

Proposal for a Council Decision on a Community Position concerning the Rules of procedure of the Association Council and the Association Committee established by the Euro-Mediterranean Agreement established an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part

(2002/C 262 E/13)

COM(2002) 286 final

(Submitted by the Commission on 4 June 2002)

EXPLANATORY MEMORANDUM

The Association Agreement between the European Communities and their Member States and the Hashemite Kingdom of Jordan, concluded in November 1997, entered into force on 1 May 2002.

An Association Council is established under Article 89 of the Agreement, which will examine any major issues arising within the framework of the Agreement and any other bilateral or international issues of mutual interest. Moreover, under Article 92 of the Agreement an Association Committee is created, subject to the powers of the Association Council. The Association Committee shall be responsible for the implementation of the Agreement.

Article 90(3) and Article 93(2) specify that the Association Council and the Association Committee shall adopt their rules of procedures. The first meeting of the Association Council is scheduled for [June 10, 2002]. It is therefore necessary to adopt its rules of procedure during this first meeting. As practised with the other Euro-Mediterranean Association Agreements already in force the Association Council shall, at the same time, adopt the internal procedure for the Association Committee.

The proposed rules of procedure specify the duties of the Association Council and the Association Committee and the practices, which they will need to follow, in accordance with the Association Agreement.

It is therefore proposed that the Council approves the attached proposal.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 300(2), second subparagraph thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, has definitely entered into force on 1 May 2002.
- (2) Article 89 of the said Agreement establishes an Association Council, which will examine any major issues arising within the framework of the Agreement and any other bilateral or international issues of mutual interest.
- (3) Article 92 of the said Agreement establishes an Association Committee, subject to the powers of the Association Council, which shall be responsible for the implementation of the Agreement.

- (4) Article 90(3) and Article 93(2) of the said Agreement provide that the Association Council and the Association Committee shall adopt their respective rules of procedure.
- (5) The Community should determine the position to be taken within the Association Council with regard to the adoption of the rules of procedure for the Association Council and the Association Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The position to be adopted by the Communities and their Member States within the Association Council established by Article 89 of the Euro-Mediterranean Agreement between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, shall be based on the draft decisions of the Association Council annexed to the present Decision.

DECISION No .../2002 OF THE ASSOCIATION COUNCIL BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND THE HASHEMITE KINGDOM OF JORDAN OF THE OTHER PART

of ...

concerning the adoption of its Rules of procedure

(.../.../...)

THE EU-JORDAN ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, and in particular Articles 89 to 96 thereof,

Whereas that Agreement entered into force on 1 May 2002,

HAS DECIDED TO ADOPT THE FOLLOWING RULES OF PROCEDURE:

Article 1

Presidency

The Association Council shall be presided over alternately for a period of 12 months by a representative of the Presidency of the Council of the European Union, on behalf of the Community and its Member States, and a representative of the Government of the Hashemite Kingdom of Jordan. The first period shall begin on the date of the first Association Council meeting and end on 31 December 2002.

Article 2

Meetings

The Association Council shall meet regularly at ministerial level once a year. Special sessions of the Association Council may be held if the Parties so agree, at the request of either Party. Unless otherwise agreed by the Parties, each session of the Association Council shall be held at the usual venue for meetings of the Council of the European Union at a date agreed by both Parties.

The meetings of the Association Council shall be jointly convened by the secretaries of the Association Council in agreement with the President.

Article 3

Representation

The members of the Association Council may be represented if unable to attend. If a member wishes to be so represented, he must notify the President of the name of his representative before the meeting at which he is to be so represented.

The representative of a member of the Association Council shall exercise all the rights of that member.

Article 4

Delegations

The members of the Association Council may be accompanied by officials.

Before each meeting, the President shall be informed of the intended composition of the delegation of each Party.

A representative of the European Investment Bank may attend the meetings of the Association Council as an observer when matters which concern the Bank appear on the agenda.

The Association Council may invite, by agreement between the Parties, non-members to attend its meetings in order to provide information on particular subjects.

Article 5

Secretariat

An official of the General Secretariat of the Council of the European Union and an official of the Mission of the Hashemite Kingdom of Jordan in Brussels shall act jointly as secretaries of the Association Council.

Article 6

Correspondence

Correspondence addressed to the Association Council shall be sent to the President of the Association Council at the address of the General Secretariat of the Council of the European Union.

The two secretaries shall ensure that correspondence is forwarded to the President of the Association Council and, where appropriate, circulated to the other members of the Association Council. Correspondence circulated shall be sent to the Secretariat-General of the Commission, the Permanent Representations of the Member States and the Mission of the Hashemite Kingdom of Jordan in Brussels.

Communications from the President of the Association Council shall be sent to the addressees by the two secretaries and circulated, where appropriate, to the other members of the Association Council at the addresses indicated in the second paragraph.

Article 7

Publicity

Unless otherwise decided, the meetings of the Association Council shall not be public.

Article 8

Agendas for meetings

1. The President shall draw up a provisional agenda for each meeting. It shall be forwarded by the secretaries of the Association Council to the addressees referred to in Article 6 not later than 15 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the President has received a request for inclusion in the agenda not later than 21 days before the beginning of the meeting, save that such items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the secretaries not later than the date of dispatch of the agenda.

The agenda shall be adopted by the Association Council at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.

2. The President may, in agreement with the Parties, shorten the periods specified in paragraph 1 in order to take account of the requirements of a particular case.

Article 9

Minutes

Draft minutes of each meeting shall be drawn up by the two secretaries.

The minutes shall, as a general rule, indicate in respect of each item on the agenda:

- the documentation submitted to the Association Council,
- statements which a member of the Association Council has asked to be entered,
- the decisions taken, the statements agreed upon and the conclusions adopted.

The draft minutes shall be submitted to the Association Council for approval. They shall be approved within six months after each Association Council meeting. When approved, the minutes shall be signed by the President and the two secretaries. The minutes shall be filed in the archives of the General Secretariat of the Council of the European Union; a certified true copy shall be forwarded to each of the addressees referred to in Article 6.

Article 10

Decisions and recommendations

1. The Association Council shall adopt its decisions and recommendations by mutual agreement of the Parties.

In the period between meetings, the Association Council may adopt decisions or recommendations by written procedure if both Parties so agree.

2. The decisions and recommendations of the Association Council within the meaning of Article 91 of the Euro-Mediterranean Agreement shall be entitled respectively 'Decision' and 'Recommendation' followed by a serial number, the date of their adoption and a description of their subject. Each decision shall specify the date of its entry into force. The decisions and recommendations of the Association Council shall be signed by the President and authenticated by the two secretaries.

Decisions and recommendations shall be forwarded to each of the addressees referred to in Article 6.

The Association Council may decide to order publication of its decisions and recommendations in the *Official Journal of the European Communities* and the *Official Journal of the Hashemite Kingdom of Jordan*.

Article 11

Languages

The official languages of the Association Council shall be the official languages of the two Parties.

Unless otherwise decided, the Association Council shall base its deliberations on documentation prepared in those languages.

Article 12

Expenses

The Community and the Hashemite Kingdom of Jordan shall each defray the expenses they incur by reason of their participation in the meetings of the Association Council, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpreting or translation into or from Arabic, which shall be borne by the Hashemite Kingdom of Jordan.

Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.

Article 13

Association Committee

1. The Association Council shall be assisted in carrying out its duties by the Association Committee. The Committee shall be composed of representatives of the members of the Council of the European Union and of representatives of the Commission of the European Communities, on the one hand, and of representatives of the Government of the Hashemite Kingdom of Jordan, on the other hand.

2. The Association Committee shall prepare the meetings and the deliberations of the Association Council, implement the decisions of the Association Council where appropriate and, in general, ensure continuity of the Association relationship and the proper functioning of the Euro-Mediterranean Agreement. It shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of the day-to-day implementation of the Euro-Mediterranean Agreement. It shall submit proposals or any draft decisions/recommendations to the Association Council for its approval.

3. In cases where the Euro-Mediterranean Agreement refers to an obligation to consult or a possibility of consultation, such consultation may take place within the Association Committee. The consultation may continue in the Association Council if the two Parties so agree.

4. The draft Rules of Procedure of the Association Committee are annexed to this Decision (Annex 1).

ANNEX 1

RULES OF PROCEDURE OF THE ASSOCIATION COMMITTEE

Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part

Article 1

Chairmanship

The Association Committee shall be presided over alternately for periods of 12 months by representatives of the European Community and a representative of the Government of the Hashemite Kingdom of Jordan.

The position of the European Union with regard to Titles V and VI of the Treaty on European Union will always be expressed by a representative of the Presidency of the Council of the European Union.

The first period shall begin on the date of the first Association Council meeting and end on 31 December of the same year.

Article 2

Meetings

The Association Committee shall meet when circumstances require, with the agreement of both Parties.

Each meeting of the Association Committee shall be held at a time and place agreed by both Parties.

The meetings of the Association Committee shall be convened by the Chairman.

Article 3

Delegations

Before each meeting, the Chairman shall be informed of the intended composition of the delegation of each Party.

Article 4

Secretariat

An official of the European Commission and an official of the Government of the Hashemite Kingdom of Jordan shall act jointly as secretaries of the Association Committee.

All communications to or from the Chairman of the Association Committee in the framework of these Rules of Procedure shall be addressed to the secretaries of the Association Committee and the secretaries and President of the Association Council.

Article 5

Publicity

Unless otherwise decided, the meetings of the Association Committee shall not be public.

Article 6

Agendas for meetings

1. The Chairman shall draw up a provisional agenda for each meeting. It shall be forwarded by the secretaries of the Association Committee to the addressees referred to in Article 4 not later than 15 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the Chairman has received a request for inclusion in the agenda not later than 21 days before the beginning of the meeting, save that such items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the secretaries not later than the date of dispatch of the agenda.

The Association Committee may ask experts to attend its meetings in order to provide information on particular subjects.

The agenda shall be adopted by the Association Committee at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

2. The Chairman may, in agreement with the two Parties, shorten the periods specified in paragraph 1 in order to take account of the requirements of a particular case.

Article 7

Minutes

Draft minutes of each meeting shall be drawn up by the two Secretaries. They shall indicate the decisions and recommendations taken and the conclusions adopted. The draft minutes shall be submitted to the Association Committee for approval. When approved, the minutes shall be signed by the Chairman and the two Secretaries and one original copy shall be filed by each of the Parties.

Article 8

Deliberations

In the specific cases where the Association Committee is empowered by the Association Council under the Euro-Mediterranean Agreement to adopt decisions/recommendations, those acts shall be entitled respectively 'Decision' and 'Recommendation', followed by a serial number, the date of their adoption and a description of their subject.

Whenever the Association Committee takes a decision, Articles 10 and 11 of Decision No . . . of the Association Council [of June 10, 2002] adopting its Rules of Procedure shall be applied *mutatis mutandis*.

Decisions and recommendations of the Association Committee shall be forwarded to the addressees referred to in Article 4 of these Rules of Procedure.

Article 9

Expenses

Each Party shall defray the expenses related to its participation in the meetings of the Association Committee and of any working groups or bodies which might be set up in accordance with Article 95 of the Euro-Mediterranean Agreement, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure. Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpreting and/or translation into or from Arabic, which shall be borne by the Hashemite Kingdom of Jordan.

Other expenditure relating to the material organisation of meetings shall be borne by the Party which hosts the meetings.

DECLARATION OF THE COUNCIL AND THE COMMISSION RELATING TO ARTICLE 93 OF THE EURO-MEDITERRANEAN AGREEMENT ESTABLISHING AN ASSOCIATION BETWEEN THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, OF THE ONE PART, AND THE HASHEMITE KINGDOM OF JORDAN, OF THE OTHER PART

The Council of the European Union and the European Commission declare with regard to Article 93(3) of the EU-Jordan Association Agreement that the chairmanship of the Association Committee, when exercised by the EU, will henceforth be implemented by a representative of the European Commission. The EU position with regard to Titles V and VI of the Treaty on the European Union will always be expressed by a representative of the Presidency of the Council of the EU.

The Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, shall be amended formally as soon as possible when the Agreement is next revised, for instance, when new Member States join the EU.
