1.3. Nature of the proposal/initiative
- 1.4. Objective(s)
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2. MANAGEMENT MEASURES

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LEGISLATIVE FINANCIAL STATEMENT

1. FRAMEWORK OF THE PROPOSAL/INITIATIVE

1.1. Title of the proposal/initiative

Council Decision on the position to be taken on behalf of the European Union with regard to the participation in the CARIFORUM – EU Consultative Committee provided for by the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its members, of the other part.

1.2. Policy area(s) concerned in the ABM/ABB structure²

Trade Policy 20.02.01

1.3. Nature of the proposal/initiative

- The proposal/initiative relates to **a new action**
- The proposal/initiative relates to **a new action following a pilot project/preparatory action³**
- The proposal/initiative relates to **the extension of an existing action**
- The proposal/initiative relates to **an action redirected towards a new action**

1.4. Objective(s)

1.4.1. *The Commission's multiannual strategic objective(s) targeted by the proposal/initiative*

None of the Multi annual financial framework instruments are affected by this action.

1.4.2. *Specific objective(s) and ABM/ABB activity(ies) concerned*

Specific objective No

NA

ABM/ABB activity(ies) concerned

NA

² ABM: activity-based management – ABB: activity-based budgeting.

³ As referred to in Article 54(2)(a) or (b) of the Financial Regulation.

1.4.3. *Expected result(s) and impact*

Specify the effects which the proposal/initiative should have on the beneficiaries/groups targeted.

The expected result is a reinforced dialogue between representatives of organisations of civil society.

1.4.4. *Indicators of results and impact*

Specify the indicators for monitoring implementation of the proposal/initiative.

Regular functioning of the Committee.

1.5. Grounds for the proposal/initiative

1.5.1. *Requirement(s) to be met in the short or long term*

The Consultative Committee shall meet twice a year.

1.5.2. *Added value of EU involvement: Requirement(s) to be met in the short or long term*

The added value of EU involvement is to promote dialogue and cooperation with organisations of civil society from the EU and CARIFORUM States.

1.5.3. *Lessons learned from similar experiences in the past*

NA

1.5.4. *Compatibility and possible synergy with other appropriate instruments: Requirement(s) to be met in the short or long term*

NA

1.6. Duration and financial impact

Proposal/initiative of **unlimited duration**

- Implementation with a start-up period from 2014.
- followed by full-scale operation.

1.7. Management mode(s) planned⁴

From the 2014 budget

Direct management by the Commission

- by its departments, including by its staff in the Union delegations;
- by the executive agencies;

Comments

As foreseen in the Memorandum of Understanding signed between DGTRADE and the European Economic and Social Committee (EESC), the EESC shall serve as the secretariat of the Committee for an initial period ending 31 December 2014.

⁴ Details of management modes and references to the Financial Regulation may be found on the BudgWeb site: http://www.cc.cec/budg/man/budgmanag/budgmanag_en.html

2. MANAGEMENT MEASURES

2.1. Monitoring and reporting rules

2.1.1. Specify frequency and conditions. Requirement(s) to be met in the short or long term

The Consultative Committee shall meet twice a year.

2.2. Management and control system

2.2.1. Risk(s) identified. Requirement(s) to be met in the short or long term

No specific risks are identified. Disbursement of expenses will only occur when the Consultative Committee meets.

2.2.2. Information concerning the internal control system set up. Requirement(s) to be met in the short or long term

Internal control systems may be defined by the Consultative Committee.

2.2.3. Estimate of the costs and benefits of the controls and assessment of the expected level of risk of error. Requirement(s) to be met in the short or long term

NA

2.3. Measures to prevent fraud and irregularities

Specify existing or envisaged prevention and protection measures.

Expenses will be duly justified.

3. ESTIMATED FINANCIAL IMPACT OF THE PROPOSAL/INITIATIVE

3.1. Heading(s) of the multiannual financial framework and expenditure budget line(s) affected

- Existing budget lines

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
		Number 4 (Global Europe) line 200201	Diff./non-diff. ⁽⁵⁾	from EFTA countries ⁶	from candidate countries ⁷	from third countries
	[...][XX.YY.YY.YY]	Diff./non-diff.	NO	NO	NO	YES/NO

- New budget lines requested

In order of multiannual financial framework headings and budget lines.

Heading of multiannual financial framework	Budget line	Type of expenditure	Contribution			
		Number [...][Heading.....]	Diff./non-diff.	from EFTA countries	from candidate countries	from third countries
	[...][XX.YY.YY.YY]		YES/NO	YES/NO	YES/NO	YES/NO

⁵ Diff. = Differentiated appropriations / Non-Diff. = Non-differentiated appropriations.

⁶ EFTA: European Free Trade Association.

⁷ Candidate countries and, where applicable, potential candidate countries from the Western Balkans.

3.2. Estimated impact on expenditure

[This section should be filled in using **spreadsheet on budget data of an administrative nature** (second document in annex to this financial statement) and uploaded to CISNET for interservice consultation purposes.]

3.2.1. Summary of estimated impact on expenditure

EUR million (to three decimal places)

Heading of multiannual financial framework		Number	[...] Heading 4 (Global Europe) line 200201					TOTAL
DG: TRADE		Year N ⁸	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)		
• Operational appropriations								
Number of budget line	Commitments	(1)	0.05	0.05	0.05	0.05		
	Payments	(2)	0.05	0.05	0.05	0.05		
Number of budget line	Commitments	(1a)						
	Payments	(2a)						
Appropriations of an administrative nature financed from the envelope of specific programmes ⁹								
Number of budget line		(3)						
	Commitments	=1+1a+3	0.05	0.05	0.05	0.05		
TOTAL appropriations								

⁸ Year N is the year in which implementation of the proposal/initiative starts.

⁹ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

for DG <...>	Payments	=2+2a +3	0.05	0.05	0.05	0.05	0.05			

• TOTAL operational appropriations	Commitments	(4)								
	Payments	(5)								
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)								
TOTAL appropriations for HEADING 4 of the multiannual financial framework	Commitments	=4+6	0.05	0.05	0.05	0.05	0.05			
	Payments	=5+6	0.05	0.05	0.05	0.05	0.05			

If more than one heading is affected by the proposal / initiative:

• TOTAL operational appropriations	Commitments	(4)								
	Payments	(5)								
• TOTAL appropriations of an administrative nature financed from the envelope for specific programmes		(6)								
TOTAL appropriations under HEADINGS 1 to 4 of the multiannual financial framework (Reference amount)	Commitments	=4+6								
	Payments	=5+6								

3.2.2. Estimated impact on operational appropriations

- The proposal/initiative does not require the use of operational appropriations
- The proposal/initiative requires the use of operational appropriations, as explained below:

Commitment appropriations in EUR million (to three decimal places)

Indicate objectives and outputs ↓	Type ¹¹	Average cost	Year					Enter as many years as necessary to show the duration of the impact (see point 1.6)					TOTAL					
			N	N+1	N+2	N+3	Year N+3	Q	N	Cost	Q	N		Cost	Q	N	Cost	No total
OUTPUTS																		
SPECIFIC OBJECTIVE No 1 ¹² ...																		
- Output																		
- Output																		
- Output																		
Subtotal for specific objective No 1																		
SPECIFIC OBJECTIVE NO 2 ...																		
- Output																		
Subtotal for specific objective No 2																		
TOTAL COST																		

¹¹ Outputs are products and services to be supplied (e.g.: number of student exchanges financed, number of km of roads built, etc.).
¹² As described in point 1.4.2. 'Specific objective(s)...'

3.2.3. Estimated impact on appropriations of an administrative nature

3.2.3.1. Summary

- The proposal/initiative does not require the use of appropriations of an administrative nature
- The proposal/initiative requires the use of appropriations of an administrative nature, as explained below:

EUR million (to three decimal places)

	Year N ¹³	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)	TOTAL
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HEADING 5 of the multiannual financial framework							
Human resources							
Other administrative expenditure							
Subtotal HEADING 5 of the multiannual financial framework							

Outside HEADING 5¹⁴ of the multiannual financial framework							
Human resources							
Other expenditure of an administrative nature							
Subtotal outside HEADING 5 of the multiannual financial framework							

TOTAL							
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The human resources appropriations required will be met by appropriations from the DG that are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

¹³ Year N is the year in which implementation of the proposal/initiative starts.

¹⁴ Technical and/or administrative assistance and expenditure in support of the implementation of EU programmes and/or actions (former "BA" lines), indirect research, direct research.

3.2.3.2. Estimated requirements of human resources

- The proposal/initiative does not require the use of human resources.
- The proposal/initiative requires the use of human resources, as explained below:

Estimate to be expressed in full time equivalent units

	Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)		
• Establishment plan posts (officials and temporary staff)							
XX 01 01 01 (Headquarters and Commission's Representation Offices)							
XX 01 01 02 (Delegations)							
XX 01 05 01 (Indirect research)							
10 01 05 01 (Direct research)							
• External staff (in Full Time Equivalent unit: FTE)¹⁵							
XX 01 02 01 (CA, SNE, INT from the "global envelope")							
XX 01 02 02 (CA, LA, SNE, INT and JED in the delegations)							
XX 01 04 yy ¹⁶	- at Headquarters						
	- Delegations						
XX 01 05 02 (CA, SNE, INT - Indirect research)							
10 01 05 02 (CA, INT, SNE - Direct research)							
Other budget lines (specify)							
TOTAL							

XX is the policy area or budget title concerned.

The human resources required will be met by staff from the DG who are already assigned to management of the action and/or have been redeployed within the DG, together if necessary with any additional allocation which may be granted to the managing DG under the annual allocation procedure and in the light of budgetary constraints.

Description of tasks to be carried out:

¹⁵ CA= Contract Staff; LA = Local Staff; SNE= Seconded National Expert; INT = agency staff; JED= Junior Experts in Delegations).

¹⁶ Sub-ceiling for external staff covered by operational appropriations (former "BA" lines).

Officials and temporary staff	
External staff	

3.2.4. *Compatibility with the current multiannual financial framework*

- Proposal/initiative is compatible the current multiannual financial framework.
- Proposal/initiative will entail reprogramming of the relevant heading in the multiannual financial framework.

Explain what reprogramming is required, specifying the budget lines concerned and the corresponding amounts.

[...]

- Proposal/initiative requires application of the flexibility instrument or revision of the multiannual financial framework¹⁷.

Explain what is required, specifying the headings and budget lines concerned and the corresponding amounts.

[...]

3.2.5. *Third-party contributions*

- The proposal/initiative does not provide for co-financing by third parties.
- The proposal/initiative provides for the co-financing estimated below:

Appropriations in EUR million (to 3 decimal places)

	Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)			Total
Specify the co-financing body								
TOTAL appropriations cofinanced								

¹⁷ See points 19 and 24 of the Interinstitutional Agreement (for the period 2007-2013).

3.3. Estimated impact on revenue

- Proposal/initiative has no financial impact on revenue.
- Proposal/initiative has the following financial impact:
 - on own resources
 - on miscellaneous revenue

EUR million (to three decimal places)

Budget revenue line:	Appropriations available for the current financial year	Impact of the proposal/initiative ¹⁸						
		Year N	Year N+1	Year N+2	Year N+3	Enter as many years as necessary to show the duration of the impact (see point 1.6)		
Article								

For miscellaneous 'assigned' revenue, specify the budget expenditure line(s) affected.

[...]

Specify the method for calculating the impact on revenue.

[...]

¹⁸ As regards traditional own resources (customs duties, sugar levies), the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25% for collection costs.