

**Proposal for a Council Decision on a Community Position concerning the Rules of procedure of the Interim Committee established by the Interim Agreement between the European Community and the Republic of Croatia**

(2002/C 203 E/05)

COM(2002) 161 final

*(Submitted by the Commission on 27 March 2002)*

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 Article 2(2) of Council Decision 2002/107/EC of 28 January 2002 concerning the conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part and the Republic of Croatia, of the other part <sup>(1)</sup>,

Having regard to the proposal from the Commission,

Whereas:

- (1) The Interim Agreement has been provisionally applied as from 1 January 2002 and has definitely entered into force on 1 March 2002.
- (2) Article 38 of the said Agreement establishes an Interim Committee which shall supervise the application and the implementation of the Agreement.

(3) Article 39 of the said Agreement provides that the Interim Committee shall adopt its rules of procedure.

(4) Article 41 of the said Agreement provides that the Interim Committee may establish sub-committees; the designation, composition and terms of reference of the subcommittees should be laid down in the rules of procedure.

(5) The Community should determine the position to be taken within the Interim Committee with regard to the adoption of the rules of procedure,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The position to be adopted by the Community within the Interim Committee established by Article 38 of the Interim Agreement between the European Community and the Republic of Croatia shall be based on the draft decision of the Interim Committee annexed to the present Decision.

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<sup>(1)</sup> OJ L 40, 12.2.2002, p. 9.

**DECISION No 1/2002**  
**of the Interim Committee between the European Community of the one part and the Republic of Croatia of the other part**

of ...

**concerning the adoption of its Rules of procedure**

(...)

THE INTERIM COMMITTEE,

Having regard to the Interim Agreement between the European Community, of the one part, and the Republic of Croatia, of the other part, and in particular Articles 38, 39, 40 and 41 thereof,

Whereas that Agreement entered into force on 1 March 2002,

HAS DECIDED TO ADOPT THE FOLLOWING RULES OF PROCEDURE AND TO ESTABLISH THE SUBCOMMITTEES PROVIDED FOR UNDER THE RULES:

*Article 1*

**Chairmanship**

The Interim Committee shall be presided over alternately for periods of 12 months by a representative of the Commission of the European Communities on behalf of the European Community, hereinafter referred to as the 'Community', and a representative of the Government of the Republic of Croatia. However, the first period shall begin on the date of the first Interim Committee meeting and end on 31 December of the same year.

*Article 2*

**Meetings**

The Interim Committee shall meet regularly once a year. Special meetings of the Interim Committee may be held if the Parties so agree, at the request of either Party.

Each meeting of the Interim Committee shall be held at a time and place agreed by both Parties. The meetings are convened by the Chairman.

Unless otherwise agreed the meetings of the Interim Committee shall not be public.

*Article 3*

**Delegations**

Prior to each meeting, the Chairman 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 Interim Committee, as an observer, when matters which concern the Bank appear on the agenda.

The Interim Committee may invite non-members to attend its meetings in order to provide information on particular subjects.

*Article 4*

**Secretariat**

An official of the Commission of the European Communities and an official of the Republic of Croatia shall act jointly as Secretaries of the Interim Committee.

*Article 5*

**Correspondence**

All correspondence to and from the Chairman of the Interim Committee shall be forwarded to both Secretaries. The two Secretaries shall ensure that correspondence is circulated, where appropriate, to their respective representatives in the Interim Committee.

*Article 6*

**Agenda of the meetings**

1. The Chairman and the Secretaries shall draw up a provisional agenda for each meeting not later than 15 working days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which a request for inclusion has been received by the Secretaries not later than 21 working days before the beginning of the meeting, save that 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 Interim Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be included in the agenda if the two Parties so agree.

2. The Chairman may, in agreement with the two Parties, shorten the time limits 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 Interim 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**

The Interim Committee shall take its decisions and recommendations by common agreement of the Parties.

During the inter-sessional period, the Interim Committee may take decisions or recommendations by written procedure if both Parties so agree.

The decisions and recommendations of the Interim Committee within the meaning of Article 39 of the Interim Agreement shall be entitled respectively 'Decision' and 'Recommendation' and followed by a serial number, by the date of their adoption and by a description of their subject.

The decisions and recommendations of the Interim Committee shall be signed by the chairman and authenticated by the two secretaries.

The decisions taken by the Interim Committee shall be published by the Parties in their respective official publications. Each Party may decide on the publication of any other act adopted by the Interim Committee.

*Article 9***Languages**

The official languages of the Interim Committee shall be the official languages of the two Parties.

Unless otherwise decided, the Interim Committee shall base its deliberations on documentation prepared in these languages.

*Article 10***Expenses**

The Community and the Republic of Croatia shall each defray the expenses they incur by reason of their participation in the meetings of the Interim Committee and of sub-committees, both in respect of staff, travelling and subsistence expenditure and of postal and telecommunications costs.

Expenditure in connection with interpretation at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpretation or translation into or from Croatian, which shall be borne by the Republic of Croatia.

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

*Article 11***Subcommittees**

The subcommittees, including their respective terms of reference, hereby established in accordance with Article 41 of the Interim Agreement, are listed in the Annex to this Decision.

The subcommittees shall be composed of representatives of both Parties. They will be chaired alternately by the two Parties according to the rules of the Interim Committee. They will meet whenever circumstances require, on request of either Party.

Subcommittees shall work under the authority of the Interim Committee to which they shall report after each one of their meetings. They shall not take decisions but may make recommendations to the Interim Committee.

The Interim Committee may decide to abolish any existing subcommittees, modify their terms of reference or establish new subcommittees to assist it in carrying out its duties.

## ANNEX

**SUBCOMMITTEE ON ECONOMIC AND FINANCIAL MATTERS****Terms of reference**

1. The general objectives of the subcommittee are the review of economic developments and policies as well as the monitoring and joint analysis of economic, technical and financial cooperation in accordance with Articles 33 and 34 of the Interim Agreement, with a view to contributing to the economic development of the Republic of Croatia and strengthening the economic links between the Republic of Croatia and the European Community.
2. The subcommittee shall deal in particular with the following specific subjects:
  - Macroeconomic developments and policies in the European Community and the Republic of Croatia;
  - Structural reforms including financial sector reform;
  - Facilitation of the movement of capital and its progressive liberalisation;
  - Statistical system.

**SUBCOMMITTEE ON AGRICULTURE AND FISHERIES****Terms of reference**

1. The general objective of the subcommittee is to deal with agricultural, processed agricultural and fishery products. The subcommittee shall monitor the implementation of the obligations of the Parties in these sectors and conduct a joint analysis of the co-operation in agriculture in accordance with Articles 11 to 18, Annexes III, IV and V and Protocol 3 of the Interim Agreement as well as the Wine protocol.
2. The subcommittee shall deal, in particular, with the following subjects:
  - Examination of problems related to the development of the agricultural sector and agricultural policy, as well as rural development in the Republic of Croatia and in the European Community;
  - Processed agricultural products;
  - Fisheries;
  - Veterinary and phytosanitary matters and the examination of the possibilities of developing cooperation in this area.

**SUBCOMMITTEE ON INTERNAL MARKET****Terms of reference**

1. The general objective of the subcommittee is the review of the legislative reform in the Republic of Croatia. The subcommittee will establish the priorities, identify the policies, monitor and analyse the approximation of the Croatian legislation to Community legislation in accordance with Article 69 of the Stabilisation and Association Agreement and Articles 35 and 36 of the Interim Agreement.
2. The subcommittee shall deal with the gradual approximation of the Croatian legislation with the Community *acquis* in the sectors linked to the internal market and in particular in the following specific areas:
  - Competition and State aid;
  - Intellectual, industrial and commercial property rights;
  - Public procurement;
  - Company law;
  - Accounting;

- Data protection;
- Standardisation, certification, conformity assessment and market surveillance;
- Consumer protection.

#### **SUBCOMMITTEE ON TRADE, STEEL AND IRON PRODUCTS, CUSTOMS AND TAXATION**

##### **Terms of reference**

1. The objectives of the subcommittee are the discussion and monitoring of all the questions related to the commercial policy as well as to the cooperation in customs matters, in accordance with Articles 2 to 10 and 19 to 31, Annexes I and II and Protocols 1, 2, 4 and 5 of the Interim Agreement.
2. The subcommittee shall deal in particular with the following issues:
  - Free movement of goods: monitoring of the implementation of the obligations of the Parties and discussion of any difficulties which might arise in the commercial regime for industrial products, including textiles and steel and iron products;
  - Trade related aspects of intellectual, industrial and commercial property rights;
  - Trade related aspects of Public procurement;
  - Trade related aspects of standardisation, certification, conformity assessment and market surveillance;
  - Customs cooperation and discussion of all the questions related to the implementation of the rules of origin;
  - Exchange of information on the compatibility and developments in the field of taxation.

#### **SUBCOMMITTEE ON TRANSPORT**

##### **Terms of reference**

1. The objective of the subcommittee is to monitor the implementation of the obligations of the Parties in the transport sector in accordance with Protocol 6 of the Interim Agreement.
  2. The subcommittee shall deal in particular with the following issues:
    - Discussion of any questions which might arise in the implementation of the agreement with regard to freedom of transit;
    - Establishment of a system of ecopoints in accordance with Article 2 of Protocol 6 of the Interim Agreement.
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