



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.02.2001  
COM(2001) 99 final

Proposal for a

**COUNCIL DECISION**

**on a Community position within the EU-Mexico Joint Council  
on the rules of procedure of the Joint Council and  
of the Joint Committee**

(presented by the Commission)

## **EXPLANATORY MEMORANDUM**

The Economic Partnership, Political Co-ordination and Co-operation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, signed on 8 December 1997 and which entered into force on 1 October 2000 establishes a Joint Council. In accordance with article 46 (3) of the Agreement, the Joint Council must establish its own rules of procedure.

As provided for in article 48 (1) of the Agreement, the Joint Council shall also determine the duties of the Joint Committee, which shall include the preparation of meetings of the Joint Council and how the Joint Committee shall function.

The Commission is sending to the Council a proposal for a Council decision concerning the Community position on the rules of procedure annexed thereto with a view to a Joint Council decision.

Proposal for a  
**COUNCIL DECISION**

**on a Community position within the EU-Mexico Joint Council  
on the rules of procedure of the Joint Council and  
of the Joint Committee**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community.

Having regard to the proposal from the Commission<sup>1</sup>,

Whereas:

- (1) Article 46 (3) of the Economic Partnership, Political Co-ordination and Co-operation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, signed in Brussels on 8 December 1997 and approved by Council Decision 2000/658/EC<sup>2</sup>, provides that the Joint Council set up under that Agreement shall establish its own rules of procedure.
- (2) Pursuant to Article 48 (1) of that Agreement, the Joint Council must determine the duties of the Joint Committee.

HAS DECIDED AS FOLLOWS:

*Sole Article*

The draft decision set out in the Annex to the present Decision is adopted as a Community position within the EU-Mexico Joint Council.

Done at Brussels,

*For the Council  
The President*

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<sup>1</sup> OJ C , , p. .

<sup>2</sup> OJ L 276, 28.10.2000, p. 44.

**ANNEX**

**DECISION OF THE EU-MEXICO JOINT COUNCIL**

**No--/2001 of 27 February 2001**

**establishing the Rules of Procedure of the EU-Mexico Joint Council and the Rules of  
Procedure of the EU-Mexico Joint Committee**

THE JOINT COUNCIL,

Having regard to the Economic Partnership, Political Co-ordination and Co-operation Agreement between the European Community and its Member States, of the one part, and the United Mexican States, of the other part, signed in Brussels on 8 December 1997, and in particular Articles 46(3) and 48(1) thereof,

Whereas:

- (1) The Economic Partnership, Political Coordination and Cooperation Agreement (hereinafter referred to as the "Agreement") entered into force on 1 October 2000,
- (2) The Joint Council must establish its own Rules of Procedure and determine the duties of the Joint Committee and how that Committee is to function,

HAS DECIDED AS FOLLOWS:

*Article 1*

The Rules of Procedure of the Joint Council are established as set out in the Annex.

*Article 2*

This Decision shall enter into force on [...].

Done at [place], [date].

*For the Joint Council  
The President  
[name]*

## **ANNEX**

### **RULES OF PROCEDURE OF THE EC-MEXICO JOINT COUNCIL**

#### *Article 1 - Presidency*

The Joint Council shall be presided over alternately for periods of twelve months by a member of the Council of the European Union, and by a representative of the Government of Mexico. However the first period of presidency shall start on the date on which the first meeting of the Joint Council takes place and will end on 31 December of the same year.

#### *Article 2 - Meetings*

1. The Joint Council shall meet at ministerial level, at regular intervals and when circumstances require if the Parties so agree.
2. Each session of the Joint Council shall be held in a place mutually agreed by the Parties.
3. The meetings of the Joint Council shall be jointly convened by the Secretaries of the Joint Council.

#### *Article 3 – Representation*

1. The members of the Joint Council may be represented.
2. A member wishing to be represented shall notify the Chairman the name of his representative before the meeting at which he is to be so represented. The representative of a member of the Joint Council shall exercise all the rights of that member.

#### *Article 4 - Delegations*

The members of the Joint Council may be accompanied by officials. Before each meeting, the Chairman of the Joint Council shall be informed of the intended composition and of the Head of the delegation of each Party.

#### *Article 5 - Secretariat*

An official of the General Secretariat of the Council of the European Union, of the one part, and an official of the Government of Mexico, of the other part, shall act jointly as Secretaries of the Joint Council.

#### *Article 6 - Documents*

When the deliberations of the Joint Council are based on written supporting documents, such documents shall be numbered and circulated as documents of the Joint Council by the two Secretaries.

### *Article 7 - Correspondence*

1. All correspondence addressed to the Joint Council or to the Chairman of the Council shall be forwarded to both Secretaries of the Joint Council.
2. The two Secretaries shall ensure that correspondence is forwarded to the Chairman of the Joint Council and, where appropriate, circulated as documents referred to in Article 6 to other members of the Joint Council. Correspondence circulated shall be sent to the Secretariat General of the European Commission, the Permanent Representations of the member States of the European Union, and the Mission of Mexico to the European Union.
3. Correspondence from the Chairman of the Joint Council shall be sent to the recipients by the respective Secretary and, where appropriate, circulated as documents referred to in Article 6 to the other members of the Joint Council at the addresses indicated in the preceding paragraph.

### *Article 8 - Agenda for the meetings*

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Joint Council on the basis of suggestions by the Parties. It shall be forwarded by the corresponding Secretary to the addressees referred to in Article 7 no later than fifteen days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which a request for inclusion in the agenda has been received by either of the two Secretaries not later than twenty-one 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 provisional agenda. The agenda shall be adopted by the Joint 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 two Parties so agree.

2. With the agreement of the Parties, the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

### *Article 9 - Minutes*

1. Draft minutes of each meeting shall be drawn up as soon as possible jointly by the two Secretaries.
2. The minutes shall, as a general rule, indicate in respect of each item on the agenda:
  - (a) the documentation submitted to the Joint Council;
  - (b) statements the entry of which has been requested by a member of the Joint Council;
  - (c) the decisions taken, the recommendations made, the statements agreed upon and the conclusions adopted on specific items.

3. The minutes shall also include a list of members of the Joint Council or their representatives who participated at the meeting.
4. The draft minutes shall be submitted to the Joint Council for approval at its next meeting. The draft minutes also can be agreed in writing by both Parties. When approved, two authentic copies of the minutes shall be signed by the two Secretaries and be filed by the Parties. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 7.

#### *Article 10 – Decisions and Recommendations*

1. The Joint Council shall take decisions and make recommendations by common agreement between the Parties. During the inter-session period, the Joint Council may adopt a decision or make recommendations by written procedure if both Parties so agree. A written procedure consists of an exchange of notes between the two Secretaries, acting in agreement with the Parties.
2. The decisions and recommendations of the Joint Council within the meaning of Article 47 of the Agreement shall be entitled "decision" and "recommendation" respectively, followed by a serial number, by the date of their adoption and by a description of their subject.
3. The decisions and recommendations of the Joint Council shall be authenticated by the two Secretaries and two authentic copies signed by Heads of delegation of the two Parties.
4. Decisions and Recommendations shall be forwarded to each of the addressees referred to in Article 7 above as documents of the Joint Council.

#### *Article 11 - Publicity*

1. Unless otherwise decided, the meetings of the Joint Council shall not be public.
2. Each Party may decide on the publication of the decisions and the recommendations of the Joint Council in its respective official publication.

#### *Article 12 - Languages*

1. The official languages of the Joint Council shall be the official languages of the Parties.
2. Unless it is otherwise decided, the Joint Council shall normally base its deliberations and take its Decisions on documentation and proposals prepared in these languages.

#### *Article 13 - Expenses*

1. The United Mexican States and the European Community shall each defray the expenses they incur by reason of their participation in the meetings of the Joint Council, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

2. Expenditure in connection with organisation of meetings, interpretation at meetings, translation and reproduction of documents shall be borne by the Party which hosts the meeting.

*Article 14 - Joint Committee*

1. A Joint Committee is hereby established in accordance with Article 48 of the Agreement in order to assist the Joint Council in the performance of its duties.
2. The Joint Committee shall be composed of representatives of the members of the Council of the European Union and of the European Commission, on the one hand, and of representatives of the Government of Mexico on the other, normally at senior civil servant level, subject to Article 48 of the Agreement, Article 48 of the Decision 2/2000 and Article 44 of the Decision --/2001 of the Joint Council.
3. The Joint Committee shall prepare the meetings and the deliberations of the Joint Council, monitor the implementation of the decisions and recommendations of the Joint Council where appropriate and, in general, the proper functioning of the Agreement. It shall consider any matter referred to it by the Joint Council as well as any other matter, which may arise in the course of the day-to-day implementation of the Agreement. It shall submit any proposals of decisions and/or recommendations for adoption to the Joint Council.
4. The rules of procedure of the Joint Committee are attached as an Appendix to these rules of procedure.

## **APPENDIX**

### **RULES OF PROCEDURE OF THE JOINT COMMITTEE**

#### *Article 1 - Presidency*

Every meeting of the Joint Committee shall be presided alternatively by a representative of the European Commission and by the Permanent Representative of Mexico before the European Community or a high level official designated by the Government of Mexico, subject to Article 48 of the Decision 2/2000 and Article 44 of the Decision --/2001 of the Joint Council.

#### *Article 2 - Meetings*

The Joint Committee shall meet once a year or when circumstances require with the agreement of the Parties. Each meeting of the Joint Committee shall be jointly convened by both Secretaries and held alternatively in Brussels and Mexico at a time agreed by the Parties.

#### *Article 3 - Delegations*

Before each meeting, the Chairman of the Joint Committee shall be informed of the intended composition and the Head of the delegation of each Party.

#### *Article 4 - Secretariat*

1. An official of the European Commission, of one part, and an official of the Government of Mexico, shall act jointly as Secretaries of the Joint Committee, subject to Article 48 of the Decision 2/2000 and Article 44 of the Decision --/2001 of the Joint Council.
2. All correspondence to and from the Chairman of the Joint Committee provided for in these rules of procedure shall be forwarded to the Secretaries of the Joint Committee and to the Secretaries and the Chairman of the Joint Council and where appropriate, to the members of the Joint Committee.

#### *Article 5 - Publicity*

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

#### *Article 6 - Agenda for the meetings*

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Joint Committee. It shall be forwarded to the Chairman and Secretaries of the Joint Council as well as to the members of the Joint Committee not later than fifteen 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 twenty-one 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 provisional agenda. The agenda shall be adopted by the Joint 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. With the agreement of the Parties the time limits specified in paragraph 1 may be shortened in order to take account of the requirements of a particular case.

#### *Article 7 - Minutes*

Minutes shall be taken for each meeting and shall be based on a summing up by the Chairman of the conclusions arrived at by the Joint Committee. Upon adoption by the Joint Committee, the minutes shall be signed by the Chairman and by the Secretaries and filed by each of the Parties. A copy of the minutes shall be forwarded to the Chairman and Secretaries of the Joint Council and to the members of the Joint Committee.

#### *Article 8 - Decisions and Recommendations*

1. In those cases where the Joint Committee is empowered to take decisions or make recommendations in accordance with Article 48.2 of the Agreement, those acts shall be entitled "decisions" or "recommendation", followed by a serial number, by the date of their adoption and by description of their subject.
2. Where the Joint Committee adopts a decision or makes a recommendation, the provisions of article 10, 11 and 12 of the rules of procedure of the Joint Council shall apply *mutatis mutandis*.
3. The decisions and recommendations of the Joint Council shall be forwarded to each of the addressees mentioned in Article 4 (2).

#### *Article 9 - Expenses*

1. The United Mexican States and the European Community shall each defray the expenses they incur by reason of their participation in the meetings of the Joint Committee, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.
2. Expenditure in connection with the material organisation and the interpretation at meetings, translation and reproduction of documents shall be borne by the Party which hosts the meetings.