

DECISION No 2/2013 OF THE EU-IRAQ COOPERATION COUNCIL**of 8 October 2013****on the establishment of three specialised subcommittees and the adoption of their terms of reference**

(2013/803/EU)

THE EU-IRAQ COOPERATION COUNCIL,

Having regard to the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part ⁽¹⁾ (hereinafter 'the Agreement'), and in particular Article 112 thereof,

Whereas:

- (1) In accordance with Article 117 of the Agreement, certain provisions thereof have been provisionally applied since 1 August 2012.
- (2) In order to contribute to the effective implementation of the Agreement, its institutional framework should be established as soon as possible.
- (3) Article 112 of the Agreement provides that the Cooperation Council is to be assisted in the performance of its duties by a Cooperation Committee and may decide to set up any other specialised subcommittee or body that can assist it in carrying out its duties, and is to determine the composition and duties of such committees or bodies and how they function.
- (4) In order to allow for expert-level discussions on the key areas falling within scope of the provisional application of the Agreement, three subcommittees should be established. Upon further agreement of the Parties, both the

list of subcommittees and the scope of the individual subcommittees can be modified.

- (5) In accordance with Article 10 of the Cooperation Council's Rules of Procedure, the Cooperation Council may take decisions by written procedure.
- (6) In order for the subcommittees to become operational in a timely manner, it is necessary to adopt this Decision by written procedure,

HAS ADOPTED THIS DECISION:

Sole Article

The subcommittees listed in Annex I are hereby established.

The terms of reference of the subcommittees as set out in Annex II are hereby adopted.

Done at Brussels, 8 October 2013.

For the EU-Iraq Cooperation Council
The Chairman
C. ASHTON

⁽¹⁾ OJ L 204, 31.7.2012, p. 20.

*ANNEX I***EU-IRAQ COOPERATION COUNCIL****Subcommittees established**

- (1) Subcommittee on Human Rights and Democracy
 - (2) Subcommittee on Trade and related issues
 - (3) Subcommittee on Energy and related issues
-

ANNEX II

Terms of reference of the Subcommittees established in Annex I, under the Partnership and Cooperation Agreement between the European Union and their Member States, of the one part, and the Republic of Iraq, of the other part*Article 1*

At its meetings, each Subcommittee may treat the implementation of the Partnership and Cooperation Agreement in any or all of the areas it covers.

The Subcommittees may also discuss subjects or specific projects related to the relevant area of bilateral cooperation.

Individual cases may also be raised when either Party requires.

Article 2

The Subcommittees shall work under the authority of the Cooperation Committee. They shall report and transmit their conclusions to the Cooperation Committee after each meeting.

Article 3

The Subcommittees shall be composed of representatives of the Parties.

Upon agreement of both Parties, the Subcommittees may invite experts to their meetings and may hear them regarding specific points on the agenda of Subcommittee meetings as appropriate.

Article 4

The Subcommittees shall be chaired by the Parties alternately, according to the rules on alternate presidency of the Cooperation Committee by a representative of the European Union, on the one hand, and by a representative of the Government of Iraq, on the other hand.

Article 5

A representative of the European External Action Service and a representative of the Government of the Republic of Iraq shall act jointly as Permanent Secretary of the Subcommittees. All communications concerning the specific Subcommittee shall be forwarded to the two Permanent Secretaries.

Article 6

The Subcommittees shall meet whenever circumstances require upon agreement of the Parties, on the basis of a written request from either Party, and at least once a year. Each meeting shall be held at a place determined by both Parties and at a time agreed by them.

Upon receipt of a request by one of the Parties for a Subcommittee meeting, the Permanent Secretary of the other Party shall reply within 15 working days.

In cases of particular urgency, Subcommittee meetings may be convened at shorter notice, subject to the agreement of both Parties.

Before each meeting, the chair shall be informed of the intended composition of the delegation of both Parties.

Meetings of the Subcommittee are jointly convened by the two Permanent Secretaries, acting in agreement with the Secretaries of the Cooperation Committee.

Article 7

Items for inclusion on the agenda shall be submitted to the Permanent Secretaries a minimum of 15 working days in advance of the Subcommittee meeting in question. Any supporting documentation shall be provided to the Permanent Secretaries a minimum of 10 working days in advance.

Based on these items, a provisional agenda shall be drawn up and forwarded, with available supporting documentation, to the Secretaries of the Cooperation Committee, as well as to the Permanent Representations of the Member States, not later than five working days before the Subcommittee meeting. In exceptional circumstances, with the written agreement of both Permanent Secretaries, items may be added to the agenda at short notice.

Article 8

Unless otherwise decided, Subcommittee meetings shall not be public.

Article 9

Minutes shall be taken for each meeting. A copy of the minutes and conclusions of each Subcommittee meeting shall be transmitted to the Secretaries of the Cooperation Committee. Copies shall also be forwarded to the Permanent Representations of the Member States.
