

Proposal for a Council Decision on a Community position within the EC-Mexico Joint Council on the rules of procedure of the Special Committees

(2002/C 203 E/33)

COM(2002) 228 final

(Submitted by the Commission on 7 May 2002)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Whereas:

- (1) Article 49 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 provides that the Joint Council may decide to set up special committees to assist it in the performance of its duties.
- (2) Whereas Article 17 of the Decision No 2/2000 adopted on 23 March 2000 by the EU-Mexico Joint Council hereinafter referred to as the 'Decision No 2/2000', established a Special Committee on Customs Co-operation and Rules of Origin.
- (3) Whereas Article 19 of the Decision No 2/2000 sets up a Special Committee on Standards and Technical Regulations.
- (4) Whereas Article 20 of the Decision No 2/2000 sets up a Special Committee on Sanitary and Phytosanitary Measures.

(5) Whereas Article 24 of the Decision No 2/2000 sets up a Special Committee on Steel Products.

(6) Whereas Article 32 of the Decision No 2/2000 sets up a Special Committee on Government Procurement.

(7) Whereas Article 40 of the Decision No 2/2000 sets up a Special Committee on Intellectual Property Matters.

(8) Whereas Article 23 of the Decision No 2/2001 adopted on 27 February 2001 by the EU-Mexico Joint Council, hereinafter referred to as the 'Decision No 2/2001' sets up a Special Committee on Financial Services.

(9) Whereas Article 49 of the Agreement provides that the Joint Council shall determine in its rules of procedure how the Special Committees shall function.

HAS DECIDED AS FOLLOWS:

Sole Article

To adopt, as a Community position within the EC-Mexico Joint Council, the annexed draft decision.

ANNEX

**DECISION No .../2002 OF THE EUROPEAN COMMUNITY-MEXICO JOINT COUNCIL
of ... 2002**

**established by 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, of 8 December 1997**

RULES OF PROCEDURE OF THE SPECIAL COMMITTEES

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, hereinafter referred to as the 'Agreement' and in particular article 49.

Whereas Article 49 of the Agreement provides that the Joint Council may decide to set up special committees to assist it in the performance of its duties.

Whereas Article 17 of the Decision No 2/2000 adopted on 23 March 2000 by the EU-Mexico Joint Council hereinafter referred to as the 'Decision No 2/2000', established a Special Committee on Customs Co-operation and Rules of Origin.

Whereas Article 19 of the Decision No 2/2000 sets up a Special Committee on Standards and Technical Regulations.

Whereas Article 20 of the Decision No 2/2000 sets up a Special Committee on Sanitary and Phytosanitary Measures.

Whereas Article 24 of the Decision No 2/2000 sets up a Special Committee on Steel Products.

Whereas Article 32 of the Decision No 2/2000 sets up a Special Committee on Government Procurement.

Whereas Article 40 of the Decision No 2/2000 sets up a Special Committee on Intellectual Property Matters.

Whereas Article 23 of the Decision No 2/2001 adopted on 27 February 2001 by the EU-Mexico Joint Council, hereinafter referred to as the 'Decision No 2/2001' sets up a Special Committee on Financial Services.

Whereas Article 49 of the Agreement provides that the Joint Council shall determine in its rules of procedure how the Special Committees shall function,

HAS DECIDED AS FOLLOWS:

Article 1

The Rules of Procedure of the Special Committees are established as set out in the annex of this Decision, which shall become an appendix to the Rules of Procedure of the Joint Council annexed to Decision No 1/2001 of the EU/Mexico Joint Council.

Article 2

This Decision shall enter into force on ...

ANNEX

RULES OF PROCEDURE FOR THE EC-MEXICO SPECIAL COMMITTEES

Article 1

Presidency

Every meeting of the Special Committees shall be presided alternatively by a representative of the European Commission, and by a representative of the Mexican Government, normally at senior civil servant level.

Article 2

Meetings

The Special Committees shall meet as stated in the respective articles of the Decision No 2/2000 and the Decision No 2/2001 which establishes each of them.

Article 3

Delegations

Before each meeting, the Chairman of the Special Committees 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 the one part, and an official of the Government of Mexico, of the other part, shall act jointly as Secretaries of the Special Committees.

2. All correspondence to and from the Chairman of the Special Committees provided for in these rules of procedure shall be forwarded to the Secretaries of the Special Committees and to the Secretaries and the Chairman of the Joint Committee and where appropriate, to the members of the Joint Committee.

Article 5

Documents

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

Article 6

Publicity

Unless otherwise decided, the meetings of the Special Committees shall not be public.

Article 7

Agenda for the meetings

1. A provisional agenda for each meeting shall be drawn up by the Secretaries of the Special Committees no later than thirty days before the meeting, together with the supporting documentation. The agenda shall be forwarded to the Chairman, Secretaries and members of the Joint Committee not later than fifteen days before the beginning of the meeting. The agenda shall be adopted by the Special Committees at the beginning of each meeting. Items not on the provisional agenda may be added with the agreement of both parties.

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 8

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 Special Committees:

1. The parties will draft and agree on a first version of the minutes directly after the Special Committees meeting.
2. The parties will then have 20 working days to circulate the minutes internally and compare the versions cleared internally.

3. Upon adoption by the Special Committees, the minutes shall be signed by the Chairman and by the Secretaries within 10 working days after the end of the internal clearance procedure referred to in paragraph 2.

4. A copy of the minutes shall be forwarded to the Chairman and Secretaries of the Joint Committee.

Article 9

Recommendations

1. In those cases where the Special Committee is empowered to make recommendations in accordance with Decision No 2/2000 or Decision No 2/2001, those acts shall be entitled 'recommendation', followed by a serial number, by the date of their adoption and by description of their subject.

2. Where the Special Committee makes a recommendation, the provisions of article 10, 11 and 12 of Decision No 1/2001 of the Joint Council that establish the rules of procedure of the Joint Council shall apply *mutatis mutandis*.

3. The recommendations of the Special Committee shall be forwarded to the Secretaries of the Joint Committee.

Article 10

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 Special Committees, 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.

Article 11

Annual report

The Special Committees shall report annually to the Joint Committee.

Article 12

Other special committee

These rules of procedure shall apply to any other special committee or body set up, in accordance with article 49 of the Agreement, to assist the Joint Council in the performance of its duties.