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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	5 April 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

No. Cion doc.:	COM(2018) 164 final ANNEX
Subject:	ANNEX to the Proposal for a Council Decision on the position to be taken on behalf of the European Union in the Joint Committee established by the European Common Aviation Agreement (ECAA) as regards its internal rules of procedure

Delegations will find attached document COM(2018) 164 final ANNEX.

Encl.: COM(2018) 164 final ANNEX



Brussels, 5.4.2018
COM(2018) 164 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

**on the position to be taken on behalf of the European Union in the Joint Committee
established by the European Common Aviation Agreement (ECAA) as regards its
internal rules of procedure**

ANNEX
Decision No 1/2018
OF THE ECAA JOINT COMMITTEE

THE ECAA JOINT COMMITTEE,

Having regard to the multilateral agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo¹ on the establishment of a European Common Aviation Area ('the ECAA Agreement'), and in particular Article 18 thereof,

HAS DECIDED AS FOLLOWS:

Sole Article

The rules of procedure of the Joint Committee in the Annex to this Decision are hereby adopted.

Done at Brussels, on ... 2018.

For the Joint Committee, the Chair

Carlos Bermejo Acosta

¹ Pursuant to UN Security Council Resolution 1244 of 10 June 1999

ANNEX
RULES OF PROCEDURE OF THE ECAA JOINT COMMITTEE

Article 1

General provisions

1. The ECAA Joint Committee is established in accordance with Article 18 of the Multilateral Agreement between the European Community and its Member States, the Republic of Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, the Republic of Iceland, the Republic of Montenegro, the Kingdom of Norway, the Republic of Serbia and the United Nations Interim Administration Mission in Kosovo² on the establishment of a European Common Aviation Area ('the ECAA Agreement').
2. It shall be responsible for the administration of the Agreement and shall ensure its proper implementation.
3. In accordance with Article 18(2), the Joint Committee shall consist of representatives of the Contracting Parties.
4. In accordance with Article 18(3) the Joint Committee shall act by unanimity. However, the Joint Committee may decide to lay down a majority voting procedure for certain specific issues.

Article 2

Chairmanship

The Joint Committee shall be chaired alternately by an ECAA Partner and the European Union and its Member States. When chairing a Joint Committee meeting, the European Union and its Member States shall be represented by the European Commission.

Article 3

Meetings

1. The Joint Committee shall meet at least once a year and when circumstances require, unless otherwise agreed by the Parties.
2. Each meeting of the Joint Committee shall be held at a date agreed by the Parties.
3. If the Parties so agree, the meetings of the Joint Committee may be held by any agreed technological means such as videoconference.

Article 4

² Pursuant to UN Security Council Resolution 1244 of 10 June 1999

Delegations

1. Prior to each meeting, the Parties shall be informed through the Secretariat of the Joint Committee of the intended composition of the delegations attending the meeting.
2. The Joint Committee may invite non-members to attend its meetings in order to provide information on particular subjects.

Article 5

Secretariat

An official of the European Commission shall act as Secretary of the Joint Committee.

Article 6

Correspondence

All correspondence to and from the Chair of the Joint Committee shall be forwarded also to the Secretary. The Secretary shall ensure that correspondence is transmitted to the Parties.

Article 7

Confidentiality

The Committee's deliberations shall be confidential. When a Party submits information designated as confidential to the Joint Committee, the other Parties shall treat that information as such.

Article 8

Agenda of the meetings

1. A provisional agenda for each meeting of the Joint Committee shall be drawn up by the Secretariat on the basis of the proposals made by the Parties. Agenda items shall be supported by relevant documents and submitted no later than 21 calendar days before the meeting.
2. The provisional agenda shall be circulated to all Parties no later than 15 calendar days before the meeting.
3. The agenda shall be adopted by the Joint Committee at the beginning of each meeting. Any item other than those featuring on the provisional agenda may be added on the agenda if the Parties so agree.

4. The Chair may shorten the time limit specified in paragraph 1 in order to take account of the requirements or urgency of a particular matter.

Article 9

Minutes and operational conclusions

1. Draft minutes of each Joint Committee meeting shall be drawn up by the Secretary. They shall indicate the decisions and recommendations taken and the conclusions adopted.
2. Within one month following the meeting, the draft minutes shall be submitted to the Joint Committee for approval by written procedure. The minutes may also be adopted by the Committee at its next meeting.
3. When approved, the minutes shall be signed by the Chair and the Secretary and one copy shall be transmitted to each of the Parties.

Article 10

Decisions and recommendations

1. The Joint Committee shall take its decisions and formulate its recommendations by unanimity. However, decisions and recommendations within the meaning of Articles 16, 20 and 28(3) of the ECAA Agreement shall require simple majority.
2. The Joint Committee shall be considered as meeting the required quorum only if four South East European Parties and the European Union are represented.
3. During the inter-session period, the Joint Committee may take decisions or make recommendations by written procedure. Any Party may request however that the Joint Committee be convened to discuss the matter. The Party which proposes use of the written procedure shall submit the draft instrument to the Secretary who shall transmit it to all Parties. Each Party shall inform the Chair and the Secretary within 15 working days from the receipt of the draft instrument indicating whether or not it accepts the draft, whether it proposes any changes to the draft, or whether it considers that the Joint Committee should be convened to discuss the matter. If the draft is adopted, the Chair shall finalise the decision or the recommendation in accordance with paragraphs 5 and 6 below.
4. Abstention by a Party shall not prevent the Joint Committee from taking action provided that there is quorum as required by paragraph 2 of this Section.
5. The decisions and recommendations of the Joint Committee shall be entitled respectively "Decision" and "Recommendation" and followed by a serial number, by the date of their adoption and by a description of their subject.
6. The decisions and recommendations of the Joint Committee shall be signed by the Chair and authenticated by the Secretary.

7. The decisions taken by the Joint Committee shall be published by the Parties in their respective official publications. Each Party may decide on the publication of any other act adopted by the Joint Committee. One copy of the decisions and recommendations shall be transmitted to each of the Parties.

Article 11

Languages

1. The official languages of the Joint Committee shall be the official languages of the Parties. However, the Parties shall endeavour, for the sake of efficiency, to use the English language at Joint Committee meetings, for correspondence and for preparing documentation.

2. The decisions and recommendations of the Joint Committee shall be written in English.

Article 12

Expenses

1. Each Party shall bear any expenses it incurs relating to its participation in the meetings of the Joint Committee and of the working parties or groups of experts.

2. The Joint Committee shall agree on the breakdown of expenses relating to any missions assigned to experts.

Article 13

Amendment of Rules of Procedure

These Rules of procedure may be amended in accordance with Article 10.

Article 14

Working Parties

1. The composition and functioning of the working parties or groups of experts set up in accordance with Article 18(8) of the Agreement shall be agreed, *mutatis mutandis*, in accordance with the rules applicable to the Joint Committee.

2. The working parties or groups of experts shall work under the authority of the Joint Committee, to which they shall report after each of their meetings. They are not authorised to take decisions but may make recommendations for the Committee's attention.

3. The Joint Committee may decide to terminate or to amend the mandate of the working parties or groups of experts.