



Council of the  
European Union

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ACP 12  
WTO 26  
COAFR 49  
RELEX 156

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

Subject: COUNCIL DECISION establishing the position to be taken on behalf of the European Union within the EPA committee set up by the Stepping Stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, regarding the adoption of its rules of procedure

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**COUNCIL DECISION (EU) 2018/...**

**of ...**

**establishing the position to be taken on behalf of the European Union  
within the EPA committee set up by the Stepping Stone Economic Partnership Agreement  
between Côte d'Ivoire, of the one part,  
and the European Community and its Member States, of the other part,  
regarding 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  
Articles 207 and 209, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with Council Decision 2009/156/EC<sup>1</sup>, the Stepping Stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part<sup>2</sup>, ('the Agreement') was signed in Abidjan on 26 November 2008 and in Brussels on 22 January 2009 and has been applied provisionally since 3 September 2016.
- (2) Article 73 of the Agreement establishes an Economic Partnership Agreement (EPA) Committee, which shall be responsible for the administration of all the fields covered by the Agreement and for the achievement of all the tasks mentioned in the Agreement.

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<sup>1</sup> Council Decision 2009/156/EC of 21 November 2008 on the signature and provisional application of the stepping stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part (OJ L 59, 3.3.2009, p. 1).

<sup>2</sup> OJ L 59, 3.3.2009, p. 3.

- (3) Article 73 of the Agreement further provides that the EPA Committee is to determine the rules governing its organisation and operation.
- (4) The EPA Committee should adopt a decision on its rules of procedure at its first meeting.
- (5) It is appropriate to establish the position to be taken on behalf of the Union within the EPA Committee regarding its rules of procedure, as the decision of the EPA Committee is binding on the Union.
- (6) The position of the Union within the EPA Committee should therefore be based on the attached draft decision,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be taken on behalf of the Union within the EPA Committee set up by the Stepping Stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part, regarding the adoption of its rules of procedure, shall be based on the draft decision of the EPA Committee attached to this Decision.

*Article 2*

This Decision is addressed to the Commission.

Done at ...,

*For the Council*  
*The President*

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DRAFT

**DECISION No .../2018 OF THE EPA COMMITTEE**  
**set up by the Stepping Stone Economic Partnership Agreement**  
**between Côte d'Ivoire, of the one part,**  
**and the European Community and its Member States, of the other part,**

**of ...**

**regarding the adoption of the rules of procedure of the EPA Committee**

THE EPA COMMITTEE,

Having regard to the Stepping Stone Economic Partnership Agreement between Côte d'Ivoire, of the one part, and the European Community and its Member States, of the other part<sup>1</sup>, ('the Agreement') signed in Abidjan on 26 November 2008 and in Brussels on 22 January 2009, and provisionally applied since 3 September 2016, and in particular Article 73 thereof,

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<sup>1</sup> OJ L 59, 3.3.2009, p. 3.

Whereas the Agreement provides that the EPA Committee is to determine the rules governing its organisation and operation,

HAS ADOPTED THIS DECISION:

*Article 1*

The rules of procedure of the EPA Committee are established as set out in the Annex.

*Article 2*

This Decision shall enter into force on ....

Done at ...,

*For the Republic of Côte d'Ivoire*

*For the European Union*

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ANNEX

RULES OF PROCEDURE OF THE EPA COMMITTEE  
SET UP BY THE STEPPING STONE ECONOMIC PARTNERSHIP AGREEMENT  
BETWEEN CÔTE D'IVOIRE, OF THE ONE PART,  
AND THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES, OF THE OTHER PART

*Article 1*

*Composition and Chair*

1. The EPA Committee shall be composed of representatives of the members of the Council of the European Union and of the European Commission, of the one part, and representatives of Côte d'Ivoire, at ministerial or senior official level, of the other part.
2. Reference to 'the Parties' in the rules of procedure is in accordance with the definition provided for in Article 72 of the Agreement.
3. The EPA Committee shall be chaired alternately for periods of 12 months by a representative of the European Union and by a representative of Côte d'Ivoire. The first period shall begin on the date of the first meeting of the EPA Committee provided for in the Agreement and shall end on 31 December of the following year. The first Chairperson of the EPA Committee (the 'Chairperson') shall be a representative of Côte d'Ivoire.

4. Representatives of the West African Economic and Monetary Union (WAEMU) and the Economic Community of West African States (ECOWAS) commissions may be invited by the Parties to attend EPA Committee meetings. The Parties may also decide to invite representatives of civil society and the private sector, as well as experts, on an ad hoc basis, to meetings of the EPA Committee as observers.

## *Article 2*

### *Meetings*

1. The EPA Committee shall meet at regular intervals, not exceeding a period of one year, and shall hold extraordinary meetings whenever circumstances so require, if the Parties so agree.
2. Each meeting of the EPA Committee shall be held at a date and place agreed by the Parties.
3. Meetings of the EPA Committee shall be convened by the Chairperson.

*Article 3*  
*Delegations*

Before each meeting, the Chairperson shall be informed of the intended composition of the Côte d'Ivoire and of the European Union delegations.

*Article 4*  
*Secretariat*

Officials of the European Commission and of Côte d'Ivoire shall act alternately for periods of twelve months as the secretariat of the EPA Committee (the 'secretariat'). Those periods shall coincide with the alternating Chair of the EPA Committee by the European Union and by Côte d'Ivoire. The Party providing the Chairperson shall also run the secretariat.

*Article 5*  
*Sub-Committees*

For the effective performance of its tasks, the EPA Committee may set up under its authority sub-committees responsible for dealing with specific subjects under the Agreement. To this end, the EPA Committee shall determine the composition and tasks of such sub-committees.

*Article 6*  
*Documentation*

Where the deliberations of the EPA Committee are based on written supporting documents, such documents shall be numbered and circulated by the secretariat as EPA Committee documents.

*Article 7*  
*Correspondence*

1. All correspondence addressed to the EPA Committee shall be directed to the secretariat.
2. The secretariat shall ensure that correspondence addressed to the EPA Committee is forwarded to the Chairperson and, where appropriate, circulated as EPA Committee documents to the designated correspondents of the Parties provided for in Article 73 of the Agreement (the 'correspondents').
3. Correspondence from the Chairperson shall be sent to the correspondents by the secretariat and, where appropriate, circulated as EPA Committee documents.

*Article 8*  
*Agendas for meetings*

1. A provisional agenda for each meeting shall be drawn up by the secretariat on the basis of proposals made by the Parties. It shall be forwarded by the secretariat to the correspondents no later than 15 days before the start of the meeting.
2. The provisional agenda shall include the items for which a request for inclusion in the agenda has been received by the secretariat no later than 21 days before the start of the meeting, and for which the relevant supporting documents have been received by the secretariat no later than the date of dispatch of that provisional agenda.
3. The agenda shall be adopted by the EPA Committee at the beginning of each meeting. Items other than those listed on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Chairperson, in agreement with the Parties, may invite experts to attend the EPA Committee's meetings in order to provide information on specific subjects.
5. With the agreement of the Parties, the secretariat may shorten the time limit specified in paragraph 1 in order to take account of the requirements of a particular case.

*Article 9*

*Minutes*

1. Draft minutes of each meeting shall be drawn up by the secretariat as soon as possible.
2. The minutes shall, as a general rule, summarise each item on the agenda, specifying where applicable:
  - (a) all the documents submitted to the EPA Committee;
  - (b) any statement that a member of the EPA Committee has asked to be entered;
  - (c) the decisions adopted, recommendations made, statements agreed upon and conclusions adopted on specific items.
3. The minutes shall also include a list of the persons attending the EPA Committee meeting and a list of the members of the delegations accompanying them.
4. The minutes shall be approved in writing by both Parties within two months of the date of the meeting. Once approved, two copies of the minutes shall be signed by the secretariat, and each of the Parties shall receive an original copy of these authentic documents.

*Article 10*

*Decisions and recommendations*

1. The EPA Committee shall adopt its decisions and recommendations by consensus.
2. The EPA Committee may decide to submit any general matter, which is of mutual interest to the African, Caribbean and Pacific States (ACP) and the European Union ('ACP-EU'), that arises in relation to the implementation of the Agreement to the ACP-EU Council of Ministers as defined in Article 15 of the the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part (the 'Cotonou Agreement').
3. In the period between meetings, the EPA Committee may adopt decisions or recommendations by written procedure if both Parties so agree. A written procedure shall consist of an exchange of notes between the Parties.
4. Each decision or recommendation of the EPA Committee shall be entitled, respectively, 'Decision' or 'Recommendation' followed by a serial number, the date of its adoption and a description of its subject matter. Each decision or recommendation shall indicate the date of its entry into force.

5. Decisions and recommendations adopted by the EPA Committee shall be authenticated by a representative of the European Commission on behalf of the European Union and by a representative of Côte d'Ivoire.
6. Decisions and recommendations shall be forwarded to the Parties as EPA Committee documents.

#### *Article 11*

##### *Public access*

1. Unless otherwise decided by the Parties, meetings of the EPA Committee shall not be public.
2. Each Party may decide to publish the decisions of the EPA Committee in its respective official publication.

#### *Article 12*

##### *Language regime*

1. The working language of the EPA Committee shall be the official language common to the Parties.
2. The EPA Committee shall discuss and adopt decisions and recommendations on the basis of documentation and proposals prepared in the language referred to in paragraph 1.



*Article 13*  
*Expenditure*

1. Each Party shall meet any expenses it incurs as a result of attending the meetings of the EPA Committee, both with regard to staff, travel and subsistence expenditure as well as with regard to postal and telecommunications expenditure.
  2. Expenditure in connection with the organisation of meetings and reproduction of documents shall be borne by the Party hosting the meeting.
  3. Expenditure in connection with the provision of interpretation services at meetings and translation of documents into the working language shall be borne by the Party hosting the meeting. Expenditure in connection with the provision of interpretation services and translation of documents into or from other official languages of the institutions of the European Union shall be borne by the European Union.
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