



Council of the  
European Union

Brussels, 10 January 2023  
(OR. en)

15459/22

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**Interinstitutional File:**  
**2022/0389(NLE)**

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**POLCOM 195**  
**COASI 227**  
**ASIE 104**

## **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union in the Committee on Trade and Sustainable Development established under the Agreement between the European Union and Japan for an Economic Partnership as regards the establishment of a list of individuals who are willing and able to serve as experts and the adoption of the rules of procedure for the panel of experts

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**COUNCIL DECISION (EU) 2023/...**

**of ...**

**on the position to be taken on behalf of the European Union  
in the Committee on Trade and Sustainable Development established  
under the Agreement between the European Union and Japan for  
an Economic Partnership as regards the establishment of a list of individuals who  
are willing and able to serve as experts and the adoption of the rules of procedure for  
the panel of experts**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Agreement between the European Union and Japan for an Economic Partnership ('the Agreement') was concluded by the Union by Council Decision (EU) 2018/1907<sup>1</sup> and entered into force on 1 February 2019.
- (2) Pursuant to Article 16.18(4), point (d), of the Agreement, the Committee on Trade and Sustainable Development (the 'Committee') is to establish a list of at least 10 individuals who are willing and able to serve as experts on the panel to be convened to examine matters concerning the interpretation or application of the relevant Articles of Chapter 16.
- (3) Pursuant to Article 16.18(2) of the Agreement, the Committee is to adopt the rules of procedure for the panel of experts.
- (4) It is appropriate to establish the position to be taken on the Union's behalf in the Committee, as the envisaged decision will be binding on the Union.
- (5) Pursuant to Article 22.3(3) of the Agreement, the Committee may take decisions in writing,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Decision (EU) 2018/1907 of 20 December 2018 on the conclusion of the Agreement between the European Union and Japan for an Economic Partnership (OJ L 330, 27.12.2018, p. 1).

*Article 1*

The position to be taken on the Union's behalf within the Committee on Trade and Sustainable Development established under the Agreement between the European Union and Japan for an Economic Partnership as regards the establishment of the list of individuals who are willing and able to serve as experts and the adoption of the rules of procedure for the panel of experts, as referred to in Article 16.18 of that Agreement, shall be based on the draft decision of the Committee attached to this Decision.

*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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