COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 28.12.2001
COM(2001) 805 final

2001/0319 (ACC)

Proposal for a

COUNCIL DECISION

ON THE COMMUNITY POSITION IN RELATION TO THE ESTABLISHMENT OF A JOINT CONSULTATIVE COMMITTEE TO BE DECIDED ON BY THE ASSOCIATION COUNCIL ESTABLISHED BY THE EUROPE AGREEMENT BETWEEN THE EUROPEAN COMMUNITIES AND THE CZECH REPUBLIC

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. The Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, which entered into force on 1 February 1995, provides, in the article 109 thereof, that the Association Council may decide to set up any other special committee or body that can assist it in carrying out its duties.

2. The Joint Declaration N° 12 of the Europe Agreement referring to Article 109 agreed "that the Association Council will examine the creation of a consultative mechanism composed of members of the Economic and Social Committee of the Community and the corresponding partners of the Czech Republic."

3. The Commission proposes therefore that a Joint Consultative Committee representing the social and economic interest groups of both parties be set up by the Association Council in support of the keen interest expressed, in this respect, by the social partners from both sides, represented by the Economic and Social Committee, on the part of the Community, and by the Czech economic and social partners on the part of the Czech Republic.

4. The proposed Joint Consultative Committee is intended to constitute a forum for dialogue between the social partners of both sides which would be equally beneficial to the Czech social partners, who will familiarise themselves with the process of consultation taking place within the Economic and Social Committee and with the dialogue between the social partners in the European Union in general, and to the social partners of the European Union who will familiarise themselves with the social dimension of the reforms of the economic and social structures taking place in the Czech Republic. The Association Council may also consult the proposed Joint Consultative Committee before taking decisions in areas of obvious social interest. Consultation of the committee, remains, however, at the discretion of the Association Council.

5. The establishment of the proposed Joint Consultative Committee does not have any financial impact on the Community budget, the Czech participants being responsible for their own expenses and the expenses on the Community side being covered by the budget of the Economic and Social Committee.

6. The text of the proposal for a Council decision on the position to be taken by the Community in the Association Council, as provided for by Article 2(1) of the Council and the Commission decision of 19.12.1994 on the conclusion of the aforementioned Europe Agreement, is attached hereto. The Council is invited to adopt the annexed proposal for a decision concerning the Community position within the Association Council with the Czech Republic.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a European Community, the Treaty establishing a European Coal and Steel Community and the Treaty establishing a European Atomic Energy Community (Euratom),

Having regard in particular to Article 300 EC, paragraph 2, second and third subparagraphs,

Having regard to Article 2(1) of the Council and Commission Decision of 19.12.1994 on the conclusion of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part,

Having regard to the Commission proposal,

Whereas:

(1) Article 109 of the said Europe Agreement provides that the Association Council may decide to set up any special committee or body that can assist it in carrying out its duties.

(2) Dialogue and co-operation between economic and social interest groups in the European Community and the Czech Republic can make a major contribution to the development of their relations.

(3) It seems appropriate that such co-operation should be between the members of the Economic and Social Committee of the European Communities and the Czech Republic's economic and social partners,

HAS DECIDED AS FOLLOWS:

The position to be adopted by the Community within the Association Council established by the Europe Agreement between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, in relation

to the establishment of a Joint Consultative Committee shall be based on the draft decision of the said Association Council which is annexed to the present decision.

Done at Brussels,

For the Council
The President
[…]

ANNEX

DRAFT DECISION NO ...../2001

of the Association Council

between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, of ..... 2001 amending, through the setting-up of a Joint Consultative Committee, Decision No 1/95 establishing the rules of procedure of the Association Council.

THE ASSOCIATION COUNCIL

HAVING REGARD TO the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, and in particular Article 109 thereof,

WHEREAS:

(1) dialogue and co-operation between economic and social interest groups in the European Community and the Czech Republic can make a major contribution to the development of their relations,

(2) it seems appropriate that such co-operation be organised between the members of the Economic and Social Committee of the European Communities and the Czech Republic's economic and social partners, by the setting up of a Joint Consultative Committee,

(3) this means that the rules of procedure of the Association Council, adopted by Decision 1/95, have to be amended accordingly

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

The following rules shall be added to the rules of procedure of the Association Council:

"Article 19

Joint Consultative Committee

A Joint Consultative Committee is hereby established with the task of promoting dialogue and Co-operation between the economic and social interest groups in the European Community and the Czech Republic. Such dialogue and Co-operation shall encompass all economic and social aspects of relations between the European Community and the Czech Republic, as they arise in the context of the implementation of the Europe Agreement. The Joint Consultative Committee shall express its views on questions arising in these areas.

Article 20

The Joint Consultative Committee shall comprise seven representatives of the Economic and Social Committee of the European Communities and seven representatives of the Czech Republic's economic and social interest groups.

The Joint Consultative Committee shall carry out its activities on the basis of consultation by the Association Council or, as concerns the promotion of the dialogue between the economic and social interest groups, on its own initiative.

Members shall be chosen to ensure that the Joint Consultative Committee is as faithful a reflection as possible of the various economic and social interest groups in both the European Community and the Czech Republic.

The Joint Consultative Committee shall be co-chaired by a member of the Economic and Social Committee of the European Communities and a Czech member.

The Joint Consultative Committee shall adopt its own Rules of Procedure.

Article 21

The Economic and Social Committee of the European Communities, on the one hand, and the Czech economic and social interest groups, on the other hand, shall each defray the expenses they incur by reason of their participation in the meetings for the Committee and of its working groups 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 born by the Economic and Social Committee, with the exception of Czech expenditure in connection with interpreting or translation into or from Czech, which shall be born by the Czech economic and social interest groups.

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

Article 2

This Decision shall enter into force on the first day of the second month following the date of its adoption

Done at Brussels,

For the Association Council
The Chairman :
The Secretaries :

For the Czech side :

For the European Community :