



Council of the
European Union

Brussels, 26 May 2020
(OR. en)

6856/20

Interinstitutional File:
2019/0220 (NLE)

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Draft DECISION OF THE JOINT COMMITTEE established by the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, adopting its Rules of Procedure and

Draft DECISION OF THE SUBCOMMITTEE on Trade and Investment established by the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part, adopting its Rules of Procedure

DRAFT

Decision No 1/...
of the Joint Committee established by the Framework Agreement
on Partnership and Cooperation between
the European Union and its Member States, of the one part,
and Mongolia, of the other part,

of ...

adopting its Rules of Procedure

THE JOINT COMMITTEE,

Having regard to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part (the ‘Agreement’), and in particular Article 56 thereof,

Whereas:

- (1) The Agreement entered into force on 1 November 2017.
- (2) Pursuant to Article 56(6) of the Agreement, the Joint Committee is to adopt its own rules of procedure,

HAS ADOPTED THIS DECISION:

Sole Article

1. The Rules of Procedure of the Joint Committee, as set out in the Annex, are hereby adopted.
2. This Decision shall enter into force on the date of its adoption.

Done at ...,

For the Joint Committee
The Chair

ANNEX

RULES OF PROCEDURE OF THE JOINT COMMITTEE

Article 1

Composition and chair

1. The Joint Committee shall perform the tasks provided for in Article 56 of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part (the 'Agreement').
2. The Joint Committee shall be composed of representatives of the Parties as defined by the Agreement at the highest possible level.
3. The Joint Committee shall be chaired alternately by the Minister of Foreign Affairs of Mongolia and the High Representative of the Union for Foreign Affairs and Security Policy, for a period of one calendar year. The Chairs may delegate their authority to preside over all or part of the meetings of the Joint Committee to a senior official.

Article 2

Meetings

1. The Joint Committee shall normally meet once a year, unless otherwise agreed by the Parties. Meetings of the Joint Committee shall be convened by the Chair. Meetings shall be held alternately in Brussels and Ulaanbaatar, on a date fixed by mutual agreement. Extraordinary meetings of the Joint Committee may be held at the request of either Party, if the Parties so agree.
2. By way of exception and if the Parties agree, the meetings of the Joint Committee may also be held through technical means, for example by means of video-conference.

Article 3

Delegations

1. Each Party shall inform the Chair of the intended composition of its delegation before each meeting of the Joint Committee.
2. The Chair, in agreement with the Parties, may invite experts or representatives of other bodies to the meeting to act as observers or to provide information on a particular subject. The Parties shall agree on the terms and conditions under which those experts or representatives of other bodies may attend the meetings.

Article 4
Information to the public

1. The meetings of the Joint Committee shall not be public, unless otherwise decided by the Chair in agreement with the Parties. When a Party submits information designated as confidential to the Joint Committee, the other Party shall treat that information as such.
2. The Joint Committee may issue statements to the public as it deems appropriate.

Article 5
Secretariat

A representative of the European External Action Service and a representative of the Government of Mongolia shall act jointly as Secretaries of the Joint Committee. They shall be made aware of all communication to and from the Chair, including by any written means such as electronic mail.

Article 6
Agendas for meetings

1. The Chair shall draw up a provisional agenda for each meeting of the Joint Committee. The provisional agenda shall be sent, together with the relevant documents, to the Parties at least 21 days before the date of the meeting.

2. Either Party may request the Chair to place an item on the agenda.
3. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Secretaries of the Joint Committee shall make public the provisional agenda of each meeting of the Joint Committee before that meeting.
5. In special circumstances and in agreement with the Parties, the Chair may shorten the time-limit referred to in paragraph 1 in order to take account of the requirements of that particular case.

Article 7

Minutes

1. The conclusions of the meetings of the Joint Committee shall be recorded in the form of agreed minutes.
2. The Chair shall summarise the conclusions reached by the Joint Committee at each meeting. The two Secretaries shall jointly draw up draft minutes on the basis of those conclusions, preferably at the end of the meeting and at the latest 30 calendar days after the date of the meeting.

3. The Joint Committee shall approve the draft minutes, preferably at the end of the meeting and at the latest 45 calendar days after the date of the meeting, or by any other date agreed by the Joint Committee. Once the Joint Committee has approved the draft minutes, two original copies shall be signed by the Chair. Each Party shall receive one original copy of the agreed and signed minutes.

Article 8

Decisions and recommendations

1. The Joint Committee may adopt decisions or recommendations for the purposes of attaining the objectives of the Agreement.
2. Decisions and recommendations of the Joint Committee shall be entitled ‘Decision’ or ‘Recommendation’ respectively, followed by a serial number, the date of their adoption and a description of the subject matter. Each decision shall state the date on which it enters into force.
3. Where circumstances so require, the Joint Committee may adopt its decisions and recommendations by written procedure.
4. Decisions and recommendations of the Joint Committee shall be established in two authentic copies, each signed by the Chair.

5. The Parties may publish the decisions and recommendations of the Joint Committee in their respective official journals.

Article 9

Expenses

1. Each Party shall bear the expenses it incurs in relation to its participation in the meetings of the Joint Committee, with regard both to staff, travel and subsistence expenditure and to postal and telecommunications expenditure. Each Party shall bear the expenses it incurs in connection with interpretation at meetings and translation.
2. The Party hosting the meeting shall bear the expenses in connection with the organisation of meetings and reproduction of documents.

Article 10

Specialised working groups

1. The Joint Committee may set up specialised working groups to assist it in the performance of its tasks.
2. The Joint Committee may decide to abolish any specialised working group, or to adopt or amend the terms of reference of any specialised working group.

3. The specialised working groups shall have decision-making powers. Each specialised working group shall make a detailed oral and written report of its activities to the Joint Committee after each meeting of that specialised working group and may make recommendations to the Joint Committee.

Article 11

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by common agreement of the Parties in accordance with Article 8.

DRAFT

Decision No 1/....
of the Subcommittee on Trade and Investment established by
the Framework Agreement on Partnership and Cooperation between
the European Union and its Member States, of the one part,
and Mongolia, of the other part,

of ...

adopting its Rules of Procedure

THE SUBCOMMITTEE ON TRADE AND INVESTMENT,

Having regard to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part (the ‘Agreement’), and in particular Article 28 thereof,

Whereas:

- (1) Pursuant to Article 28 of the Agreement, the Subcommittee on Trade and Investment was established in order to assist the Joint Committee in the performance of its tasks, by dealing with all areas covered by Title IV of the Agreement (Cooperation on trade and investment issues).
- (2) Pursuant to Article 28(3) of the Agreement, the Subcommittee on Trade and Investment is to establish its own rules of procedures,

HAS ADOPTED THIS DECISION:

Sole Article

1. The Rules of Procedure of the Subcommittee on Trade and Investment, as set out in the Annex, are hereby adopted.
2. This Decision shall enter into force on the date of its adoption.

Done at ...,

*For the Subcommittee
on Trade and Investment
The Chair*

ANNEX

RULES OF PROCEDURE OF THE SUBCOMMITTEE ON TRADE AND INVESTMENT

Article 1

Composition and chair

1. The Subcommittee on Trade and Investment shall perform the tasks provided for in Article 28(2) of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and Mongolia, of the other part (the 'Agreement').
2. The Subcommittee on Trade and Investment shall be composed of representatives of the Union and Mongolia at an appropriate level and shall be chaired alternately by a representative of the European Commission service in charge and by the Ministry of Foreign Affairs of Mongolia, for a period of one calendar year.

Article 2

Meetings

1. The Subcommittee on Trade and Investment shall meet annually, shortly before the meeting of the Joint Committee. Meetings of the Subcommittee on Trade and Investment shall be convened by the Chair. Meetings shall be held in Brussels and Ulaanbaatar alternately, on a date fixed by mutual agreement. Extraordinary meetings of the Subcommittee on Trade and Investment may be held at the request of either Party, if the Parties so agree.
2. If the Parties agree, the meetings of the Subcommittee on Trade and Investment may be held by means of video-conference.

Article 3

Delegations

1. Each Party shall inform the Chair of the intended composition of its delegation before each meeting of the Subcommittee on Trade and Investment.
2. The Chair, in agreement with the Parties, may invite experts or representatives of other bodies to the meeting to act as observers or to provide information on a particular subject. The Parties shall agree on the terms and conditions under which those observers and representatives of other bodies may attend the meetings.

Article 4
Information to the public

1. The meetings of the Subcommittee on Trade and Investment shall not be public, unless otherwise decided by the Chair in agreement with the Parties. When a Party submits information designated as confidential to the Subcommittee on Trade and Investment, the other Party shall treat that information as such.
2. The Subcommittee on Trade and Investment may issue statements and reports to the public as it deems appropriate.

Article 5
Secretariat

A representative of the European Commission service in charge and a representative of the Ministry of Foreign Affairs of Mongolia shall act jointly as Secretaries of the Subcommittee on Trade and Investment.

Article 6
Agendas for meetings

1. The Chair shall draw up a provisional agenda for each meeting of the Subcommittee on Trade and Investment.

2. Either Party may request the Chair to place an item on the agenda.
3. The agenda shall be adopted by the Subcommittee on Trade and Investment at the beginning of each meeting. Items other than those appearing on the provisional agenda may be placed on the agenda if the Parties so agree.
4. The Secretaries of the Subcommittee on Trade and Investment shall make public the provisional agenda of each meeting of the Subcommittee on Trade and Investment before that meeting.

Article 7

Minutes

1. The conclusions of the meetings of the Subcommittee on Trade and Investment shall be recorded in the form of agreed minutes.
2. The Chair shall summarise the conclusions reached by the Subcommittee on Trade and Investment at each meeting and report them to the Joint Committee. The Secretaries shall jointly draw up draft minutes on the basis of those conclusions, preferably at the end of the meeting and at the latest 30 calendar days after the date of the meeting.
3. The Subcommittee on Trade and Investment shall approve the draft minutes, preferably at the end of the meeting and at the latest 45 calendar days after the date of the meeting, or by any date agreed by the Subcommittee on Trade and Investment.

Article 8
Decisions

1. The Subcommittee on Trade and Investment may adopt decisions where provided for by the Agreement.
2. Decisions of the Subcommittee on Trade and Investment shall be entitled ‘Decision of the Subcommittee on Trade and Investment’ followed by a serial number, the date of their adoption and a description of the subject matter. Each decision shall state the date on which it enters into force.
3. Where circumstances so require, the Subcommittee on Trade and Investment may adopt its decisions by written procedure.
4. Decisions of the Subcommittee on Trade and Investment shall be established in two authentic copies, each signed by the Chair.
5. The Parties may publish the decisions of the Subcommittee on Trade and Investment in their respective official journals.

Article 9

Expenses

1. Each Party shall bear the expenses it incurs in relation to its participation in the meetings of the Subcommittee on Trade and Investment, with regard both to staff, travel and subsistence expenditure and to postal and telecommunications expenditure. Each Party shall bear the expenses it incurs in connection with interpretation at meetings and translation.
2. The Party hosting the meeting shall bear the expenses in connection with the organisation of meetings and reproduction of documents.

Article 10

Amendment of the Rules of Procedure

These Rules of Procedure may be amended by common agreement of the Parties.
