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(Acts whose publication is not obligatory)

COUNCIL

DECISION No 9/2001 OF THE ACP-EC COMMITTEE OF AMBASSADORS

of 20 December 2001

adopting the rules of procedure of the ACP-EC Development Finance Cooperation Committee

(2002/146/EC)

THE ACP-EC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EC Partnership Agreement signed in Cotonou on 23 June 2000 between the Members of the Group of African, Caribbean and Pacific States, of the one part, and the European Community and its Member States, of the other part, hereinafter referred to as 'the Agreement', and in particular Article 83(1) thereof,

Whereas, by Decision No 1/2000 of 27 July, the ACP-EC Council of Ministers implemented in advance most of the provisions of the Agreement,

Having regard to the Decision of the ACP-EC Council of Ministers of 11 May 2001 to delegate powers to the ACP-EC Committee of Ambassadors for the adoption of the rules of procedure of the ACP-EC Development Finance Cooperation Committee provided for in Article 83(4) of the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

Composition of the Committee

1. The Committee shall comprise, on the one hand, the members of the Council of the European Union and a member of the Commission of the European Communities and, on the other, on a basis of parity, Ministers of the ACP States.
2. Every year the parties shall appoint their representatives on the Committee and shall inform its secretariat.
3. Each member of the Committee shall appoint his or her authorised representative and shall inform the Committee's secretariat.
4. The Chairman of the ACP Committee of Ambassadors and the Chairman of COREPER or their representatives shall attend meetings of the Committee.

5. A representative of the Centre for Enterprise Development and of the Technical Centre for Agricultural and Rural Cooperation shall attend the Committee's proceedings when the issues under discussion concern them.

6. A representative of the European Investment Bank shall be present at the Committee's meetings.

7. The members of the Committee and their authorised representatives may be assisted by advisers.

Article 2

Chairing the Committee

The Committee shall be chaired for six-month periods from 1 April to 30 September by the ACP States and from 1 October to 31 March by the Community. On the Community side, the position of Chair shall rotate among members of the Council of the European Union, working in close consultation with the Commission of the European Communities.

Article 3

Procedural rules

1. The Committee shall meet every three months. It shall meet at ministerial level at least once a year and normally coincide with a meeting of the ACP-EC Council of Ministers.
2. Other meetings at ministerial level shall be held at the request of one of the parties and at a venue to be agreed by both parties.
3. Meetings at the level of authorised representatives shall be held at the normal venues of meetings of the Council of the European Union, the ACP General Secretariat or any other venue to be decided by the Committee.
4. Any member of the Committee unable to attend a meeting may be represented. The representative shall exercise all the rights of the accredited member.

5. The Committee shall be convened by its Chair, either on his or her own initiative or at the request of the ACP States or of the Community.

6. At least three weeks before the scheduled date of the meeting, the Committee's secretariat shall send the members of the Committee a draft agenda, accompanied by any relevant documents.

7. The agenda shall be adopted by the Committee at the beginning of each meeting. In urgent cases, the Committee may decide, at the request of representatives of the ACP States or of the Community, to put on the agenda items for which the time-limit laid down in paragraph 6 has not been observed.

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

Article 4

Powers

1. The Committee shall exercise the powers conferred on it under the relevant Articles of the Agreement.

2. The Committee shall adopt its work programme each year and report to the Council on its execution.

Article 5

Proceedings

1. The Committee shall take decisions by agreement between the Community, on the one hand, and the ACP States, on the other hand.

2. The proceedings of the Committee shall be valid only if at least half of the members of the Council of the European Union, a Commission representative and at least half of the ACP members are present.

3. Without prejudice to such other provisions as may apply, the deliberations of the Committee shall be covered by the obligation of professional confidentiality.

Article 6

Technical working party

1. A working party shall be set up for the purpose of preparing items of a technical nature and drafting all the documents to be submitted to the Committee.

2. The working party shall include a representative of the Chair of the Committee as well as of the party not in the chair, of the Commission of the European Communities as well as the Committee's secretariat. A representative of the European Investment Bank shall participate in its work, where appropriate. The Chair may be assisted by other members of the Committee and by representatives of the Centre for Enterprise Development and the Technical Centre for Agricultural and Rural Cooperation.

3. The working party shall meet regularly in order to do the work assigned to it by the Committee.

Article 7

Secretariat

1. The Committee's secretarial services shall be provided by the Secretariat of the ACP-EC Council of Ministers.

2. Minutes shall be drawn up of every meeting, noting in particular decisions taken by the Committee.

3. After each meeting of the Committee, the record of the proceedings shall be sent to the Committee members within the three weeks following the meeting. The record of each meeting shall be submitted at the start of the next meeting for approval.

Done at Brussels, 20 December 2001.

For the ACP-EC Council of Ministers

By the ACP-EC Committee of Ambassadors

The President

F. van DAELE